



WASHINGTON COUNTY, ARKANSAS
County Courthouse

April 10, 2015

REGULAR MEETING OF THE
WASHINGTON COUNTY QUORUM COURT

Thursday, April 16, 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 March 19 regular meeting of the Quorum Court. **(5.1)**
6. **FINANCE REPORT.** **RICK COCHRAN**
 - 6.1 **APPROPRIATION ORDINANCE: AN ORDINANCE REDUCING THE AMOUNT OF \$43,451 FROM FULL-TIME SALARY LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE FUNDS TO UNAPPROPRIATED RESERVES; APPROPRIATING THE AMOUNT OF \$51,998 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGETS FOR 2015; AND SUSPENDING BUDGET CONTROLS AND ANY APPLICABLE JESAP POLICY TO CHANGE THE TITLE OF A PERSONNEL POSITION IN THE ROAD DEPARTMENT BUDGET FOR 2015.**

- 6.2 **APPROPRIATION ORDINANCE; AN ORDINANCE APPROPRIATING THE AMOUNT OF \$13,623 FROM THE GENERAL FUND TO THE SHERIFF-WORK RELEASE BUDGET; AND RECOGNIZING AND APPROPRIATING REVENUES IN THE DRUG ENFORCEMENT–STATE AND DRUG ENFORCEMENT–FEDERAL FUNDS FOR 2015.**
- 6.3 **APPROPRIATION ORDINANCE; AN ORDINANCE CREATING AN ADDITIONAL PERSONNEL POSITION IN THE PUBLIC DEFENDER BUDGET; REDUCING PERSONAL SERVICES LINE ITEMS IN THE PUBLIC DEFENDER BUDGET BY \$24,445; AND APPROPRIATING THE AMOUNT OF \$39,015 FROM THE GENERAL FUND TO THE PUBLIC DEFENDER BUDGET FOR 2015.**
- 6.4 **APPROPRIATION ORDINANCE; AN ORDINANCE CREATING AN ADDITIONAL PERSONNEL POSITION IN THE COUNTY LIBRARY BUDGET; REDUCING PERSONAL SERVICES LINE ITEMS IN THE COUNTY LIBRARY BUDGET BY \$12,393; AND APPROPRIATING THE AMOUNT OF \$22,035 FROM THE COUNTY LIBRARY FUND TO THE COUNTY LIBRARY BUDGET FOR 2015.**
7. **COUNTY JUDGE’S REPORT.** **JUDGE EDWARDS**
8. **COMMITTEE REPORTS. (8.1-8.4)**
9. **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD** The Planning Board granted a Conditional Use Permit on April 2 for EMS (Electronic Manufacturing Solutions) Expansion. This ordinance contains an emergency clause making it effective immediately upon passage. **(9.1, 9.2)** **EVA MADISON**
10. **A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF SPRINGDALE, ARKANSAS, CITY OF TONTITOWN, ARKANSAS, AND WASHINGTON COUNTY, ARKANSAS, REGARDING THE OPERATIONAL EXPENSES OF THE SPRINGDALE DISTRICT COURT.** This resolution is being recommended by the Jail / Law Enforcements/ Courts Committee. **(10.1, 10.2)** **TOM LUNDSTRUM**

- 11. AN ORDINANCE ESTABLISHING VOTE CENTERS IN WASHINGTON COUNTY FOR ALL SCHOOL ELECTIONS IN 2015.** This has been placed on the agenda by JP Eva Madison. (11.1, 11.2)
- 12. OTHER BUSINESS.**
- 13. 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.
- 14. ADJOURNMENT.**

EVA MADISON

/cs

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

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

- 104.1 The Washington County Quorum Court met in regular session on Thursday, March 19, 2015. The meeting was called to order by County Judge Marilyn Edwards.
- 104.2 Judge Edwards welcomed Sharon Lloyd who had been appointed by the Governor to fill the vacancy in JP District #2 and she was given a round of applause by the court.
- 104.3 J. Patterson led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 104.4 MEMBERS PRESENT: Daniel Balls, Harvey Bowman, Rick Cochran, Robert Dennis, John Firmin, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Joel Maxwell, Joe Patterson, Butch Pond, and Bill Ussey.
- 104.5 MEMBERS ABSENT: Lisa Ecke, Eva Madison, and Sue Madison.
- 104.6 Judge Edwards noted that L. Ecke was out-of-town.
- 104.7 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 104.8 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 104.9 R. Cochran stated that he had an addition to the Finance Report, of Appropriation Ordinance #6.10; and A. Harbison, an Ordinance #9.1 calling a special election on the question of the levy of the annual dues of the West Fork Rural Fire Department.
- 104.10 **A motion was made and seconded to adopt the agenda with the two additions. The motion passed unanimously by voice vote by those present. The agenda was adopted as amended.**
- 104.11 APPROVAL OF MINUTES: Judge Edwards asked for approval of the Minutes of the February 12 Special Meeting and February 19 Regular Meeting of the Washington County Quorum Court.

- 105.1 D. Balls stated that E. Madison and S. Madison were absent due to a death in the family and E. Madison had given him her corrections to the minutes.
- 105.2 D. Balls stated that E. Madison noted an error in paragraph 40.2 at the end of the fourth line should read, “. . . Ms. Richey responded that 40 **parcels** should be fully under reclamation . . .”
- 105.3 D. Balls stated that E. Madison reported in paragraph 80.5, it is her **E. Madison** speaking instead of S. Madison.
- 105.4 D. Balls stated that E. Madison reported in paragraph 82.5 the 6th line from the bottom should read, “. . . expenditures are leveling out and slowing down and they anticipate **no** big things . . .
- 105.5 D. Balls stated that E. Madison reported in paragraph 100.9, in line three the Assessor’s should be replaced with **Circuit Clerk’s 663 fund . . .**”
- 105.6 **A motion was made and seconded to approve the minutes as corrected. The motion passed unanimously by those present by voice vote. The minutes were approved as corrected.**
- 105.7 FINANCE REPORT: R. Cochran reported that they had a fairly short agenda tonight with eight appropriation ordinances and two resolutions from the Finance and Budget Committee.
- 105.8 AN ORDINANCE RECOGNIZING AND APPROPRIATING FUNDS OF \$9,896 IN THE GAME AND FISH EDUCATION FUND FOR 2015: R. Cochran introduced **An Ordinance Recognizing And Appropriating Funds Of \$9,896 In The Game And Fish Education Fund For 2015**, and County Attorney Steve Zega read the ordinance.
- 105.9 R. Cochran explained that this grant program is administered by the County and the schools will apply to the program for equipment, trips or other expenses related to the HOFNOD Program. He noted based on their request, priority is being given to the equipment category that the County apportions to the various cities.
- 105.10 **R. Cochran made a motion to adopt the ordinance. J. Firmin seconded.**
- 105.11 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 105.12 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R.

Cochran. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-13, BOOK NO. 10, PAGE NO. 146

- 106.1 AN ORDINANCE APPROPRIATING THE TOTAL AMOUNT OF \$556,785 FROM UNAPPROPRIATED RESERVES TO VARIOUS PERSONAL SERVICES LINE ITEMS FOR 2014; AND APPROPRIATING THE TOTAL AMOUNT OF \$2,161,856 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGET LINE ITEMS FOR 2014: R. Cochran introduced **An Ordinance Appropriating The Total Amount Of \$556,785 From Unappropriated Reserves To Various Personal Services Line Items For 2014; And Appropriating The Total Of \$2,161,856 From Unappropriated Reserves To Various Budget Line Items For 2014**, and County Attorney Steve Zega read the ordinance.
- 106.2 R. Cochran explained in the first Article of the ordinance the bulk of the appropriation is for adjustments for the year end longevity checks that they paid to employees that were not included in their 2014 budget and was corrected in the 2015 budget process with some money for lump sum vacation benefits paid in the fourth quarter. He further explained that the funds addressed in Article 2 is primarily transfers out for their dental fund, monies used at the jail and for food, medical, and hospital line items and is all 2014 money and does not affect their \$6.5 million appropriated reserves in order to get their books balanced and closed for 2014.
- 106.3 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 106.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 106.5 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. **The motion passed unanimously by those present. The ordinance was adopted.**
- 106.6 **ORDINANCE NO. 2015-14, BOOK NO. 10, PAGE NO. 148**
- AN ORDINANCE ADJUSTING CARRYOVER REVENUES IN VARIOUS FUNDS FOR 2015: R. Cochran introduced **An Ordinance Adjusting Carryover Revenues In Various Funds For 2015**, and County Attorney Steve Zega read the ordinance.

- 107.1 R. Cochran explained in this ordinance is their carryover revenue amounts over and under budget which does directly affect their unappropriated reserves with items affecting them the most being County General usage of \$917,991; Jail Operations & Maintenance usage of \$117,407; and Road usage of \$341,724. He further noted that overall this changed their unappropriated reserves results with a reduction of about \$693,000.
- 107.2 **R. Cochran made a motion to adopt the ordinance. R. Dennis seconded.**
- 107.3 R. Cochran responded to a request to further expand on his explanation, stating that Article 1 is "reduced" carryover revenues or money that they spend and withdrew from reserves and Article 2 is "additional" carryover revenues or money that was budgeted but not completely spent with the net affect being approximately 693,000 reductions in carryover reserves.
- 107.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 107.5 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-15, BOOK NO. 10, PAGE NO. 156

- 107.6 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$31,656 FROM THE GENERAL FUND TO THE SHERIFF-WORK RELEASE BUDGET FOR 2015: R. Cochran introduced **An Ordinance Appropriating The Amount Of \$31,656 From The General Fund To The Sheriff-Work Release Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 107.7 R. Cochran explained that this funds their work release program from the General Fund for 2015 and normally would have done this last month, but missed it.
- 107.8 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 107.9 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 107.10 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-16, BOOK NO. 10, PAGE NO. 157

- 108.1 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$1,980 FROM THE GENERAL FUND TO THE PLANNING BUDGET FOR 2015: R. Cochran introduced **An Ordinance Appropriating The Amount Of \$1,980 From The General Fund To The Planning Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 108.2 R. Cochran explained that this is a situation where the Planning Department had purchased and was invoiced file cabinets in November of last year and then the vendor credited it back but did not re-invoice until this year. The money was approved but not spent last year and is now being brought forward to pay for these file cabinets.
- 108.3 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 108.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 108.5 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-17, BOOK NO. 10, PAGE NO. 158

- 108.6 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$25,393 FROM THE ROAD FUND TO THE ROAD BUDGET FOR 2015: R. Cochran introduced **An Ordinance Appropriating The Amount Of \$25,393 From The Road Fund To The Road Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 108.7 R. Cochran explained that last year they stripped this department of capital purchases from their budget so this is something that will affect their reserves. He stated that the two items being requested are a straw blower for \$10,415 that is used to seed the road sides that comply with state regulations on storm water. Noting that they are presently spreading straw and seed by hand, this equipment will actually reduce their cost to do the job. He stated that the other item is a body spreader for \$14,977 which will be installed on an existing truck and is used to spread quarter-inch chips when they have inclement weather, noting that they want to make this purchase now in order to make the small modifications that will be required to have it in service next winter. R. Cochran reported that they presently have six spreader trucks; two are 1987 and 1991 models.

109.1 **R. Cochran made a motion to adopt the ordinance. J. Firmin seconded.**

109.2 H. Bowman questioned whether they had decided that some line items could be changed to use funds from one area to another where needed; to which Judge Edwards responded that she is not sure that they can transfer capital outlays from one area to another.

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

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

ORDINANCE NO. 2015-18, BOOK NO. 10, PAGE NO. 160

109.5 AN ORDINANCE ANTICIPATING AND APPROPRIATING THE AMOUNT OF \$15,000 IN THE LAW ENFORCEMENT GRANT FUND FOR 2015: R. Cochran introduced **An Ordinance Anticipating And Appropriating The Amount Of \$15,000 In The Law Enforcement Grant Fund For 2015**, and County Attorney Steve Zega read the ordinance.

109.6 R. Cochran explained that this was discovered after their Finance Committee regularly scheduled for last month and Rick Hoyt, Enforcement Major with the Sherriff's Office, found that there was money that they could get with a time limit which has almost expired, so they must get it passed in order to take advantage of the funds. He stated that these funds will allow them to purchase a vehicle used in drug enforcement with no cost to the county.

109.7 **R. Cochran made a motion to adopt the ordinance. B. Pond seconded.**

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

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

ORDINANCE NO. 2015-19, BOOK NO. 10, PAGE NO. 160

109.10 A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GLOBAL FIRE PREVENTION GRANT APPLICATION: R. Cochran introduced **A Resolution**

Authorizing The Submittal Of A Global Fire Prevention Grant Application, and County Attorney Steve Zega read the resolution

- 110.1 R. Cochran explained that this was to approve authorization to submit the grant.
- 110.2 **R. Cochran made a motion to adopt the resolution. B. Pond seconded.**
- 110.3 Citizen Comments: There were no citizen comments made.
- 110.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 110.5 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. **The motion passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2015-07, BOOK NO. 3, PAGE NO. 101

- 110.6 A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY FOR A DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION GRANT ON BEHALF OF THE WASHINGTON COUNTY DRUG COURT: R. Cochran introduced **A Resolution Authorizing The County Judge To Apply For A Department Of Health And Human Services Administration Grant On Behalf Of The Washington County Drug Court**, and County Attorney Steve Zega read the resolution
- 110.7 R. Cochran explained that they are in their third and final year to receive this grant.
- 110.8 **R. Cochran made a motion to adopt the resolution. J. Firmin seconded.**
- 110.9 B. Ussery noted since this is the last year that they can apply for these grant funds, and questioned when they should begin looking into how they will fund this next year; to which Assistant Grant Administrator Renee Biby responded that the county currently has this three year grant and the goal is to be sustainable at the end of the grant.
- 110.10 Tracy Risley from the Washington County Sheriff's Office explained that this grant has a new component in it and stagger times for them because in the initial language it left it to the Judge's discretion as to what they were doing with the medical assisted treatment. He further stated that they struck that and reissued the grant with an extended deadline to April 10th and this brand

new grant has the medical assisted treatment and lasts for three years at \$325,000 a year, and again moving toward sustainability.

- 111.1 Citizen Comments: There were no citizen comments made.
- 111.2 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 111.3 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. **The motion passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2015-08, BOOK NO. 3, PAGE NO. 102

- 111.4 R. Cochran stated that the next ordinance (#6.10) is related to the ACT 663 fees owed to the State and asked County Attorney Steve Zega to bring them up to speed on what he has learned on this issue.
- 111.5 County Attorney Steve Zega stated that at the invitation of Representative Neal, he traveled to Little Rock last week and a meeting was arranged with the Department of Finance and Administration folks, a member of the Governor's staff, Mr. Neal, and himself. He referred to a letter attached to the ordinance that he received the day before yesterday from Paul S. Louthian, CPA, and Fiscal Division Manager and also Jacob Bleed's boss and briefly summarized the meeting. He stated that the Department of Finance and Administration does not have statutory authority, according to them, to negotiate either the amount or time which delinquent fines, fees, costs, etc. may be repaid to them. He noted that they were concerned on several issues, the primary one being that they did not wish to be brought in front of the Legislature and asked why they negotiated with Washington County to reduce something or pay-off plan when they had no legal authority to do so. He noted they did state because they had already offered Washington County a year pay out, they would honor and abide by that.
- 111.6 County Attorney Steve Zega stated that this ordinance that they drafted this afternoon was suggested after the meeting as a solution which R. Cochran can explain further. He noted that their legislative delegation work very hard on our behalf, especially Representative Neal, who has worked many hours and made many phone calls that he has not been privy to and he believes that they have done their best on this particular issue.
- 111.7 R. Cochran explained that he asked for this ordinance because he felt that there was a time frame that the State may withdraw their payment plan and they discussed the option of a lump sum amount; payments in May and

December when they have more revenue; and a monthly payment. He stated that they need to give County Attorney Steve Zega the authority to respond and advise the State what they are going to do. He also noted that the court should feel free to discuss and amend this ordinance as they would in the Finance Committee.

112.1 T. Lundstrum asked about amending Article 2 of the Ordinance to be made in twelve equal monthly payments rather than the other options so that they can see what their 2015 cash flow is going to look like before they remove these large sums of money out of their reserves for two large payments. Further, if the State is in agreement with that he would suggest that their payments start this month and his calculations are that they would be approximately \$85,000 a month.

112.2 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$1,000,034 FROM THE GENERAL FUND TO THE 2015 GENERAL SERVICES BUDGET FOR THE REPAYMENT OF ACT 663 MONIES OWED TO THE ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION: R. Cochran introduced **An Ordinance Appropriating The Amount Of \$1,000.034 From The General Fund To The 2015 General Services Budget For The Repayment Of ACT 663 Monies Owed To The Arkansas Department Of Finance And Administration**, and County Attorney Steve Zega read the ordinance.

112.3 **T. Lundstrum made a motion to amend Article 2 for 12 monthly payments. J. Firmin seconded.**

112.4 Joel Maxwell stated that he thought the clock started about one month ago and asked if they had time to make 12 monthly payments; to which County Attorney Steve Zega responded that their formal written offer was made to the county on March 16th and the way he read that was 12 months from the date of the letter.

112.5 H. Bowman suggested that they just give them a million dollars in December so that they can take a look at their budget through the year and if they know they will have to make that payment before the year is over, it maximizes their flexibility throughout the year.

112.6 A. Harbison stated that she likes both H. Bowman and R. Cochran's ideas because they know they have an influx of revenue in May because the lending institutions pay their taxes and in November which gives them the opportunity to have not quite as big of a hit at one time. However, she stated that she can also see the benefit of paying it out in 12 monthly payments and likes that option better.

- 113.1 County Attorney Steve Zega noted that the figure he comes up with for 12 equal monthly installments is \$83,336.43.
- 113.2 In response to a question from T. Lundstrum regarding interest, County Attorney Steve Zega stated that his figure is principal only and reported that they touched briefly interest and penalties at their meeting and the State representatives just shrugged their shoulders, so he let it die with that.
- 113.3 In response to a question from J. Patterson regarding whether they were going to set the money to the side, S. Zega stated that this is what Article 1 accomplishes as they are essentially appropriating the funds out of unappropriated reserves now and setting it in this account and then if T. Lundstrum's amendment passes, they will pay out \$83,000 at a time.
- 113.4 J. Maxwell asked if there were any potential negative postures from the state towards them if they choose to do a lump sum at the end of 12 months; to which County Attorney Steve Zega responded that he does not know. He further gets the sense, but not from any factual statements, that if the county were to say to the state that they will give them a million dollars in December 2015 or March 2016, he doesn't believe that they would like that answer and it would put them back into negotiations. Attorney Zega further reported that he discussed with J. Cochran the option of paying the state one million on March 16, 2016 or in 12 months and they don't know what the state's reaction would be. He noted that they had discussed two large lump sum payments or spreading it out like T. Lundstrum suggested to essentially keeping them from coming back on the county and giving them some more negative consequences. Referring to the letter of March 16, 2015, he noted that it summarizes their position on the issue at the meeting a week ago, but there are other aspects to that that he doesn't believe are relevant to this discussion, but he would discuss off line.
- 113.5 R. Cochran stated that they have covered the gambit of possible bill payments options that have been discussed; the county owes the money and he is not sure paying over a longer period of time is wise to have good relations with the state. He noted that they do have money they can hold from the county in other areas such as money coming in for our jail fees and turn backs. He believes that paying it half and half would give them a big chunk early a couple of months from now and then holds them back until the end of the year to pay the remaining amount which takes it out of putting it into their budget situation for 2016, though \$240,000 to \$250,000 would go into next year. He stated that he is open to however the court wishes to do this and noted to the public that this is how they work in their normal Finance & Budget Committee meetings and invited them to attend.

- 114.1 A. Harbison stated that the state seems to be trying to work with the county and she really doesn't want anything to go over into 2016 because that complicates their budget, so she will support the original amendment which she sees as being fairer than taking money into 2016.
- 114.2 B. Pond stated that he likes T. Lundstrum's idea of 12 equal payments as it sounds like the state is good with that option. He noted that they will have the money set aside anyway and he believes the state receiving their first payment soon will show good faith. He also noted that they could also decide to pay it off towards the end of the year which the state would probably also be agreeable with.
- 114.3 B. Ussery stated that he believes the sooner they are locked in with the state the better off they will be and if they do the 12 monthly payments, it would be a lot harder for the state to change their mind later on.
- 114.4 R. Cochran pointed out that since this is an appropriation ordinance, they will need 2/3rds or 10 votes to pass this ordinance.
- 114.5 **With no further discussion, Judge Edwards called for a vote on the motion to amend Article 2 of the ordinance to 12 monthly payments.**
- 114.6 VOTING FOR: R. Dennis, J. Firmin, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, and R. Cochran. VOTING AGAINST: A. Harbison and D. Balls. **The motion passed with ten members voting in favor and two members voting against the motion to amend the ordinance. The ordinance was amended.**
- 114.7 **R. Cochran made a motion to adopt the ordinance. The motion was seconded.**
- 114.8 County Attorney Steve Zega explained that as amended, Article 2 of the Ordinance will now read, "The Washington County Treasurer is hereby directed and authorized to disburse these sums in twelve (12) equal monthly installments of \$83,336.42 to the Arkansas Department of Finance and Administration, beginning in April 2015." and a "yes" vote agrees with this plan.
- 114.9 R. Dennis stated that he knows that this ordinance is going to pass; however, he is going to vote against the ordinance as a protest vote because he believes it is unfair the way the State pays them for prisoners at their jail.
- 114.10 J. Maxwell stated as a point of clarification, he believes that if they do 12 monthly payments will actually only span 11 months so that they don't carry as much into 2016 for the budget.

- 115.1 J. Firmin pointed out that the last vote was 10-2, so they need to be aware that if they don't pass this tonight, they will be back to square one.
- 115.2 A. Harbison stated that she will be supporting this ordinance as amended and explained her no vote was only for carrying this into 2016.
- 115.3 T. Lundstrum concurred with B. Pond that by spreading these payments out, if their revenue is strong the rest of this year, they could pay it off in October or November which he would be in favor of doing and everyone would be happy. However, if their revenue is weak or even weaker, it will give them some relief by paying it out.
- 115.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance as amended.**
- 115.5 **VOTING FOR: J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, and R. Cochran. VOTING AGAINST: R. Dennis. **The motion passed with eleven members voting in favor and one member voting against the motion. The ordinance as amended was adopted.****

ORDINANCE NO. 2015-20, BOOK NO. 10, PAGE NO. 161

- 115.6 R. Cochran thanked County Attorney Steve Zega for his hard work and going to bat for the County.
- 115.7 **COUNTY JUDGE'S REPORT:** Judge Edwards stated at the request of the Washington County Bar Association, she is recommending that Zoe Naylor be appointed to the County Law Library Board to fill the position previously held by Susan Fox who resigned February 1, 2015. Mrs. Naylor is a law partner with the Balla & Naylor Firm in Fayetteville. This appointment will expire in 2017.
- 115.8 **A motion was made and seconded to confirm the appointment of Zoe Naylor to the Washington County Law Library Board. The motion passed unanimously by those present by voice vote. The appointment was confirmed.**
- 115.9 Judge Edwards noted that she has a difficult Road Department report to give the court, stating that she has been in government for 45 years and has never had anything quite this difficult to address. She stated that she would show a video that she saw for the first time yesterday that each member of the court needs to be aware of.

