



WASHINGTON COUNTY, ARKANSAS
County Courthouse

February 13, 2015

REGULAR MEETING OF THE
WASHINGTON COUNTY QUORUM COURT

Thursday, February 19, 2015
6:00 p.m.
Washington County Quorum Court Room

AGENDA

1. **CALL TO ORDER AND WELCOME.** **JUDGE EDWARDS**
2. **PRAYER AND PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.** At the beginning of each meeting, the agenda shall be approved. Any JP may request an item be added to the agenda subject to approval of the Quorum Court.
5. **APPROVAL OF MINUTES.** Approval of the minutes of the January 15 regular meeting of the Quorum Court. **(5.1)**
6. **SELECTION OF REPRESENTATIVE TO SERVE ON THE ARKANSAS ASSOCIATION OF QUORUM COURTS FOR THE 2015/2016 TERM.** This item was tabled at the January meeting. **JUDGE EDWARDS**
7. **A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT TWO FOR 2015.** JP Jimmy Mardis submitted his resignation last month. **(7.1)** **BUTCH POND**
8. **FINANCE REPORT.** **RICK COCHRAN**
 - 8.1 **A RESOLUTION AUTHORIZING THE SUBMITTAL OF COMMUNITY FIRE PREVENTION GRANT APPLICATIONS.**

- 8.2 A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY, SOLID WASTE MANAGEMENT DIVISION.
- 8.3 A RESOLUTION AUTHORIZING THE WASHINGTON COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE ARKANSAS RURAL DEVELOPMENT COMMISSION ON BEHALF OF THE WHEELER FIRE DEPARTMENT.
- 8.4 APPROPRIATION ORDINANCE: AN ORDINANCE ANTICIPATING REVENUES TOTALLING \$1,131,441 IN VARIOUS GRANT FUNDS; AND APPROPRIATING \$1,182,679 FROM VARIOUS FUNDS TO VARIOUS BUDGET LINE ITEMS FOR 2015.
- 8.5 APPROPRIATION ORDINANCE: AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$287,651 IN THE HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT FUND; AND APPROPRIATING \$287,651 FROM THE HIDTA GRANT FUND TO THE HIDTA 2015 GRANT G15GC0004A BUDGET FOR 2015.
- 8.6 APPROPRIATION ORDINANCE: AN ORDINANCE RECOGNIZING REVENUES OF \$3,500 IN THE DEM GRANT FUND; AND, APPROPRIATING THE AMOUNT OF \$3,500 FROM THE DEM GRANT FUND TO THE MRC 2015 GRANT BUDGET.
- 8.7 APPROPRIATION ORDINANCE: AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$50,000 IN THE DEM GRANT FUND, AND APPROPRIATING \$50,000 TO THE CEMS CAD BUDGET FOR 2015.
- 8.8 APPROPRIATION ORDINANCE: AN ORDINANCE ANTICIPATING REVENUES OF \$8,433 IN THE LAW ENFORCEMENT GRANT FUND; AND, APPROPRIATING \$8,433 FROM THE LAW ENFORCEMENT GRANT FUND TO THE ARICAC BUDGET FOR 2015.
- 8.9 APPROPRIATION ORDINANCE: AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$3,711 IN THE LAW ENFORCEMENT GRANT FUND; AND APPROPRIATING \$3,711 FROM THE LAW ENFORCEMENT GRANT FUND TO THE CIRCUIT COURT-JUVENILE DIVISION GRANT BUDGET FOR 2015.
- 8.10 APPROPRIATION ORDINANCE: AN ORDINANCE APPROPRIATING THE AMOUNT OF \$24,000 FROM THE ASSESSOR'S AMENDMENT 79 FUND TO THE ASSESSOR'S BUDGET FOR 2015.

- 9. COUNTY JUDGE'S REPORT. JUDGE EDWARDS**
- 10. COMMITTEE REPORTS. (10.1-10.5) JUDGE EDWARDS**
- 11. AN ORDINANCE CALLING A SPECIAL ELECTION ON THE QUESTION OF THE LEVY OF THE ANNUAL DUES OF THE WEST FORK RURAL FIRE DEPARTMENT AND PRESCRIBING OTHER MATTERS PERTAINING THERETO. This ordinance has been requested by the West Fork Rural Fire Department. This ordinance is on second reading. (11.1) ANN HARBISON**
- 12. AN ORDINANCE AMENDING ORDINANCE NO. 2014-06 PERTAINING TO COMMUNITY SEWER SYSTEMS. This ordinance is on first reading and is being recommended by the County Services Committee. (12.1) EVA MADISON**
- 13. A RESOLUTION CONFIRMING THE POLICY STATEMENT OF THE SHERIFF REGARDING THE TEMPORARY FILLING OF THE OFFICE OF SHERIFF PURSUANT TO ACT 229 OF 2009 (A.C.A.§14-14-1310). This resolution is being recommended by the Jail/Law Enforcement/Courts Committee. (13.1, 13.2) TOM LUNDSTRUM**
- 14. OTHER BUSINESS.**
- 15. CITIZEN'S COMMENTS. Fifteen-minute comment period with a three-minute limit for each individual to comment on items on the agenda or other items.**
- 16. ADJOURNMENT.**

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**MINUTES OF THE
ORGANIZATIONAL/REGULAR MEETING OF THE
WASHINGTON COUNTY QUORUM COURT**

Thursday, January 15, 2015
6:00 p.m.
Washington County Quorum Court Room

- 1.1 The Washington County Quorum Court met for an organizational/regular session on Thursday, January 15, 2015. The meeting was called to order by County Judge Marilyn Edwards.
- 1.2 Judge Edwards reported that she received a letter today from Justice of the Peace Jimmy Mardis resigning as JP for District 2. The Quorum Court will need to declare a vacancy at the regular meeting in February. She further welcomed the returning JPs as well as the five new members and stated that she looks forward to working with them.
- 1.3 T. Lundstrum led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 1.4 MEMBERS PRESENT: Daniel Balls, Harvey Bowman, Rick Cochran, Robert Dennis, Lisa Ecke, John Firmin, Ann Harbison, Tom Lundstrum, Sue Madison, Joel Maxwell, Butch Pond, and Bill Ussery.
- 1.5 MEMBERS ABSENT: Eva Madison and Joe Patterson.
- 1.6 Judge Edwards reported that E. Madison and J. Patterson were out of town on business.
- 1.7 OTHERS PRESENT: County Judge Marilyn Edwards, County Attorney Steve Zega, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 1.8 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 1.9 **A motion was made and seconded to adopt the agenda as presented. The motion passed unanimously by voice vote by those present. The agenda was adopted as presented.**
- 1.10 APPROVAL OF MINUTES: Judge Edwards asked for approval of the minutes of the December 18 regular meeting of the Washington County Quorum Court.
- 1.11 S. Madison stated that she could not vote on these minutes as she was not at the December 18 meeting.

2.1 **A motion was made and seconded to approve the minutes as distributed. The motion passed by a vote of 12 in favor and 1 abstaining by voice vote. The minutes were approved.**

2.2 **A RESOLUTION AUTHORIZING ALFORD JOE MAIN TO SOLEMNIZE THE MARRIAGE OF SAMANTHA RENEE GOODING AND JAMES ZACHARY SMITH ON JANUARY 16, 2015, IN WASHINGTON COUNTY, ARKANSAS:** R. Cochran introduced **A Resolution Authorizing Alford Joe Main To Solemnize The Marriage Of Samantha Renee Gooding And James Zachary Smith On January 16, 2015, In Washington County, Arkansas,** and County Attorney Steve Zega read the resolution.

2.3 **R. Cochran made a motion to adopt the resolution. J. Firmin seconded.**

2.4 Citizen Comments: There were no comments made.

2.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**

2.6 **The motion passed unanimously by those present by voice vote. The resolution was adopted.**

2.7 The couple who was present was congratulated.

RESOLUTION NO. 2015-01, BOOK NO. 3, PAGE NO. 94

2.8 **POWERS AND DUTIES OF THE QUORUM COURT, FREEDOM OF INFORMATION ACT, GENERAL MEETING CONDUCT, AND MEETING PROCEDURES:** County Attorney Steve Zega stated that the three broad areas that former County Attorney George Butler would touch on at the organizational meetings included the Freedom of Information Act, powers and duties of the Quorum Court, and solemnization of marriages. He referred to memorandums previously distributed regarding FOI and the marriage issue, stating that he would begin by touching on a summary of those items in the memo.

2.9 Freedom of Information Act: County Attorney Steve Zega stated that the Freedom of Information Act "FOIA" covers two areas, the open records and open meetings with which government/elected officials have to concern themselves. The underlying principal is the same with both. The public's business has to be conducted in public which means what they do and how they make their decisions and county policy. Discussion they have about county policy should be in a way that is accessible to the public, that they

understand and have the ability to comment, criticize, question and clarify when necessary. He stated that sometimes open records and open meetings become a little muddled in terms of which is which, and if there is not a distinction, the idea is that if it is a question, generally speaking, about whether they should do something in public and whether they should disclose, then the answer is yes. He stated that there were exceptions and exclusions from the FOIA such as HIPPA protected information that was generated by government, things that are accepted from disclosure or immediate notice to the public such as open criminal investigations. He stated that in general when they do something that affects county business, they have to do it in public. He stated that the Arkansas Supreme Court has taken a very broad definition of what is "county business" as anything that touches on county policy, the performance of county officials or employees, what they ought to do or are thinking about doing about; for example, a certain county road or something that the County Judge has done in the County Court. S. Zega again reiterated if they have to think about whether it is county business or not, then it probably is.

- 3.1 County Attorney Steve Zega stated that he has never believed that JPs cannot communicate with each other in writing as long as it is not a back and forth type communication where they are responding to each other by instant messaging or Skype, etc. or e-mails that they are responding to instantly which becomes an electronic meeting that the public has not been notified of or is not aware of and the press does not have notice of. He stated that he does not believe that JPs cannot write each other letters as long as they are made available to the public, or that they cannot send each other e-mails as long as they are not beginning real time conversation, and as long as the e-mail is made available to the public. He noted that he has asked and advised the JPs to do when they write to each other, that they make that writing available to the Quorum Court Coordinator and in general copy it to the press so that they know what is going on. He stated that he does advise against JPs talking to each other on the phone or in person about county business for the reason that they do not want to create the appearance that they are not doing business in public, so the FOIA puts constraints on JPs and Quorum Court members that maybe other lawmakers do not necessarily face, but it is incumbent upon them to make sure that they do the publics' business in public.
- 3.2 County Attorney Steve Zega stated that the natural question is what happens if they violate FOIA, and noted that there is a criminal penalty, Class C misdemeanor which is punishable by up to 30 days in jail and up to a \$500 fine. He thinks that the court's opinion on this is if the mental state that you have to have to violate FOIA is negligently, or you do not even have to intend

or mean to do it, and if you were negligent in violating the FOIA and found a prosecutor willing to prosecute then potentially they could face the above penalty. He stated that he is not meaning to intimidate JPs by that, but it is his job and incumbent upon him to explain the ramifications and possible sanctions for FOIA violation. He stated that the real "hammer" for violations of the FOIA is if there is an ordinance or resolution found to be passed by a Quorum Court in violation of FOI, then the court can void that policy. The Quorum Court does a lot of hard work and does not want to have to throw it away on something silly like that.

- 4.1 County Attorney Steve Zega introduced Brenda Blagg, a long-time journalist and someone he has a lot of respect, to address the Quorum Court further on the Freedom of Information Act.
- 4.2 Brenda Blagg stated that she has been covering this county government's news for the past 29 years through the transition from the very old kind of Quorum Court into the new one, stating that it is a different critter than it used to be. She stated that part of the transition was learning to live within FOIA. She noted that the 1967 version of this law was passed when she was in college and she remains a member of the FOI Coalition which is a statewide organization that does what they can to keep the law strong. She referred to an FOI booklet that was distributed noting that they are redone following every legislative session because they inevitably do something that affects the law, and this booklet should help the JPs find provisions in the law on their own. She stated that by going to the Arkansaspress.org, the FOI Act booklet can be downloaded onto their computers and search anytime they have a question. Ms. Blagg stated that there are a lot of court cases, Attorney General Opinions, as well as questions and answers in the booklet that will answer most questions the JPs will come across.
- 4.3 Ms. Blagg stated that her main purpose tonight is to encourage the JPs to remember what it was like not to be inside the government, but to be on the outside looking in. There are thousands of citizens on the outside that are interested in what they do in the Quorum Court and unless they are allowed to be a part of it, they do not know how to respond to them. She stated that their best defense for anything that they do is transparency and FOIA assures it and people like herself to make sure that they do not forget that. She further stated that everything in this law is written for the public in general and not for the press, as their rights are the same as her rights as a journalist. Ms. Blagg stated if County Attorney Zega was not available for some reason, the JPs as well as public citizens are welcome to contact her at home at (479) 443-5702, and although she is not an attorney, she can guide them through the FOI booklet and help to answer their questions about FOIA.

- 5.1 In response to a question from S. Madison relating to letters or e-mails to each other who in the press they need to copy to, Ms. Blagg stated that the law puts a burden on the media in a sense that they need to actually request that they be notified. She stated in general a paper like NWA Times should have a request on file that says they want to be notified of special or regular meetings and any good politician will make sure that anyone that actively covers the public body is getting the notices. She noted that in the case of this Quorum Court, the Quorum Court Coordinator in the County Judge's Office sends those notifications to anyone who has made such a request at anytime.
- 5.2 Powers and Duties of the Quorum Court: County Attorney Steve Zega stated that the memo he provided to the Quorum Court lists statutory duties and much like the FOIA information provided, it is not nearly all inclusive. He noted that from A.C.A. § 14-14-802, is provided a broad thumbnail statutory grant of authority to the JPs within the context of Amendment 55, which reorganized county government in the late 1970's. He noted that the list shows what they are mandated to do: (1) the administration of justice through the several courts of record of the county; (2) law enforcement protection services and the custody of persons accused or convicted of crimes; (3) real and personal property tax administration, including assessments, collection, and custody of tax proceeds; (4) court and public records management, as provided by law, including registration, recording, and custody of public records; and (5) all other services prescribed by state law for performance by each of the elected county officers or departments of county government.
- 5.3 S. Zega noted that perhaps the most important of JPs duties is codified at A.C.A. §14-14-904(b), to levy taxes and making of appropriations, including (i) the Quorum Court at its regular meeting in November of each year shall levy the county taxes, municipal taxes, and school taxes for the current year; and (ii) before the end of each fiscal year, the Quorum Court shall make appropriations for the expenses of county government for the following year.
- 5.4 S. Zega stated noted that a list of services that the Quorum Court may provide if it so chooses as shown in A.C.A. §14-14-802 or discretionary functions that a county government acting through the Quorum Court may provide through ordinance for the establishment of any service or performance of any function not expressly prohibited by the Arkansas Constitution or by law. He stated that these legislative services and functions include, but are not limited to agricultural services, community and rural development services, community services, emergency services, human services, solid waste services, transportation services, and water, sewer and other utility services.

