



**WASHINGTON COUNTY, ARKANSAS**  
**County Courthouse**

June 12, 2015

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

Thursday, June 18, 2015  
6:00 p.m.  
Washington County Quorum Court Room

**AGENDA**

1. **CALL TO ORDER.** **JUDGE EDWARDS**
2. **PRAYER AND PLEDGE.**
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 May 5 special meeting and the May 21 regular meeting of the Quorum Court. (5.1, 5.2)
6. **FINANCE REPORT.** **RICK COCHRAN**
  - 6.1 **A RESOLUTION EXPRESSING THE QUORUM COURT'S INTENT TO COMMIT TO THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY EMERGENCY MEDICAL RESPONSE PLAN.**
  - 6.2 **AN ORDINANCE APPROPRIATING AN ADDITIONAL AMOUNT OF \$4,956 FROM THE GENERAL FUND TO THE GENERAL SERVICES BUDGET FOR 2015 TO FUND THE INVESTIGATION OF COUNTY BRIDGES.** This ordinance is being sponsored by JP Eva Madison.
  - 6.3 **AN ORDINANCE APPROPRIATING THE AMOUNT OF \$99,734 FROM THE GENERAL FUND TO THE AMBULANCE SERVICE BUDGET FOR 2015.**

- 6.4 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$6,406 IN THE GENERAL FUND, AND APPROPRIATING THE AMOUNT OF \$6,406 TO DISTRICT COURT SECURITY BUDGET FOR 2015.
- 6.5 AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$10,576 IN THE GENERAL FUND; AND APPROPRIATING THE AMOUNT OF \$31,083 FROM THE GENERAL FUND TO THE ENVIRONMENTAL AFFAIRS BUDGET FOR 2015.
- 6.6 AN ORDINANCE ANTICIPATING REVENUE IN THE AMOUNT OF \$18,000 IN THE JDC GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$18,000 FROM THE JDC GRANT FUND TO THE JDC HOFNOD BUDGET FOR 2015.
- 6.7 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$14,255 IN THE LAW ENFORCEMENT GRANT FUND FOR 2015; AND APPROPRIATING \$14,255 FROM THE LAW ENFORCEMENT GRANT FUND TO THE 2015 JAG GRANT BUDGET.
7. COUNTY JUDGE'S REPORT. JUDGE EDWARDS
8. COMMITTEE REPORTS. (8.1-8.5)
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 May 7 for Mount Pleasant Church Expansion. This ordinance contains an emergency clause making it effective immediately upon passage. (9.1, 9.2) JOEL MAXWELL
10. AN ORDINANCE ESTABLISHING VOTE CENTERS IN WASHINGTON COUNTY FOR ALL SPECIAL ELECTIONS IN 2015. This ordinance is on first reading and is being brought to the Quorum Court by JP Eva Madison. (10.1) EVA MADISON
11. OTHER BUSINESS.
12. 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.
13. ADJOURNMENT.  
/cs

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

Tuesday, May 5, 2015  
5:30 p.m.  
Washington County Quorum Court Room

- 192.1 The Washington County Quorum Court met in special session on Tuesday, May 5, 2015. The meeting was called to order by Judge Marilyn Edwards.
- 192.2 Judge Edwards thanked everyone who took the time to participate at this Special Meeting.
- 192.3 R. Cochran led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 192.4 MEMBERS PRESENT: Daniel Balls, Harvey Bowman, Rick Cochran, Robert Dennis, Lisa Ecke, John Firmin, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Joe Patterson, Butch Pond, and Bill Ussery.
- 192.5 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 192.6 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 192.7 **A motion was made and seconded to adopt the agenda as presented. The motion passed unanimously by voice vote. The agenda was adopted as presented.**
- 192.8 REPORT ON THE RESULTS FROM THE BRIDGE INVESTIGATION: Judge Edwards asked whether there was a written report to hand out to everyone present; and E. Madison responded that they were not able to print it because of the size of the report; however, Court Secretary Karen Beeks has a copy on PDF that will be made available to everyone if she hasn't already. Further, she noted that there is a copy that can be posted on the County's website, as well as one that can be mailed out.
- 192.9 Judge Edwards asked how everyone felt about not having a written report in front of them.
- 192.10 E. Madison stated that they will be showing a Power Point Presentation tonight as it is more of a visual presentation than it is a written report.
- 192.11 **L. Ecke made a motion that they proceed with the presentation without a written report. R. Dennis seconded.**
- 192.12 **With no further discussion, Judge Edwards called for a vote L. Ecke's motion.**

- 193.1 **VOTING FOR:** J. Firmin, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **VOTING AGAINST:** A. Harbison. **The motion passed with 14 members voting in favor and 1 member voting against the motion.**
- 193.2 Judge Edwards stated that they would move forward with the investigative report from the investigative team of E. Madison, Russell Hill, and Carl Gales.
- 193.3 Russell Hill addressed the Quorum Court explaining that each slide of the presentation is numbered and in order to save time and make the presentation in a timely manner, he would like to go through all of the slides and present everything before having discussion and he would recommend that anyone having a question could write down the slide number to refer back to. He stated that he is hopeful as they proceed through the presentation, that some of those questions will be answered along the way.
- 193.4 E. Madison started the presentation noting that the first slide gives an overview of their investigation which began on Wednesday, April 22 and they concluded their interviews on Monday, May 4. She noted over 7 days they interviewed 16 current and former county employees and attempted to interview an additional 6 current and former employees who either refused or could not be reached. She reported that they met with the structural engineer who prepared the plans for both the Harvey Dowell and Stonewall Bridges; reviewed construction photos, work logs, engineering plans, and gathered additional documents along the way. E. Madison stated that they toured the bridges consulting the plans as they went along and many of those photos are incorporated into the presentation.
- 193.5 E. Madison stated that they specifically talked to members of the bridge and tile crews, who were the crews who did a significant amount of the work on these bridges. With respect to the bridge crew, she noted that they were able to meet with the former supervisor who is now retired, the former lead man who resigned during the investigation and one crew member with four bridge crew members being unwilling to be interviewed and two resigning during the investigation. She stated with respect to the tile crew, they were able to interview the current supervisor, who was the former lead, the current lead and two crew members, but were unable to interview the former supervisor who is actually a current supervisor of the county in another role because he was out on a leave of absence.
- 193.6 E. Madison gave a brief overview of the bridges, noting that the Harvey Dowell Bridge is located east of Fayetteville, north of Huntsville Road and is the old Harvey Dowell Bridge built in 1926 and last had a weight limit of 7 tons

and was deemed structurally deficient. It goes out to the white fork of the White River and is located in JP Pond's District. She noted that demolition of the old bridge began in January 2013 after some months of permitting and getting plans together and the new bridge opened in December of 2013 and the weight limit was reduced to 3 tons in March of 2015 as a result of the issues raised.

- 194.1 E. Madison referred to the Stonewall Bridge, noting that it is near Prairie Grove and is the old Stonewall Bridge, but not quite as old as the Harvey Dowell Bridge, and when in use had better weight limits of 9, 10 and 11 tons depending on the code. Construction is currently in process on the Stonewall Bridge that flows over the Muddy Fork Creek which is a tributary of the Illinois River west of Prairie Grove and is located in JP Maxwell's District. Demolition of the old bridge began in September 2014 and the bridge remains incomplete.
- 194.2 E. Madison referred to an overview of the Engineer drawing, noting that the construction for both the Harvey Dowell and Stonewall Bridges is very similar with two abutments (walls) at the ends with wings on the sides and two center supporting tiers and beam spans in between.
- 194.3 E. Madison reported that the County has had a bridge crew for a long time, but in recent years before the Harvey Dowell Bridge of 2013, the bridge crews worked primarily in performing bridge maintenance or installing what they called "pre-fab" bridges or what the State Highway Department calls "box culverts" and in fact doesn't even consider them to be bridges. So the bridge crew did not actually work on construction of bridges until 2013.
- 194.4 E. Madison noted in their investigation, they came across the CR62 Bridge off of Hwy. 62 on CR 62, also known as Bethel Black Top Road west of Farmington over the Illinois River and located in JP Cochran's District. This was the last similar bridge built by the County that has the supporting piers and abutment walls built in 2007 under former County Judge Jerry Hunton. She noted that this is believed to be the only other county bridge that was constructed with the use of engineering plans. She noted that they were able to talk to people who actually worked on that bridge who were some of the same crew and because of that, there are similarities in the construction.
- 194.5 E. Madison reported during their investigation they learned that deficiencies in the box culvert north of Hwy. 412 west of Elm Springs on Osage Creek Road should cause it to be condemned immediately because concrete and water erosions have caused part of the road to cave in from witnesses who had photos on their phone showing the collapse. They indicated that they had been complaining about it for quite sometime without success and the

temporary fixes made did not hold and were washed away. She noted that the day they learned of this problem, they promptly notified the County Judge's Office and the bridge was replaced the following day and pictures were shown of the repair work.

- 195.1 E. Madison next addressed the question that was the bulk of their report, whether the Road Department built the Stonewall and Harvey Dowell Bridges to engineering specifications and the answer to that was no. The Engineer, Jim Beatty was not consulted on the deviations from the plans and these deviations were not documented in anyway. She noted that the first concern is with the footings, pointing out that the plans state the footings should be found in a minimum of one foot into the material designated as chert on one bridge and limestone on the other which required excavation down to the rock and then one foot down to achieve a solid base. She reported that in most instances, crews did not reach this step, but would drill into the rock instead and set in #11 rebar which was not epoxied or otherwise anchored into place. The plans went onto state that prior to pouring concrete, the allowable bearing pressure shall be verified by a geotechnical engineer, and they believe no such testing was performed until March 2015 or not on the Harvey Dowell Bridge at all and doing better now with their geotechnical engineer on Stonewall Bridge currently.
- 195.2 E. Madison noted that crews spot a considerable amount of water and mud while digging for footings on walls and piers and in one instance on Stonewall Bridge, they actually encountered a spring and were fighting to keep the water pumped out. She stated that it was reported to them that concrete was poured into that watery mud enough so that people were concerned about the concrete not providing a stable foundation. In some instances when surfaces were not level, rocks were brought into prop the steel mat and this is actually contrary to the Highway Department standards, although that is something that they have difficulty getting crews to do and therefore, is not common for the Road Department. She noted that the specs in the engineering plan incorporate the Highway Department's very extensive specifications for building roads and structures, so having a set of the plans by themselves was not sufficient and require further specs by book or online for the Highway Department standards and that is where the issue with rocks came up.
- 195.3 E. Madison reported that another issue that they heard about was the bending of steel, explaining that the plans will call for bent steel or rebar with bent L-bars at the base and hook bars to create a stable footing and up on the cap of the pier, there are wrap-arounds with bends at all of the turns. She noted that there are many examples of application where steel is tied together with curbing rebar. She noted per Highway Department standards, rebar is to be bent cold unless otherwise permitted by the Engineer and no bars partially

embedded in concrete are to be bent in the field. She noted that heat will reduce the strength of the steel and the plans actually give the stats on how to bend all of the steel. She noted in many instances when a construction job is being performed with steel specs, the contractor will send out the plans to the metal fabricator or steel provider and they will actually assemble all of the steel as called for in the plans, cut to the right lengths, bend it and wrap in bundles to be delivered to the jobsite as they are actually working on the progress of the bridge. However, the County buys their steel in bulk in standard lengths and does all of the bending themselves. It was noted in some applications including particularly in the footers, the bent rebar was replaced with straight rebar and in other applications, it was bent with a torch or heat on sight and some done at the shop, and although their machine used to bend some of the really thick rebar wasn't working correctly; in December 2014 a proper bender was acquired.