- 116.1 A video was shown on which Jeff Williams was speaking and reporting that on October 6th 2014, he was at a bridge that the Washington County Road Department was constructing between Prairie Grove and Lincoln, referred to as the Stonewall Bridge. He pointed out one of the pillars that would be supporting this bridge which was a 4 ft. concrete structure that is reinforced with #4 rebar. He noted the purpose for the rebar was to provide additional structural integrity and is what is called for in the engineering schematic and plans for this bridge, not a guideline, but what is required for the construction of this bridge as defined by the engineer who put the plans together to accommodate small cars or passenger trucks. He noted the importance of having this done correctly for the structure of the bridge was to prevent it from possibly collapsing, injuring, or killing someone in the process. Mr. Williams reported that the issue that was brought to his attention by folks who are familiar with this construction was the fact that there were many shortcuts occurring in the construction of this bridge that were being directed from the Director of the Road Department in order to speed up the project or save a little bit of money. He stated the problem with these shortcuts is that they create safety issues and clear violations of engineering plans. He pointed out one shortcut being taken was that instead of reinforcing with rebar, they were simply drilling holes into the top of the concrete a number of inches and then insert the rebar so that in fact only a few inches of rebar goes down into the form structure and the remainder is not reinforced with rebar. Mr. Williams pointed out that a citizen of the county may be driving over this bridge and because of past traffic or the weight that they are carrying in the vehicle they are driving; it could cause the structural integrity of the structure that holds up the bridge to crack, collapse, and cause injury or death. He stated that these types of shortcuts should never occur in any project, especially when it is being done intentionally.
- 116.2 Judge Edwards stated that she is very disturbed by what she has seen and concurs that this is a terrible mistake to make, that this should have never been done this way as safety is always the number one consideration. She stated she can't imagine why if they knew about this since October 6, 2014, why it wasn't brought to either her attention or the attention of a JP or representative of the Road Department so that this could be investigated. She noted that they will be meeting and having a major investigation on this issue, as well as stopping all activity on the Stonewall Bridge. The County's Engineer has been contacted and is working very close with them to inspect the Molly Wagner Bridge as well as the Stonewall Bridge. She further reported that they will also be examining the Tilly Willy Bridge to ensure that it is stable and secure and until that is established, she has set a 3 ton limit on this bridge because she can't allow school buses, ambulances or fire trucks to cross the bridge. Judge Edwards reported that the piers on the Stonewall Bridge are being torn down today so that they can start rebuilding them,

- noting that they weren't very far along on this bridge due to inclement weather.
- 117.1 Judge Edwards stated that she has visited with Assistant Road Superintendent Shawn Shrum regarding the group of employees that work in this area for the Road Department and what she has realized today is that she doesn't have any trained professionals to build bridges. She is further requiring that their engineer checks every move that is made to ensure that it is correct. She noted that she is unable to answer a lot of questions at this time, pointing out that the Stonewall bridge is the one that she is in the lawsuit over and the only reason they learned about this video is that the attorney working against the county on that lawsuit had to provide the video to County Attorney Steve Zega as evidence. Judge Edwards stated that the safety of this community has always been her number one priority and with her 45 years of service, she has nothing to gain by doing something of this nature.
- 117.2 T. Lundstrum stated that he is concerned because of the lawsuit that they are involved in and the impact it may have on their budget before the year is over because apparently this is the bridge that the supposed whistle blower complained about sometime in the past.
- 117.3 J. Maxwell asked for clarification purposes whether it was these types of construction techniques that the lawsuit was specifically addressing; to which County Attorney Steve Zega responded that there are allegations concerning techniques within the lawsuit complaint that then relate to the real substance of the lawsuit, the allegation of retaliation and discrimination against the individual who said these practices were going on. Attorney Zega stated that they clearly deny retaliating against this individual and stand by that denial and based on what he knows that is a forthright denial and not made up. He stated to answer J. Maxwell's question the best he can, he would say that yes the substance that the video touches on concerns allegations made in the lawsuit complaint.
- 117.4 R. Cochran stated that he appreciates having the opportunity to view this video that does concern him. He also questioned why an individual who knew that there was a substandard issue in the construction would wait until now to bring it forward and let the county continue to spend money and finish out a bridge sounds to him like a set-up which he hates to see especially since this was a candidate for County Judge.
- 117.5 H. Bowman asked when the whistle blower came forward with his formal complaint; to which County Attorney Steve Zega responded that it was around Christmas 2014. He further noted that this individual claims to have brought these issues to the attention of other county officials prior to filing his lawsuit, but they are not specified in the complaint.

- 118.1 H. Bowman noted that the video was made in October 2014, and questioned whether he claims to have made complaints previous to that time; to which County Attorney Steve Zega responded that he does not know that. H. Bowman stated that with this type of acquisition, it is imperative that an immediate follow-up investigation would have taken place by the County to determine exactly what was really happening on the jobsite rather than deferring to a later date.
- 118.2 Judge Edwards addressed H. Bowman stating that she simply can't comment on these issues at this time because of the lawsuit.
- 118.3 B. Pond concurs and is very concerned that someone who was capable of making this video to demonstrate this disaster waiting to happen did not come to them before the bridge was completed.
- 118.4 Judge Edwards addressed B. Pond stating that the Stonewall Bridge is not completed, other than the piers that they are starting to tear out today. She stated that they will be completely rebuilt and she is having the Harvey Dowell Bridge investigated before she will allow school buses, ambulances or fire trucks to cross them.
- 118.5 B. Pond stated his appreciation that Judge Edwards advised the Quorum Court of this matter as soon as she became aware, just as she has done with the million dollar discrepancy with the Department of Finance and Administration. He appreciates her open door policy and everything being transparent.
- 118.6 Judge Edwards reiterated that she found out about this yesterday and had the County Engineer in her office first thing this morning to answer any questions before she delivered the information to the Quorum Court tonight.
- 118.7 B. Ussery stated that he is kind of in this industry and noted that they were led to believe that there wasn't any rebar; however, it is a common practice to tie things together by using 6 inches of rebar to tie one thing to another and it does not mean that it is substandard, but only a different method of doing this. He stated if there is no rebar used, then they have a serious problem, but if they reinforced that when they put that in, then they were using the rebar to tie two sections together, that will be a whole different issue and something that needs to be addressed.
- 118.8 **R. Dennis made a motion for a recess. The motion passed unanimously by voice vote.**
- 118.9 **A recess was taken at 7:09.**

- 119.1 County Attorney Steve Zega reported that he has spoken to R. Dennis and alleviated his concerns.
- 119.2 COMMITTEE REPORTS: In the absence of E. Madison, Vice-Chair J. Firmin reported that the County Services Committee met on March 2nd and heard a report from Planning Director Juliet Richey from the Washington County Planning Office. Ms. Richey further reported that the Planning & Zoning Board heard one Preliminary Plat request for a 13 lot single-family subdivision off Gulley Road change to 12-residential lots on 15 acres near Lake Sequoyah. She further reported on a potential wind-farm development around Elm Springs. The committee heard a power point presentation from the Illinois River Watershed Partnership, concerning the Oklahoma/Arkansas watershed and this is a coalition trying to prove the water quality in order to meet certain standards. J. Firmin stated that the committee heard a report on community sewer systems from Assistant Grant Administrator Renee Biby and some issues with generators for which there have been a couple of meetings and discussions. The committee further heard an update on the E-Fax Project where they are trying to eliminate the main fax line to AT&T and go to an online fax which would save the county \$8,000 per month, but are still attempting to disengage from AT&T service.
- 119.3 H. Bowman reported that the Public Works Committee did not meet this month due to lack of an agenda.
- 119.4 B. Pond reported that the Personnel Committee met on March 9 and heard the routine report from Blair Johanson, Salary Consultant for Washington County. He stated that they had another discussion on an Ordinance amending Washington County Code pertaining to Justice of the Peace being paid mileage compensation for when they perform wedding ceremonies, etc. and will further discuss this ordinance at the next Personnel meeting.
- 119.5 T. Lundstrum, Chairman of the Jail/Law Enforcement/Courts Committee, reported that this committee met on March 9 at the Juvenile Detention Center and JDC Director Jeane Mack gave the committee a tour of the facility following their meeting. He noted that the JDC has a problem with the size of their lobby area and will be addressed at a later date. Chief Deputy Jay Cantrell reported that there was nothing significant to report on enforcement and adult detention at the County Jail with everything running smoothly.
- 119.6 R. Cochran, Chairman of the Finance and Budget Committee stated that the Finance and Budget Committee received a financial report from County Treasurer Bobby Hill that their main three funds, County General was lower by \$300,000; Road Fund was higher by \$350,000; and Jail Fund was higher by \$250,000. The one cent tax revenues for the county were up 7.5% which is the best one cent tax revenues since 2010 in total and they have had an

eleven month trend of tax revenue exceeding the same month for the prior year. The Jail sales tax revenue was up 9.5% over this month last year, the best month ever; and the ½ cent sales Road tax was also up 9.5% over the last year. R. Cochran stated that none of their unappropriated reserves were committed to any spending until tonight and with what they appropriated, this fund is just under \$5 million. He noted that the summary of regular expenditures from the General Fund, Road Fund, and General Operations are on track for the year at 19%, 15%, and 17% of their yearly budgeted amounts.

- 120.1 R. Cochran further reported that the committee had discussion on the Act 663 money owed to the State of Arkansas. They received an update on the meeting of the Washington County Regional Ambulance Authority meeting and since Springdale has plans to discontinue service outside their city limits in the year 2016, the cities of Johnson, Elm Springs and Tontitown are faced with having to come up with a fairly large sum to establish ambulance service in their area and presently the county is subsidizing that area. R. Cochran stated he has plans to invite the Mayors of those three towns to their Finance & Budget Committee meeting to perhaps help them along on this matter.
- 120.2 AN EMERGENCY ORDINANCE DESIGNATING THE RURAL FIRE DEPARTMENTS OPERATING WITHIN WASHINGTON COUNTY, ARKANSAS, AND DESIGNATING THE GEOGRAPHICAL AREAS WHICH THOSE FIRE DEPARTMENTS SERVE: A. Harbison introduced **An Emergency Ordinance Designating The Rural Fire Departments Operating Within Washington County, Arkansas, And Designating The Geographical Areas Which Those Fire Departments Serve**, and County Attorney Steve Zega read the ordinance which was on final reading.
- 120.3 County Attorney Steve Zega noted that immediately after this, they will be considering Ordinance #9.1 which is the ordinance to place the fire dues for West Fork Rural Fire Department on their tax bill. He reported that JP J. Maxwell has been visiting with him about this and they have determined that each of the currently existing Rural Fire Departments exist as non-profit corporations and all exist as 501C3 as well and there are several really good reasons for them to do that, including that they can receive tax exempt donations. J. Maxwell provided him with an Attorney General's Opinion from 2011-195 that talks about the ability of a county to give money to and obtain money for, which is the appropriate matter of concern, non-profit corporations. Attorney Zega stated at the risk of regurgitating that AG's opinion and the string of AG's opinions that go behind it for at least a decade, the long and short of it is that the Attorney General has opined that it is not constitutional for a county to obtain money for a non-profit corporation with a list of Supreme Court precedents behind that based on Article 12, Section 5 of the

Arkansas Constitution and of which apparently the Supreme Court has been in the recent business at least of strictly construing.

121.1 County Attorney Zega continued stating that there was a lot of what he considered to be legal handwringing in that opinion for the reason that it is not an uncommon practice at all across Arkansas for fire departments, especially non-full time municipal departments to organize themselves as a non-profit. He noted that the handwringing in that decision talked about that fire departments take in their legal form in Arkansas something that he became educated on by reading that particular AG's opinion and one of those forms is presented to them in this ordinance. He further explained that pursuant to A.C.A. §14-20-108, the Quorum Court has the authority to designate rural fire departments and to designate those departments as rural fire departments in order that they may operate as such. However, in order to act in an abundance of caution because of the AG's opinion furnished by J. Maxwell, the statutory language that he has read, and the constitutional provisions in the cases that he has read since then, he felt like this was the best possible option to pursue tonight if in fact it is within the Quorum Court's desire to go ahead and pass the ordinance putting the fire department dues on the ballot for West Fork for a special election. Attorney Zega reported that the County's Director of Emergency Management John Luther as well as fire departments have brought up to him several times, at least eight of the fire departments are already collecting fire department dues on the tax bills. He doesn't know what this means for them because no one has judicially tested this, but because he believes that it was the census of this court that they wanted to support the fire department ordinance coming before them for the third and final reading tonight, he believes this is in the best interest of not only the West Fork Fire Department, but for the other fire departments currently existing in the County.

121.2 County Attorney Zega stated that there is what he considers to be a better solution that comes in A.C.A. §14-84-204 which is to say that they are allowed as a Quorum Court to organize these fire departments into Rural Fire Protection Districts, one of the several forms that he discovered rural fire departments may take in Arkansas. He noted the problem with that is that there are 18 fire departments and he believes legally they would have to pass one ordinance for each department and then they have to hold a public hearing as a Quorum Court in each district in the geographic boundaries that have been drawn on the map and wait for people to object to the ordinance. He suggested that this is something that they may need to look at very seriously and he will bring it to the County Services Committee for discussion very soon, but for a stop gap measure, this is the best that they can do tonight.

121.3 **A. Harbison made a motion to adopt the ordinance. B. Pond seconded.**

- 122.1 A. Harbison stated that she believes it is important that they do this stop gap ordinance so that West Fork can go on and hold their election if the Quorum Court so votes tonight. She noted that rural fire departments are very, very important to the rural areas of Washington County; they work hard and deserve the Quorum Court's support.
- 122.2 T. Lundstrum asked whether the issue of this being a voluntary bill or not been settled as his concern has always been with liens being placed on people's property because they are not paying these dues which he does not want to see happen.
- 122.3 County Attorney Steve Zega responded to T. Lundstrum stating that he believes the position of the fire departments of rural Washington County is that they are voluntary. He stated whether this is on the tax bill or not, if fire department dues are not paid, a levy can be placed on property in a lien and theoretically, they can foreclose on homes under the Arkansas Statutory scheme. He noted that there are some bills winding their way through the legislative session that are attempting to fix that issue, but he is unaware of these. He can only say that the way the law is discussed today, they are discussed as voluntary, but then talked about in terms of liens and levies on property; however, it doesn't sound very voluntary to him if they can lien on his property.
- 122.4 T. Lundstrum stated that he would have to be personally assured of that before he can support this ordinance. He stated that he has served on the Tontitown Fire Department Board and is familiar with the problem that they have, but part of the problem is of their own making in his opinion because they have such low fees and then put fires out for \$400-\$400 if they don't belong to their system which doesn't give anyone the incentive to join and pay dues. He believes if they would say that it will cost \$3,000 to put out a fire at their property if they don't join and pay their dues, then people would pay their dues without all of this. He stated that if they are collecting this through their county tax collector, he doesn't want to see them putting liens on people's property because they aren't paying a \$30-\$40 fire bill.
- 122.5 A. Harbison encouraged everyone to vote for this ordinance tonight because they already have 8 fire departments with dues that are doing this and they need to correct it and get it right. She reported that Emergency Management Director John Luther brought up the issue to her that it is a law in Arkansas because of the equipment that the fire department has, it lowers insurance rates and basically if they don't pay their fire department dues, they don't get that rate. She noted that while some may not agree with this, it has never been enforced. She stated that people need to understand the work that these volunteer fire departments put into saving lives and property in the county.

- 123.1 B. Pond stated the only time he hears Fire Department Board members, Fire Chiefs and some firemen talk about putting a lien on property is when in fact they have gone out and put out a fire for someone who is not a member and bill them for putting out the fire. He pointed out that they are not just putting out the fire for the guy with the house fire because those fires spread from one property to the next very fast. He stated that he is totally in favor of voluntary fire departments and not for people just not paying the bill for a fire department putting out a fire on their property and he can further see a time when a lien might need to be levied. He pointed out the other part of this is that the county is not in the lien business and as a matter of fact, the collector has no power to force anyone to pay that portion of their tax bill where the voluntary fire department fee is attached.
- 123.2 County Attorney Steve Zega stated that B. Pond brought up some really good points that he needs to clarify. He addressed liens and levies and stated that while his reading of the law says that the fire departments have the legal authority to do that, he also understands from speaking to Mr. Luther and some other Fire Chiefs that in the history of Washington County, it has never happened that a lien or levy was put on someone's house for non-payment of dues. He noted that part of that he suspects is the desire not to anger the community frankly and part of it has to do with the second part of B. Pond's comments which is equally true; that Collector David Ruff can't force someone to pay this fee in the sense that he would send County Attorney Zega an unpaid tax bill that they were turning into the state as an unpaid tax bill and having them forfeit the land or having him sue for someone's car for example. What they do falls to each individual fire department and frankly, he has been led to believe that they just don't have the time to chase that kind of bookkeeping.
- 123.3 County Attorney Steve Zega addressed A. Harbison's point about the ISO rating, stating if they are in that district and not paying their dues, they are not supposed to get that discount on home insurance. He stated that he wants them to understand he is not telling them one way or the other about their conscience on this particular ordinance, but felt that it should be brought before them before they vote on the West Fork Election ordinance.
- 123.4 T. Lundstrum concurs with County Attorney Steve Zega's statements and wholeheartedly supports rural fire departments, noting when he was the Mayor of Elm Springs, they used Tontitown Fire Departments and believe they are one of the finest small town fire departments in the country and did an excellent job. However, sitting on that Board he came within an inch or two of losing his mind when they started to discuss fees and so forth; seeming to him that it would be fairly simple to get them all together somewhere and have them decide what kind of fees they are going to charge and give people some incentive to pay those fees. He reiterated in Tontitown,

they paid a \$100 lifetime membership to the Tontitown Fire Department and then paid a \$30 yearly fee, so in ten years you have paid \$300; or you don't pay any fee at all and in ten years his house catches on fire, the fire department comes out and puts the fire out, charging you \$300. He stated that there is just no incentive to pay the \$30 fee and some of this would be simple to change. He honestly believes that these rural fire departments are too inexpensive and forgiving and could go up on their rates and make life a lot more bearable for all of them, and give people an incentive to join their organization which helps finance these fire departments.

- 124.1 A. Harbison asked if they could have public comment on this issue as she knows that there are people in the audience from rural fire departments and she would like to hear from them how important the collection of these fees are.
- 124.2 J. Maxwell stated that he has several constituents that have been marked delinquent on their taxes when they paid their taxes, but didn't pay the fire dues which in that district are around \$50 a month. He concurs with T. Lundstrum that they shortcut the system when they give incentives for bad behavior and not for good behavior, so this may be the better long term solution.
- 124.3 J. Maxwell noted that he had Court Secretary Karen Beeks forward to all JPs an email with documentation for those who hadn't researched or weren't privy to the information. He stated that the concern they came up with had nothing to do with fire departments or fire protection; rather, the primary concern for discussion was twofold, especially in light of the video they saw tonight, etc. The concerns are whether as a county they are going to know when they do something that the AG has rendered in several opinions that they know is outside the boundaries of what the AG is recommending. Further, in light of what they saw tonight, are they going to put their county at risk for something financially when they have both the 663 that they have to deal with, as well as the bridge to rebuild? He stated especially in light of the fact that currently this is recognized as an issue across the state, and Representative Hammer at the state level has brought some legislation before the state trying to get rural fire departments, regardless of their designation of either non-profit or fire protection areas, to make this resources available to them at the county level.
- 124.4 J. Maxwell stated that they have a solution coming that would resolve this if they are just patient and let that happen and by doing that would take the county out of any risk and remove any of this discussion and figure out a way to find a solution to a difficult problem, especially in light of the fact that they have several fire departments already in this place. He stated that it should be obvious that the county wants to fund the safety of our citizens extremely

well, make sure that they are ready for whatever situation arises, but that they want to do this in a way that is judicious and not putting their county finances or as legislators that make ordinances, not putting them on the wrong side of following one.

- 125.1 B. Pond stated that if he were to come to the Collector's Office to pay his taxes, but refuse to pay the fire dues listed as volunteer on the tax bill, if they mark him delinquent for not paying the fire dues when he paid all the rest of his taxes, they made a mistake at the Collector's Office, unless something has changed that he is unaware of. He stated that they don't want anyone listening to mistakenly believe that they could be marked delinquent for simply not paying the fire dues and if this has been done, then someone made a mistake. Further, he stated that he is going to be very careful because each one of these rural fire departments has their own board with local representation who decide how much their annual fee will be, and they decide what situation might come up where they would place a lien on someone's property, and he wants to be very careful not to overstep his bounds and not tell anyone of those boards what they should or should not be doing.
- 125.2 In response to some of J. Maxwell's statements, County Attorney Steve Zega stated that he read the proposed bill Representative Hammer has brought and frankly doesn't believe it will solve the problem that they are talking about here tonight. He explained the ultimate issue is Article 12, Section 5 of the Arkansas Constitution which will take a vote of the people of Arkansas to change and can't be fixed legislatively in his opinion which is one of the reasons he drafted this particular ordinance to say essentially that what they would all be then doing is establishing these not only as non-profits, but also as rural fire departments in accordance with A.C.A. §14-21-108 and why he eventually believes they need to organize them as fire protection districts. He stated he is not convinced that this will solve the problem either, but he is real convinced that what Representative Hammer has before the Legislature isn't going to solve the problem that they are looking at tonight just because it is a Constitution provision that they are talking about.
- 125.3 County Attorney Steve Zega stated with respect to the county's liability, if someone did choose to bring a lawsuit on this and wins, it will not come out of the County's General Fund, but this money is in the bank accounts of these rural fire departments. He noted that they would be liable against some injunctive relief to stop collecting it and stop putting it on the tax bills, but he doesn't see the county's financial exposure as particularly vast as a county. He stated he suspects one reason that this has never been judicially tested is that there are not many folks who want to be known as that person who sued the fire department to keep them from getting dues.

- 126.1 J. Maxwell stated to the point that in order to address the specific problem addressed in AG Opinion 2011-195, they will have to amend the Constitution, if that legislation fix the problem, how will the county's legislation here tonight fix the problem either; to which County Attorney Steve Zega responded that he is not suggesting that it will fix the problem, but suggesting that it might be cheap when looking for a sleeping bag and might be the best they have.
- 126.2 J. Maxwell stated that this ordinance doesn't seem like it changes the status of these fire departments from a non-profit 501C3 and so as such, they will be covered under the current law which would still put them in a position of going outside the bounds of what the AG said was appropriate to collect those liens. While he appreciates Attorney Zega's reassurance that there would be no financial remuneration against the county, it looks like they are going to make a move to collect funds for a non-profit with fore knowledge that he believes would be somewhat difficult to defend if they were in that position.
- 126.3 County Attorney Steve Zega responded to J. Maxwell, stating that the entire reason he is asking them to designate them as rural fire departments is that they will be the only organization right now as non-profits and rural fire departments in accordance with A.C.A. §14-21-108 which is one of the things that the AG's opinion seemed to say would be an okay way to do this at this business and why he is suggesting this to them.
- 126.4 B. Pond stated if they can no longer contract out with any non-profit organizations; to which County Attorney Steve Zega responded that they can contract out with a non-profit and that is actually raised in those AG opinions as well. He stated if they are getting value from a non-profit, there is no problem and they are getting value from their fire departments. Attorney Zega further explained that Washington County currently does contract with a big board over the smaller departments, but he is suggesting that is apples to oranges for this particular discussion.
- 126.5 A. Harbison stated that County Attorney Steve Zega has worked hard on this, has read the AG opinions and she believes they should listen to what he is saying. She reiterated that the AG opinion states if they were organized into and had maps of areas, then the County could approve and basically collect funds for them and this is what they are trying to do here. She explained that they are trying to help the 8 fire departments who have already done this and also so that West Fork can go ahead and have their election, but if they don't pass this, she doesn't know that they should go on and pass their election in June.
- 126.6 R. Dennis stated that words mean things and it seems like the word "voluntary" is what causes the problem. He reported receiving a tremendous

amount of feedback on this issue from his constituents and everybody is for paying it, but they don't like the word "voluntary," especially if they will not be able to take it off their tax bill if they have a reason to. He stated that his constituents were told they did not have to pay it and the county would not collect it, but the Fire Chief can put a lien on their home which upset the constituents. He reiterated that the "voluntary" connotation bothers people because they are being told it is voluntary when it is not. He concurs with T. Lundstrum stating if it were up to him, he would charge everybody \$100 because the Fire Department has saved him twice and he owes them.