- 6.1 Meeting Procedure: County Attorney Steve Zega stated that the Quorum Court constituted itself many years ago as a body that follows “Robert’s Rules Of Order” and addressed a summary handout that talks about motions and what has to be brought to the Chair’s attention; what kinds of various motions it takes to pass, etc. He noted that Roberts Rules of Order are modified slightly by procedural guides from the Legislature, such as the difference between passing an appropriation ordinance which may be passed on the first reading and other types of ordinances that do not have emergency clauses that take three readings to pass. He pointed out that frequently the rules are suspended and ordinances are placed on second and third readings if they are not particularly controversial, read by title only, and then they proceed to vote on them the first night brought up. He pointed out that certain types of ordinances take a two-thirds vote or anything with an emergency clause to approve and can be passed later without the emergency clause by simple majority. He stated that in general, their business will be done by having at least 8 affirmative votes. If they do not have 8 votes in the affirmative, as a present vote or abstention procedurally count as a no vote, then the ordinance or resolution will not pass.
- 6.2 County Attorney Steve Zega stated that generally speaking the way the Washington County Quorum Court does business, most ordinances and resolutions begin in committee. There are regular committee meetings and Judge Edwards will talk about the assignments she has made to those committees. He pointed out if a JP’s committee to whom they brought an ordinance says they are not going to pass it onto the full Quorum Court with a do pass recommendation, that JP as a member has the right to bring it around the committee to the full Quorum Court to present it anyway. He noted that this is not seen very often because generally speaking they try to respect the committee process because that is where most of the heavy lifting is done. Mr. Zega noted that he does not make policy for the county, but will advise the county to try to stay out the unconstitutional and illegal ditches, and if the question is whether something is the right thing to do for the county, ultimately that belongs with the 15 elected members of this body.
- 6.3 Solemnizing Marriages: County Attorney Steve Zega stated that one of the best things he found about being a JP is that he was able to marry people. He stated as per Attorney General Opinions, as an elected Justice of the Peace, they can marry anyone in Arkansas and if they have served two terms, can perform marriage ceremonies even after they are off the Court. He noted that they are not allowed to collect a fee, at least as long as they are on the Quorum Court. He further noted if invited to a paid dinner or reception, this is allowed and not considered a fee. In general, he said not to take any type of pecuniary award for marrying people while on the Court, but rather do it because it is fun and a great public service.

- 7.1 T. Lundstrum stated that he is both a JP and an Ordained Minister and has never married anyone as a Justice of the Peace, noting when he signs the Marriage Certificate, he signs as a Minister with the book and page on the Marriage License. He further has never charged to perform a marriage ceremony, but does say that they can give a contribution to the church that he pastors, which he will take and give to the church. He stated he believes he can do this without any question, but he does not want any false accusations made because he is not marrying them as a JP.
- 7.2 County Attorney Steve Zega addressed T. Lundstrum stating that he did not believe this would raise any issue with the scenario he described.
- 7.3 L. Ecke asked if it was permissible for money to be given to a favorite charity in her name; to which County Attorney Steve Zega responded that would be allowed as long as she is not taking money herself as she is not to be personally compensated for performing a marriage.
- 7.4 S. Madison asked how their seating at the meetings was determined; to which Judge Edwards responded that the JPs are seated alphabetically by her.
- 7.5 S. Madison further asked if there was statutory authority for this; to which County Attorney Steve Zega stated in general the presiding officer can arrange the room. She asked Mr. Zega to check to see if there was statutory authority for that and if not, whether that would fall to one of the prerogatives of the court. S. Madison noted that she does not have any problem with the way that it is being done, but wants to know procedurally because there are certain legislative functions that belong to the legislative body.
- 7.6 REVIEW OF QUORUM COURT COMMITTEE ASSIGNMENTS FOR 2015/2016, AND SCHEDULING OF MEETING DATES/TIMES: Judge Edwards referred to a document distributed that set forth the Quorum Court Committee assignments that she had made for the 2015-16 term. The assignments were as follows: County Services – D. Balls, R. Dennis, J. Firmin, T. Lundstrum, E. Madison, S. Madison, and JP District #2; Public Works – H. Bowman, R. Cochran, A. Harbison, T. Lundstrum, J. Maxwell, J. Patterson, and B. Pond; Personnel – D. Balls, H. Bowman, L. Ecke, A. Harbison, J. Patterson, B. Pond, and B. Ussery; Jail/Law Enforcement/Courts – J. Firmin, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, and JP District #2; and, Finance and Budget – R. Cochran, R. Dennis, L. Ecke, J. Firmin, A. Harbison, B. Pond, and B. Ussery.
- 7.7 Judge Edwards referred to the Committee descriptions and responsibilities that were also distributed as were proposed dates/times for the initial

meetings. She noted after the committees meet and elect their chair, they can change the future date if they wish to, but they needed a date set up so they can follow procedure to be able to get the committees started.

- 8.1 **A motion was made and seconded to confirm the first committee meeting dates as set. The motion passed unanimously by those present by voice vote. The first meeting dates were confirmed.**
- 8.2 SELECTION OF REPRESENTATIVE TO SERVE ON THE ARKANSAS ASSOCIATION OF QUORUM COURTS FOR THE 2015/2015 TERM: Judge Edwards stated that the Quorum Court needs to select a JP to serve as its representative to the Arkansas Association of Quorum Courts for this new term and asked for any nominations.
- 8.3 **H. Bowman nominated JP S. Madison to serve as the Quorum Court's representative.**
- 8.4 **S. Madison declined the nomination.**
- 8.5 R. Cochran stated that E. Madison has served Washington County well in this capacity for the last two years and questioned whether she might be willing to continue such. He asked S. Madison if she thought E. Madison would be willing to do this; to which S. Madison stated that she was not comfortable answering for E. Madison.
- 8.6 Judge Edwards suggested that since E. Madison was not in attendance at that meeting, that they table this matter until their regular February meeting.
- 8.7 **R. Cochran made a motion that they postpone assignment of the representative to serve on the Arkansas Association of Quorum Courts until their next regular Quorum Court meeting. The motion was seconded. The motion passed unanimously by those present by voice vote. The matter was tabled.**
- 8.8 H. Bowman stated that they are aware that the State Legislature has given Judge Edwards the authority to limit the size of committees. He referred to County Attorney Steve Zega's previous statement that most of the "heavy lifting" of their business is done in committees and he has given this a lot of thought believing that every one of them has a responsibility to make a contribution to managing the finances of the county and if they are not on the Finance/Budget Committee they can make comments, but cannot vote and he believes there is great deal of difference between the two. He noted by the time they get to the final approval of the committee reports, it basically

comes down to a “rubber stamp” type of situation. H. Bowman stated that he wanted to appeal to Judge Edwards to reverse her position regarding limiting the number of people on the Finance/Budget Committee to seven and allow all 15 members to serve on this committee because it is incumbent on every one of them to make their opinions known and their votes cast.

- 9.1 Judge Edwards addressed H. Bowman, stating that she appreciates his comments, but will be leaving the number to serve on the Finance/Budget Committee at seven.
- 9.2 S. Madison stated that she has done a little research on this issue herself and in casual conversation with a lawyer friend in Little Rock, noting that the Act that the Legislature passed giving the County Judge the authority to determine membership of a Committee of the Whole was in fact after Washington County had already passed an ordinance establishing their Finance Committee as a Committee of the Whole. In looking at a recent ballot issue, a court opinion said that the Legislature is presumed to be acting prospectively unless they specifically say they are acting retroactively. She stated that it seems that this court has determined to apply this new statute retroactively.
- 9.3 County Attorney Steve Zega responded to S. Madison stating that two points about this is that he does not believe that this the statute applies retroactively in their case because this is a new court with new committee members. Secondly, whether the ordinance passed by the County Quorum Court in organizing a Committee of the Whole is displaced by a state statute and in his opinion in this case it is because the language in the statute is, “A regular special committee of a Quorum Court shall not consist of more than four of the whole body without consent of the County Judge.” He stated that is in the present by any language or rule of statutory construction and he believes that it applies to this court for those two reasons.
- 9.4 S. Madison asked if the committees that were established by that ordinance did not continue unless the ordinance is changed and the assumption would be that they have continued because they have not taken any new action. She stated that she does not understand the logic that says that the Finance and Budget Committee does not continue as it was constituted under the ordinance.
- 9.5 County Attorney Steve Zega responded to S. Madison stating that he would agree with that in terms of the means of the committees and their assigned duties, but State law in his opinion displaces or trumps that ordinance.

- 10.1 S. Madison stated that she would get a copy of the Attorney General Opinion she is referring to for County Attorney Zega to review.
- 10.2 H. Bowman asked for Judge Edwards to share her rationale of selecting only seven people to serve on the Finance and Budget Committee instead of having all fifteen JPs serve on this committee.
- 10.3 Judge Edwards responded to H. Bowman stating that she feels that there was an awful lot of time taken and a lot of expenditures with the Quorum Court going \$95,000 over their budget this last year with all the meetings they had and she feels like seven members can make these decisions. She further pointed out even though they are not all voting, every JP can attend the Finance and Budget meetings and make comments so that they are aware of what is going on when the issues come before the full Quorum Court.
- 10.4 H. Bowman stated that he does not believe there is a question that they do not all know what is going on, but those committees do pass on issues that are rubber stamped, and not being able to vote in that process makes a great deal of difference. By the time the Quorum Court meets to approve those, a lot of the details have fallen to the wayside.
- 10.5 Judge Edwards stated that she understands where H. Bowman is coming from.
- 10.6 H. Bowman stated that his JP compensation last year was about \$10,000 and with 15 JPs on this court would total \$150,000 paid out. He noted with all the intellect and experience that they bring to the table, the total cost of \$150,000 brings a great deal of value to Washington County. He noted that they had a very difficult budget situation this past year because of all the finance pressure, which created the most time consumed in that process and he thinks to eliminate the contributions as per our agreement in this process is really less than favorable to the county.
- 10.7 R. Cochran stated that there have been several times when he attended meetings, but was not sitting on the committee and brought up an idea that was pertinent to the subject at hand and while he could not make the motion to amend, it was done by one of the committee members. Therefore, he stated that even though they are not voting members of the committee, their involvement is still very important and can have a positive impact.
- 10.8 T. Lundstrum stated that discussing this topic tonight is basically a mute point because what is it is, but he does believe what the State Legislature did was a violation of the doctrine of separation of powers and at every level of

- government that he is aware of, the legislative body makes their own decisions regarding committees. He stated that this has been a long time part of their government process nationwide and suggested the thing to do was to go to Little Rock and try to get this changed back the way it should be.
- 11.1 S. Madison stated that their desire to save \$95,000 is being negated by the statement that they are all able to attend the committee meetings anyway and give input, even though to a muted degree. She stated that they are not going to save any money if they all still go to Finance Committee meetings, but this just means that some of them will have less influence and less of an ability to work through the problems of this county's budget. She thinks that the hard work done last year had a very good result for the county and there was significant savings which she believes is important that they all continue to strive for. She stated that she attended many of those meetings and believes it was important for the Finance Committee to have everybody there and she appreciated their hard work, but believes that this is a setback for the county.
- 11.2 COUNTY JUDGE'S REPORT: Judge Edwards referred to the memorandum distributed from her reporting on property disposed of during 2014 that was no longer of value to the County that she is required to make the court aware of.
- 11.3 **A motion was made by Sue Madison and seconded to accept this report. The motion passed unanimously by those present by voice vote.**
- 11.4 Judge Edwards announced that Chief of Staff Dan Short would be giving report from the Road Department.
- 11.5 Dan Short addressed the Quorum Court introducing himself as the Chief of Staff for Judge Edwards wherein he assists her in administration and management of 15 departments. He noted that typically Shawn Shrum, Assistant Road Superintendent, would present this information; however, Mr. Shrum was out of town this evening.
- 11.6 Mr. Short reported for 2014, the Washington County Road Department rechipped and sealed approximately 60 miles of road, noting that reseal on chip and seal roads is done about every seven years, so they typically try to complete 50-60 miles every year. He reported that they turned 4.5 miles of gravel road into a hard surface of some kind with 2.7 miles chip and seal and 1.8 miles asphalt. Additionally, they overlaid about 2.9 miles of asphalt. Mr. Short reported that the next major event for the Road Department in 2014 was beginning to replace the Stonewall Bridge over the Muddy Fork of the Illinois River.

- 12.1 Mr. Short reported that current new construction is CR1090 and CR199 near Round Mountain, preparing those road beds for chip and seal during this year. He stated that they are also working on Wolf Track Road southwest of Summers preparing that road bed for chip and seal this year. He noted that they are working on Smokey Bear off of Black Oak Road, widening that area due to a request from citizens living in that area who felt like it was necessary for the buses that travel this road to pick up school children, noting that there are two different schools that serve that road. He noted that this road was narrow in some spots and they are in the process of widening that road which will be a better gravel road.
- 12.2 Mr. Short reported that they have closed two bridges in Washington County this week; namely they closed Orr Bridge west of Highway 265 on 1/12 and on 1/13, and the Woolsey Bridge adjacent to Highway 71 south of West Fork. He explained the reason for both bridge closings was a safety factor. He noted that they inspected both structures last year and Judge Edwards made the decision that they could no longer let the public drive over those bridges. He stated that they will be starting the eastside end walls and wing walls on Stonewall Bridge as soon as weather permits and currently have the head wall and wing wall on the other side and two piers in the middle finished.
- 12.3 S. Madison asked what changes have been made at the Road Department in response to the allegations of inappropriate construction and gave the example of how they bend rebar and are they using epoxy to firmly establish rebar in already poured concrete. She referred to the article Mr. Holtmeyer wrote in the newspaper about the county roads left her with quite a few questions as to the Road Department's construction on bridges and left her less than assured that they are following proper procedures.
- 12.4 Mr. Short addressed S. Madison stating that he is a little hesitant to respond specifically in a situation where a lawsuit has been brought. He stated that they strive every day to improve their methods and if methods are identified that they are lacking in, they will take every step they can to improve.
- 12.5 S. Madison stated that it concerns her considering they just had two bridges closed because of safety and the conclusion she jumps to is whether they have been following proper maintenance guidelines. She stated if they are not following plans given by that the engineers, who they pay for the plans, are they following plans for proper maintenance.
- 12.6 Mr. Short responded that S. Madison is assuming that the Road Department did not follow plans that the engineers laid out and he cannot say that this is a true statement.