- 196.1 E. Madison next addressed the issue of overlap and how much there should be in tying together the steel noting that the specifications called for a minimum of 5'10" coming out of the ground to overlap. She noted that the crews understood that two to three feet was always sufficient for lap length, so many instances where the plan called for overlap, there was inadequate lap done. She reported that the plans also called for with the piers a continuous steel bar from the footer base all the way to the top and the crews reported not using continuous steel because they had difficulty actually physically keeping it up there. One incident was reported where a piece of rebar fell and knocked someone on the head and so there was concern over the safety even of using the upright rebar at that height, so instead they would lap bars together. She further reported in some instances the crews did not place the steel before the concrete was poured and added to we concrete after the fact which wasn't tied in and in some cases, the steel was not added until after the concrete was set requiring drilling holes which was a common practice as the crews understood that to be acceptable.
- 196.2 E. Madison reported that crews were generally unfamiliar with the use of epoxy to epoxy bars into holes and this was not used until sometime in the late fall of 2014 after questions started surfacing. She stated that Jim Beatty remembered some use of epoxy perhaps on the 62 Bridge when he was consulted about this, and he was consulted pretty regularly on this bridge which was the first time they used plans. She noted that crews did use epoxy on the east abutment wall or the Prairie Grove side of the Stonewall Bridge.
- 196.3 E. Madison noted that crews reported other concrete issues. They were pouring concrete off the chutes from the concrete trucks at heights ranging from 3' to 4' or 5' to 6' and up to 20', and this concrete falling at considerable heights over steel, which messes up the composition, and causes

segregation, which would normally require stirring for an even mix. She reported that there is a concrete pumper truck that can be used or a tremie which enables the crews to actually get down to the base away from the rebar and spray the concrete in at a lower height; however, these pumper trucks were used infrequently at the Harvey Dowell and as a result of advice from the geotechnical engineer, they had been used in recent applications at the Stonewall Bridge. She explained that this creates an effect called "honeycombing" due to the lack of vibration according to the American Concrete Institute, they define "honeycombing" as the void left in concrete between course aggregate due to inadequate consolidation and this will accelerate deterioration of the concrete due to the freeze thaw when moisture and grit work its way into the concrete, after which it heats and cools and expands and contracts and this is mixed in with their support structures. E. Madison pointed out honeycombing on the Harvey Dowell Bridge decking compared to the new east pier of the Stonewall Bridge that they have been building under the supervision of the geotechnical engineer which is a smooth concrete and the goal that they are going for when talking about these concrete applications. She referred to several instances of honeycombing on the two bridges in question, as well as pointing out that problems occur between two different pours of concrete if they don't use applications to keep the concrete wet so that the next concrete applied will mix better that can create a seam and potential weak structure in the abutment. E. Madison referred to a pier at the Harvey Dowell Bridge where it appears a form may have slipped.

197.1 E. Madison reported that the bridge crews generally used a plywood form which is an acceptable method to use. She pointed out because of the use of plywood, they couldn't form everything all the way up, and this creates many different pours drying and moving the forms up as they go and this can create the cold joint issue. It was noted that this is a common occurrence, but they have to prepare the concrete by cleaning it and score it to actually make sure that they are creating a surface that they are able to adhere to. She noted that some plans will actually call for adhesive material, but these plans did not and they could not find any instances where concrete was truly prepared between those pours for adherence.

197.2 E. Madison reviewed pictures showing the high water levels were at these bridges with considerable sized logs up into the steel at the 62 Bridge, showing how much these structures are having to withstand. She pointed out a seam in the north abutment wall at Harvey Dowell Bridge where there is rust caused by water getting through the seam and the iron is rusting and causing a leak in the wall. She noted that several cracks were visible in the concrete at Harvey Dowell Bridge, a crack in the south abutment wall, a crack in one of the caps of the piers, and some cracking in the northeast abutment



all at Harvey Dowell Bridge. Further cracking was observed at the 62 Bridge in an identical fashion suggesting that the steel was not reinforced properly.

- 198.1 E. Madison stated that the plans called for the exposed corners to be chamfered out to prevent chipping and there wasn't very much of this observed at the completed Harvey Dowell Bridge which had sharp edges.
- 198.2 In reviewing work logs, it was observed that concrete was poured some days in cold temperatures as they started constructing the Harvey Dowell Bridge in February of 2013, later in the year 2013 and also some cold days at the Stonewall Bridge late last year. She stated while it is not necessarily improper to pour concrete in these cold temperatures, but AHTD specifications call for very careful techniques when pouring concrete in that kind of weather and extra attention and care to ensure that the concrete cures properly.
- 198.3 E. Madison stated that there were some material quality issues and no concrete test cylinders were performed on any of the concrete until late in the process at Stonewall Bridge which is done by the geotechnician to test the quality and strength to ensure that the design mix is appropriate for the application and to ensure that they are getting the concrete that they pay for. She stated that they don't really have issues in this area with concrete folks providing bad concrete, but this testing is still something that should be done. She noted that there was no material certifications in terms of the material used and one notable issue was that the county is buying in many instances used steel beams from the State's torn down bridges, but Carl Gales indicated in those instances, these used beams should be tested and certified. She noted that there were beams left out at the Stonewall Bridge site along with a considerable amount of rebar, noting that crews were concerned about leaving rebar at the sites because it has been stolen, so it seemed odd that these beams were left laying at the site with a lot of rebar which is also wearing on the iron.
- 198.4 E. Madison reported that with respect to Highway Department standards with respect to steel, when using steel, it should be clean, free from dirt, rust, scale, paint, oil, etc. and they are very specific as to how it should be stored. She stated that they heard cases of steel that was being used at the jobsite being rolled over by equipment and an instance where a tree fell onto some steel that was already in concrete and so it didn't sound like the appropriate level of care was given to the steel given the importance of adherence, showing pictures of steel that had been left out at the Stonewall Bridge site.
- 198.5 E. Madison addressed pictures showing angles on south and north wing walls that were very similar in terms of the angles and pretty close to the plans.

She addressed a picture of the south abutment, noting that it is visible if you are onsite that it doesn't follow the plans, but they are not sure why that deviation occurred, though the water does flow the way that it could possibly be interfering with the sharp turn on the southwest corner. She referred to a picture of the actual wall itself from the ground with the almost 90 degree turn on the southwest side and much more gentle 30 degree slope on the other side.

- 199.1 E. Madison reported that spacing of the beams at the Harvey Dowell Bridge has been challenging for the crews with plans showing on the left hand side with two beams joining at the pier and on the right hand side, a beam sitting on the abutment and a gap between the beam and the wall. The space under the bridge will expand and contract in hot and cold. She described pictures of the actual joints sitting on top of the pier compared to the south abutment wall where it is touching the concrete; as well as the north abutment wall where there is a little sliver of light and not a lot of room between the beam and the wall.
- 199.2 E. Madison reported that AHDT inspected the Harvey Dowell Bridge before it opened in December 2013 and did note the issue with the steel that was repaired and has since gone back to the way it was or not repaired completely appropriately. She stated that this has been an issue with this bridge, partly stemming from the fact that the steel that they are purchasing has not been fabricated specifically for the plans that the steel beams are required from the State. She referred to a beam that didn't quite fit and a torch was used to modify so that it would fit on top of the pier. She reported that all beams are then bolted into the concrete structure at either the abutment or the pier and in talking to Jim Beatty about how he envisioned it, the idea is when you pour the concrete wall or pier, you leave a sleeve in the concrete where the beam can then be set in and bolted to the actual sleeve. She reported that sleeves were not used and they did not prepare for the bolts until after the fact when crews attempted to drill holes in the piers or abutments to affix the bolts and encountered steel when drilling, making the drilling difficult and at some points impossible. E. Madison noted that they received a somewhat conflicting report on this with some crew members stating that they thought 2-3 bolts were actually left out and others told them that they got them in as far as they would go, not all the way in, but not left out.
- 199.3 E. Madison noted that painting the steel prevents water and rust erosion and the crews typically paint the steel at the shop on bad weather days and then take it out to the site and it appeared that the painting was not quite finished at Harvey Dowell and it was visible under the bridge where this occurred and this same incomplete painting was also apparent at the 62 Bridge.

- 200.1 E. Madison next addressed the decking, noting that the plans state that the bridge deck is to be given a tined finish with a metal rake putting grooves into the concrete surface which increases safety by allowing for water to get out of the way for better traction and once this tine surface is applied, they apply some linseed oil to improve the surface. She noted that there was no tined finish on the roadway surfaces at these bridges.
- 200.2 E. Madison noted that the plans called for a curved concrete wall at the road deck's edge and there was no curve installed on the Harvey Dowell Bridge and there is actually nothing at the road's edge to catch a tire and prevent someone from going off the bridge and the crews used a guardrail instead, which is a plan deviation. She reported that the crews did not feel that they had the ability to do these kind of curves and felt like they needed expensive forms to be able to do that; however, Carl Gales reported that there was a point in time when they didn't have forms and had to make them out of wood, so carpenters would be able to make these forms if necessary. She explained that they have vertical beams welded onto the supporting beams, poured the concrete around those, and then used galvanized guardrails; however, the lack of a lip is a concern. She referred to a picture of proper use of this application on Hwy. 16 with a goal that when a tire hits the curb, the vehicle will be diverted back onto the roadway. With the use of a guardrail and lack of a curb, someone would go off of the bridge and since the vertical supports for the guardrail are tied into the bridge's support beams, they would take a part of the bridge with them when they went off the bridge. She referred to a green rebar which is epoxy coated; however, Jim Beatty did not include the use of epoxy coated rebar in either of the bridge plans even though it is a best practice. E. Madison noted one consequence of leaving off the curb is that the road is not quite wide enough and actually extends out 2-3 feet for the curb and when they left off the curb, they omitted the road width so the road is 4-5 feet narrower than it should be according to the engineering plans and of course is not quite as safe. She further pointed out on the north abutment wall, there is extra room in the abutment and the same is visible with the piers which stick out past the roadway because while the pier is the correct size, the road is not, and the same application was done at the 62 Bridge.
- 200.3 E. Madison stated that they received reports that the decking rebar spacing not being to plan and the crew noted that there was a shortage of rebar chairs to raise the rebar to the correct level and they ended up using 12" centers on the rebar rather than the 9" which caused wider spacing of the road deck at the Harvey Dowell Bridge than the plans called for.
- 200.4 E. Madison stated that several people reported to them that when the west wall was poured at Stonewall Bridge, that there was no forms used for the

footer which sounds improper, but not necessarily because in building construction they use the earthen walls as a form all the time. While it is not necessarily improper and not quite as pretty, it required a considerable amount more of concrete, an additional 60 yards, because they are filling up all that space rather than filling up a wood form.

- 201.1 E. Madison stated that concludes the deviations from the plans that they were able to uncover and the remaining portion of the question was why these deviations were made. In defense of the bridge crew and workers who performed this work, they really did not know any better because there was a lack of knowledge and training on how to read engineering plans and on the significance of following the plans. She noted that these folks took great pride in the work they did even given the workmanship. She noted that the AHDT standards, which are voluminous, were incorporated into the plans were not consulted and only one person may have had a copy. With respect to the engineering plans, there was even confusion as to who had copies of the plans. She reported that the bridge crews were used to doing things the way they had always done them. There had been methods that were passed down over the years and they did uncover to some extent the mentality that the county can build a bridge however they want to. She stated that workers would ask if they were doing things right and there did seem to be a reluctance to deviate from the way that things had always been done because people believed that they were adequate methods.
- 201.2 E. Madison stated that other crews and workers assisted the bridge crew, the tile crew in particular, and there seemed to be kind of a break down in supervision on the jobsite with crews working independently. She stated that Carl Gales remarked with respect to the two abutments at Harvey Dowell Bridge, that it was like two completely different crews constructed the walls with the north wall built to plan and the south wall looking like a different crew built it. She stated that they had the issue of the crews working independently of one another and no single person being in charge. There may have been independent supervisors who may or may not have had the plans, working on either side of the bridge.
- 201.3 The question of whether the Road Department had the proper tools and equipment to build bridges of this magnitude as it had been from 2007 to 2013 since they built a bridge of this magnitude and they encountered lack of a vender and not knowing for example to call a concrete pump truck to make sure that the concrete quality was good.
- 201.4 E. Madison noted that they received several reports at the Harvey Dowell Bridge of witnesses describing days where the jobsite felt chaotic and not organized with too many workers not knowing what they were supposed to be

doing, a lot of standing around of not only the bridge and tile crews, but also road grater and brush hog operators, as well as some use of inmates for the heavy work of carrying rebar. She noted that there were pictures of inmates on the Harvey Dowell decking when they were tying the steel, but it is not clear what they were doing. She stated that many witnesses described feeling rushed on the Harvey Dowell Bridge and sensed some sort of an artificial deadline, but they could not come up with any type of deadline, but report one night when they worked really late and had lights out which made the work even more challenging.