- 127.1 J. Maxwell stated in keeping what A. Harbison mentioned in listening to our County Attorney, he addressed an email sent to him, A. Harbison, and Director of Emergency Services John Luther from County Attorney Steve Zega that read the Quorum Court has the ability to designate the geographic area outside the cities and towns that a voluntary fire department serves, but this is not the best solution in light of the AG's opinion that J. Maxwell furnished to him, but may be all that they can do at this point. He stated that his concern is if they even have questions about whether this is a good thing to do, are they moving into something that they are knowingly putting themselves at risk on.
- 127.2 Citizen Comments: Glenn Morgan, past Treasurer and Board member of the Lincoln Fire Department, addressed the Quorum Court stating that the reason he is here is to support West Fork's ordinance and to discuss the fact that when Wedington's dues were added to the property tax bills, it greatly enhanced the revenue they received as a result and everyone understands why that happened. As it relates to the legality question, he stated that after reading the AG opinion, there is an issue as it relates to the Constitution and this will be hard to overcome. As far as Wedington is concerned, is the Treasurer and basically enhanced their ability to address T. Lundstrum's issue to receive those dues, so they didn't really have to worry very much about which residents had paid because people paid their dues and most of them told him they always wanted to join the fire department, but just didn't and in some cases, had no idea that they had to join and dues were required if they came from the city out to a rural area. He stated once they were made aware, they know that this is a necessity and didn't mind actually paying the dues.
- 127.3 Mr. Morgan stated as far as lawsuits, he doesn't believe they will ever see them and his attitude is if they don't want to pay the fire department, don't pay the fire department's various dues. He reiterated that by putting fire department dues on tax bills, it has greatly enhanced Wedington's ability to serve the area; has kept Wedington from coming to the Quorum Court asking for additional money because they were able to raise those funds out in their

- 128.1 local area. He noted that two current board members were with him tonight and they were there when the vote took place and supported it and he supported it based on the fact that this was the method that they had at the state level to pursue an increase in their revenues at Wedington.
- 128.2 In response to a question from T. Lundstrum regarding the amount charged for going out and putting out a house fire; Mr. Morgan stated that it depends, but generally state law specifies that they have to charge at a market level and this means depending on what equipment and how many personnel they have. He stated that they do have methods of calculating that and typically it can run for a small fire at \$150 up to a case he is aware of where they charged \$1,000 for a large structure fire when they were not a member, noting that it would have cost them nothing additionally had they been a member.
- 128.3 T. Lundstrum stated that he doesn't want to appear as someone opposed to these rural fire departments where these volunteers do a great job for nothing, but he doesn't understand why fire dues are built into city and town's tax bills, but they don't do it with the rural fire departments. He stated that even \$1,000 to put out a \$300,000 house is awfully cheap, so there is no incentive for people to join the rural fire departments.
- 128.4 Mr. Morgan responded to T. Lundstrum stating if they end up following the AG's opinion, it is his belief if they go to full fire protection districts, the amount that goes on the tax bill from the assessment made as a result of that will not be voluntary, but will be a tax like any other tax and be required to be paid and be declared delinquent if not paid.
- 128.5 T. Lundstrum stated that this makes perfect sense to him, noting that he lives in Elm Springs and he has always paid his fire department dues. He reported that then Tontitown came around and charged the City \$60,000 a year for fire protection, after which all individual dues disappeared. He concurs with R. Dennis in that if the tax bill says "voluntary", then he doesn't have to pay them if he doesn't want to, even though the rural fire department will come out and put out a fire just like the big city boys do and save children, animals, etc. He reiterated that this has got to be worth something to the citizens and they should be paying for it.
- 128.6 Mr. Morgan further stated he believes the reason why the rural fire departments have not pushed the voluntary side of it was due to previous AG opinions which said as long as that was voluntary dues and not an assessment or tax that they were okay with it.

- 129.1 T. Lundstrum stated that since the bigger cities don't have a problem with a tax, so he doesn't know why the smaller communities are prohibited from taxing; to which Mr. Morgan responded because it is a city and they are non-profit.
- 129.2 R. Dennis asked whether it says "voluntary" or "tax" on the Wedington tax statements; to which Mr. Morgan responded he believes it says "Wedington Fire Dues" and does not say "voluntary". R. Dennis further asked about Lincoln since that is where the problem came from; to which Mr. Morgan responded as far as he knows, the county is basically makes it the same on all rural tax statements for the fire departments that collect at the county.
- 129.3 J. Maxwell stated that the question at the state level is that they are sort of voluntary, but that it comes back to where to our Tax Collector marking people delinquent here and at least in the public's eye, they didn't feel that it was voluntary and now perhaps there has been a bit of a change on that as well as some of these constituents stories can be confirmed. He stated at the end of the day, he believes that there is a lot of confusion and questions left on the table about whether it is voluntary, how do they opt out, and how long does the opt out or opt in apply to.
- 129.4 H. Bowman questioned whether they could pass an amendment to this that it be clear that the county cannot issue this other than a voluntary and that the billing would not be represented as due but voluntary and not allow them to place liens on the property if not paid.
- 129.5 County Attorney Steve Zega responded to H. Bowman stating that they cannot do this for a couple of reasons; one, they are now talking about #9.1 and not #9.0 and they have combined these discussions. He explained that to do this would throw this back on first reading because they are voting on a ballot title that has been read three times and is substantive. Secondly, he stated with respect to liens and levies, those are provided for in state statutes and they cannot override state statutes.
- 129.6 H. Bowman asked if they go ahead and pass this tonight and turn around next month and issue an amendment that would preclude anybody from filing a lien against properties where there has been unpaid dues; to which County Attorney Steve Zega responded that he doesn't believe they can do that because it is provided in a state statute and the county does not have the authority to tell the rural fire departments that they can't do that. Further, he reiterated that he has been told multiple times that this has never happened, but it is clearly provided in the statute that they could.

- 130.1 A. Harbison stated that they are discussing #9.0 and #9.1 at the same time which is confusing the issue. She stated that this really does not have to pass for them to go ahead and pass the ordinance for West Fork to hold their election for fire dues.
- 130.2 **A. Harbison called for the question on #9.0.**
- 130.3 Steve Harrison, President of West Fork Rural Fire Association, addressed the Quorum Court and stated that they do not want the county to do anything that is not legal. However, what they do understand and are asking for with this vote is the dues are just that and for whatever reason the fire departments that have done this already have seen an increase in their membership dues which helps the fire department to help pay for trucks, equipment, fuel, etc. He also confirmed that there have not been any liens filed on anyone's homes for not paying dues and they are bound to respond to anyone's emergency fire or medical emergency whether they are a member or not and that will continue.
- 130.4 Mr. Harrison stated that they can't charge just anything and have tried to across the county, come to somewhat of an equal amount. He pointed out that they could charge \$3,000 or \$4,000 to go put out their fire, but they also don't have to pay that, and while they could take them to court or place a lien on their home, this just doesn't happen. He believes that they could price themselves out of getting any funding whether it is through dues or a fee for fire call, regardless they still cannot go.
- 130.5 Mr. Harrison noted when asked Mr. Morgan indicated that Wedington Fire Department doubled the amount of their yearly income off of memberships since it being sent out with the tax bills. He stated they are unsure why this is the case; whether people are just paying more attention if it is on the tax bills than they do when the fire department sends it to them.
- 130.6 J. Maxwell questioned if they pass #9.0 will they effectively be making this a tax that will be assessed once these become fire protection districts; to which County Attorney Steve Zega responded referring to language in A.C.A. §14-21-108, as follows: "The Quorum Court of each county upon request filed with the Quorum Court by one or more volunteer fire departments in the county may adopt an ordinance authorizing a designated county official to collect and remit to the volunteer fire department the annual or quarterly dues charged by the volunteer fire department in consideration of providing fire protection to unincorporated areas of the county." He further addressed the delinquency issue and the part of the resolution that they are talking about with this particular statute stating as follows: "The County Collector shall report delinquencies to the volunteer fire department for collection," with "dues" stated numerous times.

- 131.1 County Attorney Steve Zega continued stating in the event that these turn into rural fire protection districts, different statues, procedures and ordinance, and they are not talking about assessing a tax with either of these ordinances tonight.
- 131.2 In response to a question from S. Lloyd whether he was setting it up to do it that way; County Attorney Steve Zega stated that it would be up to the Quorum Court at some point later down the road. He is only recommending that the county declare these to be fire departments under A.C.A. §14-21-108 which is different from the other statute he discussed A.C.A. §14-284-204 where they can turn them into fire protection districts and this is not what they are doing tonight. He further responded to S. Lloyd's comment that Attorney Zega is laying the groundwork for it, stating that he is recommending that as another entirely different step and not as a foundation. He explained that this ordinance will not in any way limit local fire departments' authorities and they will still be their own authorities.
- 131.3 J. Firmin stated the way he understands this is if they do turn them into fire protection districts, they would have to ask for another vote; to which County Attorney Steve Zega responded that there are 3-4 ways they could do it. He stated that the county will pass the ordinance, go out to Nob Hill as a Quorum Court, wait for a majority of residents of Nob Hill to say whether they want this or not but if a majority doesn't show up, and then it becomes an ordinance. He stated that he recommended this partially as a comprehensive way of talking about the problems that they were rising, but that is not what is before them tonight at all.
- 131.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 131.5 H. Bowman asked what exactly they were voting on; to which County Attorney Steve Zega explained that there are two different ordinances and they haven't considered the second one yet. He stated that this vote is on #9.0 to designate them as rural fire departments, and since it contains an emergency clause, it will take 10 votes to pass.
- 131.6 **VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, and R. Dennis. VOTING AGAINST: J. Maxwell and H. Bowman. **The motion passed with ten members voting in favor and two members voting against the motion. The ordinance was adopted.****

ORDINANCE NO. 2015-21, BOOK NO. 10, PAGE NO. 162

- 132.1 T. Lundstrum stated that he wanted badly to vote with J. Maxwell and H. Bowman on #9.0, but they already have eight fire departments doing this and it doesn't seem right to give them permission and to not give West Fork permission to do it to start with. He stated that he doesn't like this and if something doesn't get straightened out to work better where they are in compliance with the AG Opinion, etc., somewhere down the road he will look like he is against rural fire departments and he would appreciate them getting together to see what can be worked out. He noted that he voted to pass ordinance #9.0 just to support their rural fire departments because he understands that it is bringing in more revenue which is needed, but he doesn't like the way that it is all arranged.
- 132.2 H. Bowman stated that he thinks as a Quorum Court they have an opportunity to sponsor a deal where they ask all rural fire departments to come together to discuss these issues and try to bring some specificity and apply the laws that County Attorney Steve Zega presented and J. Maxwell has researched so well, to try to bring some consistency to this, they could improve the entire situation.
- 132.3 J. Patterson told a story about when the Springdale, Nob Hill, Goshen, Hickory Creek, and Lowell Fire Departments came out to fight his house fire and saved the main part of the house and he believes the \$25 dues he pays is some of the best money he has ever spent and he is a member of Nob Hill Fire Department who was one of the first to start this.
- 132.4 B. Pond stated that he may sound like a broken record, but wants to re-emphasize that these fire departments are volunteer and the small amount of dues that appears on tax bills is not required to be paid and this will not cause delinquency on their taxes. However, he addressed T. Lundstrum and his comments about dues and fees charged not being enough money, stating that they need to keep in mind that these firemen are volunteers and they don't come to put out a fire on a non-members property to try to make money because as non-profit they are simply trying to cover their expenses and give an incredible service to the community. He further pointed out that by not paying the dues, his insurance would be more than double, so it is cheaper to just pay the dues.
- 132.5 T. Lundstrum stated that he believes B. Pond missed the whole point of what he was saying which was that a little higher fee for non-members would give them an incentive to pay their dues, not that they have to charge a huge ridiculous amount. He stated that they get incentive by getting the dues put on the tax sheet because people will pay them if the county is collecting.

- 133.1 **R. Cochran made a motion to suspend the rules and read the ordinance by title only. B. Pond seconded. The motion passed unanimously by voice vote by those present.**
- 133.2 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**, and County Attorney Steve Zega read the ordinance by title only. This ordinance is being requested by the West Fork Rural Fire Department and is on third and final reading.
- 133.3 **A. Harbison made a motion to adopt the ordinance. J. Patterson seconded.**
- 133.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 133.5 VOTING FOR: R. Dennis, J. Firmin, A. Harbison, S. Lloyd, T. Lundstrum, J. Patterson, B. Pond, B. Ussey, D. Balls, R. Cochran, and R. Dennis. VOTING AGAINST: J. Maxwell and H. Bowman. **The motion passed with ten members voting in favor and two members voting against the motion. The ordinance was adopted.**
- ORDINANCE NO. 2015-22, BOOK NO. 10, PAGE NO. 164**
- 133.6 H. Bowman asked those present from rural fire departments whether it would be helpful to them if the Quorum Court put together a meeting and invited them to all come together to try to put together some consistent guidelines for the fire departments.
- 133.7 County Attorney Steve Zega responded stating that he had actually discussed that with the Director of Emergency Management John Luther and the Washington County Rural Fire Department Board meeting after tonight's ordinance. He stated that they didn't talk about bringing the Quorum Court in on that, but he saw no reason they couldn't do that. He noted that he was planning on attending the next Washington County Fire Department Board meeting for that exact purpose.
- 133.8 Steve Harrison noted that the next Washington County Rural Fire Department Board meeting is on the Tuesday, April 28 at the Sheriff's Annex and extended an invitation to anyone interested in attending. He stated that the

Board meets every quarter as an entire rural fire association, which includes all of the county fire departments.

- 134.1 S. Lloyd asked if anyone who didn't pay these dues were listed as delinquent on any of their tax bills; to which responded and there have not been any complaints made.
- 134.2 B. Pond stated that if someone has paid all of their real estate and property taxes, but is listed delinquent for not paying their fire dues, that is a mistake and something that they should be discussing with the County Tax Collector.
- 134.3 OTHER BUSINESS: Judge Edwards thanked the Quorum Court for allowing her to come before them and discuss the issue with the bridges because she has been very distressed over this.
- 134.4 CITIZEN COMMENTS: Jonathan Hanby, resident of Washington County in unincorporated land outside of Elm Springs, addressed the Quorum Court regarding Dragonfly Industries that wants to build a wind farm on 311 acres located directly behind his property and several other neighbors' homes. He noted that this is a start up company with experimental windmills that have not been build anywhere else in the county and their plans on the website show that they want to place these windmills within 300 feet of homes. Mr. Hanby stated that this company plans on requesting that they be annexed out of the county and annexed into Elm Springs and it is believed the reason for this is to circumvent the County Planning Board who has signaled that they will have a lot of questions and experience with wind farms attempting to come to the area and believe that the County Planning Board will make it rough for them to obtain approval.
- 134.5 Mr. Hanby stated his understanding that they can annex into Elm Springs freely and if this is the case, questioned if there is a way to combat that. He stated he has spoken to the Elm Springs City Council at the Planning Commission in Elm Springs and it appears that some members of the local government have already made a decision based on one presentation and are not listening to their concerns. He stated that they have health safety concerns due to nose pollution and infrasound that causes health problems, as well as depreciation of property values and the belief that since these wind mills would be placed so close to their homes, that they would never be able to sell them. He stated he realizes it is not the Quorum Court's job at this time to be involved or make any decisions on this, but are asking for any suggestions for how they may combat the company's efforts to annex to Elm Springs because due to this loop hole, and as citizens of Washington County, are asking how the Quorum Court may be able to protect them.

- 135.1 Judge Edwards stated that nobody has approached her about this proposed wind farm to date and the only thing she knows about it is what has been written in the newspaper. She stated that she would certainly give all aspects due consideration on something like this.
- 135.2 T. Lundstrum stated that he has spoken to Mr. Hanby who lives in his district and he has been told that if this 300 acres wants to voluntarily be annexed with the county and annex into the city that the County Judge would have the authority to stop that and asked if County Attorney Steve Zega knows that to be the case. He further stated that they may need to talk to the Northwest Arkansas Regional Planning Commission who deals a lot with these issues.
- 135.3 County Attorney Steve Zega responded to T. Lundstrum stating that it is common that they have rural parts of the county to be annexed into cities for whatever reason and the County Judge has to decide to do that, but like anything coming out of the County Court, she is not the last word and the parties would have the right to appeal any decision she made. He stated that he doesn't believe he can speak legally on a petition he hasn't seen or give the County Judge advice on something that is not yet before her, so it is a little premature tonight for him to talk to this issue specifically. He noted that the procedure is that it will come before the County Judge at some point and will also go to Elm Springs as the accepting city has to say they want it and the losing county has to agree for it to go away.
- 135.4 Lisa Lovell, resident in the Tontitown city limits, addressed the Quorum Court on the windmill farm issue, stating that they were annexed, not voluntarily, into Tontitown. She stated that she has a list of questions about this proposed wind farm and will send those to the Quorum Court to seriously review. She believes that this company is trying to come in and experiment on them, pointing out that these are not windmills, but rather 100' towers with two jet engine turbines on top of each and none exist anywhere in the world and this company is proposing placing 41 of these on 40 acres as phase one and are unaware of the remaining phases being planned. Ms. Lovell urged the Quorum Court to use any power they have to stop this now, get the questions answered, and not let them experiment on them and their property.
- 135.5 Judge Edwards stated that if Ms. Lovell will send her questions to her office, she will see that all JPs receive copies.
- 135.6 A gentleman in the audience invited everyone to a town hall meeting to discuss the situation with the CEO of Dragonfly Industries in Elm Springs on March 31st at the City Hall.
- 135.7 ADJOURNMENT: The meeting adjourned at 8:38 p.m.

Respectfully submitted,

Carly Sandidge
Quorum Court Coordinator/Reporter

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 REDUCING THE AMOUNT OF \$43,451 FROM FULL-TIME SALARY LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE FUNDS TO UNAPPROPRIATED RESERVES; APPROPRIATING THE AMOUNT OF \$51,998 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGETS FOR 2015; AND SUSPENDING BUDGET CONTROLS AND ANY APPLICABLE JESAP POLICY TO CHANGE THE TITLE OF A PERSONNEL POSITION IN THE ROAD DEPARTMENT BUDGET FOR 2015.

ARTICLE 1. Appropriations are hereby reduced by the total amount of \$43,451 from full-time salary line items in the various County budgets for 2015 as outlined in Attachment "A" and summarized by Fund as follows; these funds shall be restored to unappropriated reserves in all Funds:

General	\$ 23,951
Road	8,000
Jail	<u>11,500</u>
TOTAL REDUCTIONS:	<u>\$ 43,451</u>

ARTICLE 2. There is hereby appropriated the total amount of \$51,998 from unappropriated reserves to line items in various County budgets as outlined in Attachment "B" and summarized by fund as follows for 2015:

General	\$ 23,734
Road	10,059
Recorders Cost	6,829
Jail	<u>11,376</u>
TOTAL APPROPRIATION:	<u>\$ 51,998</u>

ARTICLE 3. Budget Controls and applicable JESAP Policies are hereby suspended and the title of the personnel position of Heavy Equipment Operator Lead Position, Grade 15 (Slot 102) in the Road Department Budget of the Road Fund (20000200) is hereby changed to a Heavy Equipment Operator II, Grade 14, for 2015.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk:

Sponsor:_____

Date of Passage:_____

Votes For:_____ Votes Against:_____

Abstention:_____ Absent:_____

1st Quarter Housekeeping for 2015

Reductions, Attachment "A"

Fund	Position	Department	Description	Amount
1000 County General Fund	0104006	Collector	1001 SALARIES FULL-TIME	4,500.00
1000 County General Fund	0105054	Assessor	1001 SALARIES FULL-TIME	2,756.00
1000 County General Fund	0308002	Animal Shelter	1001 SALARIES FULL-TIME	500.00
1000 County General Fund	0308004	Animal Shelter	1001 SALARIES FULL-TIME	400.00
1000 County General Fund	0308006	Animal Shelter	1001 SALARIES FULL-TIME	200.00
1000 County General Fund	0417002	Public Defender	1001 SALARIES FULL-TIME	800.00
1000 County General Fund	0100004	County General	1001 SALARIES FULL-TIME	66.00
1000 County General Fund	0108011	Buildings & Ground Maintenance	1001 SALARIES FULL-TIME	106.00
1000 County General Fund	0110003	Planning	1001 SALARIES FULL-TIME	9.00
1000 County General Fund	0118001	Purchasing	1001 SALARIES FULL-TIME	8,882.00
1000 County General Fund	0400017	Sheriff	1001 SALARIES FULL-TIME	1,152.00
1000 County General Fund	0444026	Juvenile Detention Center	1001 SALARIES FULL-TIME	4,576.00
1000 County General Fund	01061002	Equalization Board	1001 SALARIES PART-TIME	4.00
				23,951.00
2000 Road Fund	0200006	Road	1001 SALARIES FULL-TIME	6,000.00
2000 Road Fund	0200154	Road	1001 SALARIES FULL-TIME	2,000.00
				8,000.00
3017 Jail Fund	0418110	Jail	1001 SALARIES FULL-TIME	4,000.00
3017 Jail Fund	0418207	Jail	1001 SALARIES FULL-TIME	2,000.00
3017 Jail Fund	0418227	Jail	1001 SALARIES FULL-TIME	4,000.00
3017 Jail Fund	0418231	Jail	1001 SALARIES FULL-TIME	1,500.00
				11,500.00

1st Quarter Housekeeping for 2015

Appropriations, Attachment "B"

Fund	Position	Department	Description	Amount	
1000	County General Fund	0105055	Assessor	1001 SALARIES FULL-TIME	2,756.00
1000	County General Fund	0122001	County Attorney	1001 SALARIES FULL-TIME	7,464.00
1000	County General Fund	0308005	Animal Shelter	1001 SALARIES FULL-TIME	1,024.00
1000	County General Fund	0417004	Public Defender	1001 SALARIES FULL-TIME	1,912.00
1000	County General Fund	0100	County Judge	1005 OVERTIME/OTHER PREMIUM	66.00
1000	County General Fund	0106	Equalization Board	1010 WORKMEN'S COMPENSATION	4.00
1000	County General Fund	0108	Buildings & Ground Maintenance	1005 OVERTIME/OTHER PREMIUM	106.00
1000	County General Fund	0109	Election Commission	1009 HEALTH INSURANCE MATCHING	411.00
1000	County General Fund	0110	Planning	1005 OVERTIME/OTHER PREMIUM	9.00
1000	County General Fund	0115	Computer/IS Department	1011 UNEMPLOYMENT COMPENSATION	1,026.00
1000	County General Fund	0120	Grants Administrator	1005 OVERTIME/OTHER PREMIUM	46.00
1000	County General Fund	0400	Sheriff	1011 UNEMPLOYMENT COMPENSATION	1,152.00
1000	County General Fund	0417	Public Defender	1011 UNEMPLOYMENT COMPENSATION	3,136.00
1000	County General Fund	0420	Constables	1010 WORKMEN'S COMPENSATION	30.00
1000	County General Fund	0444	Juvenile Detention Center	1011 UNEMPLOYMENT COMPENSATION	4,576.00
1000	County General Fund	0500	Dept of Emergency Management	1005 OVERTIME/OTHER PREMIUM	16.00
					23,734.00
2000	Road Fund	0200103	Road	1001 SALARIES FULL-TIME	4,433.00
2000	Road Fund	0200232	Road	1001 SALARIES FULL-TIME	3,541.00
2000	Road Fund	0200	Road	1011 UNEMPLOYMENT COMPENSATION	2,085.00
					10,059.00
3006	Recorder's Cost Fund	01281011	Recorder's Cost	1011 UNEMPLOYMENT COMPENSATION	6,829.00
					6,829.00
3017	Jail Fund	0418	Jail	1011 UNEMPLOYMENT COMPENSATION	11,376.00
					11,376.00

ORDINANCE NO. 2015-_____

APPROPRIATION ORDINANCE:

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

**AN ORDINANCE APPROPRIATING THE
AMOUNT OF \$13,623 FROM THE GENERAL
FUND TO THE SHERIFF-WORK RELEASE
BUDGET; AND RECOGNIZING AND
APPROPRIATING REVENUES IN THE
DRUG ENFORCEMENT--STATE AND DRUG
ENFORCEMENT--FEDERAL FUNDS FOR
2015.**

ARTICLE 1. There is hereby appropriated the amount of \$13,623 from the General Fund to the following line items in the Sheriff-Work Release Budget for 2015:

<u>Sheriff-Work Release</u>	
General Supplies (10000428-2001)	\$ 8,623
Parts & Repairs (10000428-2023)	<u>5,000</u>
TOTAL APPROPRIATION:	<u>\$ 13,623</u>

ARTICLE 2. Revenue line items in the Drug Enforcement-State Fund are hereby adjusted as follows resulting in additional revenues of \$4,207 being recognized for 2015:

<u>Drug Enforcement-State</u>	
State Drug Seizures (3404-7408)	\$ 4,283
Interest Income (3404-7501)	10
Treasurer's Commission (3404-8401)	<u>- 86</u>
TOTAL REVENUE:	<u>\$ 4,207</u>

ARTICLE 3. There is hereby appropriated the amount of \$4,207 from the Drug Enforcement-State Fund to the General Supplies Line Item of the Drug Enforcement-State Budget (34040400-2001) for 2015.