- 13.1 S. Madison asked why she had to file an FOIA request to get the name of the engineer that did the plans for Harvey Dowell Bridge; to which Mr. Short responded that it was not necessary for her to file an FOI and if she had called him, he would have given her that information.
- 13.2 S. Madison responded to Mr. Short stating that she had asked both Secretary Karen Beeks and County Attorney George Butler and both ho were not sure, after which Assistant Road Superintendent Shawn Shrum was called. He would not give her that information unless she came to the Road Department, which she was unable to do that day.
- 13.3 Mr. Short apologized stating that if she had called him, he would have been able to give her that information as he sees no reason for not providing that information.
- 13.4 S. Madison stated that she does not see any reason for her to have to jump from one elected official to another just to get a simple question answered that Mr. Shrum knew the answer; to which Mr. Short. She added that it was a little uncomfortable to have to file an FOI request with her own County.
- 13.5 S. Madison stated that she would like to know what happened to the extra yards of concrete that they are missing as Mr. Holtmeyer's newspaper article did not cover that. She noted that apparently 130 yards of concrete were poured for a 60 yard job, so 70 yards of concrete went somewhere or they paid for concrete that they did not get.
- 13.6 Mr. Short responded to S. Madison stating that he doubts that this happened.
- 13.7 S. Madison asked if these allegations were being investigated and coming up with answers as to whether they were accurate or not; to which Mr. Short responded that they are looking into all allegations.
- 13.8 S. Madison asked when the Quorum Court would have the answers because the lawsuit is about whistle blower and freedom of speech; to which Mr. Short responded he thinks they will be able to be more forthcoming about the information once the lawsuit is complete as he hesitates to talk too much about what has been charged against the County.
- 13.9 S. Madison stated that to her they are talking about spending public tax dollars and perhaps public safety; to which Mr. Short responded that he has the utmost faith in the construction of the Harvey Dowell Bridge and the Stonewall Bridge that they are currently working on, and would have no compunction in letting his family drive over the Harvey Dowell Bridge.

- 14.1 S. Madison stated that Mr. Ball, the State Inspector that she talked to, advised her that they do their ratings based on the engineering plans and assume that they are built as the plans show.
- 14.2 Judge Edwards requested that County Attorney Steve Zega speak to this matter.
- 14.3 County Attorney Steve Zega stated that Mr. Short's point about the fact that this is in litigation and S. Madison's point that they are talking about public dollars are both well taken. He stated that the issue is how much they talk about issues that are in litigation. As the County Attorney he would not be doing his job for the County and this body that appropriates money for the County if he did not say that it is never wise to start talking about matters that are directly under litigation while that litigation is going on for a variety of reasons that he would be happy to articulate in greater depth now or at a later time. However, he stated the point that they are talking about substantial amounts of public money is true, this lawsuit that is filed seeks substantial amounts of public money as well which is all more reason to be careful and safeguard what they say about things that are under litigation, including the specific plans for that bridge and whether or not any deviation was taken from them at any point in time. He stated that these are important matters that should be discussed in public; however, at some point in time they need to realize that the county is being sued as a derivative of those questions right now.
- 14.4 J. Firmin questioned whether bikes could still be ridden over the Woolsey Bridge; to which Mr. Short responded that the Woolsey Bridge is totally blocked with mounds of dirt on both ends of the bridge as well as guardrails up on the parts that stand going up to the bridge.
- 14.5 J. Firmin suggested that they put that information in the newspaper as there are a lot of people who ride bikes out there and it would require that they then go all the way back around.
- 14.6 Mr. Short added that this may not be able to keep people from doing that, but they also have sufficient signage out there stating that this road/bridge is closed.
- 14.7 Judge Edwards added that they have taken many steps for safety and if something were to happen and someone got hurt, the county would not be liable.

- 15.1 Mr. Short stated that they realize this is an inconvenience for many people who use those bridges and hopefully they will be able to start bringing the bridges down and replace them in the near future.
- 15.2 T. Lundstrum asked if there was any current information on where the State is with the Woolsey Bridge project; to which Mr. Short responded that they did not at this point and they have discussed taking a delegation of concerned citizens down to the State Highway Department in the near future to talk about the speed with which they may help the county get started on that project.
- 15.3 T. Lundstrum stated for the benefit of those new members on the Court, the State is working on some design issues on that bridge that was constructed in 1925. He further noted that both bridges they are talking about are nearly 100 years old.
- 15.4 Judge Edwards stated that they closed one bridge and then closed the other after the State did inspections, during which they check several bridges, and made the county aware of some of the major problems with these two bridges which made her very uncomfortable. She stated that closing these two bridges was not something she wanted to do, but believed it was necessary to protect the public. She reported that she along with Mr. Short and a representative from the Road Department went to Brentwood to speak to the citizens and let them know in the community what they were doing and they were most appreciative of this as they were aware that someone would eventually get hurt. She pointed out that sometimes drastic steps cause drastic things to start to happen and she is hopeful that they will soon be able to move forward on this soon.
- 15.5 Mr. Short stated that the Judge's administration currently covers the supervision of 202 county employees working in about 15 different departments who all have different missions and going in different directions. There is a lot going on every day. He stated if anyone on the Quorum Court has trouble getting anything from those departments that they can contact him directly and he will see that they get the information that they are looking for. He noted that he is in his office at the Courthouse part of the week and the remaining time he spends at the Road Department and he can always be reached by phone regardless of where he is.
- 15.6 B. Pond stated that the Harvey Dowell Bridge is in his District and he is proud of that bridge that they have been waiting on for a long time. He is not hesitant to drive across the bridge and sees no reason that any 80,000 pound gross weight vehicle could not cross it. He appreciates the job that the Road

Department does and if they used a little extra concrete in those thin walls of the bridge that does not bother him at all.

- 16.1 AN ORDINANCE AUTHORIZING THE COUNTY JUDGE TO ENTER A CONTRACT FOR SERVICES WITH THE ASSOCIATION OF ARKANSAS COUNTIES: B. Pond introduced **An Ordinance Authorizing The County Judge To Enter A Contract For Services With The Association Of Arkansas Counties**, and County Attorney Steve Zega read the ordinance that is on first reading.
- 16.2 B. Pond explained that they must authorize participation in this Association and need this contract for risk management.
- 16.3 **B. Pond made a motion to suspend the rules and place the ordinance on second reading by title only. R. Cochran seconded. The motion passed unanimously by those present by voice vote.**
- 16.4 County Attorney Steve Zega read **An Ordinance Authorizing The County Judge To Enter A Contract For Services With The Association Of Arkansas Counties** by title only.
- 16.5 **B. Pond made a motion to suspend the rules and place the ordinance on third and final reading by title only. R. Cochran seconded. The motion passed unanimously by those present by voice vote.**
- 16.6 County Attorney Steve Zega read **An Ordinance Authorizing The County Judge To Enter A Contract For Services With The Association Of Arkansas Counties** by title only.
- 16.7 **B. Pond made a motion to adopt the ordinance. A. Harbison seconded.**
- 16.8 S. Madison stated that she looked up A.C.A. §14-20-107 and it says that it should be equal to one percent of the revenue received from the County Aid Fund and questioned if that is where this money comes from and how much money was in the County Aid Fund from last year.
- 16.9 County Attorney Steve Zega responded that he did not know this information.
- 16.10 County Comptroller Cheryl Bolinger stated that she did not have that amount at this time; to which S. Madison responded that the statute says that the amount they pay shall be equal to 1% of the revenue received by the County from the County Aid Fund and asked who did the math on that. Ms. Bolinger responded that she would get that information for S. Madison.

- 17.1 Judge Edwards asked that Ms. Bolinger get with County Treasurer Bobby Hill and look this up and provide it to S. Madison.
- 17.2 S. Madison asked how much money they were talking about paying to the Association of Counties and it was noted that on the Affidavit to County Account it shows 2015 Membership in the Association of Arkansas Counties at \$5,933.00.
- 17.3 S. Madison asked if in return for this \$6,000, basically all they get is the ability to buy insurance and stated that she has seen the Association of Counties Legislative Packet which is a huge packet of bills for which they hardly ever talk to anyone about. She stated she does not believe the AAC does much legislative work for the counties noting the entire time she spent down there, she only had input from the Association of Counties on maybe two bills and one was the bill that allowed JPs who had served two terms continue to perform marriages which was not even organized properly and required rewriting a shell bill to get it in on time.
- 17.4 Judge Edwards stated that she could not say what all goes on in the AAC, but she does know that this is an important function. She noted that they provide insurance for many of the counties, but Washington County is self-insured and has their own health insurance, so they do not use it. She further verified that the County's Risk Management does come through AAC.
- 17.5 S. Madison asked for an explanation of what risk management insures; to which County Attorney Steve Zega responded that risk management does, amongst other things, pay the attorneys that defend the County in multiple 1983 lawsuits from the jail; are currently working on the lawsuit referred to earlier tonight with outside counsel; and they also handle claims on anything related to the 1983 actions, including the 1983 42 United States Code and the 1983 alleged civil rights violations by the County. He stated if they were to lose in court and be assessed a judgment, that is where the claim would be paid from.
- 17.6 S. Madison asked if the risk management insurance is included in the \$6,000 they pay them or is this paid extra; to which S. Zega responded he does not know the answer to that question, but he knows that is a service that the AAC pays for them and is beyond the \$6,000 claim; to which Comptroller Cheryl Bolinger agreed.
- 17.7 S. Madison stated what happens if they pass this and it is not 1% of whatever the County Aid Fund is; to which Judge Edwards responded she did not know but this was always the way they turn this in.

- 18.1 County Attorney Steve Zega responded that his suspicion is that if they were not a contributing member of the AAC whether that would put their risk management funds at risk. He stated in other words if belonging to the AAC through this particular program is condition precedent to belonging to the risk management pool, it is important enough in his mind to recommend that they certainly need to do it.
- 18.2 S. Madison reiterated her question that if they pass this ordinance and it turns out that \$5,933 is not 1% of the money from the County Aid Fund, do they have to amend it; to which County Attorney Steve Zega responded that it depends whether she is talking about over billing or under billing. He stated that the AAC prepared the Affidavit to County Account that they are referring to, so he is assuming that this is their bill and he would assume that they have already looked at their County Aid Fund.
- 18.3 S. Madison continues asking what happens if this ordinance is inconsistent with the statute; to which County Attorney Steve Zega responded that it depends on what the inconsistency is. He stated if it is simply an accounting error and the county overpaid them, then they would certainly ask for a refund and if they underpaid them, he is sure that they will come back with a bill in hand.
- 18.4 J. Maxwell stated that it might be help to resolve this if they had some clarification as to what that \$5,933 actually gets the county; to which A. Harbison responded stating that there are several things that they get from AAC, but not much legislation because they are one of the larger counties in the State as they represent the majority of the counties. She stated that there is a list of things that the AAC provides and they always have the discussion that we would like AAC to do more for the county than they really do, but what they do provide the county cannot go without. She noted that the risk management has helped them settle a couple issues with the jail and since she has been on the court, AAC has received compensation from that in a larger amount than what they paid in.
- 18.5 B. Pond noted that this seems to be complicated, but there is no question that Washington County has many employees, buildings and other facilities, with many miles of road and the bridges that they cannot go without this liability insurance.
- 18.6 Citizen Comments: There were no citizen comments made.
- 18.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

- 19.1 **VOTING FOR:** D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, A. Harbison, T. Lundstrum, S. Madison, J. Maxwell, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-01, BOOK NO. 9, PAGE NO. 534

- 19.2 A RESOLUTION DISCOURAGING THE USE OF SMART PHONES, IPHONES, OR SIMILAR PERSONAL COMMUNICATIONS DEVICES DURING MEETINGS OF THE QUORUM COURT OR ANY COMMITTEE THEREOF: B. Ussery introduced **A Resolution Discouraging The Use Of Smart Phones, iPhones, Or Similar Personal Communications Devices During Meetings Of The Quorum Court Or Any Committee Thereof**, and County Attorney Steve Zega read the resolution. The resolution has been drafted by County Attorney Steve Zega.

- 19.3 **B. Ussery made a motion to adopt the ordinance. B. Pond seconded.**

- 19.4 T. Lundstrum stated that he was deeply offended by the editorial that appeared in the Springdale News that said several JPs were clearly sending text messages to each other as the panel discussed public matters. He stated he has been on this court for 8 years and he has never sent a text to another Quorum Court member, nobody has ever sent him a text during a meeting, and he is unaware of that ever happening. He stated he is assuming that B. Ussery was given this information and if so, he believes that he should name the JPs who are being accused of doing this so they can face the accuser and he believes that proof should be submitted that it happened. He stated the very idea that elected officials would carry on secret conversations through electronic messaging is offensive to the idea of conducting the public's business transparently. T. Lundstrum stated that this court is made up of honorable people and this editorial makes them look far less than honorable. He noted the statement made in the article, "We applaud Ussery and Edwards for trying to clamp down on this disrespectful practice." He stated that he does not believe that this has ever happened and is not a practice of this court. He stated that he was at the meeting the night the lady in the audience came up and spoke about this matter and when she found out what was actually going on, she seemed very well satisfied with the explanations.

- 19.5 T. Lundstrum stated that he and his wife are over 75 years old and pointed out if he were to have a family emergency during a meeting, he would want to know that immediately and it is no less disruptive of a meeting for his phone to vibrate and him take a quick look at it than it is for a Deputy Sheriff to have

to walk in there and tell him that he has a call coming in. If he were to receive a call that he had to answer he would go back to the break room to do so, so as not to disrupt a meeting. He stated that he appreciates the opportunity to make his point publically on television because many people who read this kind of editorial assume that because it is in the newspaper, automatically believe it. He reiterated that the accused should have the right to face the accuser. He stated that he appreciates the fact that this is a resolution discouraging them from doing it because unless somebody passes an ordinance or some kind of law prohibiting him from doing it, he personally plans to have his cell phone at meetings.