- 202.1 E. Madison stated to the question of who was responsible for the deviations, this varies as they are not exactly sure who was in charge of the routine construction. Some people reported that the bridge supervisor and lead man were directing their work and others said they took directions from the superintendent who was onsite almost every day and the superintendent said that the bridge supervisor was in charge. When the tile crew was working, they were talking to their own supervisor about what they were doing. She believes that it was a shared responsibility for the deviations because no one really understood the significance of the deviations.
- 202.2 With respect to who knew that the plans were not being followed, E. Madison stated that nobody was hiding the fact that the plans were not being followed because those crew members who talked to them were very upfront about the areas where the plans were not followed; work logs obtained as well as just a visual inspection of the work will tell them that the work was not being performed to plan. She stated that there are instances in work logs that were turned in at the end of every week where it says, "drill for upright rebar" and where they talk about bending steel. She noted that the Road Superintendent and to some extent the Assistant Superintendent were also on site and workers talked about consulting with them and receiving direction on deviations from plans and there was a common belief that they were aware of these deviations, though it is unclear whether they all understand the significance of the deviations.
- 202.3 E. Madison addressed the question whether anyone notified the County Judge's Office that the plans were not being followed stating that this did happen though it is hard for them to pin down when this happened. However, the Judge's Office was informed by the time that the Quorum Court found out which was Thanksgiving of 2014. She stated that key dates that they were able to piece together in terms of when knowledge started surfacing about the possible problems with the bridge construction was that they could really only go back as far as October 2014 because the Braswell lawsuit was interfering with their ability to go back further. She reported that they were able to meet with Mr. Braswell with his lawyer present; however, there was resistance to

talking about his formal complaints because of their bearing on the lawsuit. In early 2014, the now infamous video was taken and immediately thereafter, someone contacts the Arkansas Highway Department claiming that the County is cutting corners in bridge construction. This prompts one of the Highway Department's Engineers to contact the Assistant Road Superintendent and tell him about this call. Shain Bergan at Channel 5 contacted the Road Superintendent asking about the bridges and possibly contacted others. She stated the point is that in early October, people began asking questions that were at least going to the highest level at the Road Department. E. Madison reported that there was an anonymous complaint that worked its way to the Arkansas Department of Labor about a problem with an earthen wall, all happening in the first half of October. The State was investigating that, but it was difficult to uncover anything significant when they spoke to the Investigator, though the timing is important in terms of the questions being asked.

203.1 E. Madison stated that the response to this information surfacing was that the Assistant Road Superintendent went to the Stonewall Bridge site and talked to the crews about the call from AHDT and he informed the crews that the County can build a bridge however it wanted and in some respects that was a statement that the State doesn't oversee the County's bridge construction. The Assistant Road Superintendent did say that the crews were supposed to be following the plans. She noted that some changes are made at that point in the construction process such as they start to use epoxy and purchase a proper steel handler. The County Judge's Office did become aware of the call from the Highway Department, but it was unclear when that was actually communicated to the Judge's Office because there was a lack of recollection of when things happened. Thanksgiving 2014 is when the Braswell letter is sent to the Quorum Court and County Judge where he outlines his concerns and virtually all of the claims made by Mr. Braswell turned out to be accurate. The Braswell suit was filed on December 19, 2014 and there is more information in that complaint about these defects and some people went to the complaint to actually figure out some of the issues with the bridges and the Quorum Court was told that there was some sort of investigation going on. However, after the Highway Department contacted the Road Department, there wasn't any investigation or after Mr. Braswell's letter or lawsuit.

203.2 E. Madison noted that they were advised that October was a very busy time for the Judge's Office with a difficult budget and an election that was more difficult than normal; and then by November and December, attribution of the complaints to just being politics. The Road Superintendent and Assistant Road Superintendent were assuring folks that the bridges were safe; however, the difficulties was that there had been no interviews conducted of the crews to determine actually how the construction had been taking place.

During the past two years, there have been no investigations concerning the Road Department and this investigation is the first into any of the allegations concerning the bridges or the work environment of the Road Department.

- 204.1 E. Madison reported that there was a meeting held on March 18<sup>th</sup> or 19<sup>th</sup> after the video was produced and the Braswell lawsuit where the County met with the Engineer Jim Beatty and based on the video, it was his recommendation that the Stonewall piers be torn down and that the weight limit on Harvey Dowell Bridge be lowered to 3 tons. The Engineer has worked up some rework plans to try to reinforce existing structures at both sites, so there are repair efforts underway.
- 204.2 E. Madison stated that they were asked to investigate two issues concerning the Road Department work environment; the first whether the Road Department work environment creates a culture permissible to deviate from written instructions like engineering plans and it is clear from their investigation that this is the culture. She noted that it goes a little deeper than that in that witnesses were unaware of any written policies or procedures specific to the Road Department outside of the generally applicable County Handbook for employees that must be followed. She stated that this created a lot of uncertainty as they don't really know what the rules are. Witnesses told them that engineering plans on many occasions were referred to as guidelines which again gives the impression that the County is able to do whatever they want and is exempt from regulations and there is a mentality of not asking questions about how the County does things. E. Madison noted some examples that they uncovered about this culture was with the Smoking and Tobacco Ordinance which has been in place for sometime and recently revised by the Quorum Court is in some witnesses' views openly violated at the Road Department. Dump trucks are overloaded in excessive weight limits. The promotion job application interview process is a mystery to people who do not understand how promotions occur or how to apply for them or the qualifications needed leaving people feeling very excluded and frustrated. E. Madison stated that she knows these complaints have been raised at the level of the County Judge's Office and they are looking into them.
- 204.3 E. Madison stated that they heard numerous concerns about safety despite the fact that there are regular safety meetings held at the Road Department and despite the fact that the Road Department is regarded by the Department of Labor as having one of the top safety programs of area road departments. Safety is surprisingly not very much a priority; personal protective equipment is worn infrequently; hard hats are only worn occasionally; safety glasses rarely worn; and steel toed boots rarely worn; and safety harnesses occasionally worn. She referred to a photo of work being done on the Harvey Dowell deck with a crane in operation and when employees were asked when

they felt like they needed to wear a hard hat, they were told when the crane was operating and only two workers in the picture were wearing a hard hat while the crane was being operated.

- 205.1 E. Madison reported that there was a complaint filed with the Arkansas Department of Labor in October 2014 concerning a vertical earthen wall that had not been benched or sloped due to a nearby gas line at the Stonewall Bridge site. Employees were very concerned about working near the wall because they were afraid it would collapse. After the complaint, the gas line was located, a tree was removed, and the wall was sloped, so the situation was cured; however, it only came about because people started asking questions.
- 205.2 E. Madison stated that they heard concerns about improper traffic control and flagging and as best they could tell, there is not a designated safety officer for the county where people can take concerns or that a safety officer oversees safety onsite. It was reported that safety harnesses were used incorrectly on occasion. As they have to have someone to hook their safety harness to, workers reported that they would have to actually walk out on the structure and drill or torch a hole in the steel to have somewhere to hook onto and of course until that point, they are not hooked in at all. Pictures were viewed wherein they were attaching these structures to the steel so that there was something for workers to hook onto and continuously stay attached for fall protection. At the Harvey Dowell deck when not complete, there was one worker who had on a safety harness that didn't appear to be tied in and it was also noted that this employee was wearing Nike shoes instead of the steel toes boots that are prescribed.
- 205.3 E. Madison stated that the final question was about the culture of the Road Department and whether there is a culture where workers are afraid to raise legitimate concerns through their chain of command and in fairness, this answer was both yes and no. She stated that there are very much two sides to the Road Department; those folks that like management, are very comfortable with management and have no problem complaining; and then there is another side where there is a group that certainly fears that complaining will get you into trouble. An example was given where there was a complaint regarding a policy violation where the complaining employee was called in to a meeting of several supervisors and the employee about whom he had complained and references were made to "snitching" at the meeting. Workers feel like they have witnessed retaliation against their fellow workers and a couple stated if you complain you get the "crap jobs". There were concerns voiced regarding favoritism and out-of-work friendships affecting the workplace and workers reported feeling bullied and threatened by management and that there is an attitude of "my way or the highway." There



was reference about employees being broken and how long it would take the Road Department to break you. It was also noted that these are not high wage earners and people who really rely on their incomes, so people are very hesitant to complain to those being their financial circumstances. There were concerns voiced about there being a lack of an open-door policy at the County Judge's Office, whether complaining at that level would do any good, and whether they would be retaliated against. In fairness, she pointed out some people have no problem going to the Judge's Office and the complaint about the snitching meeting did make its way to the Judge's Office and was addressed., but there are certainly a group of people who do not feel comfortable going to that level. They couldn't really figure out what the origin of that is and she thinks more than anything, they just feel that it won't do any good.

- 206.1 Regarding the current work environment, E. Madison noted that these employees are much stressed right now and some of them who reported no problems previously have talked about how they just really can't handle it right now. The lawsuits and media have been very stressful for them and there has been virtually no communication with those employees about the issues that have come out in recent months and these employees take great pride in their work even if it wasn't done great and when they read in the news that their work is being torn down, there is a lot of resentment about that and they feel that it is a comment on their work and they really haven't been given a chance to explain their side of things.
- 206.2 In closing, E. Madison stated that they do think that there is further investigation warranted into the Road Department work environment that was simply outside the scope of their investigation. At least a couple employees said that they really needed to talk to all 80 employees out there is they are going to figure out the true work environment, which they didn't have time to do with many complaints they were hearing simply exceeded the scope of their investigation. They do feel that with any of the employees they talked to, they got an accurate picture of these two sides to the Road Department and they heard things over and over again. The concerns that they heard that they think warrant further follow-up again is the job posting, promotional interview process, racial and discriminatory remarks, profanity and abusive language, favoritism and clicks, work ethic and efficiency with both time and resources, compliance and safety in general.
- 206.3 Judge Edwards thanked the investigative team for their time and efforts in this in depth investigation. She stated that she would now open up the floor to anyone who wanted to ask these folks questions about their investigation.

- 207.1 A. Harbison thanked the team for their time and effort in conducting this investigation. She stated that they know if they are going to build bridges that they have to have an engineer, so some good has come out of this. She stated that the honeycombing is a problem in the pores and it is very evident in bridges built before Judge Edwards came in, that the Road Department are building bridges like they have always built bridges, but this is not good enough due to the safety issues. She stated with the money that they put into their bridges, they need to last longer than what they are going to last. She suggested that they look at the Harvey Dowell Bridge and see what needs to be done to make it safe and to improve it's the length of its life. A. Harbison stated that they need to move on and have a positive attitude and she believes that this will also help the Road Department. She noted that they do good work, but there are certain ways that things need to be done and they will make sure that they are done that way in the future.
- 207.2 L. Ecke stated that her question stems from a question asked by Judge Edwards last month and she would like to know from Judge Edwards being the head of the Roads Department whether they had weekly department meetings on the bridges and if not, were they bi-monthly or monthly briefings of what was going on at each project during that time.
- 207.3 In response to L. Ecke's question, Judge Edwards stated that she was not going to get into questions and answers tonight as she needs to review this information, but in answer to this question, they did not have weekly meetings, but rather she met with the superintendents and supervisors at random.
- 207.4 L. Ecke stated that she is trying to put this together as a puzzle the chain of command and why these things were allowed to progress without any checks and balances along the way. She stated that it seems to her that nobody knows what is going on and the County Judge should because she is the head of the Road Department.
- 207.5 Judge Edwards stated that she has 15 different departments and she relies on her superintendents and her people that she hired to perform those jobs. In response to a question from L. Ecke about who exactly was responsible to report to Judge Edwards from the Road Department; to which Judge Edwards responded first they have Shawn Shrum and Donnie Coleman and they have meetings with their seven supervisors and then Shawn and Donnie have random meetings with her to keep her abreast of what is going on.
- 207.6 T. Lundstrum stated that this was an excellent investigation and report, but his concern is that it doesn't solve anything at this point except to give them information and he will be interested in seeing how Judge Edwards deals with

this. He further stated he is unsure of what impact those who resigned from the Road Department during the investigation will have on the Road and Bridge Departments.