ARTICLE 4. There are hereby recognized additional revenues of \$18,774 in the Federal Drug Seizures Revenue Line Item of the Drug Enforcement-Federal Fund (3405-7409) for 2015.

ARTICLE 5. There is hereby appropriated the amount of \$18,774 from the Drug Enforcement-Federal Fund to the following line items in the Drug Enforcement-Federal Budget for 2015:

<u>Drug Enforcement-Federal</u>	
General Supplies (34050400-2001)	\$ 18,274
Other Professional Services (34050400-3009)	<u>500</u>
TOTAL APPROPRIATION:	<u>\$ 18,774</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____

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 CREATING AN ADDITIONAL
PERSONNEL POSITION IN THE PUBLIC
DEFENDER BUDGET; REDUCING PERSONAL
SERVICES LINE ITEMS IN THE PUBLIC DEFENDER
BUDGET BY \$24,445; AND APPROPRIATING THE
AMOUNT OF \$39,015 FROM THE GENERAL FUND
TO THE PUBLIC DEFENDER BUDGET FOR 2015.**

ARTICLE 1. Budget Controls are hereby suspended and the personnel position of Deputy Public Defender, Position 0417006, is created in Public Defender Budget of the General Fund (1000) for 2015.

ARTICLE 2. The following personal services line items in the Public Defender Budget are hereby reduced by a total sum of \$24,445:

Salaries, Part-time (10000416-1001)	\$ 20,000
Social Security Matching (10000416-1006)	1,530
Non-contributory Retirement (10000416-1008)	<u>2,925</u>
TOTAL REDUCTION:	<u>\$ 24,445</u>

ARTICLE 3. There is hereby appropriated the total amount of \$39,015 from the General Fund to the following personal services line items in the Public Defender Budget for 2015:

<u>Public Defender:</u>	
Salaries, Full-time, Position 0417006 (10000416-1001)	\$ 31,920
Social Security Matching (10000416-1006)	2,442
Non-Contributory Retirement (10000416-1008)	4,653
Health Insurance Matching (10000416-1009)	3,699
Life Insurance (10000416-1016)	<u>99</u>
TOTAL APPROPRIATION:	<u>\$ 39,015</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____
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 CREATING AN ADDITIONAL
PERSONNEL POSITION IN THE COUNTY LIBRARY
BUDGET; REDUCING PERSONAL SERVICES LINE
ITEMS IN THE COUNTY LIBRARY BUDGET BY
\$12,393; AND APPROPRIATING THE AMOUNT OF
\$22,035 FROM THE COUNTY LIBRARY FUND TO
THE COUNTY LIBRARY BUDGET FOR 2015.**

ARTICLE 1. Budget Controls are hereby suspended and the personnel position of Interlibrary Loan/Administrative Assistant, Position 0600004 (Grade 13) is created in County Library Budget of the County Library Fund (3008) for 2015.

ARTICLE 2. The following personal services line items in the County Library Budget are hereby reduced by a total sum of \$12,293:

Salaries, Part-time (30080600-1002)	\$ 10,136
Social Security Matching (30080600-1006)	775
Non-contributory Retirement (30080600-1008)	<u>1,482</u>
TOTAL REDUCTION:	<u>\$ 12,293</u>

ARTICLE 3. There is hereby appropriated the total amount of \$22,035 from the County Library Fund to the following personal services line items in the County Library Budget for 2015:

<u>County Library:</u>	
Salaries, Full-time, Position 0600004 (30080600-1001)	\$ 18,020
Social Security Matching (30080600-1006)	1,379
Non-Contributory Retirement (30080600-1008)	2,636
Health Insurance Matching (30080600-1009)	3,699
Life Insurance (30080600-1016)	<u>99</u>
TOTAL APPROPRIATION:	<u>\$ 22,035</u>

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____

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
PUBLIC WORKS COMMITTEE

Monday, March 30, 2015
5:30 pm
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, Lisa Ecke, John Firmin, Steve Zega, Sharon Lloyd, Eva Madison, Sue Madison, Bill Ussery, Renee Biby, Shane Duncan, Shawn Shrum, Dillon Thomas, Marilyn Edwards, Dan Short, LaJoyce Duncan, Breanna Milstead, William Reed, Mary Ann Reed, Jeff Crowder, Donnie Coleman, Dave Walker, Josh Bailey, George Braswell, and Dan Holtmeyer (NWA Times).

The meeting was called to order at 5:30 p.m. by Chairman Harvey Bowman. The agenda was adopted as presented.

Report from Washington County Buildings and Grounds – Ron Wood, County Building Superintendent. Buildings and Grounds Superintendent Ron Wood reported that everything is going well and there have not been any major breakdowns with the equipment and are focused on maintaining what they already have. He stated that the buildings department is in the process of transitioning from heat to air conditioning and a few units are not working. The grounds crew is working on the landscaping which includes trimming trees and mowing lawns.

Mr. Wood reported that they are still working on the lighting project. They have not started on the Emergency Operations Center yet, but they have purchased all of the lights for the Extension Office and are about to install them. There is an upcoming project that includes installing pole or parking lot lights, on the outside of the buildings and there is still much to do. They began and completed a test run at the Extension Office. Soon, they will work on the Health Department and then the South Campus Jail, where there are about 100 lights around the facility.

A. Harbison asked if Mr. Wood had an idea of the savings that changing the lights would give; to which he responded that he was unsure, but is close to having a full year end for some of the buildings that would have to be reached before they can compare the usage.
A. Harbison asked if he knew what month it was; to which Mr. Wood responded that in

order to get the most accurate reading; it would have to wait until the middle of August.

R. Cochran asked if the new controls had been completely installed in the Juvenile Detention Center; to which Mr. Wood said that it is up and running great; however, some of the doors did not come in, but the outside is completely finished while staying about \$6,000 under the estimated budget.

H. Bowman expressed how he spent the day with Mr. Wood, touring all of the facilities and was very impressed. He encouraged the other members of the Court to view the other facilities as well.

T. Lundstrum suggested that at a future Public Works meeting, Chairman H. Bowman should consider going on a road trip to view the other buildings in order to get a better idea of all of the things that Mr. Wood is responsible for.

H. Bowman instructed R. Wood to come up with ideas on how to do that and get back to him so they can plan it.

Report from Washington County Road Department – Shawn Shrum, Assistant Road Superintendent. Assistant Road Superintendent Shawn Shrum referenced a report of the winter weather costs that was distributed to the court. It was broken down into each particular event that occurred along with the total costs with and without labor.

H. Bowman asked Mr. Shrum to compare costs of this and last year's winters; to which S. Shrum responded that he is unsure of the total from last year but describes this year as being the better winter of the two as far as money goes. Mr. Bowman expressed how he also spent a day with Mr. Shrum, who showed him all types of road-related things in the area. He encouraged the court to get in touch with the county workers, if they want to have a better understanding about what is going on in the county.

Discussion about Stonewall Bridge Video shown at the March 19 Quorum Court Meeting. H. Bowman stated that he spent a lot of time trying to get to the bottom of the situation and in doing so had the chance to get to know some of the county employees pretty well. It was obvious to him that they were trying to do a good job, but the circumstances were complicated and terrific decisions were not always being made. Mr. Bowman wanted the court to talk about the things that took place for example: what happened and what has or has not been heard. He asked the testifiers to keep their comments down to 10 minutes and at the end of that time he would allow commentary, but felt that too many comments were going to be out of place since the trial was coming up.

H. Bowman made a motion to suspend all questions during the testimonies so the testifiers could give all the data that they had, and afterwards allowed the court to ask questions and make comments. The motion passed with only A. Harbison opposing.

Mr. Bowman reminded the court that the issue is entirely in the County Judge's department and that they were there on an informational basis only. He only wanted to know as much as he could about the entire situation and how it occurred so they could move on and not face a situation like this again. Mr. Bowman reiterated that the presenters were only allowed to speak for 10 minutes and called for Former County Assessor Jeff Williams to speak.

Jeff Williams began his official statement, which is on file in the County Judge's office, with stating he was approached by George Braswell, an employee for the Washington County Road Department, on October 4th, 2014 with concerns about the construction techniques used to build Stonewall Bridge stating that bridge workers did not follow the engineering plans. J. Williams asked if he approached his supervisor about the situation to which G. Braswell responded that he did but no action was taken.

J. Williams stated that he agreed to go to the site on October 6th, 2014 to see if G. Braswell's concerns were true or not and after the initial inspection he found that the concerns had merit. He made the video so he could have some visual evidence of the concerns since further construction on the bridge would hide it. After viewing the plans, he saw what appeared to be deviations and asked an engineer about it to which, he expressed grave concerns about the construction techniques and deviations that were occurring.

J. Williams explained that since no action was taken by the Washington County supervisors and administrators, he forwarded the information to Larry Henry, who is the news director at Channel 5, and informed him that since he was running against the current County Judge Marilyn Edwards at the time, this situation will be turned into a political issue and not a public safety issue.

Mr. Williams reported that soon after speaking with Mr. Henry, Shane Bergen who is a reporter from Channel 5 News contacted him and asked to meet him at the Stonewall Bridge job site to specifically view Mr. Williams' concerns. While there Mr. Bergen took photographs and inspected the site and afterwards informed Mr. Williams that he would be looking further into it. Later, Mr. Williams contacted Mr. Bergen to inquire about any progress that had been made and was told that the Road Department Superintendent Donnie Coleman said "That was just the way they built bridges in Washington County." Mr. Bergen followed up with the County Judge's office and spoke to an unidentified gentleman and could not get a comment from him despite telling him of the concerns over the bridges construction. The gentleman could have only been Chief of Staff Dan Short or Former County Attorney George Butler since they were the only men that worked in the County Judge's office.

Mr. Williams contacted the Arkansas Highway and Transportation office to express his concerns to the engineer and was told that since state money was not involved, they did not supervise nor inspect projects like this until after the construction is completed. Shortly after the visit, he was informed that the Road Department's Assistant Superintendent Shawn Shrum called all of the workers at the job site and informed them

that he had received a call from the State and wanted to assure them that they were building it correctly. Mr. Williams stated that with the assurance of both the Superintendent and Assistant Superintendent that the bridge was safe, he decided that releasing the video any further would not be prudent.

He contacted Larry Henry again to see if he had been able to discover any additional information and was told that he had decided not to move forward due to an impending lawsuit.

J. Williams went on to say that it is his opinion that some officials of Washington County appear desire to distance themselves from any involvement and to shift the blame on the very people who have been trying to get action on this issue. The video may be appalling but nothing in it shows concerns that have not been raised at least seven times already.

Mr. Williams stated that he wants to applaud George Braswell for his willingness to come forward despite the obstacles, Shane Bergand and Larry Henry for their attempt at making people aware of these concerns, and Justices of the Peace Sue and Eva Madison for their individual attempts to look into these concerns. He stated that as a citizen of Washington County he wants the following questions answered: (1) Why were these short cuts taken?; (2) Who directed these short cuts?; (3) Who was aware of these short cuts?; (4) On what other bridges or other county construction projects were short cuts taken?; (5) Who ultimately was responsible?; and (6) What action has been taken to hold all responsible individuals accountable? He stated that since many of the allegations may concern various individuals within the County Judge's administration he hopes that the Public Works committee calls for an independent investigation.

George Braswell read a prepared statement to Quorum Court, which is on file in the County Judge's office. He stated that he filed a lawsuit against Washington County on December 19, 2014 and believed it would benefit the Quorum Court to know why he did file the lawsuit as well as the facts leading up to it. Mr. Braswell explained that there are at least two bridges in Washington County that are dangerously under constructed and the County Judge's office as well as the Road Department were fully aware of the problems at both bridge sites before he ever filed his lawsuit. He reported that he met with County Judge Marilyn Edwards and Chief of Staff Dan Short and informed them that the Road Department were not properly reinforcing the concrete portions of the Harvey Dowell Bridge which made the bridge lack structural stability. He specifically informed Judge Edwards that the bridge crew did not follow the design plans for rebar reinforcements in the bride's piers and end wall and in the end she took no action to fix the Harvey Dowell Bridge.

Mr. Braswell stated that in late September 2014, his supervisors assigned him to work on the Stonewall Road Bridge where he immediately witnessed the same errors being repeated on Stonewall and informed Donnie Coleman. In early October he showed the engineer's plans to Donnie Coleman, Road Grader Supervisor Jeff Crowder and Lead Heavy Equipment Operator Hayden Wagnon and informed them that the plans required bent rebar dowels throughout the bridge. Mr. Braswell explained that his concerns were dismissed and the straight bars were drilled into shallow pre-drilled holes. On November

22, 2014, he sent a letter to the Quorum Court as well as Judge Edwards which explained that both the Harvey Dowell and Stonewall bridges were structurally unstable. Mr. Braswell stated he filed the lawsuit because of the constant harassment and adverse action that stemmed from his whistle-blowing. He stated that Judge Edwards opened the Harvey Dowell Bridge without repair and continued to build a hazardous bridge which wasted County resources. He explained that this case is about a "cover-up" not a "set-up" and if not for the lawsuit, there would be two dangerous bridges open to the public. He pleaded that the Court orders the road department to stop tearing down the Stonewall Road Bridge and ensure that every phase of the demolition is documented and recorded for deficiencies.

County Judge Marilyn Edwards stated that they are still under federal litigation and has to handle the situation delicately so she won't be answering any questions, but she wanted everyone to know that there was so much that she did not know about. She stated that she took immediate action after viewing the video, which includes consulting with the engineers, ordering the Stonewall bridge piers torn down and rebuilt and began a remediation plan for the Harvey Dowell Bridge which should begin this week. She chose to bring this issue to the Public and the Quorum Court knowing that this would cause her and her administration criticism, but was more concerned about protecting life and property not political or personal advantage. She reported that she asked Prosecuting Attorney Matthew Durrett to formally investigate the matter and tell four things (1) What specifically went wrong with these bridges; (2) Who is responsible for what went wrong with these bridges; (3) What, if anything, is going on at the Road Department to allow this kind of problem to happen; and (4) Was there any criminal wrongdoing? She explained that as the County Judge she has 200 employees in 14 different departments to provide the required services that each department represents. She is also required to depend on information from her department heads as well as their assessment of situations who in turn depend on their employees. She stated that they do not have an engineer nor a surveyor on staff because they cannot afford it but they do have a wonderful group of people who have worked on bridges for many years and are doing what they have been trained to do.

H. Bowman asked Judge Edwards if she had anyone else that she would like to speak on her behalf; to which she responded that she did not think that anyone else wanted to speak.

A. Harbison stated that this situation is very upsetting to everyone that is involved including members of the Quorum Court as well as employees. She thinks that Judge Edwards made the right decision by turning this over to the Prosecuting Attorney to determine if criminal intent was involved and get to the bottom of what has happened.

T. Lundstrum expressed his concerns for if the Road Department had someone who is capable of reading and executing the engineering plans correctly and wanted to make sure that there is a plan. He believes that it is something that needs some time and effort put into it on the Judge's staff part to make sure that these particular things are corrected

and he is sure that she will be working on it.

B. Pond stated that he understands everyone's concern on this and he is too but asked if they knew of any bridge, constructed in Washington County in the last 20 years, that has had any kind of failure or problem? He explained that that is a tell-tale sign that for whether the bridge crew has been doing a good job or not.

S. Madison made a correction to a comment from Jeff Williams stating that the FOIA request that she filed in attempt to get the name of the engineer who did the road department's plans for the Harvey Dowell Bridge not Stonewall. She stated that Mr. Beatty from the Myers-Beatty Engineering Firm informed her that they did do the plans, but they are not involved in construction. She asked him why the county would pay for plans but not follow them to which he responded that people take shortcuts because it is easy. She was informed that David Ball with the Highway Department sets the weight limit for the bridge and unless state funds are involved the highway department just looks at the plans and assume it is built according to the plans when there are no state funds involved. Then they issue their weight limits based on the plan.

E. Madison added that there was an issue to add to the timeline. An anonymous letter from the Road Department was sent to the Quorum Court in September 2013 which raised concerns about safety as well as fear of retaliation from the Road Department. She mentioned asking about what had happened in response to the letter at the October 2013 Personnel Committee Meeting and whether an investigation had taken place to which the Quorum Court was advised by the County Judge's office that an investigation was ongoing and that they would be getting reports back, however; those reports never came and she was not aware of any changes that took place at the road department.

After the Quorum Court received the letter last November, she met with George Braswell and she believes that he went forward with this because of the concerns raised in the October 2013. She believes that things have been going on at the Road Department that the Quorum Court has needed to know about for some time and an investigation by the Prosecuting Attorney's office is not enough because there is more to the story than what criminal activity occurred with respect to the use and/or misuse of public funds. She thinks that there needs to be some kind of independent review of the situation because the public and the Quorum Court wants to know more like what happened independent of the lawsuit since it is about retaliation issue. They are more concerned about the safety issues, the use of public funds, when did people know, and why didn't they respond when they first found out about the situation. The bridge's life expectancy is shortened because of the situation that they are in.

B. Pond stated that someone brought up weight limits and that would be understandable that they can go by design of the bridge when the bridge is new to determine what the weight limit would be on a bridge but he believes that after that point the bridges are periodically inspected by the state, who look for cracks or deterioration and after a period of time after the inspections when they do find cracks and deterioration, weight limits are

put on the bridge. The situation on the Harvey Dowell Bridge where a 3 ton limit was immediately put on the bridge because of scrutiny, public doubts because of the accusations and observations have been made. He doesn't believe that if the state inspected the bridge tomorrow and found no cracks or any place where it is coming apart already they most likely would not even put the weight limit on the bridge.

R. Cochran stated that the bridge that was recently reduced to a 3 ton limit was built to put some fire and emergency equipment across to serve the people in the community, he is wondering if they should request an examination via x-ray to see how it was built then send that to the engineer and let them rerate it and see what it should be. He mentioned that the County Judge Marilyn Edwards said that she wanted to do some things to reinforce it but he thinks it might be wise to find out under the bill that it was constructed what the load bearings should be.

J. Maxwell stated that he heard a lot of comments that addressed past and present actions but he would just like to offer for the future he wants to consider what mechanisms they are going to put in place so that no one ever has a question about whether they are going to have to tear something down or if it is safe or is it going to have to be reassessed. Just so they can remove the question in the people's mind in Washington County about the safety of the bridges or the way that their resources are being handled.

J. Firmin stated that he wanted to know how much it is going to cost to x-ray the bridge.

Washington County Chief of Staff Dan Short reiterated that the one impartial investigative unit in the county was the prosecuting attorney's office. He mentioned speaking with the prosecuting attorney that day and told him that he would like him to investigate the issues for the Quorum Court. He referred to the County Judge's statement repeating the four things that she wanted to learn from the investigation. He recognizes that any investigation under the Judge's umbrella might be received with some skepticism so that is the reason that they took the step short of hiring an investigative organization somewhere they felt like it was the best course of action. They want to make sure that they put every piece of information out there to let everyone know what has had happened, what went wrong and the responsible parties. He thinks that he took a heroic action to step up and ask those questions not knowing what the answers were going to be. He mentioned cost estimate to repair the Harvey Dowell Bridge as it stands that he received from Shawn Shrum, which is \$32,386.71, while the cost to repair the Stonewall Bridge will be \$21,749.81.

J. Maxwell asked if that included the cost of removal; to which Mr. Short responded that that is what S. Shrum gave him as far as the repair and rebuilding goes. He doesn't think the cost of destruction is substantial because it is all labor by the county and that is already paid for.

A. Harbison asked how they are determining if the Harvey Dowell Bridge has enough rebar in it or not; how are they determining to repair it and have they done any x-rays of the bridge; to which Mr. Short answered that based on the allegation, they felt like this was the quickest and best course of action. If the information was accurate on the Stonewall Bridge then it is likely that it was accurate on the Harvey Dowell Bridge as well. So for the cost of \$54,136.52, which is the total repair costs for both of the bridges, they can wrap those piers with rebar, form it, and pour concrete, which the Engineer said would suffice.

D. Short stated that they hired an engineering firm named GTS to look at every phase of the rebuild of the piers for the Stonewall Bridge starting with the reinforcement rebar in the footings all the way up through the construction of the rebar in the forms in the concrete pour at stages?? All the way until the piers is completed. According to S. Shrum these are the people who do this for a living. They do the inspection step by step which is similar to the people who observed the construction of the Washington County Courthouse parking deck.

A. Harbison asked how much would it cost to have the bridges x-rayed; to which S. Shrum responded that it is estimated between \$5-10,000; however, the x-rays are not going to be very accurate and after speaking with Engineer Jim Beatty, they decided that the best approach would be to just repair it.