- 20.1 Robert Dennis stated that there is a sign on the door coming into the Quorum Court Room stating not to use phones and it is common courtesy to set phones on mute and not use them. He noted when they start talking about dates of meetings; he needs to look on his phone's calendar for conflicts in his schedule, not for texting or calling someone. While he understands the purpose of this resolution and FOIA, in this day in age his phone is his daytimer.
- 20.2 J. Firmin stated that he concurs with T. Lundstrum on this matter and was also disappointed with the editorial. He stated he is confident that they all observe FOIA. He stated if someone observes them texting from one person to the other, they have a responsibility to tell someone. He believes that they should respect each other and does not believe that this resolution is a good way to start the year and he will not support it.
- 20.3 R. Cochran concurred with J. Firmin that this is not a good way to start their year and believes that T. Lundstrum made good points that the accusations of impropriety towards this court are not well received. He stated it is not that he does not support the ideal of openness in government and believes that they practice it already, so will not support this resolution.
- 20.4 H. Bowman stated that he has been on this court two years and has never one time seen anybody be disrespectful with talking or texting on the telephones during meetings. He has seen there be some kind of issue where someone had to get up and leave the courtroom to handle an issue on the phone and he has seen some respond to texts. He pointed out that most of them on this court have a business or personal interest that requires them to receive important texts from time to time. He believes that this is completely out of order and he will not support it.
- 20.5 T. Lundstrum stated that the only person he has actually witnessed texting a Quorum Court member in this court, because he sat next to her, is Secretary

Karen Beeks texting former JP Candy Clark, Chairman of the Finance Committee, telling her to turn her mic on or giving her some detail that she knew Ms. Clark was not aware of regarding finance or helpful issues and had nothing to do with FOI. He reiterated that if this were actually happening on this court he agrees with the article, but does not agree with making these types of accusations without any truth that it took place.

- 21.1 B. Ussery stated that he apologizes if he offended anybody, but he saw several people at the meeting last December texting and believes that it was very disrespectful in the manner in which it was being done and several people in the audience noticed that. He believes when people in the audience notice it to the point that they have to get up and say something, that is when something has to be done. He stated that this resolution does not in anyway say that they should not use these devices and that they are not an important part of what they do. He explained that the purpose of this ordinance is that they have a responsibility to be paying attention to what is going on at this table and not worrying about talking to someone else at the same time. He stated that there is no need to name names because those who did it know who they are. B. Ussery stated that they are not preventing using calendars or that they cannot have these devices, but they need to respect the Judge and people in the audience and focus on their responsibility here instead of other things that do not concern this court. He stated that the texting got out-of-hand at the meeting last December and that is what precipitated this resolution. He believes that sometimes they need to be reminded that there are some things that are inappropriate.
- 21.2 A. Harbison stated that she is sorry that some people are offended by this resolution, but does not believe that they need to be texting during Quorum Court meetings which both she and B. Ussery have observed. She stated that they just want JPs to be more professional and the incident referred to appeared to be out-of-control. She stated that she is glad that B. Ussery brought this resolution to the table whether it passes or not because it says that they are professionals there to do the duty of the county's people and that they need to pay attention to that, and if they have personal business to take care of, that they leave the room to take care of it.
- 21.3 S. Madison stated that most of them have other lives other than being a JP because this is a part-time job after all and she is a landlord with over 30 tenants relying on her to provide them with shelter. She stated that the new world of young people text and she receives texts all the time related to her rental properties and can be discrete and brief in doing so. She pointed out that there are people on this court who work for national and international firms that are in multiple time zones that have obligations besides those they

have at these meetings and they all feel very deeply about the trust that the public has given them to do their jobs and they do them to the very best of their ability and follow the letter of the law. She noted that she has her laptop with her that has instant messaging on it and she just downloaded the FOIA booklet so she can search it and they cannot take such electronics from them and let them do their jobs. She stated that she is not convinced that a useful purpose was served in bringing this resolution because may have cast doubt on this court. S. Madison stated that she will not support this resolution and does not intend to follow it if it passes.

- 22.1 H. Bowman stated that they have talked about calendars on their phones and emails received and believes that they need to be careful about the assumptions that they make from what they see because not everything is what it appears to be and referred to the old saying of what you get when you break the word "assume" down you get a good explanation of what happens when you make the wrong assumption.
- 22.2 T. Lundstrum stated that he is not offended by B. Ussery, but rather is offended by this editorial, which says that several JPs were clearly sending text messages to each other. He pointed out during Finance and Budget meetings he would have his phone on calculator trying to figure up numbers they were dealing with in that conversation, so he agrees that it could look like he was texting. He stated that the public needs to remember that there are more functions in their phones than just texting and calling and the night of the meeting in December, the lady that called this to their attention was well satisfied that night with the explanation that she heard from them. He further noted that E. Madison who has another firm in California, which is 2-3 hours earlier than they are, and was receiving text messages that night from somebody in her firm that she replied to, but it does not mean that she did not hear what was going on in the meeting.
- 22.3 Citizen Comments: Lorraine O'Neal, resident of 3001 West Wedington Drive in Fayetteville, addressed the Quorum Court stating that she understands the offense that some of them took from this editorial as she too can see both sides of the issue. She stated that she has been employed by someone who would insist that phones be turned off and put in their locker because none of them are so important that someone cannot wait. When they are here, she believes that their focus should be on the business at hand and everything else will just have to wait.
- 22.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**

- 23.1 **VOTING FOR:** A. Harbison, B. Pond, and B. Ussey. **VOTING AGAINST:** D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, T., Lundstrum, S. Madison, and J. Maxwell. **The motion failed with three members voting in favor and nine members voting against the motion.**
- 23.2 Judge Edwards stated that she appreciates the discussion and some points have been made. She noted that she does not even bring her phone into the Quorum Court Room because she knows it will ring and she will not be able to answer it. She thanked B. Ussey for the resolution, stating that it may make people more aware of what they are talking about.
- 23.3 **AN ORDINANCE CALLING A SPECIAL ELECTION ON THE QUESTION OF THE LEVY OF THE ANNUAL DUES OF THE WEST FORK RURAL FIRE DEPARTMENT AND PRESCRIBING OTHER MATTERS PERTAINING THERETO:** A. Harbison introduced **An Ordinance Calling A Special Election On The Question Of The Levy Of The Annual Dues Of The West Fork Rural Fire Department And Prescribing Other Matters Pertaining Thereto.**
- 23.4 County Attorney Steve Zega addressed this item explaining that in order to comply with State statue, they will need to have the election within 60 days of it being read, and so it cannot be adopted until March. Therefore, they cannot move up the readings tonight for the election to take place when the West Fork Rural Fire Department wants it. He stated however, they can suspend the rules to read the ordinance by title only.
- 23.5 **S. Madison made a motion to suspend the rules and read the ordinance by title only. J. Firmin seconded. The motion passed unanimously by voice vote by those present.**
- 23.6 County Attorney Steve Zega read **An Ordinance Calling A Special Election On The Question Of The Levy Of The Annual Dues Of The West Fork Rural Fire Department And Prescribing Other Matters Pertaining Thereto**, by title only.
- 23.7 A. Harbison explained that this is an ordinance for a special election to place the West Fork Rural Fire Department dues on the ballot and if approved, these dues will go on the residents' real estate tax bill.
- 23.8 Judge Edwards announced that this ordinance would be moved forward to their next meeting and will continue this for two more months and then that will get their dates correct so that the election can be held in June.

- 24.1 **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD:** J. Firmin introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney Steve Zega read the ordinance. The Planning Board granted a Conditional Use Permit on November 6 for Baldwin Cell Tower. This ordinance contains an emergency clause making it effective immediately upon passage.
- 24.2 John Firmin stated that this was a cell tower that had been appealed; to which Planning Director Juliet Richey responded that the appeal has been withdrawn. The applicant for the tower and the appellant were able to work out an agreement that changed the style of the tower slightly to where it will now just be a flag pole type or monopole tower utilizing internal mount antennas instead of the antennas hanging externally. Ms. Richey referred to attachment #14.2 that goes through the conditions originally approved by the Planning Board and staff is recommending that all of those remain the same, plus the addition under #1 in General Conditions, "The style of tower should be a flag pole type tower (or monopole tower utilizing internal mount antennas".
- 24.3 John Firmin stated that since it is an emergency ordinance that goes into effect immediately upon passage, he gets a little nervous about public perception that they are just pushing this through.
- 24.4 Planning Director Juliet Richey responded stating that this is the way they always do CUPs and the appeal time period has run as they had 30 days from when the Planning Board approved it on November 6 and in that period there was only the one appeal. She further noted that they notified the neighbors of the pending appeal and then when it was cancelled, as well as letting them know that it would be on the agenda tonight.
- 24.5 **J. Firmin made a motion to adopt the ordinance. B. Pond seconded.**
- 24.6 R. Cochran asked how many residents were notified in this area; to which Juliet Richey responded that it was something like 35 residents. He asked if there was only the one person out of 35 that had a problem and that has been resolved; to which Ms. Richey responded that there were several that had questions or comments, but only one person appealed.
- 24.7 **Citizen Comments:** There were no citizen comments made.
- 24.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

- 25.1 VOTING FOR: D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, A. Harbison, T. Lundstrum, S. Madison, J. Maxwell, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-02, BOOK NO. 9, PAGE NO. 535

- 25.2 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: J. Firmin introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney Steve Zega read the ordinance. The Planning Board granted a Conditional Use Permit on January 8 for Cooks' Rentals. This ordinance contains an emergency clause making it effective immediately upon passage.

- 25.3 **J. Firmin made a motion to adopt the ordinance. A. Harbison seconded.**

- 25.4 Citizen Comments: There were no citizen comments made.

- 25.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

- 25.6 VOTING FOR: D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, A. Harbison, T. Lundstrum, S. Madison, J. Maxwell, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-03, BOOK NO. 9, PAGE NO. 539

- 25.7 OTHER BUSINESS: Executive Assistant Karen Beeks introduced Carly Sandidge, who is the new Quorum Court Coordinator having replaced Jessica Biondi, who is attending the University of Arkansas and working there. She stated that either of them can be e-mailed if there is anything that they can do to help any of the court members.

- 25.8 S. Madison asked if their technology is such that things on the website could be PDF's rather than scanned because it is hard to work with a scanned document; to which Judge Edwards advised that she would check into this.

- 25.9 CITIZEN COMMENTS: Dan Holtmeyer, Reporter with the NWA Newspapers, addressed the Quorum Court stating that he wanted to make it clear that the article on cellphone usage that T. Lundstrum was talking about was an editorial written by an editor, and not by him.

26.1 ADJOURNMENT: The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Carly Sandidge
Quorum Court Coordinator/Reporter

RESOLUTION NO. 2014-_____

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT TWO FOR 2015.

WHEREAS, Quorum Court District Two is currently held by Jimmy Mardis, who did not run for re-election; and,

WHEREAS, Robert Wilkinson won the Republican primary held on May 20, 2014, and did not have an opponent from the Democratic Party; and,

WHEREAS, Robert Wilkinson withdrew and his name did not appear on the ballot for the General Election held on November 4, 2014; and,

WHEREAS, on January 15, 2015, Jimmy Mardis submitted his official notice of resignation causing a vacancy to exist for Quorum Court District Two.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That a vacancy is hereby declared to exist in Quorum Court District Two and pursuant to Ark. Code Ann. 14-14-1310, the County Judge shall notify the Governor of such.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Butch Pond _____

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

RESOLUTION NO. 2015-_____

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE SUBMITTAL OF COMMUNITY FIRE PREVENTION GRANT APPLICATIONS.

WHEREAS, it is the desire of the County Judge, County Sheriff, and County Fire Marshal to apply to the Arkansas Fire Prevention Commission Community Fire Prevention Grant Program; and,

WHEREAS, said grants can be used for community education for prevention of fires; and,

WHEREAS, one grant application is for up to 500 smoke detectors, and the second application is for \$1,520 for a portable display booth. Both grants require no match by the County.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS:

ARTICLE 1. It hereby authorizes and approves the submission of the grant applications as stated above.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

RESOLUTION NO. 2015-_____

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY, SOLID WASTE MANAGEMENT DIVISION.

WHEREAS, it is the desire of the County Judge and the County's Environmental Affairs Office to submit a grant application to the Arkansas Department of Environmental Quality, Solid Waste Management Division; and,

WHEREAS, said grant will be used to purchase a secondhand semi-trailer to be used to store electronic waste before transport; and,

WHEREAS, amount of said grant is approximately \$10,000 with no match required by the County.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS:

ARTICLE 1. It hereby authorizes and approves the submission of the grant application as stated above.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran _____
Date of Passage: _____
Votes For: _____ Votes Against: _____
Abstention: _____ Absent: _____

RESOLUTION NO. 2015-_____

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE WASHINGTON COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE ARKANSAS RURAL DEVELOPMENT COMMISSION ON BEHALF OF THE WHEELER FIRE DEPARTMENT.

WHEREAS, the Washington County Quorum Court has determined that the Wheeler Community meets eligibility requirements necessary to apply for a grant under the Arkansas Rural Community Grant Programs; and,

WHEREAS, the Wheeler Community has presented plans to purchase SCBA's and other related equipment for the Fire Department; and,

WHEREAS, the Quorum Court of Washington County recognizes the need for the project, concurs its importance, and supports the Wheeler Community in its efforts to proceed with the same; and,

WHEREAS, the Wheeler Community (Fire Department) has furnished proof that they have raised \$15,000 through community cash and/or in-kind donations to be applied to the project as a local match.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That the County Judge of Washington County is hereby authorized to submit an application of formal request to the Arkansas Rural Development Commission for purposes of securing state grant funds in the amount of \$15,000 to aid and assist the Wheeler Community in executing the proposed project described herein.

ARTICLE 2. That the County Judge is further authorized to administer the grant funds for the same project.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran
Date of Passage: _____
Votes For: _____ Votes Against: _____
Abstention: _____ Absent: _____

ORDINANCE NO. 2015-_____

APPROPRIATION ORDINANCE:

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE ANTICIPATING REVENUES TOTALLING \$1,131,441 IN VARIOUS GRANT FUNDS; AND APPROPRIATING \$1,182,679 FROM VARIOUS FUNDS TO VARIOUS BUDGET LINE ITEMS FOR 2015.