- 208.1 E. Madison stated that they are already hearing that they are certainly lacking a bridge crew to complete the work at Stonewall and they are trying to figure out how to move on as they are without a supervisor and without a lead man. She stated that there may be three people left that will not go back to work on these bridges.
- 208.2 T. Lundstrum stated that the County Judge is going to have to make some decisions and the Quorum Court will have to get involved in the financial aspect of this as time goes by, so they don't have all the answers to this entire question yet. He stated that they do know that they need to change this mentality that exists to end up with the kind of work they have. He stated that while he can understand what the Judge is saying, even when they have a number of supervisors, unfortunately they are all human and sometimes supervisors do things that are not completely honest which is where management is so critical in evaluating these issues to see what exactly is going on. He recalled walking across the 62 Bridge with Judge Hunton who was very proud of that bridge which apparently has problems as well, so they didn't have it together then either under his supervision. He thanked the investigative team for the considerable amount of work they put into this investigation.
- 208.3 S. Madison stated that she doesn't recall E. Madison taking engineering class as an elective and one little criticism she has is that the page numbers are a little small to see, but she believes at about number 45, she was talking about honeycombing at the Stonewall Bridge. She asked if it were the new piers that had honeycombing; to which E. Madison responded that she was referring to the eastside wall which was constructed post October 2014 when they were making an effort to follow the plans a little bit better, but there were still defects coming through in the work. She stated that the new work being done on the new piers appears to be good because the geotechnical engineer has been inspecting those and they are requiring them to leave open a side of the form so that they can come in and truly inspect all of the work. E. Madison further stated that they received reports that there are sort of acknowledged challenges with the west abutment and the east abutment that came later were done by the plans, but when you look at it, it doesn't appear to be quite right.
- 208.4 S. Madison asked on the day that they went out and looked at the newly poured piers at Stonewall Bridge, she observed a lot of mud and noticed places where there were no silt screens or they were collapsed into the creek.

She asked one of the workers whether they put up silt screens and he said that they do it if they can which she doesn't understand and questions whether there is some disregard for following DEQ's best management practices that they looked at.

- 209.1 E. Madison responded to S. Madison, stating that they didn't uncover that specifically, but there was a lot of reference in the work logs to work on those fences. She stated that the current status of those fences are that they are intact right now and she thinks as a result of some questions raised, there are now signs prohibiting equipment from being in the water. She stated that she believes there was a time when the DEQ permit lapsed out there and the Assistant Superintendent took full responsibility for that noting that part of the challenge is that there are many permits that the county has to obtain to begin this process and most of the permits will run through the whole course of the project and the DEQ permit expired and they were not aware that they had to renew it.
- 209.2 S. Madison stated that she just wants to know whether there is an attitude that they may or may not follow DEQ's standards. She noted that they just heard from the Beaver Watershed people yesterday and their number one concern is sedimentation going into the lake that affects their drinking water and if they had this regard in their construction sites for sediment in the creek that should be a concern of Beaver Lake.
- 209.3 E. Madison stated that other than talking to the Assistant Superintendent about the lapse in the DEQ permit, they didn't really get into DEQ issues because she is not sure anyone other than the existing superintendent is that attentive to DEQ issues which are his job to do the weekly DEQ inspections that have to be reported. She stated in a sort of related issue she made mention to the notion that some feel that the county is exempt from having to follow regulations and she would place DEQ regulations in that category. She stated that there was something about dump truck license plates have an "X" on them which means they are exempt and there is confusion over what that means; are they exempt from just having a weigh, but they still have to comply with weight limits or does it mean that they are completely exempt from weight limits.
- 209.4 E. Madison reported when she went out to the Osage Creek Bridge or the box culvert near Elm Springs, one of the issues was a lot of erosion and they were fixing it by adding dirt and shot rock which of course was all washing away. When they installed the culvert, they chipped away at the edge and if that is not somehow sealed up, they are going to have more erosion as the water comes through. Further, there was a tree that was holding in the bank on one side and there was significant damage done to it by equipment while they

were out there that she though could harm the tree which is right there in a bank.

- 210.1 S. Madison addressed the area of racial slurs in the department and asked whether she thought there was adequate representation of female employees in the Road Department other than in the office; to which E. Madison responded on the employee list that they saw, the only current female employees are in the office. There was a list of past employees on which there were a couple other female employees that are no longer with the county. S. Madison stated that at some meeting she asked the number of female applicants for equipment jobs and there was only one that wasn't interviewed and she believes that needs to be an area of concern for the Road Department because there is no reason why a woman can't run a road grader or be a flagger or multiple other jobs at the Road Department.
- 210.2 S. Madison stated after they got the Braswell letter, on December 19<sup>th</sup> she wrote Judge Edwards because she hadn't heard a response to Mr. Braswell and she wanted to know what the county was doing to follow-up on his letter. She reported the answer she received ten days later was that Judge Edwards had met with the Road Department and the Engineer, she was advised that the bridges were safe and the investigation at that point was ongoing. She inquired as to what that ongoing investigation entailed at that point; to which E. Madison responded the only thing that they were able to uncover was that the Judge's Office spoke to the Superintendent and Assistant Superintendent about the construction and was assured that it was being done per plan and other than that, employees were not interviewed in any respect. She further does not believe that the bridge supervisor or lead man were actually consulted until the March meeting where they were included in a meeting with the Engineer Jim Beatty. S. Madison stated therefore the ongoing investigation as of December 29<sup>th</sup> was actually finished; to which E. Madison responded that she does not know that there was actually an investigation because the employees reported not having been interviewed by anyone until they were questioned by this investigative team.
- 210.3 J. Maxwell stated with the people who were unable or unwilling to respond to their investigation, asked whether they gave a reason or response to the request or where they able to characterize or ascertain from what they said as to why they chose not to participate.
- 210.4 E. Madison responded to J. Maxwell stating that one of the employees was on a leave of absence and unavailable to them during this time period, so she wouldn't put that in the category of not being cooperative. She noted on the first day of their investigation, they started calling employees to try to schedule interviews beginning with the bridge crew and she was able to

she speak to two of the crew who were a little reluctant to talk to her, didn't want to be interviewed, and were going to have to get back to her. She explained that if there was an issue with them needing to get off work, they would take care of that and there were several others who they left messages for and one person who they had a bad phone number for. Because of the reluctance of the bridge crew to talk to them, she reached out to the County Attorney and to Lindsay Huffaker in HR to find out what exactly had been communicated to the workers down there about the investigation and was told that there had been no communication, indicating that the workers had heard about the investigation through the news and were not sure what was going on. Thereafter, Judge Edwards and County Attorney Steve Zega went to the Road Department along with herself and Russell Hill and had a meeting with the hourly workers on the crew in Donnie Coleman's office and talked to them about the scope of the investigation and were able to provide them with a copy of the ordinance and the directive that the employees were supposed to cooperate in good faith. She stated that it was a little hard to pinpoint exactly why the employees didn't want to talk to them, but she believes part of it was because they feel that their work has been disparaged unfairly because no one has talked to them about their work and they didn't know why a pier was torn down that they felt they did good work on. She reported that ultimately only one of those people that they met with that day would talk to them and they never really got an explanation for why they wouldn't. Further, one of the employees quit his job that day. E. Madison further noted that she assured them that they weren't the target of the investigation; that they were after the truth; that no one would be retaliated against, etc.

- 211.1 J. Maxwell asked if Judge Edwards had any plans in place or changes that she can foresee with the Road Department which she could share with the Quorum Court.
- 211.2 Judge Edwards responded to J. Maxwell that she wanted to sit down with the report in front of her and look at everything very carefully. She stated that most who know her know that she can't make snap decisions because she gets sued if she does and she gets sued if she doesn't, so she has to be very cautious and careful about any decisions she makes and she will weigh each one of them very carefully.
- 211.3 B. Pond complimented the investigative team on their thoroughness and how informative their report on the investigation has been. He further stated that he appreciates that they were very fair to the employees. With regard to the structural design, changes and improvements that need to be made, he believes the information gathered will be very helpful to the County Judge and Road Department. He stated that he was at the epoxy test on the Stonewall Bridge when it was rainy and muddy, noting that the silt fences were present

as they had to take them down in order to move a piece of equipment into place to perform this test. He noted that the workers were very busy doing what they needed to do for the test and he assisted them with moving the silt fence up to the side of the creek, and he believes they had permission to move the equipment in the water when they had to.

212.1 E. Madison stated that was the short term authorization permit that had lapsed which is what authorizes them to do that and they may have been unaware of it, but at that point in time technically they were not permitted to cross the creek.

212.2 B. Pond responded to E. Madison that they were permitted to cross the creek until the permit expired that they didn't know had expired. He stated that he has dealt with ADEQ on permits many times and they were able to get the permit renewed. He stated that he has to hand this to them because that might be up to a \$250,000 track machine that they had to move across in order to do that test. He further explained that this equipment cannot be moved around on pavement or across bridges and he doesn't believe the county could afford to have one on each side, so they did need to move it across the creek. He stated he doesn't want to get into technicalities on permits expiring and try to place blame whenever they can when the ADEQ doesn't even do that because they came out and saw the situation because they had been called in order to renew the permit. B. Pond stated that he did want to stand up for the Road Department about being careful about what they do in trying to keep the streams clean because during that short period of time while that permit unknowingly was expired, it didn't make more mud because that permit was expired for a few days than it would have if the permit had still been good. He stated that they might want to stick them with a fine paying taxpayer money out to the state, but he just doesn't see how that is going to help the situation.

212.3 J. Patterson stated he appreciates the work done on this investigation, but if he is going to talk about bridges, he will speak to Carl Gales. He stated that being in the trailer business; he has constructed trailers and truck bottoms for over 50 years, so he is interested in the bridges. He stated that there are two things that he sees as problems; the honeycomb depending on the varying degrees and the rust coming out of the concrete would indicate where the pours have not bonded or the rebar is too close to the edge or something along those lines. He stated the information that came out of this about the employees was all a necessary part of the investigation. He asked what Mr. Gales's opinion would be if the perfect bridge in Washington County was a 10, how he would rate these bridges in question with regard to their longevity.

- 213.1 Mr. Gales responded to J. Patterson's question, stating that the longevity of the Harvey Dowell Bridge in its present state was very low. He reported that they had a very lengthy meeting with the engineer who he has known for many years and is familiar with his work, has addressed these issues. He reported that the engineer has a complete design to fix the Harvey Dowell and Stonewall Bridges to the standards for H2O loading and will give a certification letter when that work is completely done that this bridge was built to be satisfactory for what the county paid him to design. He noted that these corrections will be costly, but the engineer is addressing them which are a tremendous start to where they go to get a finished product of an H2O loading bridge that their school buses, fire trucks, and other equipment can go across. With regard to the honeycombing, he stated this is a common thing that can happen with the best pores in the world and there is a very explicit procedure for fixing it that is provided in the specifications that will be followed by certifications. He stated that there is going to be a lot expected from the citizens of Washington County on its bridges that they inadvertently brought on themselves, but they will deal with it, it will be right when they finish and they will be better for it.
- 213.2 Dan Short thanked the team for their investigation, he believes they did an outstanding job, and he has learned a great deal tonight. He stated that he understands the way the Harvey Dowell Bridge was completed, due to some defects and deviations of the plan, that the lifespan of the bridge may be shortened. He asked Mr. Gales how much danger there was currently for catastrophic failure of that bridge as it currently stands.
- 213.3 Mr. Gales responded to Mr. Short, stating that they discussed that with Mr. Beatty, the County's engineer and with his concerns, he rated this bridge at 3 tons presently as the maximum allowed weight that he visualized this bridge being safe. He stated that this wasn't set by the County, but rather the engineer looked at the deficiencies, became aware of them, and his opinion as of today is that there should be a 3 ton limit on Harvey Dowell Bridge and he respects his opinion 100%.
- 213.4 B. Ussery thanked the team for the thorough job they did on this investigation. He stated a couple of concerns he has pertain to safety as in his business he has to go through safety training every year and because of the business that he is in it frightens him to have a wall coming down on somebody. He stated that the rules are there to protect them and these employees need to be wearing safety shoes and hats. He stated that 90% of problem solving is knowing what the problem is and now that they know clearly what the problems are, they can certainly address them.