T. Lundstrum stated that he wanted the larger bridges that were built during Judge Hutton's administration to be looked at since they were pretty much built by the same road department. He does not know if those bridges can be x-rayed or what it would take to really know at this point in time but he remembers when he was first elected on the Quorum Court and they took a road trip to a bridge. He was unsure if it was built by the road department or if the county contracted someone to build it but is concerned about all of the bridges that have been built and wants some kind of inspection to be done on them to determine if they are safe or not.

H. Bowman stated that they need experts to investigate the situation and to give them some perspective on it. He repeated T. Lundstrum's statement about there being many bridges being built by the same people. This brings up a lot of concerns that maybe things have been going on that no one knows about. The other thing is that even though they may not be able to identify structural issues today, it may dramatically impact the life-span of the bridges. He thinks that they should move on to find expert input to get some perspective on what has been going on and where to go from there.

J. Patterson stated that he hates is the amount of money that it is going to cost to go back and check everything that has been built to cover ourselves and thinks it is a terrible waste of county funds. He would have like to keep the bridge standing a few days and get a bridge expert to look at it and see what it needed to be fixed.

B. Pond stated that if he was one of the bridge crew then he would want the county to pay for the x-ray so everyone can see what they did; however, as a taxpayer an

representative for the taxpayers he would not want to spend \$10,000 for the x-rays where it goes a long ways toward \$32,386 to just go ahead and reinforce it and just say they did a bad job.

E. Madison stated that everyone wants to know that the bridges are safe and how they are inspected to ensure they are safe or what needs to be done to fix them. The second issue is what happened. She thought about the prosecuting attorney doing the investigation and realized that the prosecuting attorney is really focused on criminal investigations and she is unsure how often they are asked to do these kinds of investigations. She is worried that maybe they are not the best suited to do the job plus the quorum court funds them. She wonders if the Attorney General's office would be better suited since they "wear the prosecuting attorney's hat" but they also do consumer investigation s and consumer protection and they investigate more things about use of public funds. She would be happy to reach out to her "acquaintance" in the office.

S. Madison mentioned that the roads are 100% the preview of the county judge; she would like to remind everyone that they provide the financing. She stated that they probably fully-funded the construction of those bridges now if short-cuts were taken, she wants to know what the savings are and where the excess money is because short-cuts usually mean you do the job quicker, cut corners and cut expenses. She stated that she agreed with JP B. Pond that they have some kind of evaluation of the money involved and before they decide to tear things out, evaluate whether it needs the expense and she wants to mention that they do need some true experts because the man at the highway department said that they can check with magnetic resonance. They need some people who know the difference?

H. Bowman stated that he is hesitant to cut-off comments and discussion but there is so many things that they can talk about. They are all in agreement that an investigation needs to take place to find out what is going on as well as a review of what the bridges look like. He is unsure of the best way to go about it without spending a lot of money but no one wants to throw away money. He pointed out that tonight was an informational conversation to bring as much information that was available from the people who were involved on the first-hand basis. They were not trying to decide on anything tonight he just wanted everyone to go home and think about it and figure out where to go from here. He stated that he wanted to terminate conversation, ask for public comment, and then move on with the meeting.

A. Harbison stated that she believes that they are going to have to hire a consulting engineer who doesn't have to be on the job but they are going to have to have an engineering consultant at some point in time because they can't expect the road department to know all of the things that an engineer knows that are in the plans. They are going to have to find the money somewhere to pay for the engineer.

H. Bowman asked S. Shrum to make a final comment; to which S. Shrum stated that the county pays for the state to test inspect bridges that are 20 feet or longer every other year

except for certain bridges where it does have a posted weight limit where they come every year. Before the Harvey Dowell Bridge was opened the inspector spent almost an entire week going over the bridge. He knows that they can't look inside to see what is there but as far as the x-ray versus other ways of checking to see what is in the bridge and the x-ray would be the best way to get a picture but they were worried about the thickness. The thicker it is the harder it is for the x-ray to penetrate. As far as repairing the Harvey Dowell Bridge this is the recommendation of the engineer. He recommended lowering the weight limit until they can get everything sorted out and investigated and then based on what he feels is best. Also, when you are on these repairs they have to be careful not to close the openings for the floodplain but if they do they will check it out. They do have a contract engineer on retainer and Jim Beatty works through him but Clay Grote is the contract engineer that they go to with questions. GTS is going to come out at every stage. They will not pour any concrete without them coming out and inspecting it. They have their plans and will know exactly what it is supposed to be and will do pictures along with a report before a pour is made and if it is not correct then they will let them know and they will not pour. S. Shrum can't answer what happened out there but at this point they know that there are some issues out there and they are going to do what it takes to fix them and that is all they can do.

H. Bowman stated that if the State comes out to inspect then they are probably going to be expecting to rate the weight for the bridge based on the drawings and they don't know for certain if that is what is happening out there. He went on to say that they have heard the testimony of people talking about the same problem with very different perspectives. He spent some time trying to get to the bottom of the situation and in doing so spent time with county employees, it is obvious to him that they are trying to do a good job and sometimes circumstances are complicated and they don't make the best decision. Everyone makes mistakes and they are subject to mistakes just as well. When mistakes are made we need to move ahead as a team and forgive those mistakes to do a better job and he thinks that they are moving in that direction; however, they need to determine what the process was and how to be certain that similar problems don't occur. That is what they have to prevent. Since this problem has come to light the decision has been made to bring in the outside professionals in to help. As residents of Washington County, they must work as a team. There have been too many situations that look like opposing teams struggling for dominance. He asked that they make a commitment to strive to work together to be a winning team for Washington County. Mr. Bowman thanked Mr. Braswell for the courage to speak out about the issue that could have been extremely bad for the county with injury and cost. Had he not have come forward who knows what might have come out of this. His experiences have prepared him to realize the significance and speak out about it. Under the circumstances, it took a great deal of courage and commitment to continue to follow up like he did. He also thanked J. Williams for having the insight to investigate the situation and get the video out which this topic may have never came to light without that video.

Public Comment

Elaine O'Neal, a Fayetteville resident, stated that she has a lot of construction experience and her main concern is who is the inspector who should have been on the site at each phase of the process ensuring that what needed to be done was being done. She stated that she has been involved with commercial and residential construction and knows about rebar, concrete, and testing. From residential construction she knows that there is an inspector that is required at each phase of the process to go out to the site and insure that certain process that are supposed to be done were being done. In some cases, contractors think they are being sneaky by putting the rebar before the inspector comes and then takes it out again when he leaves and move it on to the next site. She stated that rebar is easier to put in while the form is being built.

With no other business or public comment the meeting adjourned at 6:43 p.m.

/cs

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, April 6, 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 Ussery

Others Present: Rick Cochran, Robert Dennis, John Firmin, Steve Zega, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Glenda Audrain, Blair Johanson, Randall Denzer, Jay Cantrell, Lindsi Huffaker, and members of the press.

The meeting was called to order at 5:30 p.m. by Chairman Butch Pond. The prayer and pledge of allegiance was led by Ann Harbison and the agenda was adopted as presented.

Report from Blair Johanson, Salary Consultant for Washington County. Blair Johanson reported that the Job Evaluation Committee had a couple of items that came up at the JESAP meeting held earlier that day. He stated that there was a new position that was coming out of the County Library Department titled Interlibrary Loan Librarian/Administrative Assistant which was rated a Grade 12. The committee approved the points and grade level for the position and the pay will be discussed later in the agenda. The next item was for an Administrative Grants/Legal Assistant job description where there were some wording changes on the duties and it did not require any change in the points or grade level. The changes were just for information purposes for the committee.

Request from Public Defender Denny Hyslip for a Full-Time Salaried Deputy Public Defender Position for 2015. Public Defender Denny Hyslip introduced himself along with the Chief Deputy Public Defender Leana Houston to the committee. He asked that his part-time Public Defender position, that handles some of the district courts, be moved to a full-time public defender position. He referred to a letter that outlined the reasons why he needed the position. He explained that the part-time public defender is only scheduled to work 30 hours a week at \$17.10 an hour and, with the time spent traveling and just being in court along with an increased case load, there is just not enough time to get everything done.

A. Harbison asked if half time of the present position was paid by Washington County; to which Mr. Hyslip replied yes 30 hours a week. In response, Ms. Harbison asked if there was any possibility that the State could take over the position; to which Mr. Hyslip stated that he did not believe that was possible. Ms. Harbison asked if he tried to look for any grant money; to which Mr. Hyslip responded that he did not. A. Harbison explained that the Quorum Court has a tight budget this year so they need to really look at expanding positions.

L. Ecke requested that the Public Defender's office investigate if the State could supply funds; to which Leana Houston responded that the State has helped by giving them a 20 hour per week part-time position that they are using to cover the Springdale, Elm Springs and Johnson areas; however, the Washington County Attorney is still spending 26 hours on just doing the other district courts. Ms. Ecke asked when the state gave them the 20 hours; to which Ms. Houston answered about 2 years ago. In response, Ms. Ecke stated that she saw how much the case load has increased and wants to send that information to the state. She stated that they will never know unless they ask. Ms. Houston explained that they have spoken with Greg Parrish, the Chair of the Public Defender Commission, about it and were told that the State could no longer authorize it because of their own budget restrictions.

D. Balls asked what they were paying now, what they were requesting that it increase to and why wasn't it requested during the last budget cycle; to which Ms. Houston responded that they are now paying \$17.10 an hour, which is about \$26,676 a year and the full-time position will be \$48,818 a year.

County Attorney Steve Zega stated that in his experience as the former Prairie Grove District and Municipal Court Prosecutor that he was surprised that the position that they are seeking now was not considered full-time years ago.

L. Houston stated that Benton County has two full-time attorneys for their District Courts. The Washington County Prosecutor's Office has one full-time attorney doing all the District Courts in Washington County with the exception of Fayetteville.

B. Pond asked if Benton County was paying the full-time attorneys that were spoken of earlier or if the State was paying for them; to which Ms. Houston answered that Benton County was paying for them.

H. Bowman referred to Denny Hyslip's letter that says that the part-time public defender is already working 30 hours a week right now then asked if they wanted to add 10 more hours; to which Ms. Houston confirmed. Mr. Bowman then asked if the hourly rate is \$17.10 an hour; to which Ms. Houston responded that the full-time public defender will be on salary. She stated that under the laws, the attorneys in their office are salaried attorneys. If they are in court late, they still have to cover their cases, so a lot of times they are working over 40 hours a week. She stated that her concern is that when they are in court for 26 hours a week, they cannot read the police report or talk to their clients and get it all done within 30 hours.

H. Bowman asked how many hours she thought the attorneys needed to adequately perform their job; to which she responded that some of it will vary from week to week, but she thinks by the 4th week, the attorneys should be able to do their job within 40 hours of the week. H. Bowman asked if the total cost of the position for the rest of this year would be \$39,015 as well as if the attorneys are to receive the same fringe benefits that they would if they were full-time; to which Ms. Houston confirmed.

B. Ussery asked if the current part-time public defender will just move into this position and are they okay with it; to which Ms. Houston responded that yes they will move into the position and they are okay with it.

A. Harbison stated that she is not in favor of increasing positions unless it is absolutely necessary; however she is not saying that she won't vote for it they will just have to make a really good case for it. She really wants money to be found elsewhere because they can't fund everything this year so she wants them to look for grants.

J. Patterson asked if they considered hiring another part-time worker since that would supply more hours for less money.

S. Lloyd agreed with J. Patterson stating that if they hired another part-time worker, then it would save them \$12,000. She asked whether this had been thought of; to which Ms. Houston responded that it is hard to get an attorney who is willing to work 30 hours a week.

R. Dennis asked if the Public Defenders defended the prisoners; to which Ms. Houston responded that they did not on the lawsuits.

R. Cochran asked how far they can increase the part-time hours before they are forced to move into a full-time position; to which Ms. Houston responded that she did not know as far as the State and Federal laws on employment. Mr. Cochran asked what 20 more hours a month or 5 hours a week would do for them to which; Ms. Houston responded that it would help some. He suggested doing that because the budget is so tight this year. The most appropriate time to present it would be during budget season to convert it to full-time

H. Bowman stated that looking at the strong income from the early months this year he is hopeful that the budget might recover from some of the deficits that the county has been dealing with. If the public defender's office could give them two more months to watch the revenue stream then they might be more apt to vote for this. L. Houston explained that her concern is that they are not able to keep it under 30 hours and get the job done and eventually they are going to start having budget problems from having to pay overtime.

A. Harbison made a motion to send the request to the Finance and Budget Committee so it can be discussed further. D. Balls seconded. The motion passed with only J. Patterson opposing.

L. Houston asked if it would be helpful if she could get some attorneys and judges to write letters and distribute them at the Finance and Budget meeting; to which B. Pond responded that it would not hurt anything. L. Ecke asked if they could come up with suggestions to figure out a way to not only cut budgets but increase funds elsewhere.

Request from County Library Board Director Glenda Audrain for a Full-Time Interlibrary Loan Librarian/Administrative Assistant Position for 2015. County Library Director Glenda Audrain stated that no general funds are involved with her budget at all. She explained that she had a full-time assistant director with a professional degree until October 2012, then they implemented a new automated system and that has made the workflow much better. She stated that she does not have the justification to hire another full-time assistant director at this time. She mainly needs someone to help her with the administrative duties. The level of work that the current part-time interlibrary loan part-time person does is very complex, so she seemed like the most logical candidate for that position to be turned into an administrative position. Over the last year she has been delegating more duties to that position which includes reconciling the credit card statement, paying the bills and she would like to delegate a bit more of the database maintenance. She spoke with HR Director Lindsy Huffaker who said that they can expand that position but it will involve a pay cut for the person that has the interlibrary loan librarian position right now; however, it will give her benefits. Ms. Audrain will probably come back next month to request that her pay be moved to the first quartile which would still be less than what she is making now if this is approved. She presented this request to the County Library Board on March 19 and the Board approved it. If possible, she would like to go ahead and see it through.

B. Pond asked Steve Zega if this request had to go through to finance; to which he confirmed since they are changing a budgeted position. Mr. Pond explained that he was only asking because the funds for this position were not coming out of the general fund. G. Audrain stated that she is going to have to go to the library's reserve fund for the difference so she will have to ask for that money to come in.

A. Harbison made a motion to pass the request on to the Finance Committee with a do pass recommendation. B. Ussery seconded. The motion was passed unanimously.

With no other business or public comments the meeting adjourned at 6:00 p.m.

/cs

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, April 6, 2015
6:03 p.m.
Washington County Quorum Court Room

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

Others Present: Steve Zega, Randall Denzer, Jay Cantrell, and Dan Holtmeyer (NWA Newspapers).

The meeting was called to order at 6:03 p.m. by Chair Tom Lundstrum. The agenda was adopted as presented.

A Resolution Approving An Interlocal Agreement With The City Of Springdale, Arkansas, City Of Tontitown, Arkansas, And Washington County, Arkansas Regarding The Operational Expenses Of The Springdale District Court. Tom Lundstrum explained that the City of Tontitown does not have a district court and wishes to have the cases generated by its police department prosecuted through the Springdale District Court. An interlocal agreement is required by state law between Washington County and the Cities of Tontitown and Springdale.

County Attorney Steve Zega noted that the reason that Washington County is a part of this interlocal agreement is due to the fact that the County pays for 1/2 the salaries of District Court Judge and Clerk.

Joe Patterson made a motion to forward this resolution to the full Quorum Court with a do-pass recommendation. Eva Madison seconded. The motion passed unanimously.

Eva Madison commented that the recent changes to state law reorganizing the local district courts as state district courts could result in some potential savings to the County whereby it could free up some of the monies currently being used to fund half the salaries of the judges and clerks. This reorganization will take place in 2017.

Other Business: Tom Lundstrum provided a brief update on the Elm Spring Town Hall meeting with Dragonfly Industries regarding the potential wind turbine farm. Dragonfly wants to annex out of the county and into the City of Elm Springs, basically to avoid having to confront the County Planning Board. There were a lot of people at the meeting of which the majority were opposed to this project. From his understanding, there will be 270 150-ft towers with two fans each placed on the property. This is new technology that has not been tested and will be first of its kind.

In response to a question from Joel Maxwell, County Attorney Steve Zega explained any annexation in this matter would come before County Court of which the County Judge under County Court. There will have to be a public hearing held. He stated that there is not a lot of basis for the judge to refuse annexation by a requesting landowner out of the county into city. The Quorum Court would come into play if Dragonfly remains in the county and applies to the County Planning Board for a Conditional Use Permit. The Quorum Court will have to ratify the Planning Board's decision.

With no public comments, the meeting adjourned at 6:22 p.m.

/kb

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

Tuesday, April 7, 2015
5:30 P.M.

Washington County Quorum Court Room

Members Present: Rick Cochran, Robert Dennis, John Firmin, Ann Harbison, Butch Pond, and Bill Ussery

Members Absent: Lisa Ecke

Others Present:

Daniel Balls, Harvey Bowman, Steve Zega, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Joe Patterson, Renee Biby, Glenda Audrain, Cheryl Bolinger, Ashley Farber, Jay Cantrell, John Threet, Russell Hill, Lindsi Huffaker, Alexis Ward, Leana Houston, Autumn Tolber, Scot Allison, Bobby Hill and members of the press.

Chairman Rick Cochran called the meeting to order at 5:30 p.m., who also led the prayer and pledge. The agenda had a substitution for 5.1-5.4 as well as addition 7.7 and 8.4. The agenda was unanimously adopted as amended.

Financial Report. County Treasurer Bobby Hill reported that the general fund expenditures was well over revenue which is not that unusual at this time of year because property taxes were just beginning to flow in. He was hopeful that revenues would overtake expenditures by May. He reported that in the month of March the Road Department held its own; the Jail Department had a good month with revenues of \$1,300,000 and expenditures of \$1,100,000, which was due to very good sales tax and prisoner care reimbursement with the State offering \$400,000 of it.

B. Hill reported that the 1 cent countywide sales tax has an 11.5% increase declaring March as the 12th consecutive month of growth as well as being the best March that they have had since 2010. Mr. Hill explained that the increase could be due to how affordable the gas is, which is leaving more money in the consumer's pockets. He reported that this has also been the best March by far for the quarter cent jail tax since it began in 2002 with almost 13.5% growth; This puts it about a quarter of a million ahead of 2014. Mr. Hill stated that the Road tax was up 5.9% and the quarter poll of 2015 as well as the revenue should be around 25%, but instead it is around 27%. He stated that they are doing well

there but there are always negatives. Mr. Hill reported that looking over the last 4 years, each year expenditures have been 3 million or over revenues for example at the beginning of 2011, there was \$26.8 million in the general fund and at the end of 2014 there was only \$14.3 million, which means that the funds declined by about \$12 million.

Comptroller Cheryl Bolinger reported that this month several changes have been made to the general fund – unappropriated reserves including the fact that money no longer has to be held for the Road because they were not in the negative anymore. Another change was from the carryover that was discussed last month, which was overestimated on general and jail as well as the \$1 million that was appropriated for the state.

R. Cochran asked if the \$1 million was included in the (top line) even though they were only set to pay 10 months out of that for the year; to which Ms. Bolinger stated that they went ahead and did the appropriation for the entire amount because they were not sure how it would be taken care of in December. Mr. Cochran asked if they would be putting it out within a year; to which Ms. Bolinger replied that no they would not be doing that because it is already appropriated meaning that it is already out of the reserves.

An Ordinance Reducing the Amount of \$43,451 from Full-Time Salaries Line Items in Various County Budgets and Restoring Those Funds to Unappropriated Reserves; Appropriating the Amount of \$49,913 from Unappropriated Reserves to Various Budgets, and Changing the Title of a Personnel Position in the Road Department Budget for 2015.

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

An Ordinance Recognizing and Appropriating Quarterly Revenues In Various Funds For 2015. C. Bolinger informed the Committee that these ordinances are the ones that are done quarterly and include the Sheriff-Work Release and the Drug Enforcement – State and Federal, which are budgets that are hard to know how much will be received up front and depend on drug seizures. She explained that it is done after the fact so every quarter they look at what the income was and that is what they appropriate.

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

Request from Public Defender Denny Hyslip for a Full-Time Deputy Public Defender Position for 2015.

Public Defender Denny Hyslip stated that he is asking for a Part-Time District Court Public Defender position is moved to a Full-Time position and distributed many letters from judges in support of this. Judge John Threet speaks to the Quorum Court on the Public Defender's behalf. Judge Threet stated that he can speak to the amount of time and effort that it does take to handle all of the cases in District Court. He stated that in order to do the job correctly and well then it is going to take time and effort that is a right of the county's citizens. Judge Threet explained that one case might involve 5-6 witnesses that have to be tracked down and talked to and even with all of the effort that

might be taken on the front end, does not include the time that you might be in court which could last for hours. He went on to say that Public Defenders do not have the right to say yes or no to their cases and if each individual district judge decides on one particular day or night during court that they are going to appoint six people to the public defenders then they still have to defend them. He stated that from his own experience in the Public Defender's office he knows that it is very time consuming if you are going to do your job correctly.

R. Dennis asked who was responsible for the law that states that they have a legal right to be represented; the city, county, state, or federal court; to which Judge Threet responded that it varies on the district level, but city courts could be the ones responsible. County Attorney Steve Zega responded that he thinks three years ago then existing police in city courts became branches of district courts in Washington County which means that Denny's office covers all the interior courts in the county now. R. Dennis then asked when does the city, federal, or state have an obligation to pay some towards the public defender's office for being represented; to which Judge Threet responded that the court costs and fees that are charged in each individual court a percentage of that goes to fund certain things.

A. Harbison stated that they have a tight budget this year and they don't have any extra money. She liked the suggestion that J. Patterson had which was to have two part-time employees instead of one full-time employee and does not think that they can allow a full-time position right now. She wants some sort of a compromise.

J. Maxwell asked what the actual cost of a full-time and part-time employee would be for the entire year, which is \$48,818 and \$26,676 respectively.

Chief Deputy Public Defender Leana Houston stated that she worked with Grant Administrator Renee Biby and came to the conclusion that there were many grants for various things but none that would assist the public defender for a district court's position. She referred to a letter written by the Public Defender's Commission in Little Rock, AR that reflects that the State is not able to help with funding the position either. Ms. Houston stated that she also worked with County Treasurer Bobby Hill and came to the conclusion that the estimated total of \$400,000 is from fines given from the city courts to the general fund per year; which includes \$375,000 that comes from fines and \$5,000 comes from the State. There is also about \$93,000 in fees estimated to the county for the defense fund and investigator and indigent defense; \$82,000 of that coming from the District Courts. Needless to say money is coming in from the District Courts as well as from the State.

J. Firmin asked what the Public Defender's office is going to do if they do not get the position; to which D. Hyslip responded that they are falling behind with the increase in case load considering the driving time and time spent in court. There is just not enough time to prepare the case to talk to witnesses and to negotiate with prosecutors and read police reports. Ms. Houston referred to a handout that included the ethical obligations as an attorney that they have to follow while working a case, which includes reading police reports and talking to clients and if that means spending extra time to finish it then they are going to have to do that.

Ms. Houston also referred to couple of letters from attorneys who previously worked for the Public Defender's office that stated how they could not complete their job duties within the 30 hours a week making an ineffective assistance of counsel, which could result in lawsuits. J. Firmin asked where the lawsuit would go if it stemmed from that kind of situation; to which S. Zega responded that he is less concerned about getting liability in terms of depriving someone of their constitutional right than he is about getting liability in terms of being forced to pay for the public defenders after refusing to pay for them.

B. Pond made a motion to forward the Ordinance to the full Quorum Court with a do pass recommendation. J. Firmin seconded. The motion passed with only A. Harbison opposing.