ARTICLE 1. There are hereby anticipated additional grant revenues totaling \$1,131,441 as outlined in Attachment "A" and summarized by Fund as follows for 2015:

1900 JDC Grant	\$ 31,635
1901 DEM Grant	405,550
1902 Environmental Affairs Grant	67,490
1903 Drug Court Grant	294,636
1904 Law Enforcement Grant	81,782
1905 Animal Shelter Grant	24,370
3404 Drug Enforcement-State	11,773
3405 Drug Enforcement-Federal	44,576
3501 HIDTA	124,216
3503 Rural Community Grants	31,997
3551 Tyson Project	<u>13,416</u>
TOTAL REVENUE:	<u>\$ 1,131,441</u>

ARTICLE 2. There is hereby appropriated the total amount of \$1,182,679 to line items in various budgets as outlined in Attachment "B" and summarized by Fund as follows for 2015:

1900 JDC Grant	\$ 31,635
1901 DEM Grant	405,550
1902 Environmental Affairs Grant	67,490
1903 Drug Court Grant	294,636
1904 Law Enforcement Grant	81,782
1905 Animal Shelter Grant	24,370
3019 Boating Safety	13,090
3404 Drug Enforcement-State	11,773
3405 Drug Enforcement-Federal	44,576
3501 HIDTA	124,216
3503 Rural Community Grants	70,145
3551 Tyson Project	<u>13,416</u>
TOTAL APPROPRIATION:	<u>\$ 1,182,679</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran _____

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

REVENUE				
JDC Grant Fund	1900	6999	Carryover	31,635.00
				31,635.00
DEM Grant Fund	1901	6999	Carryover	52,284.00
	1901	7105	Homeland Security Grant	111,215.00
	1901	7109	Other Federal Grants	242,051.00
				405,550.00
Environmental Affairs Grant Fund	1902	6999	Carryover	1,381.00
	1902	7010	State Grants	66,109.00
				67,490.00
Drug Court Grant Fund	1903	7109	Other Federal Grants	294,636.00
				294,636.00
Law Enforcement Grant Fund	1904	6999	Carryover	79,815.00
	1904	7109	Other Federal Grants	1,967.00
				81,782.00
Animal Shelter Grant Fund	1905	6999	Carryover	24,370.00
				24,370.00
Drug Enforcement - State Fund	3404	6999	Carryover	11,773.00
				11,773.00
Drug Enforcement - Federal Fund	3405	6999	Carryover	44,576.00
				44,576.00
HIDTA Fund	3501	7109	Other Federal Grants	124,216.00
				124,216.00
Rural Community Grants Fund	3503	6999	Carryover	31,997.00
				31,997.00
Tyson Project Fund	3551	7109	Other Federal Grants	13,416.00
				13,416.00

APPROPRIATIONS			
JDC Grant Fund	1900 0434 - JDC HCFNOD	2002 SMALL EQUIPMENT	468.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2001 GENERAL SUPPLIES	6,000.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2002 SMALL EQUIPMENT	1,000.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2003 JANITORIAL SUPPLIES	1,000.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2004 MEDICINE & DRUGS	500.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2005 FOOD	2,500.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2006 CLOTHING & UNIFORMS	3,000.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	2011 DETAINEE SUPPLIES	2,500.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	3009 OTHER PROFESSIONAL SERVICES	932.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	3021 POSTAGE	1,000.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	3090 DUES & MEMBERSHIPS	1,735.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	3094 MEALS & LODGING	1,000.00
JDC Grant Fund	1900 0450 - 2015 Grant in Aide	4005 VEHICLES	10,000.00
			31,635.00
DEM Grant Fund	1901 0535 - LETPA 2014	2002 SMALL EQUIPMENT	30,000.00
DEM Grant Fund	1901 0535 - LETPA 2014	3101 TRAINING/EDUCATION	40,916.00
DEM Grant Fund	1901 0545 - MRC	3101 TRAINING/EDUCATION	7,898.00
DEM Grant Fund	1901 0546 - MRC 2	3101 TRAINING/EDUCATION	5,000.00
DEM Grant Fund	1901 0547 - MRC 2013	2002 SMALL EQUIPMENT	2,876.00
DEM Grant Fund	1901 0559 - SHSGP-USAR 2014	2002 SMALL EQUIPMENT	43,315.00
DEM Grant Fund	1901 0559 - SHSGP-USAR 2014	3101 TRAINING/EDUCATION	153,000.00
DEM Grant Fund	1901 0560 - SHSGP-HAZMAT 2014	2002 SMALL EQUIPMENT	16,300.00
DEM Grant Fund	1901 0560 - SHSGP-HAZMAT 2014	2006 CLOTHING/UNIFORMS	24,000.00
DEM Grant Fund	1901 0570 - DEM Radio System	2024 MAINTENANCE AND SERVICE CONTRA	82,245.00
			405,550.00
Environmental Affairs Grant	1902 0756 - ADEQ-BMT-12	2002 SMALL EQUIPMENT	1,250.00
Environmental Affairs Grant	1902 0757 - ADEQ-BMT02-12	2001 GENERAL SUPPLIES	2,180.00
Environmental Affairs Grant	1902 0757 - ADEQ-BMT02-12	3094 MEALS AND LODGING	199.00
Environmental Affairs Grant	1902 0757 - ADEQ-BMT02-12	3101 TRAINING/EDUCATION	290.00
Environmental Affairs Grant	1902 0758 - ADEQ-WC13-07	2001 GENERAL SUPPLIES	3,976.00
Environmental Affairs Grant	1902 0758 - ADEQ-WC13-07	2005 FOOD	84.00
Environmental Affairs Grant	1902 0758 - ADEQ-WC13-07	3009 OTHER PROFESSIONAL SERVICES	1,298.00
Environmental Affairs Grant	1902 0759 - BMT05-14EW	2001 GENERAL SUPPLIES	16,312.00
Environmental Affairs Grant	1902 0759 - BMT05-14EW	3009 OTHER PROFESSIONAL SERVICES	32,000.00
Environmental Affairs Grant	1902 0759 - BMT05-14EW	3040 ADVERTISING AND PUBLICATIONS	1,200.00
Environmental Affairs Grant	1902 0761 - BMT04-14EW	2002 SMALL EQUIPMENT	8,701.00
			67,490.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	2001 GENERAL SUPPLIES	1,000.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	2004 MEDICINE & DRUGS	1,000.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3006 MEDICAL/DENTAL/HOSPITAL	224,009.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3030 TRAVEL	500.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3031 COMMON CARRIER	10,000.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3090 DUES AND MEMBERSHIPS	500.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3094 MEALS AND LODGING	20,627.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3101 TRAINING/EDUCATION	32,000.00
Drug Court Grant Fund	1903 0482 - SAMSHA 3	3202 SOFTWARE SUPPORT MAINT AGR	5,000.00
			294,636.00
Law Enforcement Grant Fund	1904 0466 - JAG 2014	2002 SMALL EQUIPMENT	1,966.00
Law Enforcement Grant Fund	1904 0473 - SCAAP 2013	2002 SMALL EQUIPMENT	7,618.00
Law Enforcement Grant Fund	1904 0473 - SCAAP 2013	2009 COMPUTER/IT EQUIPMENT	500.00
Law Enforcement Grant Fund	1904 0474 - SCAAP 2014	2002 SMALL EQUIPMENT	55,253.00
Law Enforcement Grant Fund	1904 0497 - ADR Grant	3005 SPECIAL LEGAL	16,445.00
			81,782.00
Animal Shelter Grant Fund	1905 0308 - Animal Shelter	2007 FUEL, OIL & LUBRICANTS	835.00
Animal Shelter Grant Fund	1905 0308 - Animal Shelter	3006 MEDICAL/DENTAL/HOSPITAL	134.00
Animal Shelter Grant Fund	1905 0308 - Animal Shelter	3040 ADVERTISING AND PUBLICATIONS	1,000.00
Animal Shelter Grant Fund	1905 0309 - PetSmart Advertising Grant	2001 GENERAL SUPPLIES	4,418.00

2015 GRANTS

Attachment "B"

Animal Shelter Grant Fund	1905 0309 - PetSmart Advertising Grant	2002 SMALL EQUIPMENT	904.00
Animal Shelter Grant Fund	1905 0309 - PetSmart Advertising Grant	3040 ADVERTISING AND PUBLICATIONS	17,079.00
			24,270.00
Boating Safety	3019 0400 - Sheriff	2002 SMALL EQUIPMENT	1,500.00
Boating Safety	3019 0400 - Sheriff	2023 PART AND REPAIRS	1,000.00
Boating Safety	3019 0400 - Sheriff	3101 TRAINING/EDUCATION	1,090.00
Boating Safety	3019 0400 - Sheriff	4004 MACHINERY AND EQUIPMENT	9,500.00
Total for: 0400 - Sheriff			13,090.00
Drug Enforcement - State Fund	3404 0400 - Sheriff	2001 GENERAL SUPPLIES	11,773.00
			11,773.00
Drug Enforcement - Federal Fund	3405 0400 - Sheriff	2001 GENERAL SUPPLIES	3,190.00
Drug Enforcement - Federal Fund	3405 0400 - Sheriff	2002 SMALL EQUIPMENT	5,948.00
Drug Enforcement - Federal Fund	3405 0400 - Sheriff	3006 MEDICAL/DENTAL/HOSPITAL	1,997.00
Drug Enforcement - Federal Fund	3405 0400 - Sheriff	3102 SOFTWARE SUPPORT MAINT AGRM	5,500.00
Drug Enforcement - Federal Fund	3405 0400 - Sheriff	4005 VEHICLES	27,941.00
Total for: 0400 - Sheriff			44,576.00
HIDTA Fund	3501 0424 - HIDTA 2014	3103 HIDTA	124,216.00
			124,216.00
Rural Community Grants Fund	3503 0603 - Brentwood Community Grant	2001 GENERAL SUPPLIES	5,000.00
Rural Community Grants Fund	3503 0603 - Brentwood Community Grant	2020 BUILDING MATERIALS AND SUPPLIES	7,645.00
Rural Community Grants Fund	3503 0604 - Rheas Mill	2020 BUILDING MATERIALS AND SUPPLIES	3,500.00
Rural Community Grants Fund	3503 0620 - Rheas Mill 2	2023 PARTS AND REPAIRS	14,000.00
Rural Community Grants Fund	3503 0621 - Wheeler Fire Department	4006 CONSTRUCTION IN PROGRESS	40,000.00
			70,145.00
Tyson Project Fund	3551 0151 - Tyson Project	4006 CONSTRUCTION IN PROGRESS	13,416.00
			13,416.00

ORDINANCE NO. 2015-__

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENACTED:**

**AN ORDINANCE ANTICIPATING ADDITIONAL
REVENUES OF \$287,651 IN THE HIGH
INTENSITY DRUG TRAFFICKING AREA (HIDTA)
GRANT FUND; AND APPROPRIATING \$287,651
FROM THE HIDTA GRANT FUND TO THE HIDTA
2015 GRANT G15GC0004A BUDGET FOR 2015.**

ARTICLE 1. Additional revenues in the amount of \$287,651 are hereby anticipated in the Other Federal Grants Revenue Line Item of the HIDTA Grant Fund (3501-7109) for 2015.

ARTICLE 2. There is hereby appropriated the amount of \$287,651 from the HIDTA Grant Fund to the Special Projects Line Item in the HIDTA Grant G15GC0004A Budget (35010425-3103) for 2015.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

ORDINANCE NO. 2015-__

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENACTED:**

**AN ORDINANCE RECOGNIZING REVENUES OF
\$3,500 IN THE DEM GRANT FUND; AND,
APPROPRIATING THE AMOUNT OF \$3,500
FROM THE DEM GRANT FUND TO THE MRC
2015 GRANT BUDGET.**

ARTICLE 1. Additional revenues in the amount of \$3,500 are hereby recognized in the Other Federal Grants Revenue Line Item of the DEM Grant Fund (1901-7109) for 2015.

ARTICLE 2. There is hereby appropriated the amount of \$3,500 from the DEM Grant Fund to the Medicine and Drugs Line Item in the MRC 2015 Grant Budget (19010549-2004) for 2015.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

ORDINANCE NO. 2015-_____

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE RECOGNIZING ADDITIONAL
REVENUE OF \$50,000 IN THE DEM GRANT FUND,
AND APPROPRIATING \$50,000 TO THE CEMS
CAD BUDGET FOR 2015.**

ARTICLE 1. There is hereby recognized additional revenue of \$50,000 in the DEM State Grant Revenue Line Item of the DEM Grant Fund (1901-7010) for 2015.

ARTICLE 2. There is hereby appropriated the amount of \$50,000 from the DEM Grant Fund to the Small Equipment Line Item of the CEMS CAD Budget (19010569-2002) for 2015.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

ORDINANCE NO. 2015-_____

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENACTED:**

**AN ORDINANCE ANTICIPATING REVENUES OF
\$8,433 IN THE LAW ENFORCEMENT GRANT
FUND; AND, APPROPRIATING \$8,433 FROM
THE LAW ENFORCEMENT GRANT FUND TO
THE ARICAC BUDGET FOR 2015.**

ARTICLE 1. Additional revenues in the amount of \$8,433 are hereby anticipated in the Other Federal Grants Revenue Line Item of the Law Enforcement Grant Fund (1904-7109) for 2015.

ARTICLE 2. There is hereby appropriated the amount of \$8,433 from the Law Enforcement Grant Fund to the following line items in the ARICAC (Arkansas Internet Crimes Against Children) Budget for 2015:

<u>ARICAC</u>	
Computer Equipment (19040479-2009)	\$ 743
Training and Education (19040479-3101)	4,628
Meals and Lodging (19040479-3094)	1,406
Common Carrier (19040479-3031)	<u>1,656</u>
 TOTAL APPROPRIATION:	 <u>\$ 8,433</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran _____

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

ORDINANCE NO. 2015-_____

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENACTED:**

**AN ORDINANCE ANTICIPATING ADDITIONAL
REVENUE OF \$3,711 IN THE LAW
ENFORCEMENT GRANT FUND; AND
APPROPRIATING \$3,711 FROM THE LAW
ENFORCEMENT GRANT FUND TO THE
CIRCUIT COURT-JUVENILE DIVISION
GRANT BUDGET FOR 2015.**

ARTICLE 1. There is hereby anticipated additional revenue of \$3,711 in the State Grants Revenue Line Item of the Law Enforcement Grant Fund (1904-7010) for 2015.