- 214.1 S. Lloyd stated that this report contained a lot of information to digest and asked when they could expect to have a copy of the report; to which Court Secretary Karen Beeks responded that the 116 page report is being emailed. She further stated that they are now in the solution phase and asked whether Mr. Gales or anyone else was going to give them some written recommendations that they can review.; to which E. Madison responded that they discussed that, but didn't feel that they were asked to do that and also believe that they all come at it with slightly different perspectives and expertise. E. Madison stated that she feels that she knows enough now about the bridge construction that she doesn't believe that they need to pay for an expensive x-ray. In talking to Engineer Jim Beatty about the fixes he is proposing, they are basically going to take the pier and wrap it with reinforced concrete and move on and put the money that they would put toward an expensive x-ray toward the fix instead.
- 214.2 Carl Gales stated that both he and Jim Beatty are professional engineers and he respects his professionalism and his being on top of the project. He reported asking Mr. Beatty whether he was called on the Harvey Dowell Bridge during the time that he submitted the plans and did they have any questions, to which he responded that they did not. Therefore, he wasn't aware until he was called in and then he became aware of the problems, was hired by the County Judge to provide a set of plans for the fix and the committee is all in possession of a set of those plans. He noted that this is the gentleman that they hired for his expertise and he feels very confident with him.
- 214.3 Judge Edwards stated that she hired Mr. Beatty to do the engineer designs and was of the understanding that the bridge was being built by the engineer designs. She stated that she became aware that there were some deviations that were not with either her approval or Mr. Beatty's approval. She stated that she will be presenting two proposals to the Quorum Court with respect to this issue; one is to hire a full-fledged engineering firm to build the bridge that will cost the county no less than \$1.5 million. She stated that they can come in now with the improvements discussed as they have RFQ's out right now to advertise for an engineer to work with the County, along with Jim Beatty and with GTS, and she is unaware of that cost at present. She stated that she will be keeping the Quorum Court informed along the way because she will be coming back to them for more money to address this situation.
- 214.4 J. Maxwell asked if the Harvey Dowell Bridge came in over or under budget with these deficiencies; to which E. Madison responded that they asked some about the expense because the cost of the bridges is easily estimated to be around \$400,000 and that does not include labor costs and often does not include equipment costs that would normally be wrapped up into the full cost

of the construction. She stated that she is not aware that there was ever a specific budget for the project because the Road Department worked within their budget. She further reported that Mr. Gales explained that they really don't know if it was a cost savings to the county to build it in-house as opposed to bidding it out because they didn't bid it out. E. Madison responded to Judge Edwards and suggested that they may want to see how much the bid is before they make the decision because it may not be \$1.5 million.

- 215.1 Judge Edwards responded to E. Madison that it would have been brand new; to which E. Madison stated that she doesn't know if they know that because there were some plans to bid it for federal and state funding for Harvey Dowell that were in excess of \$1 million, but she doesn't know what that was based on.
- 215.2 E. Madison addressed S. Lloyd's previous question, stating that the county has to do a lot of internal review to figure out not just how they want to do it, but whether they have the crew with the appropriate skill set and the resources to do this. She added that they certainly need somebody with some extensive bridge building knowledge to come in and supervise the project. She doesn't believe that it will be a simple decision to do it outside or inside because inside to her will require not only ensuring that they have the people and tools in place, but also will have to address some of the cultural issues as well.
- 215.3 Judge Edwards stated that she will make sure and research this.
- 215.4 H. Bowman stated that the team did a phenomenal job in their investigation. He asked if Mr. Gales had an estimate on the repair of the Harvey Dowell Bridge; to which he responded that he didn't put a cost factor on it, nor did he ask Mr. Beatty if he put an estimate on the rework, or whether he had submitted an original engineer's estimate for the project. Mr. Gales stated that he would suggest that they request engineer's estimates from Mr. Beatty so they could see what realm they are talking about.
- 215.5 H. Bowman asked Mr. Gales if he would give a guestimate for this bridge work; to which he responded that he would not.
- 215.6 H. Bowman asked Mr. Gales about safety issues related to the width of the bridge and whether this could be retrofitted to expand the width of the bridge without a great deal of difficulty; to which Mr. Gales responded that it would be difficult because of the fact that they left it off and a cantilever portion of the bridge sets out there, normally the foot walls and curves are the more expensive items of the bridge and the work is more difficult. He stated that

they would have to put those back on the bridge and expose some rebar or come up with an additional design in the decking to hold that which is one of the areas that Mr. Beatty can address in his redesign. He added that he respects Mr. Beatty as a professional and does not want to jeopardize his position in this.

- 216.1 H. Bowman stated that he cannot imagine hiring an engineer to do a drawing of a bridge and totally disregard that drawing. Further, he stated that there are apparently absolutely no quality control procedures in place.
- 216.2 Mr. Gales responded to H. Bowman that there were no quality control procedures in place until sometime this year, but Harvey Dowell Bridge was built totally without any quality control.
- 216.3 H. Bowman stated that there are all kinds of quality control procedures out there that must be followed to do a quality job and as tough as this may be, this all comes home to roost at the County Judge's house and the buck stops here; to which Judge Edwards thanked him for reminding her.
- 216.4 R. Cochran stated that Judge Edwards mentioned that none of this was apparent to her or she was not aware of any of the construction methods other than what the engineer decided to build a bridge was being done and he believes that to be the case.
- 216.5 R. Cochran asked County Attorney Steve Zega whether a prudent man would build this bridge against the design; to which he responded that there are two answers to that question that both lead to the same place. He stated that one answer is common sense that you pay for plans to have them followed; and the legal answer is that standards for these things evolve all the time and if this were being done privately, they would be entitled to rely on the engineer's plans and the engineer in turn would be entitled to rely on the people who were building it. In other words, no it would not be prudent to build deviated from the plans and there is litigation out there on that particular issue. He further stated that dropping the other shoe, what liability does the county have for not building the bridge according to the engineer's plan to which he noted that the county has tort immunity, but that does not absolve anyone in the county from or for the safety of citizens or anyone driving across that bridge. Therefore, he stated he wants to be very clear that the legal issue is very different from the moral and policy issue, and the county has very limited exposure in this particular area because of tort immunity.
- 216.6 R. Cochran asked about the superintendent of bridge building who did not follow the plans and did not tell the supervisor that he was changing the plans; to which County Attorney Steve Zega responded that tort immunity

extends to agents, employees and officers of the county when they are acting in their official capacity. Personal liability for that is also in his opinion limited in terms of legal liability, but no confusing that issue with the moral responsibility to build the bridges in the safest possible manner and standard.

- 217.1 R. Cochran stated that they really don't have any recourse to recoup the lost money on the bridges because there has been and will be considerable money expended to repair one bridge and basically rebuild another. He stated that there are damages in his mind because if he is the supervisor and his crew goes out and does something unbeknown to him that he is supposed to know what they do and the person directing the effort of building this bridge and reports back to him that it is being built properly and everything is fine, he feels like something has to give there.
- 217.2 County Attorney Steve Zega responded to R. Cochran that in his opinion the county does not have a case against its own employees for a variety of reasons.
- 217.3 R. Cochran thanked the committee for their hard work in this investigation and spent a lot of time to present it very well.
- 217.4 Dan Short stated that he conferred with Shawn Shrum about something he had told him earlier, reporting that about two years ago, he talked with the Highway Department and they advised him at that time that the cost per running foot for a bridge was about \$6,500.
- 217.5 J. Firmin stated that the committee did a very good job that raises a lot of questions and concerns. He wants them to move forward and thanked Judge Edwards for her willingness to allow this to take place in this fashion as it helps the citizens of Washington County and is a real honest way of facing the matter.
- 217.6 In response to a question from J. Firmin whether they could take the bridge out to bid and then not accept the bid, County Attorney Steve Zega stated that this can be done. He went onto explain if you let for bids on a bridge, it would also be the County Judge that decided what the lowest acceptable qualified bid was and she is under to obligation to take the bid by statute and the Quorum Court is not under obligation to appropriate the money for it necessarily. He stated the other side of it is the practical aspect that typically they would appropriate first and the County Judge would submit the bids after that and if it came in under the ceiling of their appropriation and a bid that the County Judge in consultation with folks at the Road Department agreed it was an acceptable bid that would get them what they wanted at the end, the

County Judge would have the ability to accept that bid and let the contract without further input from the court.

- 218.1 J. Firmin stated that being in the contracting business he is a little concerned because you go through a whole process of getting an estimate together with the knowledge that they might try to do it in-house. He stated realizing that the engineer can make a bid for an estimate based on his drawings seems really smart to him. He stated that at the very beginning of a project, the fact that they haven't estimated the cost of the bridge vs. taking it professionally, it is not negligent but just seems like common sense and he would like to see them start there. He stated that they should be able to go back to past labor figures and determine this; however, if they can't figure it out then they definitely don't need to start building more bridges.
- 218.2 L. Ecke stated that she called Lindsi and spoke with Cassi and asked if the Road Department had a safety manual that the crews follow and was told she would talk with Shawn Shrum. In that conversation she doesn't know if she heard correctly and asked whether the County is exempt from following OSHA regulations to which Steve Zega stated that they were not. She asked in the event of an accident whether OSHA would investigate to which Cassi indicated that they would investigate, but the County was exempt.
- 218.3 County Attorney Steve Zega reiterated that the County was not exempt from following OSHA regulations.
- 218.4 L. Ecke noted that she has to submit a safety manual to any vendor that she does business with, and asked whether the Road Department had a safety manual and if not, do they need to write one; to which County Attorney Steve Zega responded that if there is no safety manual, they should obtain one because he is sure that there is OSHA compliant manuals out there.
- 218.5 L. Ecke asked about the inmates when they are brought out to a jobsite whether they are given safety equipment as well because she is sure that Sheriff Helder would like to know that they are being taken care of with safety precautions.
- 218.6 L. Ecke asked when these bridges were budgeted; to which Judge Edwards responded that they are appropriated that every year when they do the road budget. She further asked if they know how much was appropriated from the Road Department budget to each bridge and did they have actuals on exactly what was spent; to which Judge Edwards explained that these items are not broken down, they put it in the road budget, but stated that Shawn Shrum could probably answer that question.