Request from County Library Board Director Glenda Audrain for a Full-Time Interlibrary Loan Librarian / Administrative Assistant Position for 2015. County Library Board Director Glenda Audrain reported that after that she informed the County Library Board that the position could cost about \$15-20,000, when they are only going to have to pay a little over \$9,000. She stated that getting the position moved over to full-time from part-time would be a big help in the office.

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

Assessment Report of the Impact to the Road Department Budget in Regard to the Construction Corrections to the Stonewall & Harvey Dowell Bridges – Shawn Shrum, Assistant Road Superintendent.

E. Madison stated that she was offended because Chairman R. Cochran requested the presence of Assistant Road Superintendent Shawn Shrum at the meeting and he declined because of his child's ball game, which is important; however there are about twenty of them this spring. She is getting increasingly frustrated, and thinks the tax payers are as well, with the county hiding behind George Braswell's lawsuit as an excuse for refusing to answer questions about the safety of the county's bridges. She stated that Mr. Braswell's lawsuit is about retaliation, not the safety of the bridges or the cost to fix them. She reported that she has been reduced to meeting with engineers and learning about rebar by herself because she can't get the information from anywhere else. She listed questions that she wants answers to including: what did the investigation entail; who conducted it; who was interviewed; were there written statements or recorded interviews; was the work on the bridges inspected; were engineers called in to assist; why hasn't the court been given a report on the investigation; how were they unable to uncover the problems; did someone actually lie in the investigation or did they not do a thorough enough job? She stated that the engineers at GTS are on retainer for the county; however, they were only called in a few weeks ago and not when the issues on the bridge originally surfaced. Ms. Madison reported that the Quorum Court has not been asked for any additional appropriations so all of the money being used is coming out of the funds that have already been appropriated to the Road Department. She asked what projects they are going to have to forgo in order to pay for the repairs to both bridges and stated that the county has got to restore the public's trust and has to do so without delay.

She called on Judge Edwards to make herself available to the court, media, and concerned citizens of Washington County to answer questions like the ones that she mentioned and if the body needs to have a special meeting to do that then that is what they need to do.

R. Cochran stated that Ms. Madison's questions are pretty much the same ones that he had as well as some budgeting questions as far as going forward the impact that this is going to have. He asked S. Shrum to come next month since he is the most closely-related to the departmental budget of anyone in that department in order to figure out what to do going forward.

T. Lundstrum stated that he has had a number of angry calls over the bridge situation because of the magnitude of the safety issue. He explained that he was bothered by the fact that the road department was building bridges when according to County Judge Marilyn Edwards there was no one there who knew how to build bridges and that he heard that they did not know about the bridge issues until the video came out when obviously the whistle-blower made it known weeks before the video was aired. Mr. Lundstrum stated that he was concerned that Judge Edwards was incapable of running the Road Department as well as the fact that Stonewall Bridge was completely demolished before the investigations that were called for were even begun and went on to say that it is serious enough that Judge Edwards might consider resigning over the situation. He restated that he did not think she was capable of running that portion of county government, which happens to be a big portion of it particularly in the area of safety. He suggested doing away with the bridge division of the road department all together and using the money to hire contractors who are in the business of building reliable bridges.

R. Dennis asked if T. Lundstrum would still like to ask for Judge Edwards' resignation if she contracted it out to someone else; to which T. Lundstrum responded that he possibly would because there would still be a few contractors helping the County's workers to build bridges. Mr. Lundstrum explained that someone has to be responsible for the issues on the bridge.

B. Ussery stated that he saw the rebar being tested for 30,000 pounds with the strength requirement being for 27,000 pounds, 10% above what was needed, meaning the bridge is being constructed exactly by all of the current recommended standards for constructing a bridge. Mr. Ussery reported that the state thoroughly inspects the bridges that have already been built and if they were not built properly then there would be cracks in the concrete long before there were any other structural failures. He was offended that people would get on television without talking to engineers and receiving all of the facts, which is needed before it is said that the bridges are bad. He continued that they (the Quorum Court) are not there to offend others, but instead there to defend the county as best as they can and with the most accurate information. He feels that there has been a lot of misinformation without getting the complete facts and understanding all of the other factors involved. Mr. Ussery also mentioned a letter that was sent to the Attorney General and the first time that he saw it was after it was already published in the paper as an addendum. He finished with stating that the Quorum Court needs to operate as a

team and try to support, not destroy, while addressing the issues one at a time, going back to the facts, and doing its homework.

B. Pond reiterated Mr. Ussery's frustration. He did not believe that the bridges constructed by the bridge crew of Washington County may be dangerous when in fact they are inspected by the State. As far as creating doubt amongst the people in the County, he doesn't believe statements that created doubt came from the County Judge's office. He believes that the statements that were made that created this fiasco came from people sitting on the Court. He asked how it could be ignored the number of years the bridges have stood with no weight reduction, and then accusations made that the County doesn't have anyone who knows how to build a bridge? He doesn't believe that there is nobody in the Road Department that knows how to build a bridge. He believes the Court needs to learn how to work together and stop the political mudslinging and trashing of people who are trying to do their jobs. Negativity is just causing more doubt amongst the people in the County and there should be none, the County doesn't have bridges falling down.

S. Madison stated that she represents the citizens of Washington County and she does not support the County, her job is to protect the interest of her citizens she represents in Washington County. If they do not have confidence in the bridges then she believes it is her obligation to find out why and if that is correct or not. She continued that she did not attend the last quorum court meeting but she did watch the video on the part about the bridges. It was her understanding that the next step was to investigate how the bridges were built. Yet, last Wednesday night she received an email inviting everyone to an epoxy testing at 8 a.m. To her great surprise, two supporting piers had been torn down and gone. She was dismayed by the sight of the construction, being well aware of stream side protection. She noted that there was mud everywhere, silt bridges were non-existent or torn down, it really bothered her. She thought that was an inappropriate way of dealing with one of the streams. She called ADEQ the next morning; the County's short term activity authorization permit had expired. The County did not have the appropriate permit from ADEQ to be messing around in the creek, and the silt bridges were required that were not there. She doesn't know why the County got in such a hurry to tear down two piers without proper permits. One of the obligations is to go by the rules. She thinks the County needs a reason to believe the bridges are safe. She continued that she cannot look at rebar and concrete and know if it was done correctly. The testing done was brand new rebar and brand new epoxy, it didn't reflect what was built and torn down. This is money spent, equipment, materials and people hours. She closed with saying that the court must get to the truth.

S. Zega, County Attorney, stated that he attended a meeting on March 19th, after discussing with the Engineer concerning what was wrong, what was done incorrectly, his viewings of the video, his recommendation was to tear the piers out. Not knowing what forensic testing might be done, the engineer was convinced at that point in time that the piers were not built to his instructions and that was what he said. The Judge's reasoning was that this is a public piece of infrastructure and having it built incorrectly didn't need to wait when the engineer said it was wrong. That was the reasoning behind the destruction of the piers.

E. Madison responded to a few points that were made. First of all, when the state inspectors inspect a bridge they do not have any mechanism to look inside the concrete. They can only inspect a bridge based upon the plan that the Road Department gives them. The Road Department gave the State Mr. Beatty's plans, which are great plans that should have been followed. The State Inspectors have no way of knowing what deviations were made from those plans unless the County tells them about them. The State Inspector does not have the ability to go in and see if the right rebar is done correctly, if there was epoxy used, if the rebar was there when the concrete was formed. Admittedly, you have to pay for very expensive, time consuming x-rays to see that. The state department is depending on the county road department to tell them how the bridges were constructed. The construction that was witnessed at Stonewall Bridge last week is new construction. The piers were removed, the center support was removed. It was revealed when the Court was out there that the bent rebar that the plan showed was not there. They did the best they could to go back and add the straight rebar and epoxy it. They were fixing what they did not do right the first time. GTS has been retained to oversee the entire process of reconstructing the center supports. What the Court doesn't know is what was done wrong. The footer is the original footer; it is unknown what is in there. The Road Department made the decision that it was sound and it would be left. She has confidence with GTS on the job that it is right. She continued with saying that nobody on the Quorum Court said that the Road Department doesn't know how to build bridges; Judge Edwards said that the Road Department doesn't know how to build bridges at the March Quorum Court meeting. She then stated to Mr. Ussery that he can criticize her for going on TV, but people want answers. The press is calling her asking her to talk to them. She is not telling them that the bridges are falling down, in fact, she is telling them just the opposite, saying that she didn't think that there are structural deficiencies that a bridge is going to collapse underneath a vehicle, and it is the longevity of the bridges and the tonnage that they can withstand. They chose not to put that in the news. She has also told the news that she believes that there are very good working people at the Road Department, she doesn't think that anybody at the Road Department set out intentionally to build the bridges wrong. What she believes is that they didn't know how to build the bridges the right way. Somebody in the County put people in a job that they didn't know how to do and it involved bridge safety and that involved the safety of the citizens. It is absolutely her job to speak out on these issues. It is absolutely her job to represent her constituents in the County by asking questions and by demanding more information. In closing Ms. Madison stated that she would be happy to give a copy of the letter, but the letter went to the Attorney General because this situation demands an investigation and she has no regrets and she will continue to push forward.

A. Harbison commented that she has been on the Quorum Court for eleven years. The County has built a lot of bridges in eleven years. The Road Department was in place when Judge Edwards was elected. The Bridge foreman, Mr. Reed, built lots of bridges in the County. There were mistakes made, these things happen. The Judge took the word of the people in the Road Department that everything was ok. When things didn't turn out to be ok then she made changes. She made them do it right. Bridges are very important to Ms. Harbison, practically all of her constituents are rural people. They deserve the County to build good bridges. It is very expensive to go back and x-ray the bridges to determine whether they have enough rebar or not or whether it was put in correctly. In

summary, the County can either move on and build more bridges correctly or it can stay stuck in the mud pointing fingers saying who is responsible for the bridges built incorrectly. This has been going on for 15 years. The Road Foreman that just retired had worked for the County for 28 years. He probably knows how to build bridges the old way. He may not have the recommendations and things that are made today. The Judge has said the County is going to build bridges correctly. It is very unfortunate that this situation happened in this way, but sometimes things happen that there is no control over, and the Judge thought it was being done right. Errors have been made, but does the County want to fire the whole Road Department because of a couple of faulty bridges. The County Judge relied on the information from her Road Department, should she be asked to resign over that? Ms. Harbison thinks the Judge has done a good job. She continued that she thinks the County needs to move forward, noting that the one thing that the Quorum Court could do for economic development in the County is to do road improvements. Every road in the County needs to be paved, every bridge in the County needs to be looked at, corrections need to be made and move on. Pointing fingers and asking for the Judge's resignation is not moving on. Correcting the situation and finding out what happened and why it happened, these people have been building bridges for years, standards changed, and they didn't change with them. There needs to be good education, workshops and the Road Department needs support.

J. Patterson stated that he heard from several people about this. Because the bridge was taken down quickly, then it turned to cover up. He doesn't believe that it was intended. Things with vehicles change all the time, technology changes, the people need to keep up with it. This is serious to the County, serious to the Quorum Court, and he knows that there was suspicion created by the hasty tear down.

B. Pond added that the track hoe had to be moved to the other side of the creek, the silt fence was in place, it had to be moved to move the track hoe. The County Road Crew are humiliated, they are offended, moral is not real good at the Road Department because what is being said by the Quorum Court. There are positive ways to convey messages.

H. Bowman commented that the attack of the decisions made about the Road Department and the defense could go on and on. He set up a meeting to allow everybody to share their perspectives about what happened, the Judge did not allow people on the front line to come share their perspective. He would like to have the foreman's testimony to give the details. Where are the people who put in the rebar? He would like to hear from someone to tell him where the directions came from. Somebody made decisions that were not good. However, he is not willing to attack the Judge or anybody else, some decisions were made poorly, and he would like to have a better perspective about what is going on. Nobody is going to be happy until we find out what went on. He added that he is ready for a good investigation by an impartial person who will bring back all the details, not part of it, not opinions, just facts. She would like to hear from the County Judge's department in detail, or have an investigator come in and tell what the facts are.

R. Dennis stated he spoke with a county investigator. He said it doesn't matter what someone said, what matters is a written statement. He would like a written statement from everyone for who, what, where, when and how from the lowest paid worker to the highest paid worker. A past Quorum Court member said that the Court knew about it prior to the letter coming out from George Braswell in December. Eva Madison stated that she did not know prior to the December letter that there was shoddy work. Mr. Dennis stated that he called Mr. Braswell when he received the letter. Mr. Braswell told him where the bridge is; he went out there and took pictures. Based on what he saw and what he took pictures of, he would have put his grandkids in a bus and drove over the bridge, he believes that it was sound construction, but he does know that the engineer told them to take it down. At the lower levels when it was decided, he went out there and talked to the employees, and they told him point blank that they did what their supervisors instructed them to do. With that kind of information coming from the bottom up, the break down is in the middle; Bill Reed was the person in between. There should be a written statement from him. He asked questions about it and was told by contractors that that was old technology that was used. He asked a certified welding instructor and he said that there were a lot of bridges made that way, but that technology ended in 2000. He added that he would be glad to show his pictures, there was a ton of rebar in those piers. The cover up was only drilling the holes because they let the concrete set up a little too much overnight. He believes he knows where the answer lies, and there was a mistake made. He would be more apt to fire someone for lying than for using an old technique. He thinks that the upper part of the Road Department feels like they were lied to, and he is upset at Jeff Williams for not revealing the video at the proper time, the day after he took the video.

B. Ussery agreed that the County needs to keep up with the times; he is uncomfortable with having a management issue that has to be dealt with.

B. Pond finished with saying that he has no problem with an investigation being conducted, he remains confident in the Road Department.

R. Cochran finished with saying that he feels confident that bridge construction in the county is going to continue to improve and keep up with standards moving forward.

Other Business: Any other business to be discussed by the Committee will be brought up at this time.

With no other business and public comment the meeting adjourned at 7:15 p.m.

/cs

ORDINANCE NO. 2015-_____

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

AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board granted a Conditional Use Permit on April 2 for EMS (Electronic Manufacturing Solutions) Expansion; and,

WHEREAS, immediate ratification is necessary by the Quorum Court to prevent undue delay and expense to the applicant; and,

WHEREAS, ratification will not affect any appeal rights any person may have.

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

ARTICLE 1. That the Conditional Use Permit for EMS (Electronic Manufacturing Solutions) granted by the Planning and Zoning Board is hereby ratified.

ARTICLE 2. Emergency Clause: It is hereby determined that it is the public's best interest for this ordinance to be effective immediately; and the general health, safety and welfare of the citizens are affected by such for the reasons as set out above; therefore, an emergency is declared to exist and this ordinance shall be and is effective from the date of its passage.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Eva Madison
Date of Passage: _____
Votes For: _____ Votes Against: _____
Abstention: _____ Absent: _____

EMS (Electronic Manufacturing Solutions) Expansion CUP

The Planning Board/Zoning Board of Adjustments unanimously approved **EMS (Electronic Manufacturing Solutions) Expansion Conditional Use Permit (with conditions) on April 2, 2015.**

Staff does not expect any appeals on this CUP and recommends ratification of the project.

The owners/applicants of this property are Harold Dennis and Marilyn Miles. The contractor is Jerry Coyle. This property is located at 16088 S. Hwy. 59, Lincoln, AR 72744.

EMS (Electronic Manufacturing Solutions) Expansion is requesting Conditional Use Permit approval to allow an expansion of the Electronic Manufacturing Solutions, Inc. Addition (CUP 2011-064) that received a Conditional Use Permit in June 2011 to allow an additional manufacturing building (60' x 100') on a property zoned Agricultural or Single-Family Residential. There was an existing building (the office building) on the site as well that is used by the business.

With this proposed expansion, the applicant is requesting to add three new buildings (attached to the existing building via breeze-way and courtyard), an approximately 3200 sq ft parking addition, and relocate the existing office building. A 1200 sq ft storage addition is also proposed on the west side of the building.

The three proposed building additions are:

- 1896.5 sq ft metal building (to be placed where the office is located currently)
- 9460 sq ft metal building,
- 1762 sq ft wood frame building (the existing office will be relocated to attach to the end of this proposed building).

The septic system has been redesigned and will be relocated from the original septic area to the expanded LSD site. The property was split to allow the business to be on one parcel (one acre) in 2011. With this expansion, the property proposes a lotline adjustment to increase the business property to 3.67 acres and therefore, the project will require a Large Scale Development. (The lotline adjustment has been approved by administrative review).

According to the owner, the employees that are located at their Lincoln building (9) will be relocated to the proposed expansion, and an additional 10 employees are expected over the next few years for a total of approximately 40 employees. Truck traffic (for deliveries/pick up) is not expected to increase. Security lighting is proposed, but the location is not known at this time. Hours of operation and signage will remain as they are currently.

No neighbors or other public comments were heard on this project at the meeting. One neighbor submitted comments "opposed" to this project after the Planning Board meeting. That comment is available at <http://www.co.washington.ar.us/Modules/ShowDocument.aspx?documentid=8014> if you would like to read it.

This project also requested and received Preliminary Large Scale Development approval (contingent upon CUP ratification) as it is situated on a parcel of land larger than one acre in size.

*This project was not contentious at the meeting and staff recommended approval of the proposed **EMS (Electronic Manufacturing Solutions) Expansion Conditional Use Permit with conditions.***

The Planning Board/ Zoning Board of Adjustments approved 5 members voted "in favor", 0 members voted "against", 2 members were not present, 0 members abstained the project with the following conditions:

Water/Plumbing/Fire Conditions:

1. Lincoln will inspect the plumbing.
2. There does need to be discussion about the continued use of a residential stove in the employee break area. The applicant should contact the Fire Marshal to discuss prior to construction of that portion. Planning staff will accept the decision made by the Fire Marshal.
3. The Fire Marshal will inspect all requirements for the building and driveway prior to the building being occupied.

Septic Conditions:

1. The septic system must be installed, then inspected and approved by the Health Department prior to the building being occupied.
2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County at this time; however, an Industrial Stormwater Permit is required by ADEQ. Records from 2011 indicate the applicant had submitted paperwork and fees to ADEQ for this permit. According to ADEQ, the permit has been updated to reflect the proposed changes. A copy of the approved permit has been provided to Washington County Planning for record.
2. The applicant has supplied documentation addressing disposal of solid waste, wash water, and chemicals.
3. If the type or amount of the hazardous material changes, the applicant must inform the Planning Office so that it can be determined if additional review is needed.

Utility Conditions:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.

General Conditions:

1. Any outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately. Please refer to diagram in the staff report attachments page B46.
2. A lotline adjustment is required to be completed (this has been submitted for review). It must be filed with the Circuit Clerk once Planning has processed the adjustment.
3. Any future expansion/division not covered under this CUP must come back for additional approval.
4. Approximately 40 employees.
5. Only the uses proposed are allowed; no additional uses unless additional review takes place.
6. Pay Mailing Fees of \$33.04 within 30 days of project hearing. Any extension must be approved by the Planning Office. (Invoice was emailed to applicant on 03/27/15).
7. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
8. This CUP must be ratified by the Quorum Court.
9. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
10. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - a. This project does require additional Planning Board review (Large Scale Development). Therefore, all conditions of this CUP approval must be completed within 12 months of this CUP project's ratification.

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 APPROVING AN INTERLOCAL
AGREEMENT WITH THE CITY OF SPRINGDALE,
ARKANSAS, CITY OF TONTITOWN, ARKANSAS,
AND WASHINGTON COUNTY, ARKANSAS,
REGARDING THE OPERATIONAL EXPENSES OF
THE SPRINGDALE DISTRICT COURT.**

WHEREAS, the City of Tontitown, Arkansas, has a police department but does not have a district court; and,

WHEREAS, the City of Tontitown, Arkansas, wishes to have the cases generated by its police department prosecuted through the Springdale District Court; and,

WHEREAS, Ark. Code Ann. §16-17-1203 provides that a written interlocal agreement is to be entered into between the City of Tontitown and the governing bodies of the City of Springdale, Arkansas, and Washington County, Arkansas, concerning the contribution to the operational expenses of the Springdale District Court by the City of Tontitown, Arkansas; and,

WHEREAS, the City of Tontitown, Arkansas, and the City of Springdale, Arkansas, wish to comply with the provisions of Ark. Code Ann. §16-17-1203.

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

ARTICLE 1. That the Quorum Court of Washington County, Arkansas, approves the attached interlocal agreement with the City of Springdale, Arkansas, City of Tontitown, Arkansas, and Washington County, Arkansas, concerning the contribution to the operational expenses of the Springdale District Court by the City of Tontitown, Arkansas, pursuant to Ark. Code Ann. §16-17-1203.

ARTICLE 2. That the County Judge of Washington County, Arkansas, and the County Clerk of Washington County, Arkansas, are hereby authorized and directed to execute the attached interlocal agreement concerning contribution to the operational expenses of the Springdale District Court, and are further authorized to execute any and all documents necessary to effectuate this purpose. A copy of said agreement is attached hereto as Exhibit "A" and incorporated herein as if set out word for word.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

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

AGREEMENT

This agreement is made and entered into between the City of Tontitown, Arkansas ("Tontitown"), the City of Springdale, Arkansas, and Washington County, Arkansas.

WITNESSETH:

WHEREAS, the City of Tontitown, Arkansas, has a police department but does not have a district court;

WHEREAS, the City of Tontitown, Arkansas, wishes to have the cases generated by its police department prosecuted through the Springdale District Court;

WHEREAS, Ark. Code Ann. §16-17-1203 provides that a written agreement is to be entered into between the City of Tontitown and the governing bodies of the City of Springdale, Arkansas, and Washington County, Arkansas, concerning the contribution to the operational expenses of the Springdale District Court by the City of Tontitown, Arkansas;

WHEREAS, the contribution made by the City of Tontitown, Arkansas, to the Springdale District Court shall be a prorated amount based on the collection of fines derived from Tontitown cases filed in the Springdale District Court; and

WHEREAS, the City of Tontitown, Arkansas, and the City of Springdale, Arkansas, wish to comply with the provisions of Ark. Code Ann. §16-17-1203.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereby agree:

1. Springdale District Court shall allow Tontitown to process its cases in said district court;
2. Tontitown shall contribute annually to the operational expenses of the court on a prorated amount based on the amount of collections derived from Tontitown cases filed in the district court from Tontitown during the preceding calendar year, and such amount shall equal twenty percent (20.00%) of the fines collected (less "Act 988 fines") from Tontitown cases in the Springdale District Court, and shall be due and payable by February 1st of each calendar year;
3. For purposes of the calendar year 2014, said contribution shall consist of a one-time contribution of \$12,387.25 to the Springdale District Court; and
4. This agreement shall be considered the written agreement required by Ark. Code Ann. §16-17-1203, and the Mayor of the City of Tontitown is hereby authorized and directed to execute this agreement on behalf of the City of Tontitown, which shall then be submitted to the governing bodies of the City of Springdale, Arkansas, and Washington County, Arkansas, for their respective approval.

ORDINANCE NO. 2015-_____

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

AN ORDINANCE ESTABLISHING VOTE CENTERS IN WASHINGTON COUNTY FOR ALL SCHOOL ELECTIONS IN 2015.