ARTICLE 2. There is hereby appropriated the amount of \$3,711 from the Law Enforcement Grant Fund to the following line items in the Circuit Court-Juvenile Division Grant Budget for 2015:

<u>Circuit Court-Juvenile Division Grant</u>	
Computer/IT Equipment (19040446-2009)	\$ 3,339
Computer Software, Supt & Maint. Agree. (19040446-3102)	<u>372</u>
TOTAL APPROPRIATION:	<u>\$ 3,711</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran _____
Date of Passage: _____
Votes For: _____ Votes Against: _____
Abstention: _____ Absent: _____

ORDINANCE NO. 2015-_____

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE APPROPRIATING THE
AMOUNT OF \$24,000 FROM THE
ASSESSOR'S AMENDMENT 79 FUND TO
THE ASSESSOR'S BUDGET FOR 2015.**

ARTICLE 1. There is hereby appropriated the total amount of \$24,000 from the Assessor's Amendment 79 Fund to the following line items in the Assessor's Budget for 2015:

<u>Assessor:</u>	
General Supplies (30040105-2001)	\$ 5,000
Computer/IT Equipment (30040105-2009)	2,000
Postage (30040105-3021)	6,000
Advertising & Publications (30040105-3040)	2,000
Meals & Lodging (30040105-3094)	1,500
Training/Education (30040105-3101)	1,500
Software Support Maint. Agreement (30040105-3102)	<u>6,000</u>
TOTAL APPROPRIATION:	<u>\$ 24,000</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Rick Cochran

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

MARILYN EDWARDS
County Judge



280 North College, Suite 500
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING REPORT OF THE
WASHINGTON COUNTY QUORUM COURT
COUNTY SERVICES COMMITTEE

Monday, February 2, 2015
5:30 p.m.
Washington County Quorum Court Room

Members Present: Daniel Balls, Robert Dennis, John Firmin, Tom Lundstrum, Eva Madison, Sue Madison

Members Absent: The JP to be appointed by the Governor for District #2.

Others Present: Butch Pond, Joe Patterson, Joel Maxwell, Steve Zega, Ann Harbison, Rick Cochran, Harvey Bowman, Dan Short, Marilyn Edwards, Ron Wood, Shawn Shrum, Angela Ledgerwood, Tammy Harp, Juliet Richey, John Adams, Dan Holtmeyer (NWA Times).

JP Tom Lundstrum called the meeting to order at 5:30 p.m.

Introduction of Committee Members. Members of 2015-16 County Services Committee are: Daniel Balls, Robert Dennis, John Firmin, Tom Lundstrum, Eva Madison, Sue Madison, and the JP to be appointed by the Governor for District #2.

Selection of Chair / Vice Chair. A nomination was made and approved to select JP Eva Madison as Chairperson. A nomination was made and approved to select JP John Firmin as Vice Chair.

Adoption of Agenda. The agenda was adopted as presented.

Review of the Responsibilities of the County Services Committee. Chairperson Eva Madison stated that this Committee's responsibilities include review of policies concerning delivery of county services to citizens that do not involve construction or infrastructure needs. There are reports given from Planning, Environmental Affairs, the Animal Shelter, and Information Technology. For the most part, this is an information gathering committee.

Sue Madison made a motion that the Chairperson of the committee determine the seating for committee members. The motion failed for lack of a second.

Establishment of Regular Meeting Time. Chairperson Eva Madison asked if there was a preference among the Committee as to meeting times.

JP Tom Lundstrum made a motion that the Committee continue to meet at the same time and date as it had in the previous year.

JP Sue Madison commented that she thinks that it could potentially be a problem for a member of the public who wishes to make public comments at a Public Works Committee meeting which follows this committee meeting. It was stated that the committees order could be adjusted accordingly if an issue comes up.

Chairperson Eva Madison stated her concern for stacking meetings, and she feels like mental capacities are exhausted and that it wears on the staff. She questioned whether it is necessary to have every committee to meet every month, or if alternating committee meetings bi-monthly could perhaps make it a little easier.

Tom Lundstrum stated he didn't see it inconvenient. Stacking the meetings helps keep the costs down. He noted that often times, one agenda will be set aside and one meeting may cancel for lack of agenda, so he believes it works out pretty well.

The motion was approved.

Year End Reports for 2014:

- Washington County Planning – Juliet Richey, Director

County Planning Director, Juliet Richey, reported that there is an appeal coming up for a Conditional Use Permit. She explained that her office may come to the Committee to discuss code changes occasionally. Subdivisions and large developments are handled by the Planning Board. Large Scale Developments are defined as a larger development on an acre or more that is not single family or agricultural. Cell towers are also reviewed by her office. Conditional Use Permits come before the Planning Board and the Quorum Court. There are quite a few of these done each year. If the Planning Board denies a Conditional Use Permit the Quorum Court will have a full appeal hearing if the decision is appealed. Mapping is also done by the Planning Office. There is census reporting that is done as well. Floodplain Management is also handled within this office.

Tom Lundstrum asked if there are any county laws governing wind farms. Juliet Richey replied that we do have rules. This type of development would require a Conditional Use Permit. She further stated that she has been in contact with the developer and the developer is aware that they will have to come before the county prior to anything being done.

Sue Madison asked if she could find a map of her district on the county web page. Juliet Richey replied that there are interactive layers. Sue Madison remarked that she would like to make it easier to use.

- Washington County Animal Shelter – Angela Ledgerwood, Director

Angela Ledgerwood, Animal Shelter Director, presented a commercial from the Subaru Share the Love Event, which featured the Washington County Animal Shelter in a commercial for the Puppy Bowl on Animal Planet. There were 23 applications for spay/neuter that were voided. There were 14 individuals that didn't come in. There were a couple of animals that were too old, didn't pass the physical exam, were deceased, one was already spade, two applications were sent in and they only wanted the rabies vaccination and not the spay/neuter procedure. The total of \$8,120 was brought in for the spay/neuter program.

Robert Dennis asked what marketing is used to let people know about this program. Angela Ledgerwood replied that ads are run in the Star Shopper and on the webpage. The applications are at libraries and some town halls, as well as on the website.

Tom Lundstrum stated that the total budget for the animal shelter (including the \$200,000 that is in the Sheriff's Budget) is \$800,000. The dollar number divided by the number of intakes comes to \$346.92 per animal.

Angela Ledgerwood replied that this is a service that is provided to the citizens of Washington County, she thinks it is a little unfair to divide the number of animals into the budget because the animals are a direct result of county residents either calling animal control or bringing the animals in. The budget is service-oriented.

Eva Madison stated that the same calculation could be done for the jail, but that doesn't mean that the inmates should just be let out.

Robert Dennis commented that he thinks a lot of people don't know that the service is available and urged the staff to do more public outreach. Angela Ledgerwood replied that the Shelter has received an advertising grant and she will be doing more public outreach in March or April when the weather warms up. However, with more people using the shelter it is more taxing on the already limited staff.

A motion was made and seconded that the Animal Shelter report quarterly rather than monthly. The motion was approved unanimously.

- Washington County Environmental Affairs – Sophia Stephenson, Director

Sophia Stephenson, Director of Environmental Affairs, reported that the Department covers four different areas: Services; Education; Solid Waste Enforcement; Special Events. Last year for the Spring and Fall Cleanups the county collected 459 tons. The free electronic waste cleanup collected 30 tons. There was also a creek cleanup. \$27,610 was brought in by the HHW facility in 2014.

Rick Cochran asked if the ordinance to enable cleanups needs to be amended to give some more teeth to the ordinance. Sophia Stephenson replied that it hasn't been used yet. Rick Cochran replied that the neighbors have asked him how long it is going to take. He understands working with the land owners, but he wonders if there should be an enforcement schedule within the ordinance. Sophia Stephenson replied that it would be good to work with the enforcement officer to see if he feels that is necessary.

Ann Harbison asked if there is still a problem with dumping on roads. Sophia Stephenson replied that it remains a problem.

- Information Technology – John Adams, Director

IT Director, John Adams, stated that the IT Department supports all county departments. They have written a child support program to account for receipts. The Road Department program has been re-written, which allows anyone that has a cellphone to put in an electronic road concern. The IT Department is finishing up some reporting for the Planning Department. The IT Department has also created a scanning program for the Assessor's Department for the deeds. Also, the IT Department created a program for the Coroner's office. The IT Department also has helped with the Drug Court. The website has also been redone; each office and each department is responsible for the content of its website. The GIS Program (maps) has also been updated. The County is current. It also has an electronic disaster recovery plan. Time Clock Plus has also been automated. The Treasurer's office has also been helped with their program to provide security models. A program was also created for the Animal Shelter to account for volunteer hours. The SPAM filter was also updated; there is content filtering on the internet program. The exchange server has been upgraded. The fax to desktop project is up and waiting on AT&T to cut the phone lines over. The VOIP has also been put into place, just waiting on AT&T to cut the phone lines over. The storage for the county has been upgraded. Over 100 systems were upgraded from XP to Windows 7.

Eva Madison asked if the report could be provided to the Committee. John Adams replied that he will get it to the Court.

John Firmin asked if John Adams could supply a report of what projects will be completed for 2015.

Sue Madison voiced concern with the public having her email address. She has been very restrictive about replying because of the risks.

An Ordinance Amending Ordinance No. 2014-06 Pertaining to Community Sewer Systems. Assistant Grant Administrator/Public Utility Coordinator, Renee Biby presented the Ordinance.

Rick Cochran asked if there needed to be something to require periodic testing on the backup generators. Renee Biby replied that she felt that it could be reported to ADEQ if there was an issue because Washington County's ordinance in 2014 essentially removed the county from monitoring these systems after the time of Final Plat.

Sue Madison asked if the ordinance needed to be retroactive to cover the sewer systems that are already completed within the county. Renee Biby replied that it would be very expensive to retrofit the systems that are in place and she would not recommend going in that direction.

A motion was made and seconded to forward the Ordinance to the full Quorum Court with a do pass recommendation. The motion was approved unanimously.

With no other business or citizen comments, the meeting adjourned at 7:20 p.m.

/rb

MARILYN EDWARDS
County Judge



280 North College, Suite 500
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING REPORT OF THE
WASHINGTON COUNTY QUORUM COURT
PUBLIC WORKS COMMITTEE

Monday, February 2, 2015
7:30 p.m.
Washington County Quorum Court Room

Members Present: Harvey Bowman, Rick Cochran, Ann Harbison, Tom Lundstrum, Joel Maxwell, Joe Patterson, and Butch Pond.

Others Present: Daniel Balls, Robert Dennis, Steve Zega, Sue Madison, Bill Ussery, Dan Short, Shawn Shrum, Marilyn Edwards, and Dan Holtmeyer (NWA Times).

JP Butch Pond called the meeting to order at 7:30 p.m.

Introduction of Committee Members. Members of the 2015-16 Public Works Committee are: Harvey Bowman, Rick Cochran, Ann Harbison, Tom Lundstrum, Joel Maxwell, Joe Patterson, and Butch Pond.

Selection of Chair / Vice Chair. Harvey Bowman was selected as Chairperson. Butch Pond was selected as Vice Chair.

Adoption of Agenda. The agenda was unanimously adopted as presented.

Review of the Responsibilities of the Public Works Committee: The responsibilities of the Public Works Committee include review of maintenance and expansion of the County's infrastructure to meet the needs of the County's growth. The County Judge will keep Committee informed on road and county bridge development.

Establishment of Regular Meeting Time. The meeting time will continue as has been scheduled previously directly following the County Services Committee meeting.

Year End Reports for 2014:

- Buildings & Grounds

Building Superintendent Ron Wood reported that the Buildings & Grounds Department does all the building maintenance, landscaping, and asset management. The County

owns 36 buildings total, the Department does maintenance on 30 of those buildings with 19 employees.

In the last year over 1600 light fixtures have been replaced with energy efficient fixtures. Clear Result did a lighting audit, the County also placed aerators to save on water. Rick Cochran asked how much money was saved by doing our own wiring for the phone system? Ron Wood replied that the County saved \$16,000 on the Health Department. Money was also saved on the lighting project by doing work in house.

Butch Pond asked if the County does work on the old WRMC? Ron Wood replied no, that it is leased to UAMS and they do the maintenance.

Tom Lundstrum thanked Ron Wood for not having any big projects this year. In the past years this Department has had big projects and he is grateful that there are not big projects coming this year.

Ann Harbison made a motion that Ron Wood give quarterly reports. Rick Cochran seconded. The motion was approved.

- Road Department

Assistant Road Superintendent, Shawn Shrum, reported that the Road Department takes care of 496 miles of gravel and a little over 441 miles of paved roads in the County. This doesn't include residential drives that are graded twice a year upon request, these are not county roads. The state inspects bridges and culverts that are 20' or longer. 43 out of 167 bridges do have a posted weight limit. There are two crushers, one at Goshen and then one at Morrow. Currently the Department is working on the Stonewall bridge which is near Prairie Grove. The survey is finished on the Woolsey Bridge, now it is being environmentally reviewed and designed. It is also being marketed since it is a historical bridge.

Ann Harbison asked if the State Highway Department has given a date when they will start to market the bridge. Shawn Shrum replied no they have not.

Tom Lundstrum asked if Springdale is going to annex the area of Habberton that was overlaid? Shawn Shrum replied that he believes it is just a matter of time. Tom Lundstrum stated he is wary of too much give and take with the cities, because in his mind he believes the County needs to take care of the County. Shawn Shrum replied that he believes that it is a good deal for the County and the City, he wishes the County could have been more involved when the Habberton School was constructed.

Harvey Bowman asked for an update on the take home vehicles. Shawn Shrum replied that in December some vehicles were taken away. However, there was so much productivity lost he did not feel it was effective.

With no other business or public comments, the meeting adjourned at 8:00 p.m.

/rb

MARILYN EDWARDS
County Judge



280 North College, Suite 500
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING REPORT OF THE
WASHINGTON COUNTY QUORUM COURT
PERSONNEL COMMITTEE

Monday, February 9, 2015
5:30 p.m.

Washington County Quorum Court Room

Members Present: Daniel Balls, Harvey Bowman, Lisa Ecke, Ann Harbison, Joe Patterson, Butch Pond, and Bill Ussey.

Others Present: Rick Cochran, Robert Dennis, John Firmin, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Tim Helder, Jay Cantrell, Randall Denzer, Shawn Shrum, Cheryl Bolinger, Norma Frisby, Jeane Mack Blair Johanson, Renee Biby, and members of the press.

JP Butch Pond called the meeting to order at 5:30 p.m.

Introduction of Committee Members. Members of the 2015-16 Personnel Committee are: Daniel Balls, Harvey Bowman, Lisa Ecke, Ann Harbison, Joe Patterson, Butch Pond, and Bill Ussey.

Selection of Chair / Vice Chair. The chair is Butch Pond and Joe Patterson is the Vice-Chair.

Adoption of Agenda. The agenda was unanimously adopted as presented.

Review of the Responsibilities of the Personnel Committee: The responsibilities of the Personnel Committee include review and make recommendations regarding the development of a comprehensive personnel system for Washington County. This includes salary levels, policies, affirmative action review, employee insurance, fringe benefits, and travel policies.

JP Eva Madison asked if a salary was approved last year and an increase was given would it have to come before the Personnel Committee? Steve Zega replied that the way he understood it, it would have to come before this Committee and the Finance Committee. However, he believed at one time there was a budget control.