- 219.1 Shawn Shrum responded to L. Ecke that he does have a breakdown on each bridge as to what was allocated because it sounds like there were shortcuts being made and especially on purchasing quality equipment.
- 219.2 L. Ecke stated that she thinks all of them would like to see what was spent on the bridge and why these shortcuts were made and why proper equipment wasn't used.
- 219.3 L. Ecke stated that she sits on the Budget and Finance Committee and on a very tight budget, she would be asked to go ahead and release some more funds to fix this bridge which they want to do and even though she is always the one that talks about unity and getting along, but she is very concerned right now about how this money is being spent when they don't have it to spend it. Therefore, she stated that she wants to know how much was budgeted for each bridge, how much was actually spent, where are the receipts, and why were there shortcuts in materials and equipment. She stated that it sounds like they didn't have enough money to build the bridge and if they didn't, then why did they start to begin with if they didn't consider the cost. She stated she realizes that these are questions that will need to be answered at some point.
- 219.4 A. Harbison stated that she wanted to remind everyone on the Quorum Court what their duties are as JPs. She stated that their duties are to appropriate money and they need to know where there are deficiencies while they are appropriating money, they don't run departments and need to give Judge Edwards the time and consideration to review this report and make recommendations to take care of this problem. She stated as head of the Road Department, she is sure she will do some things that some may not agree with, but debating all of these issues at this time is counterproductive. Once Judge Edwards has done this, then the Quorum Court needs to decide if they are going to have money to appropriate to fix these bridges. A. Harbison stated she believes as JPs they sometimes overstep what their duties are and while they need to be informed, they don't make those decisions, and if they don't like the decisions being made, then they don't appropriate the money.
- 219.5 E. Madison stated that while they talk about not giving recommendations, she does have some final thoughts. She sees this as an organizational failure and doesn't know that after she knows all of the facts and steps back and look at the big picture, if she could see any one person to blame. She has specified that there is no target in this investigation, but that they are simply after the truth. She reported that they heard a lot of "I assumed" things and when looking at the big picture, it looks like they started to build a bridge in 2012 and they hadn't done a project of that magnitude in several years and

nobody asked the question of “can we?” She said it was said that they had a bridge supervisor who had been serving in that role for 28 years; and they had people who worked on the 2007 Hwy 62 bridge, but people assumed and questions were not asked. She referred to a phenomenon called “group think” where there is an organizational tendency to achieve a goal without asking questions because it is assumed that everything is fine, everybody knows what they are doing, and everybody is following the plans.

220.1 E. Madison stated that she is having a hard time with the desire to sort of fault employees because she talked to them and they were terrified to meet with the investigative team, although she believes they left feeling a little bit better about the process. She stated that these people’s jobs are on the line and she advised them that the team did not have the authority to discipline or terminate anybody and she doesn’t even want to come close to having to make a decision like that. She does believe that there needs to be an overhaul at the Road Department, but she doesn’t want to be the one to have to design that overhaul. The crew that she talked to need their jobs and care about the county and thought they were doing good work, and she saw an organizational failure of people not asking the right questions at all levels, not a lot of accountability or checking in, and even assumptions because they had been building bridges for a long time when in reality, from 2007 to 2013, they didn’t build a bridge, but installed box culverts. A crew was sent to these sites that they called a “bridge crew” and told them here are some plans – but didn’t ask if they could read them or understood the significance of them and expected them to do a task. She stated that they all need to be mindful now of the fact that they sent these crews to do a task that maybe they set them up to fail. She reiterated that there isn’t one person or one issue responsible for this because it is an organizational failure that she is hopeful that they can put a system in place where they ask these questions. She further noted that of course they saved money on this bridge because they made the bridge deck 4 feet narrower than it was supposed to be which a lot of money is cut off the bridge. She stated that she feels very comfortable saying that there was no intentional wrong doing and in fact, many of the steps that they undertook, took them longer so they didn’t even save time but lengthened the process. She knows that they are going to move forward, but she hopes that they learned from their mistakes and are better for it.

220.2 T. Lundstrum stated that he disagrees with A. Harbison’s previous comments because while the County Judge is in charge of the Road Department, they are the legislative body of the county government and co-equal to the executive branch of this county government. He stated that it will be very hard for him to appropriate money to a Road Department with the management skills that he is seeing at this time and there is an impact on how things are done through appropriations. He referred to a picture showing

a bridge full of workers with no hard hats and appropriate safety equipment that is a management issue because someone in a management position is supposed to be there to see that this doesn't happen. He stated that this is really inexcusable and he wants to see that kind of thing corrected because the problem is at the management level, some who have may already quit. He stated that before he could appropriate money for this kind of activity, he wants to see improved management skills.

- 221.1 Russell Hill stated that he would like to recommend that they somehow recognize Carl Gales and his professional services as a citizen of Washington County for volunteering his time and expertise to this process because it was invaluable.
- 221.2 Carl Gales stated that his reward will be when an engineer signs off that our children can cross these bridges safely.
- 221.3 Carl Gales was given a round of applause by the Quorum Court.
- 221.4 CITIZEN COMMENTS: Lance Johnson, resident and taxpayer of Washington County, addressed the Quorum Court stating that he will soon have been building concrete structures for 50 years. He reported that he came here to build the Water Treatment Plant in 1991 and they poured 35,000 yards of reinforced concrete and Alan Fortenberry can attest to how they did. He stated regarding this bridge issue, he has seen things that disturbed him, but what disturbs him as a taxpayer is that the County should not in any way be in the bridge building business unless they have had people on their crews who build bridges all day, every day and can hire the people who know how to build bridges. He suggested that the County just needs to get out of that business.
- 221.5 ADJOURNMENT: The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Carly Sandidge  
Quorum Court Coordinator/Reporter



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

Thursday, May 21, 2015  
6:00 p.m.  
Washington County Quorum Court Room

- 222.1 The Washington County Quorum Court met in regular session on Thursday, May 21, 2015. The meeting was called to order by Judge Marilyn Edwards.
- 222.2 D. Balls led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 222.3 MEMBERS PRESENT: Daniel Balls, Harvey Bowman, Rick Cochran, Robert Dennis, Lisa Ecke, John Firmin, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Joe Patterson, Butch Pond, and Bill Ussery.
- 222.4 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 222.5 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 222.6 Judge Edwards stated that Item #12 on the agenda needs to be removed in regards to the ratification of the CUP granted by the Planning Board for Fritchie Farms as the neighbors in this area intend to appeal the Planning Board's decision.
- 222.7 E. Madison suggested that they leave it on the agenda to allow the people present at this meeting to talk about it and then they could just table it.
- 222.8 County Attorney Steve Zega stated that as far as he was concerned, the court can do what they want to; however, since the neighbors intend to appeal, it doesn't do the court any good to vote on it tonight. He stated that they can handle it the way E. Madison suggested or they can also comment if they wish during Public Comments; to which E. Madison pointed out that was at the very end of the meeting.
- 222.9 A. Harbison stated that she would prefer that the people speak during Public Comments as the Quorum Court should not discuss items that they can't vote on.
- 222.10 E. Madison stated that she would be willing to leave it on the agenda to be tabled, but did not want to leave their discussion until the end of all of their other business. She stated it was on their published agenda and they knew that it was going to be taken off, but the public didn't, so when they get to it,

they allow them to speak and state that they are likely to table the item pending an appeal.

- 223.1 **E. Madison made a motion to adopt the agenda as published. The motion was seconded. The motion passed unanimously by voice vote. The agenda was adopted as published.**
- 223.2 APPROVAL OF MINUTES: Judge Edwards asked for approval of the Minutes of the April 16 Regular Meeting and the April 20 Special Meeting of the Washington County Quorum Court.
- 223.3 **A motion was made and seconded to approve the minutes as presented. The motion passed unanimously by those present by voice vote. The minutes were approved as presented.**
- 223.4 PUBLIC HEARING: Judge Edwards asked that County Attorney Steve Zega address this item.
- 223.5 County Attorney Steve Zega explained that the Quorum Court will conduct a second required public hearing concerning the implementation of an Arkansas Community and Economic Development Program (ACEDP) grant for Economic Development for Tyson. He stated that the purpose of this hearing was to inform citizens of the current scope and progress of the ACEDP project; discuss any changes or impacts involving financing sources, user fees or beneficiaries that have occurred since the first public hearing conducted on November 10, 2011; accept oral and written comments regarding the project; and, discuss any potential impacts upon citizens that may/will result during the course of the project. Attorney Zega announced that County Grant Administrator Renee Biby and Cassie Elliott with Visionary Milestones, Inc. were in attendance to address the Quorum Court.
- 223.6 Cassie Elliott from Visionary Milestones, Inc. addressed the Quorum Court stating that she has worked with Renee Biby and Wayne Blankenship on this grant. She stated that they started this grant process in the summer of 2011 and then amended the grant application in April 2013 to add more jobs to be created and also more funding for Tyson. She reported that Tyson received \$834,570 from Economic Development with this grant. They also contributed \$2.5 million in sales to the project. She explained that the project scope was to do some improvements to their Mexican Original Plant which included some fencing work, some training, front entrance and break room remodels, and also meeting space remodel and upgrading restrooms. She stated in total they were required to create 88 jobs at this facility to do the Tacos line for the Doritos Locos Tacos that were made popular by Taco Bell a while back. During the process they tracked the jobs and she was happy to report

- that the net new persons hired were 211 people. She stated under the process, they are to employ and keep 570 employees there for at least three years. Ms. Elliot stated since they have completed all grant requirements, the state has allowed them to quit tracking jobs and to close out the grant and this public hearing is in order to do that.
- 224.1 A. Harbison stated that if she remembers correctly, they were looking at creating around 25-30 jobs and now this has created 211 jobs and she noted that this is great for the people of Washington County.
- 224.2 In response to a question from H. Bowman, Ms. Elliott stated that this was just for the Mexican Original Plant in Fayetteville. He noted that they have done considerable construction in Springdale and he understands that there will be other jobs created from that; to which Ms. Elliott responded that she has been told that they were currently working on another project that would create jobs at Mexican Original for another line, but she hadn't heard anything from Economic Development about the Springdale location or if there would be any tracking of the new project.
- 224.3 Citizen Comments: There were no citizen comments made.
- 224.4 **With no further comments, Judge Edwards stated that the hearing of this grant project was now complete and the meeting was adjourned.**
- 224.5 A RESOLUTION AUTHORIZING ALFORD JOE MAIN TO SOLEMNIZE THE MARRIAGE OF CHARLES ORVILLE GOODING AND ANGEL DAWN BATY ON MAY 23, 2015, IN WASHINGTON COUNTY, ARKANSAS: R. Cochran introduced **A Resolution Authorizing Alford Joe Main To Solemnize The Marriage Of Charles Orville Gooding And Angel Dawn Baty On May 23, 2015, In Washington County, Arkansas**, and County Attorney Steve Zega read the resolution.
- 224.6 **R. Cochran made a motion to adopt the resolution. A. Harbison seconded.**
- 224.7 Citizen Comments: There were to citizen comments made.
- 224.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 224.9 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously. The resolution was adopted.**

**RESOLUTION NO. 2015-10, BOOK NO. 3, PAGE NO. 105**

- 225.1 A RESOLUTION EXPRESSING APPRECIATION TO THE BRIDGE INVESTIGATION TEAM: R. Cochran introduced **A Resolution Expressing Appreciation To The Bridge Investigation Team**, and County Attorney Steve Zega read the resolution.
- 225.2 B. Pond stated that they exhausted all reasonable efforts to find someone to come in from outside to conduct this investigation and he believes this Bridge Investigation Team did as thorough a job as anybody could and he appreciates them coming forward and taking the time to do that.
- 225.3 **B. Pond made a motion to adopt the resolution. S. Lloyd seconded.**
- 225.4 Citizen Comments: There were to citizen comments made.
- 225.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 225.6 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously. The resolution was adopted.**

**RESOLUTION NO. 2015-11, BOOK NO. 3, PAGE NO. 106**

- 225.7 FINANCE REPORT: R. Cochran reported that there were two resolutions and nine appropriation ordinances from the Finance and Budget Committee.
- 225.8 A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY FOR A BUREAU OF JUSTICE ASSISTANCE GRANT ON BEHALF OF THE WASHINGTON COUNTY DRUG COURT: R. Cochran introduced **A Resolution Authorizing The County Judge To Apply For A Bureau Of Justice Assistance Grant On Behalf Of The Washington County Drug Court**, and County Attorney Steve Zega read the resolution.
- 225.9 R. Cochran explained that this grant is for substance abuse treatment that would run a maximum of two years and will also be matched by the State. He noted that there will be no county funds expended and this is budget neutral.
- 225.10 **R. Cochran made a motion to adopt the resolution. A. Harbison seconded.**
- 225.11 Citizen Comments: There were to citizen comments made.

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

226.2 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously. The resolution was adopted.**

**RESOLUTION NO. 2015-12, BOOK NO. 3, PAGE NO. 107**

226.3 A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY FOR A BUREAU OF JUSTICE ASSISTANCE GRANT ON BEHALF OF THE WASHINGTON COUNTY SHERIFF'S OFFICE: R. Cochran introduced **A Resolution Authorizing The County Judge To Apply For A Bureau Of Justice Assistance Grant On Behalf Of The Washington County Sheriff's Office**, and County Attorney Steve Zega read the resolution.