WHEREAS, pursuant to Arkansas Code Annotated Section 7-5-101 the County may establish by ordinance vote centers for elections; and,

WHEREAS, the Washington County Clerk has certified to the Quorum Court and the Secretary of State that the County has a secure electronic connection sufficient to prevent an elector from voting more than once and to prevent unauthorized access to a computerized registration book maintained by the County Clerk; and,

WHEREAS, it is the desire of the Washington County Election Commission and the County Clerk to establish duly authorized vote centers for all school elections in 2015.

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

ARTICLE 1. There are hereby authorized and established in Washington County vote centers for school elections in the County for 2015.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor:_____

Date of Passage:_____

Votes For:_____ Votes Against:_____

Abstention:_____ Absent:_____

Washington County Vote Center Plan
for the
September 15, 2015 Annual School Election



Washington County Election Commission

Renee Oelschlaeger, Chairman

Max Deitchler, Member

Bill Ackerman, Member

Jennifer Price, Election Coordinator

479-444-1766

jprice@co.washington.ar.us

Plan submitted to the Secretary of State's Office:

Establishment of Vote Centers

4.01: Ordinance # 2015- Approved by the Quorum Court of Washington County: **Attachment A**

4:02 (1): Physical Location of Vote Centers in Washington County for the September 15, 2015 Annual School Election. The Washington County Election Commission has determined that all the polling places open for the School Election will be Vote Centers. All of the polling places listed below meet ADA Requirements and will adequately allow Voters to vote in private.

Polling Place	Address	City	Zip
Baldwin Church of Christ	4399 Huntsville Rd	Fayetteville	72701
Buckner Baptist Church	2748 Wyman Rd	Fayetteville	72701
Elkins Community Center	162 Doolin Drive	Elkins	72727
Elmdale Baptist Church	1700 W. Huntsville Rd	Springdale	72762
Farmington Baptist Church	49 West Main St.	Farmington	72730
First United Presbyterian Church	695 E. Calvin	Fayetteville	72701
Greenland Community Center	170 Letita St.	Greenland	72737
Lincoln Community Center	112 N. Main St.	Lincoln	72744
Mt. Comfort Church of Christ	3249 Mt. Comfort Rd	Fayetteville	72704
Nob Hill Fire Station	19375 Nob Hill Loop	Springdale	72764
Oak Grove Baptist Church	499 Oak Grove Rd	Springdale	72762
Prairie Grove Christian Church	611 Country Rd	Prairie Grove	72753
Saint Joseph's Catholic Church	110 E. Henri De Tonti Rd	Tontitown	72770
Sang Avenue Baptist Church	1425 N. Sang Ave	Fayetteville	72703
Springdale Rodeo Comm. Center	1323 E. Emma St.	Springdale	72764
Temple Baptist Church	2987 Cambridge	Springdale	72764
West Fork Community Center	222 Weber St.	West Fork	72774
Yvonne Richardson Center	240 E. Rock St.	Fayetteville	72703

4:02 (2): EA Tablets or electronic poll books will be used at each location to verify voter registration. Washington County has 120 electronic poll books, all of which would be available for use on Election Day if needed. Each Vote Center will be supplied with 3 electronic poll books on Election Day. The remaining electronic poll books will be available for use in case of emergency or unexpected heavy turnout.

4:02 (3): I votronic Voting Machines (touchscreens) will be used at each location for casting votes. Each Vote Center will have a minimum of 2 touchscreens to a maximum of 5 touchscreens. All of Washington County's touchscreens are ADA compliant.

4:02 (4): All locations will use a Wi-Fi Hotspot provided by the Washington County Election Commission. Each Hotspot requires a password and only the EA Tablets will be connected to the hotspot. Only Election Officials will have the passwords for the Hotspots. The Wi-Fi available at the polling locations will be the backup if the Hotspot goes down, and for the locations without Wi-Fi, an additional Hotspot will be available if needed. Each location has been tested with the Hotspot to verify the strength of the signal. See **Attachment B** for certification of the electronic connection and voter information update. **Original filed with the County Clerk's office.**

Polling Place	Secure Electronic Connection
Baldwin Church of Christ	Wi-Fi/ Washington County Hotspot
Buckner Baptist Church	Wi-Fi/ Washington County Hotspot
Elkins Community Center	Wi-Fi/Washington County Hotspot
Elmdale Baptist Church	Wi-Fi/ Washington County Hotspot
Farmington Baptist Church	Wi-Fi/ Washington County Hotspot
First United Presbyterian Church	Wi-Fi/ Washington County Hotspot

Greenland Community Center	Washington County Hotspot
Lincoln Community Center	Washington County Hotspot
Mt. Comfort Church of Christ	Washington County Hotspot
Nob Hill Fire Station	Wi-Fi/ Washington County Hotspot
Oak Grove Baptist Church	Wi-Fi/ Washington County Hotspot
Prairie Grove Christian Church	Wi-Fi/ Washington County Hotspot
Saint Joseph's Catholic Church	Wi-Fi/ Washington County Hotspot
Sang Avenue Baptist Church	Washington County Hotspot
Springdale Rodeo Comm. Center	Wi-Fi/ Washington County Hotspot
Temple Baptist Church	Wi-Fi/ Washington County Hotspot
West Fork Community Center	Washington County Hotspot
Yvonne Richardson Center	Wi-Fi/ Washington County Hotspot

4:02 (5): Paper ballots will be ordered based on the number of ballots cast in previous School Elections. The total number of ballots cast in a School Election is typically less than 4% of the total number of registered Voters. Washington County will be able to order a significant number of paper ballots for each School District to have at all of the Vote Centers. Each Vote Center will also be provided with 2 sample copies of each ballot style. For the 2015 Annual School Election the maximum number of ballot styles will be 13, which will easily be able to be displayed.

5.0 Equipment (Voting Machines)

5.01: All 171 touchscreens used have the capacity to hold every ballot style. For the 2015 School Election, 13 ballot styles will be used. Washington County has held off-site Early Voting, since 2008, which requires all touchscreens used to have the capacity to hold 151 ballot styles.

5.02: Washington County has 171 touchscreens and 3 650's. Each touchscreen has an office number, and each flashcard and peb used will be labeled according to the Vote Center and touchscreen it will be used in. A ballot accounting form detailing the number of ballots assigned to a Vote Center is included in their ballot box, along with a Totals Page which details spoiled, provisional ballots and the total number of Voters. When the Supervisors pick up their Election supplies, they sign a spreadsheet that details which touchscreens and EA Tablets are assigned to their Vote Center. After the polls close the Supervisors fill out the Ballot Accounting Form and Totals Page. The Supervisors return to the Courthouse to drop off the Election supplies and sign a duplicate spreadsheet detailing the equipment brought back to the Courthouse. On Election Night, the Coordinator and Programmer keep an accounting sheet off ballots cast. The information used is from the List of Electors and Totals page returned by the Supervisors, the results tapes from the touchscreens and the totals from the 650's. The number from the results tapes and 650's is compared to the number from the List of Electors. This number allows the Election Commission to verify that the total number of votes cast match the total number of Voters.

5.03: The County Clerk's Office (280 North College, Suite 300, Fayetteville, 72701) will hold Early Voting, only. The number of touchscreens used for Early Voting will be 3. These touchscreens will not be used on Election Day. The County Clerk's Office will not be used as a Vote Center on Election Day. 168 touchscreens will be available for use on Election Day.

5.04: Washington County has 171 touchscreens, 3 650's and 120 Electronic Poll books.

2015 Proposed Vote Centers (All polling places will be Vote Centers)

The number of registered Voters includes both Active and Inactive. The number of registered Voters assigned to each Vote Center would be the number if the polling place was not used as a Vote Center. The School District the polling place is located in is also listed, as this will likely determine

the majority of ballot styles cast at the vote center. The number of touchscreens assigned to each Vote Center will be 3. Projected number of Voters is based on 4% voter turnout.

Polling Place/ Vote Center	Registered Voters	Projected Number of Voters 2015	School District	Touschreens
Baldwin Church of Christ	2295	92	Fayetteville	3
Buckner Baptist Church	3484	139	Fayetteville	3
Elkins Community Center	2769	111	Elkins	3
Elmdale Baptist Church	7297	292	Springdale	3
Farmington Baptist Church	7322	293	Farmington	3
First United Presbyterian Church	1819	73	Fayetteville	3
Greenland Community Center	3778	151	Greenland	3
Lincoln Community Center	3860	154	Lincoln	3
Mt. Comfort Church of Christ	5285	211	Fayetteville	3
Nob Hill Fire Station	1659	66	Springdale	3
Oak Grove Baptist Church	3359	134	Springdale	3
Prairie Grove Christian Church	5987	239	Prairie Grove	3
Saint Joseph's Catholic Church	4045	162	Springdale	3
Sang Avenue Baptist Church	5344	214	Fayetteville	3
Springdale Rodeo Comm. Center	11670	467	Springdale	3
Temple Baptist Church	8589	344	Springdale	3
West Fork Community Center	3377	135	West Fork	3
Yvonne Richardson Center	5252	210	Fayetteville	3

See Attachment C for 2014 General Election Information

See Attachment D for 2012 General Election Information

See Attachment E for 2014 Annual School Election Information

See Attachment F for 2013 Annual School Election Information

In total for the School Election there will be 13 ballot styles. Touchscreens will be the primary method for voting. However paper ballots will be available in all ballot styles for Voters who insist on voting a paper ballot. The distribution of paper ballots will be based on the Vote Center and the School District. So for instance Prairie Grove Christian Church in Prairie Grove School District would receive the amount of paper ballots required by law for a regular polling place, with additional ballots from the remaining School Districts. 4% of the paper ballots cast from each school district will be distributed to each polling location.

Polling Place	Total Votes/ Paper Ballots cast in Previous Comparable Elections	150% Required to Order/ Ballots at the Vote Center For Corresponding School District	School District
Fayetteville School District Totals for 1 Zone/ 2 Zones up for Election/ Divide Ballots between the Fayetteville Polling Places	370/192	288/ 576	Fayetteville

Springdale School District Totals/ At Large Position/ Divide the Ballots between the Springdale Polling Places	844/335	502	Springdale
Baldwin Church of Christ		100	Fayetteville
Buckner Baptist Church		100	Fayetteville
Elkins Community Center	206/143	215	Elkins
Elmdale Baptist Church		100	Springdale
Farmington Baptist Church	174/127	191	Farmington
First United Presbyterian Church		100	Fayetteville
Greenland Community Center	242/228	342	Greenland
Lincoln Community Center	139/53	80	Lincoln
Mt. Comfort Church of Christ		100	Fayetteville
Nob Hill Fire Station		100	Springdale
Oak Grove Baptist Church		100	Springdale
Prairie Grove Christian Church	840/519	779	Prairie Grove
Saint Joseph's Catholic Church		100	Springdale
Sang Avenue Baptist Church		100	Fayetteville
Springdale Rodeo Comm. Center		100	Springdale
Temple Baptist Church		100	Springdale
West Fork Community Center	266/162	243	West Fork
Yvonne Richardson Center		100	Fayetteville

On Election Night the votes cast from both Early Vote and Election Day will be tabulated at the Washington County Courthouse. Paper ballots will be tabulated on the 650's and the flashcards from the touchscreens will be used to tabulate electronic votes. Results will be by precincts based on the School District.

6.0 Equipment (Verifying Registration Records)

6.01: Washington County uses the EA Tablet Live System. The EA tablets are capable of instantaneously updating voter information. The EA tablets contain all the voter information from the County Clerk's database. See **Attachment B** for certification of the electronic connection and voter information update for the EA Tablets.

6.02: The EA Tablets use EA's Synergy Server to update Voter information. The ip address is 7.5126.74.1. The EA Tablets are an ASUS Transformer Pad TF700T. The program works on an Android platform. It also contains an SD card for additional back up.

6.03: Washington County has 120 EA Tablets. On Election Day each Vote Center will have 2 tablets to use for checking in Voters. Each Vote Center will also be provided with a 3rd fully charged tablet loaded with all the Election Day information, to be used in case of an emergency or heavier voter turnout than expected. The remaining 66 tablets will be ready and available if needed.

7.0 Maintenance and Use of Equipment

7.01: All Equipment used in the Vote Centers (touchscreens and EA Tablets) are properly maintained and kept up to date. All equipment will be tested before being sent to the Vote Center and maintained by Election Officials.

7.02: All Election Officials will be trained to operate all the Voting Equipment. Extra training will be required for all Election Officials operating the EA Tablets.

8.0 Testing and Backup of Equipment

8.02: L & A will be completed 7 days before Early Voting starts on all equipment used for the Annual School Election. Extra supplies will be sent to each polling location, to include extra RTAL paper.

8.03: Testing on EA Tablets will be completed 7 days before Early Voting starts. Testing will be in the same manner as **Attachment B** was done for certification.

9:00 Secure Electronic Connection

9.01: The EA Tablets will all be synced to EA's Synergy Server which transfers all voter data to the tablets. This will be verified before the polls open on Election Day, and the poll workers (Election Officials) will be trained to monitor the system during the day. The Synergy Server transfers all voter data to prevent a voter from voting more than once. Only Election Officials will have access to the tablets before and on Election Day.

9.02: All Vote Centers will use Hotspots provided by the Washington County Election Commission. The Wi-Fi in each location will only be used in case of an emergency. The Hotspots are secured by using WPA2, which requires a password to log on to. Only Election Officials will have access to the password.

9.03: All EA Tablets will require a password to login. Only Election Officials will have the password. All communication between the tablets and the Synergy Server is secured using SSL 2048 bit encryption. All data transferred between a tablet and the Synergy Server will be encrypted during transport over the internet. This is currently the strongest form of encryption available. The Hotspots are secured using WPA2 which provides "end to end" security.

10:0 Electronic/ Internet System Failure

Sufficient battery back-up and Wi-Fi for all locations will be available. All Supervisors will be provided with a county phone, with a list of contact information for Election Officials, County Clerk's office and Supervisors at the other Vote Centers. Each EA Tablet is preloaded with all the registered Voters eligible for the School Election. This list does not rely on the internet. Each location has blank addendum sheets if needed to enter in Voters. If the internet does go out for a time period at any location, Voters will still be entered in the EA tablets and once the internet is back up and working, the names will automatically load to all the other tablets at the Vote Centers.

11:0 Notifications to Voters

All polling locations will be Vote Centers for the Annual School Election. Washington County will use a notice in the paper, along with news stories concerning the Vote Centers from local TV and Radio Stations. We will have the School Districts to use their social media sites to also educate the Voters on the polling locations. It will also be posted on the Washington County web-site. We will post notices at any locations that will not be opened as the law requires.

12:0 Ordinance Required: See Attachment A

13:0 Provisional Ballots

All procedures will be followed for a Voter to cast a Provisional Ballots. Each Vote Center will have sufficient paper ballots from each ballot style for a Voter to cast a ballot from any School District.

14:0 Change of Vote Center Location

Washington County is only seeking to open Vote Centers for the 2015 Annual School Election at this time.

Submitted by the Washington County Election Commission

Renée Oelschlaeger, Chairman

Max Deitchler, Member

Bill Ackerman, Member

For questions please contact:

Jennifer Price

Washington County Election Coordinator

479-444-1766

jprice@co.washington.ar.us

Attachment C: 2014 General Election Information

Polling Place	Precinct	IVO	Reg. Voters	Total Votes Cast	Total Early Votes Cast	Total Early Paper	Total Early IVO	Total Election Day Votes Cast	Total Election Day Paper	Total Election Day Ivo	Total ABS
Baldwin	FAY 11		1258	682	232	54	178	447	284	163	3
Baldwin	FAY 47		0	0	0	0	0	0	0	0	0
Baldwin	PRAIRIE TWP 2		525	291	121	42	79	167	126	41	3
Baldwin	WYMAN		402	210	82	20	62	128	99	29	0
Baldwin	Total	2	2185	1183	435	116	319	742	509	233	6
Blackburn	LEES CREEK	1	361	205	35	7	28	167	112	55	3
Boston Mtn.	WINSLOW CITY		252	136	9	4	5	125	94	31	2
Boston Mtn.	WINSLOW TWP		496	250	39	14	25	207	144	63	4
Boston Mtn.	Total	1	748	386	48	18	30	332	238	94	6
Brentwood	CRAWFORD	1	589	328	42	11	31	282	208	74	4
Buckner	FAY 12	3	2424	1197	530	151	379	656	380	276	11
Calvary	SPR 07		789	389	115	17	98	273	179	94	1
Calvary	SPR 14		1540	745	202	32	170	540	431	109	3
Calvary	Total	2	2329	1134	317	49	268	813	610	203	4
Cane Hill	CANE HILL	1	862	424	128	19	109	295	237	58	1
Central Methodist	FAY 04		1614	393	120	30	90	273	173	100	0
Central Methodist	FAY 05		1448	687	320	134	186	341	226	115	26
Central Methodist	FAY 36		673	228	108	49	59	115	73	42	5
Central Methodist	Total	2	3735	1308	548	213	335	729	472	257	31
Christ's Church	FAY 01		822	220	81	29	52	138	89	49	1
Christ's Church	FAY 10		871	351	161	62	99	188	119	69	2
Christ's Church	FAY 15		870	184	74	23	51	108	63	45	2
Christ's Church	FAY 16		102	47	21	3	18	23	19	4	3

Christ's Church	Total	2	2665	802	337	117	220	457	290	167	8
Cincinnati	ILLINOIS	1	419	228	13	4	9	215	146	69	0
CLC	FAY 14		363	166	76	29	47	90	58	32	0
CLC	FAY 22		2041	710	323	128	195	381	227	154	6
CLC	FAY 37		0	0		0	0	0	0	0	0
CLC	FAY 38		313	74	38	6	32	36	18	18	0
CLC	FAY 41		122	82	43	9	34	37	15	22	2
CLC	Total	2	2839	1032	480	172	308	544	318	226	8
Covenant	FAY 20		1902	613	262	44	218	347	201	146	4
Covenant	FAY 32		1007	507	215	26	189	289	207	82	3
Covenant	FAY 43		115	60	26	7	19	34	30	4	0
Covenant	FAY 46		467	247	113	9	104	133	100	33	1
Covenant	FAY 48		3	3	3	0	3	0	0	0	0
Covenant	Total	2	3494	1430	619	86	533	803	538	265	8
Cross Church	SPR 04	2	1514	671	241	41	200	424	251	173	6
Durham	DURHAM	1	492	248	35	11	24	212	166	46	1
Elkins	ELKINS		1461	682	154	36	118	521	387	134	7
Elkins	ELKINS H		176	93	22	5	17	71	51	20	0
Elkins	RICHLAND		88	48	16	4	12	32	27	5	0
Elkins	RICHLAND S		595	325	74	18	56	247	171	76	4
Elkins	Total	2	2320	1148	266	63	203	871	636	235	11
Elm Springs	ELM SPRINGS CITY		1183	689	137	17	120	550	367	183	2
Elm Springs	ELM SPRINGS TWP		234	124	28	6	22	96	72	24	0
Elm Springs	Total	2	1417	813	165	23	142	646	439	207	2
Elmdale	SPR 06		1103	441	86	13	73	349	246	103	6
Elmdale	SPR 18		1122	618	203	24	179	411	295	116	4
Elmdale	Total	2	2225	1059	289	37	252	760	541	219	10
Evansville	VINEYARD	1	176	97	2	0	2	95	73	22	0

Farmington	CENTER		719	401	153	29	124	245	180	65	3
Farmington	CENTER 2		102	43	15	5	10	27	20	7	1
Farmington	CENTER H		107	39	14	6	8	25	20	5	0
Farmington	FARMINGTON 1		1260	557	203	46	157	347	279	68	7
Farmington	FARMINGTON 2		2496	1133	392	87	305	721	523	198	20
Farmington	FARMINGTON S		138	73	40	6	34	32	22	10	1
Farmington	PRAIRIE TWP 3		24	12	5	0	5	7	4	3	0
Farmington	Total	3	4846	2258	822	179	643	1404	1048	356	32
First Assembly	FAY 21	1	659	364	163	36	127	201	133	68	0
First United Meth.	SPR 01		889	273	82	16	66	191	146	45	0
First United Meth.	SPR 09		932	298	113	18	95	183	147	36	2
First United Meth.	Total	1	1821	571	195	34	161	374	293	81	2
Goshen	GOSHEN CITY		924	554	159	42	117	391	320	71	4
Goshen	GOSHEN TWP		528	311	60	23	37	248	216	32	3
Goshen	Total	1	1452	865	219	65	154	639	536	103	7
Greenland	GREENLAND CITY		760	377	82	37	45	294	221	73	1
Greenland	GREENLAND TWP		829	426	102	29	73	322	256	66	2
Greenland	Total	2	1589	803	184	66	118	616	477	139	3
Hazel Valley	REED	1	150	79	26	7	19	53	47	6	0
John Powell	SPR 02	1	1074	340	86	14	72	253	178	75	1
Johnson	JOHNSON CITY		2093	979	381	76	305	594	350	244	4
Johnson	JOHNSON CITY S		7	4	2	2	0	2	0	2	0
Johnson	JOHNSON TWP		195	105	70	14	56	33	20	13	2
Johnson	JOHNSON TWP H		3	7	2	0	2	5	5	0	0
Johnson	Total	2	2298	1095	455	92	363	634	375	259	6
Lincoln	LINCOLN		1254	537	70	12	58	459	268	191	8
Lincoln	STARR HILL		931	395	64	15	49	331	207	124	0
Lincoln	Total	3	2185	932	134	27	107	790	475	315	8

Morrow Fire St.	BOSTON		205	111	4	2	2	107	83	24	0
Morrow Fire St.	DUTCH MILLS		206	89	17	5	12	72	53	19	0
Morrow Fire St.	MORROW		276	126	12	0	12	114	85	29	0
Morrow Fire St.	Total	1	687	326	33	7	26	293	221	72	0
Mt. Comfort	FAY 23		1526	513	243	61	182	262	149	113	8
Mt. Comfort	FAY 27		1776	765	364	69	295	398	215	183	3
Mt. Comfort	FAY 31		1687	827	363	67	296	461	270	191	3
Mt. Comfort	FAY 33		82	29	12	4	8	17	4	13	0
Mt. Comfort	FAY 40		1691	725	320	44	276	399	211	188	6
Mt. Comfort	PRAIRIE TWP 4		170	107	55	15	40	52	37	15	0
Mt. Comfort	Total	5	6932	2966	1357	260	1097	1589	886	703	20
Nazarene	SPR 08		587	352	138	20	118	210	109	101	4
Nazarene	SPR 12		1488	824	249	34	215	566	358	208	9
Nazarene	Total	3	2075	1176	387	54	333	776	467	309	13
Nob Hill	BRUSH CREEK		1486	756	181	31	150	572	460	112	3
Nob Hill	WAR EAGLE		75	39	5	0	5	34	27	7	0
Nob Hill	Total	1	1561	795	186	31	155	606	487	119	3
Northeast Baptist	FAY 28		1399	811	383	97	286	420	203	217	8
Northeast Baptist	PRAIRIE TWP 1		1960	1183	430	86	344	740	466	274	13
Northeast Baptist	PRAIRIE TWP 5		491	306	110	23	87	188	139	49	8
Northeast Baptist	Total	3	3850	2300	923	206	717	1348	808	540	29
Oak Grove	SPR 11		2012	864	404	52	352	451	219	232	9
Oak Grove	SPR 20		118	30	7	1	6	23	9	14	0
Oak Grove	SPR 21		455	207	58	9	49	147	81	66	2
Oak Grove	SPR 22		137	38	12	0	12	24	7	17	2
Oak Grove	SPR 26		246	130	47	7	40	83	38	45	0
Oak Grove	SPR 27		293	161	52	10	42	108	75	33	1
Oak Grove	Total	4	3261	1430	580	79	501	836	429	407	14
Prairie Grove	PRAIRIE GROVE CITY		2498	1228	494	44	450	720	536	184	14
Prairie Grove	PRAIRIE GROVE CITY H		304	155	65	15	50	90	61	29	0