Lindsi Huffaker, Human Resource Director, stated that if a position was presented to JESAP after a budget was approved a grade could be changed, it would put someone in a new salary bracket. Eva Madison asked if it is possible to lower one person's salary and increase one person's salary and not come before the Court? Lindsi Huffaker replied that as long as it is within JESAP policy. Eva Madison asked if JESAP's agenda could be included so that it can be seen what is being planned to be discussed. Lindsi Huffaker replied that is something that could be done.

Blair Johanson stated that the Purchasing Director position was changed to a Purchasing Manager position. Eva Madison voiced concern with fraud prevention with the Comptroller being in charge of purchasing, with the Comptroller's office paying and purchasing.

Establishment of Regular Meeting Time. The Personnel Committee meeting today is the Monday, 10 days prior to the regular Quorum Court meeting, at 5:30 p.m. in the Quorum Court Room and will stay as such.

Report from Blair Johanson, Salary Consultant for Washington County. Blair Johanson, Salary Consultant, gave a brief overview of the Job Evaluation and Compensation Plan. One is the job valuing piece, based on factors, and the compensation piece is internal evaluation and external evaluation of pay. The Job Evaluation Salary Administration Plan (JESAP) is a committee that falls under the plan that meets monthly. This is where the elected officials and department heads offer up positions for re-evaluating. Revised job descriptions are rated and valued. Next he explained the County Employee Compensation Planning which includes reviewing annual market pay study; local, regional and state pay comparisons; and annual employee compensation, which takes place in September. The County is on the average about 2%-3% behind the market in salary comparisons.

Eva Madison asked for an Organizational Chart showing the County Judge's Comptroller/Purchasing Department.

Request from Sheriff Tim Helder for an Exception to the Job Evaluation/Salary Administration Policy: Sheriff Tim Helder reported that there is an employee who has been with the Sheriff's Office for over 9 years and has worked as a Bailiff for the last eight years. The Judge that the employee worked for has now left. This position was absorbed back into the detention center. Budget wise there was not a corporal position available, and he will be coming in as a Deputy First Class. This demotion is by no fault of his own, it is solely at the discretion of the Circuit Judge that was recently elected who chose a different Bailiff. The Sheriff feels that it is important that the Judge has a good relationship with who it is that is going to be serving at his side.

Sheriff Helder stated that most generally a demotion is due to a disciplinary action. The policy states that if someone is demoted they must go to the bottom of the rank of a DFC. It would be a significant hit to this employee's pay, and this was through no fault of the employee, so he feels that it is just the right thing to do to bring this before the Court.

Lindsi Huffaker stated that the Deputy was currently making \$18 an hour and he is moving down in pay to around \$15 an hour, the deputy that has been moved over to the Bailiff position will get a small increase, and so this request is virtually budget neutral.

Ann Harbison made a motion to approve the request. Daniel Balls seconded. The motion was approved.

Request from County Judge Marilyn Edwards to Change a Lead Position (Grade 15) to a Heavy Equipment Operator II Position (Grade 14) in the Road Department Budget for 2015. Assistant Road Superintendent Shawn Shrum stated that there is an open lead position that he feels like they can do away with and there is a person that has experience, so they would like to change this slot to an HEO 2.

Eva Madison asked if the position has a take home vehicle? Shawn Shrum replied that the Lead Position has been open for some time, it did previously have a vehicle. The person that will take this position and become the HEO 2 is not going to have a take home vehicle.

Eva Madison asked if the person has already been selected? Shawn Shrum replied that the current person is an HEO 1, the way the Department has been restricted he feels that it is not necessary. He feels like this can be used better, and it can be a promotion for the HEO1.

Eva Madison asked if there would have to be a posting requirement? Lindsi Huffaker stated that it would be at the discretion of the Department Head/Elected Official.

Eva Madison replied that it makes her very nervous to offer a promotion without opening it up. She believes it is safer and more beneficial for the entire work force by opening up every opportunity.

Shawn Shrum stated that this person has 30 years of equipment hauling experience.

Lisa Ecke asked if someone else approached the Superintendent and was qualified what he would do? Shawn Shrum replied that he would be back to the Court asking for another increase if that person was qualified and deserved a promotion.

Ann Harbison made a motion to approve the request. Harvey Bowman seconded.

An Ordinance Setting Mileage Reimbursement Practices and Procedures for Justices of the Peace. County Attorney Steve Zega stated that this ordinance was drafted and circulated for discussion. He continued that by custom JPs have been paid for mileage from home to courthouse. He proposed and drafted this ordinance simply to put in writing what the JPs get paid for.

Ann Harbison commented that the pay of \$200 is very fair for short meetings and that no additional compensation needs to be given for mileage for constituent services.

Eva Madison commented that she is concerned that Article 1 states from homes of record, that prevents taking the position with the IRS that they are in fact going from place of business to place of business. She noted that she has sent notice designating her home as her JP office, at the advice of her accountant. Her accountant is also discussing whether to file a tax challenge because they believe that the way Washington County is handling it is incorrect. She thinks it should be up to JPs to determine where their office is for JP purposes. Article 3 talks about travel outside of the County. She has attended numerous trips outside the county and she thinks that it is unduly cumbersome to say that it has to have the full Quorum Court approval for reimbursable mileage. JPs pay for a lot of things out of personal expenses, the phones, the office equipment, are paid for out of pocket. Those JPs that go to view items that are at appeal to the Quorum Court are done at their own expense. She further stated that she has performed over 160 weddings, she considers that to be an important duty done by a JP, however, there is no mileage reimbursement for those trips. She thinks that there should be a discussion between the JPs to discuss what is and what is not reimbursable.

Harvey Bowman added that his accountant also disagrees with Washington County's position on how mileage is being handled.

Steve Zega replied that this ordinance was not intended to address tax issues. Right now there are requests for mileage reimbursement that do include weddings and other constituent meetings. The purpose of this is for the Court to decide what is going to be paid for and how much is going to be paid for, he further noted that last year \$7,000 was used from the \$8,000 that was budgeted in mileage reimbursement.

Tom Lundstrum added that he would just like to have a cleaner explanation of who was entitled to what.

Ann Harbison made a motion to amend the portions in the ordinance to state homes or office. Daniel Balls seconded. The motion was approved.

Sue Madison clarified that no action is proposed on this ordinance tonight, other than for discussion purposes. Butch Pond stated that if it is approved it could be forwarded to the full Quorum Court.

Sue Madison commented that the Quorum Court's budget last year had \$8,000 in the mileage category that wasn't spent. She stated she was confused what the policy is for reimbursement for mileage. There is a form that can be submitted. If a county employee makes a trip out to see a dirt pit she would think they would be reimbursed, and after talking to the County Attorney who stated absolutely mileage would be paid for performing marriages, she is unsure what is reimbursable and what is not.

Steve Zega replied that there is not a policy in writing, which is why he proposed the ordinance.

Eva Madison voiced concern about listing things out that could possibly exempt some legitimate business expense. She believes that it should be a discretionary decision of the JPs as to what they are counting as reimbursable.

Lisa Ecke made a motion to table the Ordinance. Bill Ussery seconded. The motion was approved.

Review of Quarterly Reports from Human Resources: Lindsi Huffaker, Human Resource Director, presented the New Hire Report & the Termination Report for the last quarter of 2014. She reported that there were a total of 22 new hires excluding poll workers and there were a total of 36 terminations. The turnover percentage for the last quarter was 2.34%.

Sue Madison asked for a list of female applicants for the Road Department over the past year. Steve Zega replied that there could be a list provided with the names and personal information redacted.

Other Business: Robert Dennis stated he noted that on committees non-members can speak but they can't vote, and asked what the point was. He voiced concern that in his opinion that the committee has faced, what is in his opinion, minor issues and taken up important time for very important members of the county. He wished that some of this could be worked out prior to committee, just by asking the staff whatever the committee members want prior to the meeting.

With no citizen comments, the meeting adjourned at 7:17 p.m.

rb

MARILYN EDWARDS
County Judge



280 North College, Suite 500
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING REPORT OF THE
WASHINGTON COUNTY QUORUM COURT
JAIL / LAW ENFORCEMENT / COURTS COMMITTEE

Monday, February 9, 2015
7:25 p.m.

Washington County Quorum Court Room

Members Present: John Firmin, Tom Lundstrum, Eva Madison, Sue Madison and Joel Maxwell, and Joe Patterson.

Members Absent: The JP to be appointed by the Governor for District #2.

Others Present: Daniel Balls, Harvey Bowman, Rick Cochran, Robert Dennis, Lisa Ecke, Ann Harbison, Steve Zega, Butch Pond, Bill Ussery, Tim Helder, Jay Cantrell, Randall Denzer, Cheryl Bolinger, Renee Biby and members of the press.

JP Tom Lundstrum called the meeting to order at 7:25 p.m.

Introduction of Committee Members. Members of the 2015-2016 Jail/Law Enforcement/Courts Committee are: John Firmin, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Joe Patterson, and the JP to be appointed by the Governor for District #2.

Selection of Chair / Vice Chair. A nomination was made and approved to select JP Tom Lundstrum as Chairperson. A nomination was made and approved to select JP Joe Patterson as Vice-Chair.

Adoption of Agenda: The agenda was adopted as presented.

Review of the Responsibilities of the County Services Committee: The responsibilities of the Jail/Law Enforcement/Courts Committee include discussion and planning for all phases of the current systems with an eye toward the future. This would take into account operating, philosophy, and financing of current and future needs.

Establishment of Regular Meeting Time. The Jail/Law Enforcement/Courts Committee meeting today is the Monday, 10 days prior to the regular Quorum Court meeting, at 5:30 p.m. (immediately following the Personnel Committee meeting) and will stay as such.

Report from the Juvenile Detention Facility. Jeane Mack, Juvenile Detention Director, gave a brief history of the Juvenile Detention Center. The first center was opened in 1983. The second building, where the EOC is currently located, was built in 1995, but the first day it opened it was out of compliance. The Juvenile Justice Facility was then built which moved the Juvenile Court and the Detention Center together. It is a 36 bed facility and has been operating in the current facility since 2000. Every year Juvenile Standards require her to give an annual report to the Quorum Court. She stated that the County's JDC is way more than a detention facility. Training is provided not only for staff, but also for the kids. They get something to walk out of the facility with besides time served. Washington County is part of JDAI, which is the Juvenile Detention Alternatives Initiative. This is to reduce certain stays, and does increase court hearings. The lobby is very small and the parking area is very small. She is working with Judge Zimmerman to come up with some solutions and will approach the Quorum Court with what the possibilities may be.

She stated that there are diversion programs from juvenile court, her favorite being the Washington County Outdoor Adventure Club, which they seek funding from the State Game and Fish Commission fines grants for.

Sue Madison asked if there is an age range that is held in the facility. Jeane Mack replied that the Judge doesn't like to hold 10 year olds. They are there for less than an hour before DHS is brought in. The Juvenile Center uses the PACE program, so if a kid hasn't been in a school for a while then there is a whole program fit to them. Sue Madison expressed concern with going to an all computer education. Jeane Mack replied that there are hard copies for back up. Sue Madison asked how much Fayetteville Public School funds the program. Jeane Mack replied that this is part of the Fayetteville School District and Fayetteville pays for the teacher salaries.

Report from the Sheriff's Office on Enforcement and Adult Detention. Chief Deputy Jay Cantrell introduced himself and gave a brief year-end report; and Detention Major Randall Denzer reported that the numbers have not changed much at the detention center. He suggested holding a meeting down at the Sheriff's office and offered to give a tour of the detention facility.

A Resolution Confirming The Policy Statement Of The Sheriff Regarding The Temporary Filling Of The Office Of Sheriff Pursuant To Act 229 Of 2009 (A.C.A. §14-14-1310). John Firmin made a motion to forward the Resolution to the full Quorum Court with a do pass recommendation. Joel Maxwell seconded. The motion was approved.

Other Business: Tom Lundstrum mentioned that he has emailed with Chief Deputy Jay Cantrell regarding a training increase/incentive for the deputies. He asked Jay to get with JESAP and look at how that can be handled.

Lastly, Tom Lundstrum informed the new members of the Quorum Court that at the end of the year the Juvenile Detention Center takes donations to provide pizza or something for the kids for Christmas.

Ann Harbison asked how the new medical provider is doing. Sheriff Tim Helder replied that it is working out well so far.

Lisa Ecke asked if the state would be reimbursing for the medical expenses of state inmates from day one rather than from the 31st day. Sheriff Helder replied that the state is working on it. It is a sticky point with the Department of Corrections. There is a limited amount of money out there, and if they can figure out how to tip that, the State Representatives and the Governor knows what the Counties are looking for.

Eva Madison asked why Benton County had to approve a settlement for a jail inmate lawsuit. Steve Zega replied that AAC has a per incident cap of \$300,000, and then the County pays for each claim. Eva Madison rebutted that is a very low cap for insurance.

With no citizen comments, the meeting adjourned at 8:02 p.m.

/rb

MARILYN EDWARDS
County Judge



280 North College, Suite 500
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING REPORT OF THE
WASHINGTON COUNTY QUORUM COURT
FINANCE AND BUDGET COMMITTEE

February 10, 2015
5:30 P.M.

Washington County Quorum Court Room

Members Present: Rick Cochran, Robert Dennis, Lisa Ecke, John Firmin, Ann Harbison, and Bill Ussery

Members Absent: Butch Pond

Others Present: Daniel Balls, Harvey Bowman, Eva Madison, Sue Madison, Joe Patterson, William Stephenson, Russell Hill, Tim Helder, Steve Whitmill, Jay Cantrell, Randall Denzer, Bernard Madison, Karen Westfall, Matt Durrett, Dan Short, Jerry Bolinger, Ashley Farber, Cheryl Bolinger, Renee Biby, Wayne Blankenship, and members of the press.

JP Ann Harbison called the meeting to order at 5:30 p.m.

Introduction of Committee Members. Members of the 2015-16 Finance and Budget Committee are: Rick Cochran, Robert Dennis, Lisa Ecke, John Firmin, Ann Harbison, Butch Pond, and Bill Ussery.

Selection of Chair / Vice Chair. The chair is Rick Cochran and the vice-chair is Bill Ussery.

Adoption of Agenda: The agenda was unanimously adopted as presented

Review of the Responsibilities of the Finance & Budget Committee: The Committee's responsibilities are to review and make recommendations on the financial condition of the County, to include appropriation, fiscal control, audit review, and monitoring of expenditures.

Establishment of Regular Meeting Time. The Finance and Budget Committee meeting today is the Tuesday, 9 days prior to the regular Quorum Court meeting, at 5:30 p.m. in the Quorum Court Room.