226.4 R. Cochran explained that this is a resolution to apply for a matching grant from the Bureau of Justice Assistance to provide body-worn cameras to be used by their officers. He stated that there is a match required by the County and the Sheriff's budget has resources available to execute the grant should it be granted.

226.5 **R. Cochran made a motion to adopt the resolution. R. Dennis seconded.**

226.6 Citizen Comments: There were no citizen comments made.

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

226.8 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously. The resolution was adopted.**

**RESOLUTION NO. 2015-13, BOOK NO. 3, PAGE NO. 108**

226.9 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$98,995 FROM THE GENERAL FUND TO THE COMPUTER/IS DEPARTMENT BUDGET FOR 2015: R. Cochran introduced **An Ordinance Appropriating The Amount Of \$98,995 From The General Fund To The Computer/IS Department Budget For 2015**, and County Attorney Steve Zega read the ordinance.

- 227.1 R. Cochran explained that this ordinance was to provide funding for replacement video equipment for the 8-9 year old system at the County Courthouse and this equipment will match other equipment that they have installed around the County at the Sheriff's and Juvenile Detention Center locations. He stated that the quality of the new system will be digital and will be a total replacement to the existing system.
- 227.2 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 227.3 **R. Cochran made a motion to amend the ordinance for this offset to come from the general funds of the Buildings and Grounds Maintenance Department Budget instead of Unappropriated Reserves. T. Lundstrum seconded.**
- 227.4 R. Cochran explained that the Buildings and Grounds budget has about \$400,000 and in the last three years they have spent about \$200,000 and he would like to see the offset come from there. He stated that they have spent well over \$1 million appropriated this year and he feels like it is time to tighten the purse somewhat and doesn't feel like this amendment will hurt the Buildings and Grounds maintenance budget and it would keep their reserves intact.
- 227.5 A. Harbison asked if R. Cochran has discussed this with Ron Wood, Buildings and Grounds Superintendent as she is unaware of what he has in his budget and what he may have that money tagged or earmarked for this year.
- 227.6 R. Cochran stated that from the budget process last year, the \$400,000 was not substantiated in anyway.
- 227.7 A. Harbison stated that she doesn't have any problem with using these funds, but believes that they should discuss it with the department head before taking funds out of their budget so as to prevent any hard feelings.
- 227.8 S. Lloyd stated she recollects that there is a June deadline to purchase the cameras.
- 227.9 Ron Wood, County Buildings and Grounds Superintendent, addressed the Quorum Court stating that this has caught him a little bit off guard, but they can make it work for a while, but doesn't believe that they can expect to get through the year with taking that much out of their budget without him having to return at a later date.

- 228.1 In response to a question from S. Lloyd, Ron Wood stated that he did not know off the top of his head what he has in his budget currently and would have to look at it.
- 228.2 J. Firmin stated that he does not feel like if they have not spent it through the year, it is the same as if it was in the general, so they are making a determination essentially to appropriate something that wasn't in the budget before which is a discussion they need to have.
- 228.3 Ron Wood stated that with this appropriation from his budget, it will be really tight to get through the year, which is why he knows he will not be able to take this much out of it without coming back and asking for money at a later date.
- 228.4 A. Harbison stated that the comment was made that Ron Wood had a \$200,000 carryover last year and that is where R. Cochran's thinking was coming from. She apologized to Ron Wood because she believes that he should have been approached about this before the meeting tonight because she doesn't like to blindside people.
- 228.5 Ron Wood commented that it would not be unusual for him to come to work at 8:00 a.m. with no intention of spending any money and he may have to spend \$75,000 before lunch. He stated that if he is going to have money left for emergencies, he doesn't think he can feel safe taking this much out.
- 228.6 T. Lundstrum stated what he likes about R. Cochran's amendment is that they are taking money out of reserves which are low to begin with and if Ron Wood needs more money before the end of the year, he may not need that much to finish out the year. He stated that it just seems more appropriate to him to buy this equipment out of maintenance which has already been established for that purpose rather than to take it out of unappropriated reserves.
- 228.7 S. Madison concurred with R. Cochran about looking to take this out of other budgets, but is struggling about whether or not they truly looked at all the opportunities for other budgets or if this was just an easy, quick solution as she would have liked to have had more discussion about this. She questioned whether they were under some sort of deadline for buying these cameras; to which someone responded that it was sometime in June. She stated that they could take it now and replenish it at a later date from another budget, but she would not like to see this become a pattern without looking more broadly.
- 228.8 B. Pond stated that while he understands where R. Cochran is coming from, but this is \$99,000, not \$98,000 and it is very short notice. He stated that

they set these budgets during the budget process and now without giving Ron Wood a chance at what he has and what he might have to spend, they want to cut \$99,000 out of his budget.

- 229.1 Ron Wood stated that he might make it without the \$99,000 this year, but he would like to have some reserve in his budget in case he would have to buy a piece of equipment.
- 229.2 B. Pond pointed out that they are already taking advantage of the labor of Ron Wood's people to run the wiring for the infrastructure for these new cameras.
- 229.3 J. Maxwell pointed out that they are on both sides of this equation because they get blindsided with new appropriations after they set budgets which is where this is originating from so they certainly understand that part of it and the other part is that they all understand if they are borrowing money out of this budget now to do something that is pertinent to the grounds with cameras for security, they all understand if he had to come back for something that was very relevant.
- 229.4 E. Madison stated that this is a good notion that they should think about adopting in spirit because they do get many requests throughout the year to take money from reserves and this sets a good example of saying when people bring them these expenditures, there should be some attempt to find room in the budget to use existing budgets to pay for things. She does not believe that this has been totally fair to Ron Wood and concurs with J. Firmin to some extent because she has never known Ron Wood to just spend his budget for the sake of spending it and if he had \$99,000 in reserves at the end of the year, it would roll over and replenish reserves anyway, so she is a little conflicted on whether this is saving anybody money. She stated that she does not feel like she has a good enough feel for the status of Mr. Wood's budget right now to know if she has that much to give because that is 25% of his budget and she might be more comfortable of taking half of the money from his budget. She reiterated that they should adopt this notion for future increases, but right now, she cannot support this because she doesn't have enough information.
- 229.5 Ron Wood stated that it is fine with him if they want to take these funds from his budget and they can go back and look at it later because it is very important that they get these cameras because right now they are not recording anything out of the courthouse.
- 229.6 E. Madison stated if Mr. Wood is okay with it she will support the amendment and they can revisit it later if they need to.



- 230.1 J. Patterson stated that they can take it out now and put it back in later if they need to as they always have and he doesn't see any reason for that to change. He stated too often in the past they say that they better leave it because they may need to spend it, but need to start thinking they may not need it and act like they don't have it because they can always give it back if they want to.
- 230.2 A. Harbison stated that she would like to see the money start coming out of the budget so they don't have any excess in the budget and instead of going to reserves every time they have something come up. She stated she would support this, but she has the general feeling that if Ron Wood needs additional money before the end of the year, that they are not going to give him a hard time when he comes in and asks for it.
- 230.3 County Attorney Steve Zega addressed R. Cochran stating he wanted to understand the amendment clearly so they can draft the ordinance right after the amendment assuming it passes, asking whether he was striking the word "General Fund" and substituting it for "Building and Grounds Budget" to which Mr. Cochran said he was. Attorney Zega added that he doesn't have a specific line item from Buildings and Grounds so he will not insert one in there to which Mr. Cochran concurred.
- 230.4 Karen Beeks stated that what will need to happen is that there will need to be two Articles in this Ordinance; the first to reduce Ron Woods' budget by "x" amount of dollars and then the next Article would still appropriate it from the General Fund, because Ron Woods' money that he is reducing automatically goes into the General Fund and then they put it into the IT Budget.
- 230.5 R. Cochran addressed Ron Wood, stating that he didn't mean to blindside him at all, but one of the things that has concerned him is that they have taken such heavy hits right off the bat this year with their reserves; he was looking at this as a maintenance item for the county which is why he looked to this budget; and it had to come out of a capital area because of the type of purchase but necessarily is still in a maintenance kind of mode. He asked Mr. Wood to come back to them in August and give them a report, good, bad, or otherwise, because they may need to put it in there because he realized that they can't wait to order a boiler one month from now if the weather goes, they will need to take care of this and he assured him that the committee would honor his request. R. Cochran stated that they need to set the tone to be a little bit tighter because of what they have already had hit them this year.
- 230.6 County Attorney Steve Zega stated as per Ms. Beeks' suggestion, he made changes to the ordinance as follows: **An Ordinance Appropriating The Amount Of Reducing the Amount Of \$98,995 From Buildings & Grounds**

**Budget And Appropriating The Amount Of \$98.995 To The Computer/IS Budget For 2013.** He further read the body of the ordinance with appropriate changes made.

- 231.1 **With no further discussion, Judge Edwards called for a voice vote on the motion to amend the ordinance.**
- 231.2 **The motion passed by voice vote with 14 members voting in favor and J. Firmin voting against the motion to amend. The ordinance was amended.**
- 231.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance as amended.**
- 231.4 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously. The ordinance was adopted.**

**ORDINANCE NO. 2015-31, BOOK NO. 10, PAGE NO. 182**

- 231.5 AN ORDINANCE RECOGNIZING REVENUES IN THE AMOUNT OF \$18,421 IN THE GENERAL FUND; AND APPROPRIATING THE AMOUNT OF \$18,421 FROM THE GENERAL FUND TO THE JUVENILE DETENTION CENTER BUDGET FOR 2015: R. Cochran introduced **An Ordinance Recognizing Revenues In The Amount Of \$18,421 In The General Fund; And Appropriating The Amount Of \$18,421 From The General Fund To The Juvenile Detention Center Budget For 2015,** and County Attorney Steve Zega read the ordinance.
- 231.6 R. Cochran explained that this is an ordinance recognizing money coming in from an insurance claim for a vehicle used by JDC which was a total loss and he expects that appropriation request next month to purchase that replacement vehicle, but for now they need to put the money back in the JDC budget.
- 231.7 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 231.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 231.9 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis,

L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-32, BOOK NO. 10, PAGE NO. 183**

- 232.1 AN ORDINANCE RECOGNIZING REVENUES IN THE AMOUNT OF \$1,950 IN THE JDC GRANT FUND AND APPROPRIATING THE AMOUNT OF \$1,950 FROM THE JDC GRANT FUND TO THE JDC HOFNOD BUDGET FOR 2015: R. Cochran introduced **An Ordinance Recognizing Revenues In The Amount Of \$1,950 In The JDC Grant Fund And Appropriating The Amount Of \$1,950 From The JDC Grant Fund To The JDC HOFNOD Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 232.2 R. Cochran explained that this is an ordinance to recognize money received for the HOFNOD ("Hooked On Fishing Not Drugs") Grant.
- 232.3 **R. Cochran made a motion to adopt the ordinance. J. Firmin seconded.**
- 232.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 232.5 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-33, BOOK NO. 10, PAGE NO. 184**

- 232.6 AN ORDINANCE ANTICIPATING REVENUE OF \$30,889 IN THE DEM GRANT FUND FOR 2015; AND APPROPRIATING \$30,889 FROM THE DEM GRANT FUND TO THE WHEELER FIRE DEPARTMENT – SCBA BUDGET FOR 2015: R. Cochran introduced **An Ordinance Anticipating Revenue Of \$30,889 In The DEM Grant Fund For 2015; And Appropriating \$30,889 From The DEM Grant Fund To The Wheeler Fire Department – SCBA Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 232.7 R. Cochran explained that this is an ordinance of anticipated revenue from a DEM Grant for the Wheeler Fire Department for small equipment.
- 232.8 **R. Cochran made a motion to adopt the ordinance. R. Dennis seconded.**
- 232.9 S. Madison asked whether the Wheeler Fire Department is a 501(C) (3) or a Fire District; as she is a little unsure why they are appropriating public money

to a fire department; to which Renee Biby, County Grant Administrator responded that this is a grant that they received through the Department of Rural Services and all grants from the this department either have to come through a city or a county and cannot be directly distributed to a Fire Station, Fire Department or Community Building. She further noted that this is a Rural Community Fire Grant that the County applied for on behalf of Wheeler Rural Fire Department. She stated that any rural fire grant that a fire department gets has to come through the county. Ms. Biby stated that they were awarded the funds today and the source of these funds is the Arkansas Department of Rural Services and they are state tax funds.