Prairie Grove	PRAIRIE GROVE CITY S		72	39	14	0	14	25	18	7	0
Prairie Grove	PRAIRIE GROVE TWP		628	314	112	9	103	195	164	31	7
Prairie Grove	PRAIRIE GROVE TWP S		245	142	65	17	48	76	65	11	1
Prairie Grove	Total	2	3747	1878	750	85	665	1106	844	262	22
Presbyterian	FAY 07		954	594	295	139	156	289	175	114	10
Presbyterian	FAY 29		854	523	277	77	200	242	116	126	4
Presbyterian	Total	2	1808	1117	572	216	356	531	291	240	14
Rheas Mill	RHEAS MILL	1	336	175	17	3	14	158	129	29	0
Rodeo	SPR 03		2089	765	308	43	265	453	189	264	4
Rodeo	SPR 13		655	136	44	3	41	86	45	41	6
Rodeo	SPR 15		1824	553	203	19	184	345	170	175	5
Rodeo	SPR 23		419	183	57	7	50	124	54	70	2
Rodeo	SPR 24		248	74	24	2	22	50	28	22	0
Rodeo	SPR 25		19	6	1	0	1	5	5	0	0
Rodeo	Total	5	5254	1717	637	74	563	1063	491	572	17
Sang	FAY 02		1636	427	184	60	124	238	148	90	5
Sang	FAY 03		2268	757	222	63	159	531	353	178	4
Sang	FAY 26		926	349	175	47	128	169	115	54	5
Sang	FAY 42		579	298	130	43	87	158	122	36	10
Sang	Total	3	5409	1831	711	213	498	1096	738	358	24
Sequoyah Meth.	FAY 17		1309	795	294	112	182	496	277	219	5
Sequoyah Meth.	FAY 18		987	602	229	89	140	365	213	152	8
Sequoyah Meth.	Total	4	2296	1397	523	201	322	861	490	371	13
Sonora	SPRINGDALE TWP	2	1524	819	180	28	152	634	423	211	5
St. John's	FAY 19		1680	987	400	148	252	580	391	189	7
St. John's	FAY 44		511	204	75	34	41	127	82	45	2
St. John's	Total	2	2191	1191	475	182	293	707	473	234	9
St. Joseph's	HARMON		789	400	143	15	128	255	187	68	2
St. Joseph's	HARMON S		39	28	13	0	13	13	7	6	2

St. Joseph's	TONTITOWN CITY 1		966	564	160	18	142	399	311	88	5
St. Joseph's	TONTITOWN CITY 2		680	415	159	21	138	254	192	62	2
St. Joseph's	TONTITOWN CITY 3		45	34	6	2	4	28	23	5	0
St. Joseph's	TONTITOWN CITY 4		3	1	0	0	0	1	1	0	0
St. Joseph's	TONTITOWN CITY 5		0	0	0	0	0	0	0	0	0
St. Joseph's	TONTITOWN TWP		15	8	2	2	0	6	4	2	0
St. Joseph's	Total	2	2537	1450	483	58	425	956	725	231	11
Strickler	COVE CREEK		434	256	28	5	23	228	167	61	0
Strickler	COVE CREEK S		23	10	2	0	2	8	5	3	0
Strickler	Total	1	457	266	30	5	25	236	172	64	0
Sulphur City	WHITE RIVER		306	168	38	17	21	129	90	39	1
Sulphur City	WHITE RIVER H		86	50	5	2	3	44	34	10	1
Sulphur City	WHITE RIVER S		79	53	10	2	8	43	36	7	0
Sulphur City	Total	1	471	271	53	21	32	216	160	56	2
Temple Baptist	SPR 10		585	314	144	30	114	162	72	90	8
Temple Baptist	SPR 19		1040	413	164	30	134	243	112	131	6
Temple Baptist	Total	2	1625	727	308	60	248	405	184	221	14
Trinity Fellowship	FAY 06		1961	1149	428	142	286	702	440	262	19
Trinity Fellowship	FAY 30		1797	681	309	61	248	352	183	169	20
Trinity Fellowship	FAY 35		993	438	181	51	130	197	129	68	60
Trinity Fellowship	FAY 39		272	167	90	22	68	72	35	37	5
Trinity Fellowship	FAY 45		27	21	12	5	7	9	7	2	0
Trinity Fellowship	Total	4	5050	2456	1020	281	739	1332	794	538	104
Trinity Methodist	FAY 13		1365	353	115	28	87	238	110	128	0
Trinity Methodist	FAY 34		1089	267	87	28	59	179	85	94	1
Trinity Methodist	Total	2	2454	620	202	56	146	417	195	222	1
Turner	SPR 17	2	2071	1033	343	63	280	671	431	240	19
Viney Grove	MARRS HILL	1	660	364	74	15	59	290	220	70	0
Wed. Community	WEDINGTON	1	220	116	12	1	11	104	80	24	0

wedington fire	LITTERAL	1	1053	571	145	32	113	420	347	73	6
West Fork	VALLEY		516	265	81	17	64	180	126	54	4
West Fork	VALLEY H		248	155	42	17	25	110	76	34	3
West Fork	VALLEY S		11	9	2	0	2	7	4	3	0
West Fork	WEST FORK CITY 1		1252	614	61	17	44	548	362	186	5
West Fork	WEST FORK CITY 2		198	126	16	6	10	110	71	39	0
West Fork	WEST FORK CITY 3		16	10	5	4	1	5	4	1	0
West Fork	WEST FORK TWP		485	268	56	16	40	211	155	56	1
West Fork	WEST FORK TWP H		300	141	28	7	21	111	77	34	2
West Fork	Total	4	3026	1588	291	84	207	1282	875	407	15
Wheeler	WHEELER		608	352	106	20	86	243	182	61	3
Wheeler	WHEELER H		133	93	28	10	18	65	52	13	0
Wheeler	WHEELERS		3	1	1	0	1	0	0	0	0
Wheeler	Total	1	744	446	135	30	105	308	234	74	3
Wiggins	FAY 09		2032	751	271	93	178	469	291	178	11
Wiggins	FAY 24		484	180	67	29	38	111	63	48	2
Wiggins	Total	2	2516	931	338	122	216	580	354	226	13
Youth Center	SPR 05		1627	744	202	29	173	531	317	214	11
Youth Center	SPR 16		986	402	108	32	76	291	189	102	3
Youth Center	Total	3	2613	1146	310	61	249	822	506	316	14
Yvonne	FAY 08		1494	718	339	117	222	369	176	193	10
Yvonne	FAY 25		951	552	311	125	186	234	118	116	7
Yvonne	Total	3	2445	1270	650	242	408	603	294	309	17
	Totals:	113	115741	53373	18539	4428	14111	34253	22474	11779	581

Early Vote

IVO's

43

Total Used

156

Total Inventory

171

Attachment D: 2012 General Election Information

2012 General Election Information Polling Place	Precinct	IVO's	Reg. Voters	Total Votes Cast	Total Early Votes Cast	Early vote Paper	Early vote IVO	Total Election Day Ballots Cast	Election Day Paper	Election Day IVO	ABS
Baldwin	FAY 11		1144	753	239	68	171	508	363	145	6
Baldwin	FAY 47		0	1	0	0	0	1	1	0	0
Baldwin	PRAIRIE TWP 2		491	354	109	44	65	236	179	57	9
Baldwin	WYMAN		377	267	72	27	45	189	140	49	6
Baldwin	Total	2	2012	1375	420	139	281	934	683	251	21
Blackburn	LEES CREEK	1	310	215	32	10	22	180	130	50	3
Boston Mtn.	WINSLOW CITY		236	157	17	5	12	139	91	48	1
Boston Mtn.	WINSLOW TWP		483	337	44	22	22	280	205	75	13
Boston Mtn.	Total	1	719	494	61	27	34	419	296	123	14
Brentwood	CRAWFORD	1	542	379	50	17	33	325	250	75	4
Buckner	FAY 12	2	2362	1469	613	178	435	813	546	267	43
Cane Hill	CANE HILL	1	819	502	82	27	55	409	334	75	11
Central Methodist	FAY 04		1494	530	246	77	169	272	149	123	12
Central Methodist	FAY 05		1431	794	408	162	246	348	222	126	38
Central Methodist	FAY 36		668	327	154	69	85	165	117	48	8
Central Methodist	Total	3	3593	1651	808	308	500	785	488	297	58
Cincinnati	ILLINOIS	1	415	270	18	4	14	252	171	81	0
Clarion/ Christ's Church	FAY 01		671	295	101	37	64	188	130	58	6
Clarion/ Christ's Church	FAY 15		747	303	138	42	96	162	105	57	3
Clarion/ Sang	FAY 26		833	489	216	62	154	265	185	80	8
Clarion	Total	2	2251	1087	455	141	314	615	420	195	17

Covenant	FAY 20		1572	861	332	75	257	512	283	229	17
Covenant	FAY 32		869	572	192	54	138	364	251	113	16
Covenant	FAY 43		113	73	39	14	25	33	26	7	1
Covenant	FAY 46		386	284	111	43	68	167	128	39	6
Covenant	FAY 48		3	2	2	0	2	0	0	0	0
Covenant	Total	3	2943	1792	676	186	490	1076	688	388	40
Gross Church	SPR 04	2	1453	874	334	29	305	523	330	193	17
Durham	DURHAM	1	450	308	44	16	28	255	192	63	9
Dwelling Place/CLC	FAY 14		359	217	86	25	61	129	81	48	2
Dwelling Place/CLC	FAY 22		1860	1041	497	186	311	505	291	214	39
Dwelling Place/CLC	FAY 37		0	1	0	0	0	1	1	0	0
Dwelling Place/CLC	FAY 38		281	107	53	12	41	53	23	30	1
Dwelling Place/CLC	FAY 41		46	40	23	3	20	17	8	9	0
Dwelling Place/CLC	Total	3	2546	1406	659	226	433	705	404	301	42
Elkins	ELKINS		1391	857	184	77	107	663	536	127	10
Elkins	ELKINS H		133	101	27	12	15	73	57	16	1
Elkins	RICHLAND		88	58	17	4	13	41	38	3	0
Elkins	RICHLAND S		555	403	89	27	62	309	60	249	5
Elkins	Total	3	2167	1419	317	120	197	1086	691	395	16
Elm Springs	ELM SPRINGS CITY		962	702	195	22	173	496	338	158	11
Elm Springs	ELM SPRINGS TWP		210	174	45	8	37	124	94	30	5
Elm Springs	ELM SPRINGS ANNEXATION		165	100	19	3	16	81	61	20	0
Elm Springs	Total	2	1337	976	259	33	226	701	493	208	16
Elmdale	SPR 06		995	572	168	17	151	399	269	130	5
Elmdale	SPR 18		1064	729	301	23	278	420	266	154	8
Elmdale	Total	3	2059	1301	469	40	429	819	535	284	13
Evansville	VINEYARD	1	164	109	5	2	3	103	80	23	1

Farmington	CENTER		698	475	187	64	123	278	198	80	10
Farmington	CENTER 2		50	29	13	6	7	12	11	1	4
Farmington	CENTER H		88	47	17	10	7	27	22	5	3
Farmington	FARMINGTON		3381	2100	647	194	453	1400	989	411	53
Farmington	FARMINGTON S		198	127	50	9	41	72	43	29	5
Farmington	PRAIRIE TWP 3		22	15	2	1	1	13	8	5	0
Farmington	Total	4	4437	2793	916	284	632	1802	1271	531	75
First Assembly	FAY 21	1	597	397	180	40	140	213	135	78	4
First United Methodist	SPR 01		794	425	164	5	159	248	207	41	13
First United Methodist	SPR 09		839	423	196	12	184	222	176	46	5
First United Methodist	Total	1	1633	848	360	17	343	470	383	87	18
Goshen	GOSHEN CITY		775	572	157	35	122	402	323	79	13
Goshen	GOSHEN TWP		519	369	69	15	54	298	254	44	2
Goshen	Total	1	1294	941	226	50	176	700	577	123	15
Greenland	GREENLAND CITY		703	449	102	39	63	343	272	71	4
Greenland	GREENLAND TWP		748	521	126	43	83	388	333	55	7
Greenland	Total	2	1451	970	228	82	146	731	605	126	11
Hazel Valley	REED	1	129	87	17	8	9	69	60	9	1
John Powell	SPR 02	1	988	427	129	13	116	297	227	70	1
Johnson	JOHNSON CITY		1946	1219	559	86	473	642	405	237	18
Johnson	JOHNSON CITY S		5	3	3	2	1	0	0	0	0
Johnson	JOHNSON TWP		180	123	68	20	48	51	44	7	4
Johnson	JOHNSON TWP H		4	1	0	0	0	1	1	0	0
Johnson	Total	2	2135	1346	630	108	522	694	450	244	22
Lincoln	LINCOLN		1285	718	59	19	40	645	414	231	14
Lincoln	STARR HILL		908	526	41	16	25	479	309	170	6
Lincoln	Total	3	2193	1244	100	35	65	1124	723	401	20

Morrow Fire Station	BOSTON		197	137	8	3	5	128	109	19	1
Morrow Fire Station	DUTCH MILLS		178	112	15	3	12	96	71	25	1
Morrow Fire Station	MORROW		280	159	8	1	7	144	121	23	7
Morrow Fire Station	Total	1	655	408	31	7	24	368	301	67	9
Mt. Comfort	FAY 23		1502	780	368	108	260	392	232	160	20
Mt. Comfort	FAY 27		1608	979	434	119	315	531	323	208	14
Mt. Comfort	FAY 31		1468	988	419	122	297	553	351	202	16
Mt. Comfort	FAY 33		49	81	57	49	8	22	16	6	2
Mt. Comfort	FAY 40		1392	858	369	42	327	478	255	223	11
Mt. Comfort	PRAIRIE TWP 4		151	116	56	14	42	57	38	19	3
Mt. Comfort	Total	6	6170	3802	1703	454	1249	2033	1215	818	66
Nazarene	SPR 08		586	433	193	18	175	230	143	87	10
Nazarene	SPR 12		1442	1052	360	40	320	674	503	171	18
Nazarene	Total	2	2028	1485	553	58	495	904	646	258	28
Nob Hill	BRUSH CREEK		1392	953	278	21	257	663	510	153	12
Nob Hill	WAR EAGLE		83	47	16	0	16	29	22	7	2
Nob Hill	Total	1	1475	1000	294	21	273	692	532	160	14
Northeast Baptist	FAY 28		1344	891	424	118	306	451	193	258	16
Northeast Baptist	PRAIRIE TWP 1		1783	1350	536	136	400	777	462	315	37
Northeast Baptist	PRAIRIE TWP 5		470	351	130	40	90	214	150	64	7
Northeast Baptist	Total	5	3597	2592	1090	294	796	1442	805	637	60
Oak Grove	SPR 11		1922	1153	574	58	516	559	291	268	20
Oak Grove	SPR 20		96	37	15	3	12	20	13	7	2
Oak Grove	SPR 21		330	248	85	7	78	160	86	74	3
Oak Grove	SPR 22		90	50	17	1	16	31	15	16	2
Oak Grove	SPR 26		166	118	47	3	44	70	37	33	1
Oak Grove	Total	3	2604	1606	738	72	666	840	442	398	28
Prairie Grove	PRAIRIE GROVE CITY		2319	1459	241	94	147	1193	964	229	25
Prairie Grove	PRAIRIE GROVE CITY H		247	165	50	18	32	114	90	24	1
Prairie Grove	PRAIRIE GROVE CITY S		62	50	13	1	12	37	29	8	0
Prairie Grove	PRAIRIE GROVE TWP		641	387	49	17	32	322	285	37	16

Prairie Grove	PRAIRIE GROVE TWPS		225	166	56	22	34	103	90	13	7
Prairie Grove	Total	2	3494	2227	409	152	257	1769	1458	311	49
Presbyterian/ First United	FAY 07		925	686	343	144	199	319	204	115	24
Presbyterian/ First United	FAY 29		828	622	320	95	225	286	156	130	16
Presbyterian/ First United	Total	2	1753	1308	663	239	424	605	360	245	40
Rheas Mill	RHEAS MILL	1	346	208	22	6	16	185	153	32	1
Rodeo	SPR 03		1940	1135	572	46	526	553	286	267	10
Rodeo	SPR 13		566	287	99	12	87	169	106	63	19
Rodeo	SPR 15		1699	834	421	17	404	397	223	174	16
Rodeo	SPR 23		346	217	92	6	86	123	62	61	2
Rodeo	SPR 24		209	116	42	3	39	72	46	26	2
Rodeo	SPR 25		22	12	4	0	4	8	6	2	0
Rodeo	Total	5	4782	2601	1230	84	1146	1322	729	593	49
Sang	FAY 02		1119	464	220	72	148	229	134	95	15
Sang	FAY 03		1998	1074	406	148	258	642	385	257	26
Sang	FAY 42		568	394	165	67	98	207	132	75	22
Sang	Total	4	3685	1932	791	287	504	1078	651	427	63
Sequoyah Methodist	FAY 17		1292	917	357	130	227	539	278	261	21
Sequoyah Methodist	FAY 18		976	675	276	128	148	380	237	143	19
Sequoyah Methodist	Total	4	2268	1592	633	258	375	919	515	404	40
Smith/ Calvary	SPR 07		1008	672	273	23	250	388	271	117	11
Smith/ Calvary	SPR 14		1488	965	300	12	288	652	549	103	13
Smith/ Calvary	Total	2	2496	1637	573	35	538	1040	820	220	24
Sonora	SPRINGDALE TWP	2	1436	1042	310	11	299	718	479	239	14
St. John's	FAY 19		1684	1173	494	191	303	654	465	189	25
St. John's	FAY 44		501	222	89	34	55	128	89	39	5
St. John's	Total	2	2185	1395	583	225	358	782	554	228	30
St. Joseph's	HARMON		746	506	208	27	181	285	187	98	13

St. Joseph's	HARMON S		30	27	12	2	10	13	5	8	2
St. Joseph's	TONTOWN CITY 1		867	613	183	26	157	427	290	137	3
St. Joseph's	TONTOWN CITY 2		672	489	225	26	199	257	164	93	7
St. Joseph's	TONTOWN CITY 3		43	34	10	1	9	24	16	8	0
St. Joseph's	TONTOWN CITY 4		6	5	0	0	0	5	4	1	0
St. Joseph's	TONTOWN CITY 5		0	0	0	0	0	0	0	0	0
St. Joseph's	TONTTOWN TWP		12	10	4	0	4	6	4	2	0
St. Joseph's	Total	3	2376	1684	642	82	560	1017	670	347	25
Strickler	COVE CREEK		416	287	32	11	21	250	184	66	5
Strickler	COVE CREEK S		22	13	6	1	5	7	3	4	0
Strickler	Total	1	438	300	38	12	26	257	187	70	5
Sulphur city	WHITE RIVER		278	195	45	20	25	150	103	47	0
Sulphur city	WHITE RIVER H		80	64	7	3	4	56	44	12	1
Sulphur city	WHITE RIVERS		81	57	15	2	13	42	37	5	0
Sulphur city	Total	1	439	316	67	25	42	248	184	64	1
Temple Baptist	SPR 10		581	377	205	39	166	156	84	72	16
Temple Baptist	SPR 19		993	558	239	24	215	307	166	141	12
Temple Baptist	Total	3	1574	935	444	63	381	463	250	213	28
Trinity Fellowship	FAY 06		1884	1292	528	183	345	729	466	263	35
Trinity Fellowship	FAY 30		1641	883	472	103	369	375	192	183	36
Trinity Fellowship	FAY 35		948	530	236	109	127	193	117	76	101
Trinity Fellowship	FAY 39		203	156	84	12	72	70	32	38	2
Trinity Fellowship	FAY 45		9	12	4	2	2	8	5	3	0
Trinity Fellowship	Total	4	4685	2873	1324	409	915	1375	812	563	174
Trinity Methodist	FAY 13		1320	581	206	63	143	369	242	127	6
Trinity Methodist	FAY 34		1062	476	190	57	133	277	179	98	9
Trinity Methodist	Total	2	2382	1057	396	120	276	646	421	225	15
Turner	SPR 17	2	1977	1280	539	63	476	701	422	279	40
Viney Grove	MARRS HILL	1	610	404	61	20	41	334	248	86	9

Attachment F 2013 Annual School Election

Polling Place	School Zone	IVO's	Registered Voters	Total Votes Cast	% Cast Early Paper	Early Vote Paper	% Cast Early IVO	Early Vote IVO	Absentee
County Clerk	Fayetteville At Large Pos 2		46,998	180	67%	121	27%	48	11
	Farmington Pos 1		6,447	2	100%	2	0%		
	Elkins Pos 1		2526	4	100%	4	0%		
	Prairie Grove Pos 4		5468	16	81%	13	13%	2	1
	Lincoln Zone 4		2816	1	100%	1	0%		
	Springdale Zone 2		7294	25	80%	20	12%	3	2
	Springdale At Large Pos 2		33228	52	67%	35	23%	12	5
	West Fork		3103	11	82%	9	18%	2	
		2		291	70%	205	23%	67	19
Polling Place	School Zone	Registered Voters	Total Votes Cast	% Cast Election Day Paper	Election Day Paper	Election Day Paper	% Cast Election Day IVO	Election Day IVO	Election Day IVO
Baldwin	Fayetteville At Large Pos 2	1	2419	41	54%	22	46%	19	
Bethel Heights	Springdale Zone 2	2	Benton Co.	134	10%	13	90%	121	
	Springdale At Large Pos 2								
Central Methodist	Fayetteville At Large Pos 2	1	5708	94	50%	47	50%	47	
Elmdale Baptist	Springdale Zone 2	2	6457	169	58%	98	42%	71	
	Springdale At Large Pos 2								
Goshen	Fayetteville At Large Pos 2	1	1051	29	34%	10	66%	19	
Mt. Comfort	Fayetteville At Large Pos 2	1	5671	57	18%	10	82%	47	
Nob Hill	Springdale At Large Pos 2	1	1508	47	60%	28	40%	19	
Northeast Baptist	Fayetteville At Large Pos 2	1	7471	220	41%	90	59%	130	
Oak Grove	Springdale Zone 2	1	2550	129	31%	40	69%	89	
Prairie Grove	Prairie Grove Pos 4	1	5468	816	62%	505	38%	311	
Rodeo	Springdale At Large Pos 2	1	9297	88	40%	35	60%	53	
Sang Ave	Fayetteville At Large Pos 2	1	6409	105	50%	52	50%	53	
Sequoyah	Fayetteville At Large Pos 2	1	3943	148	54%	80	46%	68	
St. Joseph's	Springdale Zone 2	1	3490	70	33%	23	67%	47	
	Springdale At Large Pos 2								
Temple Baptist	Springdale At Large Pos 2	1	7644	142	35%	49	65%	93	
Trinity Methodist	Fayetteville At Large Pos 2	1	3430	15	33%	5	67%	10	
Trinity Fellowship	Fayetteville At Large Pos 2	1	5301	144	44%	63	56%	81	
West Fork	West Fork	1	3103	382	58%	221	42%	161	
Wiggins	Fayetteville At Large Pos 2	1	3976	41	56%	23	44%	18	
	Total IVO's Used	23							