Financial Report. Treasurer, Bobby Hill, updated the Committee on the end of the year financials for 2014. The ending balance was \$14,368,452.67. The expenditures exceeded the revenues by approximately \$354,000 for the year in the General Fund. The Road Fund ended the year with a balance of \$898,128. The sales tax was a 6.4% increase over last year at the same time that was for October collections. The end of the year ended 2.53% increase in sales tax revenue, which was above projection. The Jail tax ended 2.9% above the prior year. The ½ road tax ended about 5% better than last year. The revenues outpaced expenditures for the month of January. The Jail Fund had an infusion of \$800,000. The state reimbursement was only \$10,000 for the month. The sales tax collections for January was a 7.5% increase, this is the best January showing since the census showing in 2011. The Jail sales tax was increased over 8%, which is the best it has done since the tax was enacted in 2002.

Bill Ussery asked why there are differences between the different funds? Bobby Hill replied that the 1 cent county wide sales tax the County gets 18.5% of it, the Jail ¼ cent sales tax the County gets the entirety of. Mr. Hill was unsure on the percentages on the road sales tax.

Bobby Hill further stated that in the 2010 census the cities populations grew, in some cases, significantly, while the county's population remained virtually the same. Lisa Ecke asked if there was a bottom that the county could take? Bobby Hill replied no.

Bobby Hill next pointed out that the General Fund has decreased significantly over the past few years. The sales tax declined, the millage rate was rolled back, and there have had to be infusions into the Jail Fund and the Road Fund. He expressed that he didn't know how that is going to be sustainable in the long term.

Sue Madison asked when the ½ Road Sales tax began? Mr. Hill replied that it began in the middle of 2013.

Comptroller, Cheryl Bolinger, reported that the beginning balance the General Fund unappropriated reserves is \$6,522,013.

Next, Cheryl Bolinger reported that when she did the Jail budget she failed to get about 40 individual's raises included. The total will be \$37,717, and she will include that in the quarterly housekeeping ordinance. She also continued that there will be a few budgets that are over, Insurance and Flex Spend, which will be brought up in March.

Review of the Prosecuting Attorney's Hot Check Fee Account for 2014. Prosecutor, Matt Durrett, updated the Committee on the Prosecuting Attorney's Hot Check Fee. He explained that this is set up statutorily. Fees are collected and the funds are used for prosecutorial expenses. A big portion of that goes to the cell phones for the office to be reachable by law enforcement. There is also some in there for mileage and expenses for special prosecutors if needed on occasion. Washington County has 15 deputies and one part time deputy that handle drug court.

An Ordinance Anticipating Revenues Totaling \$1,131,441 In Various Grant Funds; And Appropriating \$1,182,679 From Various Funds To Various Budget Line Items For 2015. Comptroller, Cheryl Bolinger explained that these are Grant Funds that are carried over from 2014. This is not done during the budget process. Also included is the quarterly boating safety and the drug enforcement. The reason there is a difference in amounts is because during the budget process the Treasurer's office did go ahead and put the projections in.

Ann Harbison made a motion to forward the Ordinance to the full Quorum Court with a do pass recommendation. Bill Ussery seconded. The motion was approved unanimously.

Report from County Grant Administrator Wayne Blankenship on Grants Awarded to the County and Related Appropriation Requests and Resolutions Needed for the Submission of Grant Applications.

- A Resolution Authorizing The Submittal Of Community Fire Prevention Grant Applications.
- A Resolution Authorizing The Submittal Of A Grant Application To The Arkansas Department Of Environmental Quality, Solid Waste Management Division.
- A Resolution Authorizing The Washington County Judge To Submit A Grant Request To The Arkansas Rural Development Commission On Behalf Of The Wheeler Fire Department.

Assistant Grant Administrator, Renee Biby, reported that the first of these Resolutions authorizes the Fire Marshal to apply for a Grant to purchase up to 500 smoke detectors and also some education equipment. The second Resolution is to apply for a grant to purchase a used recycling trailer for the HHW building for Environmental Affairs. The third Resolution is to apply for a grant for the purchase of some SCBAs for the Wheeler Volunteer Fire Department.

Ann Harbison made a motion to forward the Resolutions to the full Quorum Court with a do pass recommendation. Bill Ussery seconded. The motion was approved unanimously.

- An Ordinance Anticipating Additional Revenues Of \$287,651 In The High Intensity Drug Trafficking Area (HIDTA) Grant Fund; And Appropriating \$287,651 From The HIDTA Grant Fund To The HIDTA 2015 Grant G15GC0004A Budget For 2015.

Assistant Grant Administrator, Renee Biby reported that this is the annual HIDTA (High Intensity Drug Task Force Agency) grant. The County is the fiduciary for the State of Arkansas and the County's portion will be \$39,142.

- An Ordinance Recognizing Revenues Of \$3,500 In The DEM Grant Fund; And, Appropriating The Amount Of \$3,500 From The DEM Grant Fund To The MRC 2015 Grant Budget.

Renee Biby reported that this grant will be used to purchase Hepatitis B vaccinations for volunteers of the Medical Reserve Corp.

- An Ordinance Recognizing Additional Revenue Of \$50,000 In The DEM Grant Fund, And Appropriating \$50,000 To The CEMS CAD Budget For 2015.

Renee Biby reported that this grant was received from Senator Uvalde Lindsey and is going towards the payment of a CAD system for CEMS.

- An Ordinance Anticipating Revenues Of \$8,433 In The Law Enforcement Grant Fund; And, Appropriating \$8,433 From The Law Enforcement Grant Fund To The ARICAC Budget For 2015.

Renee Biby reported that this grant will be used for the purchase of a computer and some training to assist the Sheriff with work for internet crimes against children.

- An Ordinance Anticipating Additional Revenue Of \$3,711 In The Law Enforcement Grant Fund; And Appropriating \$3,711 From The Law Enforcement Grant Fund To The Circuit Court-Juvenile Division Grant Budget For 2015.

Renee Biby reported that this grant will be used for the purchase of a new computer for the Juvenile Court.

Ann Harbison made a motion to forward the Ordinances to the full Quorum Court with a do pass recommendation. Bill Ussery seconded. The motion was approved unanimously.

An Ordinance Transferring \$8,000 Within The Quorum Court Budget For 2015. Comptroller, Cheryl Bolinger, reported that this is for the mileage reimbursement. This will have to be moved into the full time line item.

Eva Madison commented that she believes that this should be tabled until the decision the County has made is certain.

Ann Harbison asked if this would cause any problem for the Comptroller? Cheryl Bolinger replied it would not be a problem until the end of the year.

John Firmin made a motion to table the ordinance. Robert Dennis seconded. The motion was approved.

An Ordinance Appropriating The Amount Of \$24,000 From The Assessor's Amendment 79 Fund To The Assessor's Budget For 2015. County Assessor, Russell Hill, reported that this money will be used to purchase software to better track people who are claiming the Amendment 79 credit. These funds can only be spent for the homestead exemption. This will be helpful to his office for the additional mail outs that will be required this year as a reappraisal year.

Sue Madison asked what methods were being used to track individuals who may claim the credit falsely. William Stephenson explained the exhaustive measures that the Assessor's office goes through to ensure that whoever is claiming the credit is actually living in their home. He stated that the Assessor's office has gone so far as making on site visits and knocking on doors or checking meters to ensure that there is power on at the location.

Ann Harbison made a motion to forward the Ordinance to the full Quorum Court with a do pass recommendation. Lisa Ecke seconded. The motion was approved unanimously.

Discussion of Act 633 Money Owed to the State of Arkansas.

County Treasurer, Bobby Hill, explained that this is money that was collected from judicial foreclosure sales and erroneously placed in the General Fund since 2008. The Circuit Clerk collected the fee of \$140 and then it was erroneously receipted in as miscellaneous funds and went into the General Fund. The amount owed appears to be \$1,000,034.00. County Attorney, Steve Zega, is working with the state to come up with repayment options.

Lisa Ecke suggested that the county offer to trade the state to forgive the past due jail fees in exchange for them forgetting this. Bobby Hill replied that he did not think that was an option.

Rick Cochran asked what this money would come out of? Comptroller Cheryl Bolinger replied that it would come out of reserves.

Ann Harbison commented that it is unfortunate that this has happened and she is hopeful that an agreement can be worked out.

Bobby Hill commented that the former County Attorney felt that there may be a three year statute of limitations, but he was unsure if that applied to the state.

With no other business or citizen comments, the meeting adjourned at 6:36 p.m.

/rb

ORDINANCE NO. 2015-_____

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE CALLING A SPECIAL ELECTION
ON THE QUESTION OF THE LEVY OF THE
ANNUAL DUES OF THE WEST FORK RURAL FIRE
DEPARTMENT AND PRESCRIBING OTHER
MATTERS PERTAINING THERETO.**

WHEREAS, the West Fork Rural Fire Department, ("Department"), has requested that the Quorum Court of Washington County, Arkansas, (the "County") call a special election for the levy of dues in the amount not to exceed Fifty dollars (\$50.00) annually on each residence and each business having an occupiable structure for which Department provides fire protection in the area served by Department; and,

WHEREAS, the request has been signed by the fire chief and all other required officers of the Board and has been duly filed with the County Clerk; and,

WHEREAS, pursuant to A.C.A. § 14-20-108, the Quorum Court is required to call the election which shall be at the expense of Department; and,

WHEREAS, if the levy of the dues are approved, the dues shall be listed annually on the property tax statements and collected by the Washington County Collector in the same time and manner as real property taxes and personal property taxes in accordance with A.C.A. § 14-20-108; and,

WHEREAS, the County has a contractual relationship with Department to provide fire protection and the payment of dues will help lessen the financial burden on the County; and,

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the West Fork Rural Fire Department dues on each residence or business having an occupiable structure in the area for which Department provides fire protection.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That there be, and there is hereby called, a special election to be held on June 9, 2015, at which election there shall be submitted to the electors of the County living in the unincorporated area in which Department provides fire protection, the question of the levy of annual Fire Department dues on each residence or business having an occupiable structure within such area.

ARTICLE 2. That the question of the West Fork Rural Fire Department dues shall be placed on the ballot for the election in substantially the following form:

Whether or not the dues, in an amount not to exceed Fifty dollars (\$50.00) per year, of the West Fork Rural Fire Department shall be levied against each residence and each occupiable business structure in the area so served to be listed on real property tax statements and collected by the Washington County Tax Collector in the same manner as ad valorem taxes are collected beginning with the 2014 property taxes due and payable in 2015.

FOR the levy not to exceed Fifty dollars (\$50.00) as annual dues for the West Fork Rural Fire Department on each residence and each business having an occupiable structure in the West Fork Rural Fire Department Service District.

AGAINST the levy not to exceed Fifty dollars (\$50.00) as annual dues for the West Fork Rural Fire Department on each residence and each business having an occupiable structure in the West Fork Rural Fire Department Service District.

ARTICLE 3. That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for county elections and only qualified voters in the affected unincorporated area of the County shall have the right to vote at the election.

ARTICLE 4. A copy of this Ordinance shall be given to the Washington County Board of Election Commissioners so that the necessary election officials and supplies may be provided.

ARTICLE 5. The County Clerk and the Election Commission, for and on behalf of the county, be and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided.

ARTICLE 6. The costs of the election shall be borne by Department.

ARTICLE 7. Department shall annually submit a sufficient list to the Collector reflecting dues owed so that he may properly bill such.

ARTICLE 8. The Department of Emergency Services, the County Clerk, and the County Assessor shall assist in the preparation of a map and other information needed to effectuate said election.

ARTICLE 9. The Collector shall remit said dues collected on a monthly or quarterly basis to the West Fork Rural Fire Department; furthermore, the Collector is authorized to promulgate additional rules and regulations as he deems necessary to assist him in the collection of said dues; including a reasonable fee to be charged to the West Fork Rural Fire Department, all subject to the approval of the Quorum Court.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Ann Harbison

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

ORDINANCE NO. 2015-_____

BE IT ORDAINED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING ORDINANCE NO. 2014-06 PERTAINING TO COMMUNITY SEWER SYSTEMS.

WHEREAS, on February 21, 2014, the Quorum Court enacted Ordinance No. 2014-06 which amended Washington County Code 11-99.1 regarding community sewer systems; and,

WHEREAS, there is a desire to further amend such.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. All community sewer systems are required to have a back-up generator in the event of power outage, said generator to be approved by the Washington County Public Utilities Coordinator.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Eva Madison

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

RESOLUTION NO. 2015-_____

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION CONFIRMING THE POLICY STATEMENT OF THE SHERIFF REGARDING THE TEMPORARY FILLING OF THE OFFICE OF SHERIFF PURSUANT TO ACT 229 OF 2009 (A.C.A.§14-14-1310).

WHEREAS, Act 229 of 2009 requires that the Sheriff designate three persons or positions who would serve temporarily as Sheriff in the event of an emergency no later than sixty (60) days from the beginning of the elected term of office; and,

WHEREAS, Tim Helder, the duly elected Sheriff of Washington County, Arkansas, has previously made said designation pursuant to Resolution No. 2009-09 and is required to do so again, as a new elected term of office has commenced; and,

WHEREAS, the Quorum Court is required to adopt a resolution confirming such.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. The Policy Statement of the Sheriff is hereby adopted and approved by the Quorum Court.

ARTICLE 2. Said Policy Statement is hereby incorporated herein as if setout word for word.

ARTICLE 3. The Statement and this Resolution shall be effective immediately and filed with the County Clerk and the Arkansas Department of Emergency Services.

MARILYN EDWARDS, County Judge

DATE

TIM HELDER, County Sheriff

DATE

Sponsor: _____ Tom Lundstrum
Date of Passage: _____
Votes For: _____ Votes Against: _____
Abstention: _____ Absent: _____

TIM HELDER
SHERIFF




Washington County Sheriff's Office

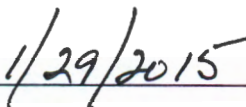
POLICY STATEMENT

I, Tim Helder, the duly elected Sheriff of Washington County, Arkansas, pursuant to Act 229 of 2009 (A.C.A.§14-14-1310) regarding the temporary filling of the office of Sheriff do hereby designate the following to temporarily serve as Sheriff in the event of an emergency as set out in Act 229 of 2009 (A.C.A.§14-14-1310):

1. Chief Deputy Jay Cantrell; if this person is unable to serve then
2. Major Rick Hoyt; if the person is unable to serve then
3. Major Randall Denzer.



 Tim Helder, Washington County Sheriff



 Date