233.1 S. Madison asked how this issue came up without money going to 501(C)(3) and asked if they had that resolved yet; to which County Attorney Steve Zega responded that the question of public funds to 501(C)(3) or any corporation has not been resolved as far as he is aware by any court case. He stated as JP Maxwell pointed out 2-3 months ago and there are currently some stories circulating in the media, there have been several AG's opinions on this issue, the most comprehensive being AG Opinion 2011-195 where the specific issue was confined to whether or not the county was constitutionally valid in having elections to place rural fire dues on property tax bills which was the narrow question on that particular issue. However, he stated he would not be forthright with her if he didn't tell her in his opinion the reasoning in those AG opinions would apply to basically any public money going to any corporation; and as he has made it clear publically and in the press, his particular opinion is that there will not be a clear definitive answer on this until the Arkansas Supreme Court speaks on it or until the people of Arkansas pass an amendment to the Arkansas Constitution amending Article 12, Section 5 to allow for public money to go to non-profits satisfying the public purpose.

233.2 S. Madison stated that it almost seems that it is not that different from the grant money that went to Tysons that is a for profit corporation. She asked if it was under a little bit different coloring because they were going to have a grant for state funds set aside for this purpose; to which County Attorney Steve Zega responded that he needed to be clear about this – that the controversy surrounding this particular issue comes from the language of Article 12, Section 5 that essentially says states can't give money to corporations and can't use the credit of the state, they can't loan money to corporations for a very good reason. He went on to explain that Article 12, Section 5 was passed with the Arkansas Constitution of 1871, post reconstruction Arkansas Constitution. He stated that he is not suggesting that this makes the Arkansas Constitution any less valid, but as they understand corporations in 2015, it is not the way they understood corporations in 1871 because there was no such thing as federal income tax or 501(C)(3) in 1871. Having said all of that, he continued, if they are wrong, so are a lot of other

- people and a lot of other counties in a lot of other situations. This particular ordinance talks about the money going to the Wheeler Fire Department and the question that has come before him is whether the non-profit corporations formed by this county for the benefit of the rural fire departments are separate state entities which may be a reason that the court may decide that this is not a foul of Article 12, Section 5.; however, he does not know what the court is going to say.
- 234.1 S. Madison stated that having grown up hearing that two wrongs don't make a right, he is not sure that County Attorney Steve Zega's justification helps her. She stated perhaps they need to encourage some of these fire departments to file new charters and become a number kind of organization. She stated that she will support this ordinance because she thinks it is not quite as direct a flow as the property tax bill was, but will do so cautiously.
- 234.2 J. Maxwell stated that he thinks there was at least one case where a county did have to reimburse several hundred thousand dollars or reabsorb it and go through all of the hassle of that because it did come up and those monies had to change hands back that had been collected by the county and donated to the non-profit. He doesn't think that applies to this particular case, but they can look further into that as there is a hurdle to clear to make sure they are only collecting monies for one that falls under the correct venue.
- 234.3 R. Dennis stated that he is glad that they are getting some of their tax money back from Wheeler.
- 234.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 234.5 **VOTING FOR:** A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2015-34, BOOK NO. 10, PAGE NO. 185**
- 234.6 **AN ORDINANCE ANTICIPATING REVENUE OF \$10,000 IN THE ENVIRONMENTAL AFFAIRS GRANT FUND FOR 2015; AND APPROPRIATING \$10,000 FROM THE ENVIRONMENTAL AFFAIRS GRANT FUND TO THE BMT01-15EW BUDGET FOR 2015** R. Cochran introduced **An Ordinance Anticipating Revenue Of \$10,000 In The Environmental Affairs Grant Fund For 2015; And Appropriating \$10,000 From The Environmental Affairs Grant Fund To The BMT01-15EW Budget For 2015**, and County Attorney Steve Zega read the ordinance.

- 235.1 R. Cochran explained that this is an ordinance for anticipated revenue from the Environmental Affairs Grant Fund for this year in equipment.
- 235.2 **R. Cochran made a motion to adopt the ordinance. B. Pond seconded.**
- 235.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 235.4 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-35, BOOK NO. 10, PAGE NO. 186**

- 235.5 AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$1,520 IN THE LAW ENFORCEMENT GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$1,520 FROM THE LAW ENFORCEMENT GRANT FUND TO THE SHERIFF-COMMUNITY FIRE PROTECTION GRANT BUDGET FOR 2015: R. Cochran introduced **An Ordinance Anticipating Additional Revenues of \$1,520 In The Law Enforcement Grant Fund; And Appropriating The Amount Of \$1,520 From The Law Enforcement Grant Fund To The Sheriff-Community Fire Protection Grant Budget For 2015,** and County Attorney Steve Zega read the ordinance.
- 235.6 R. Cochran explained that this is an ordinance recognizing anticipated revenue from the Law Enforcement Fund into the small equipment fund for the Sheriff Community Fire Prevention Budget.
- 235.7 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 235.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 235.9 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-36, BOOK NO. 10, PAGE NO. 187**

- 235.10 AN ORDINANCE RECOGNIZING REVENUES IN THE AMOUNT OF \$8,876 IN THE COUNTY LIBRARY FUND; AND APPROPRIATING THE AMOUNT

- OF \$8,876 FROM THE COUNTY LIBRARY FUND TO THE COUNTY LIBRARY BUDGET FOR 2015: R. Cochran introduced **An Ordinance Recognizing Revenues In The Amount Of \$8.876 In The County Library Fund; And Appropriating The Amount Of \$8,876 From The County Library Fund To The County Library Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 236.1 R. Cochran explained that this is an ordinance to recognize reimbursements to the Library Fund to the Dues and Memberships Line Item.
- 236.2 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 236.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 236.4 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2015-37, BOOK NO. 10, PAGE NO. 188**
- 236.5 AN ORDINANCE ADJUSTING REVENUES AND APPROPRIATIONS IN THE COMMUNICATION FUND AND VARIOUS GRANT FUNDS FOR 2015: R. Cochran introduced **An Ordinance Adjusting Revenues And Appropriations In The Communications Fund And Various Grant Funds For 2015**, and County Attorney Steve Zega read the ordinance.
- 236.6 R. Cochran explained that this is an ordinance that recognizes and appropriates various grant fund money.
- 236.7 **R. Cochran made a motion to adopt the ordinance. R. Dennis seconded.**
- 236.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 236.9 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-38, BOOK NO. 10, PAGE NO. 189**

- 237.1 AN ORDINANCE RECOGNIZING REVENUES OF \$12,000 IN THE 9-1-1 FUND; AND APPROPRIATING \$12,000 FROM THE 9-1-1 FUND TO THE ACT 442 OF 2013 PSAP BUDGET FOR 2015: R. Cochran introduced **An Ordinance Recognizing Revenues Of \$12,000 In The 9-1-1 Fund; And Appropriating \$12,000 From The 9-1-1 Fund To The ACT 442 of 2013 PSAP Budget For 2015**, and County Attorney Steve Zega read the ordinance.
- 237.2 R. Cochran explained that this is an ordinance to recognize revenue and appropriating money for small equipment line items for the PSAP budget.
- 237.3 **R. Cochran made a motion to adopt the ordinance. R. Dennis seconded.**
- 237.4 J. Firmin asked for someone to remind him what the PSAP Budget is to which Grant Administrator Renee Biby responded that "PSAP" stands for "Public Safety Answering Points" or the 9-1-1 System and this acts in portion to provide 9-1-1 emergency services to rural areas within the state and to any 9-1-1 Emergency System and assist in funding, and these funds have something to do with the telephone system for 9-1-1. She explained that there are different 9-1-1 call centers all over the county and John Luther would know specifically what these funds are dedicated to.
- 237.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 237.6 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-39, BOOK NO. 10, PAGE NO. 191**

COUNTY JUDGE'S REPORT:

- 237.7 N.W.A. Regional Ambulance Authority Report - Becky Stewart, Central EMS Chief, addressed the Quorum Court and announced that Chief David Dayringer was present tonight and they would be reporting on the expanded service area of the areas that the Springdale Fire Department will no longer be serving after January 1, 2016. She referred to maps attached to the distributed report that specifically show the northeast and northwest areas of the county, including the Hwy. 412 corridor. She noted that the first map shows the area outlined where they would be talking about putting ambulances, and they will further discuss what it will cost to do that. She addressed the second map which shows what the ambulance authority will



look like once the system is put all together. Ms. Stewart noted that this area in total for 2014 had 632 calls and last year, the ambulance authority ran 16,666 ambulance calls for a combined total of most likely more than 17,298 in 2016. The map further set out the calls that the ambulance authority is currently receiving and the calls in the new area that they are looking at.

- 238.1 Ms. Stewart reported that they have over several months held multiple meetings, spoken with multiple governmental bodies, and spoken with every member of the ambulance authority and reported that the Washington County Regional Ambulance Authority Board of Directors (WCRAA) has approved the recommendation that is set out in a letter dated May 21, 2015 to the Washington County Quorum Court and Judge Marilyn Edwards wherein it states that the WCRAA Board of Directors approved the Executive's Committee's recommendation of one ambulance and an additional night crew to provide emergency ambulance service to the cities of Tontitown, Elm Springs, north Johnson, and northeastern Washington County at a level that meets the response time standards of the WCRAA while continuing the current response times provided by the Springdale Fire Department. She noted that the other three entities mentioned are relatively satisfied with the numbers that they have come up with as opposed to the numbers that they started out with. She explained that the start-up costs for 2015 for an Ambulance Station in the Northwest County area and a 12-hour night crew to an existing day crew are as follows: Ambulances at \$240,000; Operational Costs at \$8,665; Personnel at \$189,634; for total Net Cost of \$438,299. Costs for the first year beginning January 1, 2016 would be as follows: Operational Costs at \$27,216; Personnel at \$455,121; for total costs of \$482,337 and total revenue of \$224,509 leaving a net cost of \$257,828. She stated that the start-up costs of 2015 will cover wages for training the ten new employees with each additional area contributing to the total of \$189,634 based on population and per capita. Financing the ambulance and equipment starting in 2016 over a five-year period will result in an estimated payment of \$4,500 per month.
- 238.2 Ms. Stewart stated that the success of this plan hinges on Washington County Quorum Court agreeing to continue for five years the subsidy dollar amount that has historically been paid to the Springdale Fire Department of approximately \$223,000 and this is \$100,000 over the per capita amount when figured the same as others in the expanded service area. She stated that the second thing they are asking is that the 2015 start-up will need to include training ten personnel for the additional ambulances at least by the last quarter of this year, and the county's part of that they are asking for is \$99,000 and they are asking for that in 2015. Ms. Stewart stated that the next thing they are asking the court is to look at the financing of one ambulance and Washington County's portion of that cost would be \$2,369 monthly,

yearly \$28,00 and over a five-year period \$142,000. She referred to the table showing Ambulance and Equipment Loan financed and a per capita application at what each of the four entities cost would be and the County's monthly cost would be \$2,369, yearly at \$28,000, and over a five-year period \$142,000. She stated instead of coming up with the capital up front to purchase one ambulance and the equipment that goes with it which costs \$240,000 in total, they are going to finance it over a 5-year period to help with the cash flow for particularly the smaller towns.

- 239.1 A. Harbison stated that the county would need to pay an additional \$100,000 this year on top of what they already give the ambulance service and questioned when that would need to be paid; to which Ms. Stewart responded that they would like to hire these people by August, but are trying not to hire them without approval from the Quorum Court for some type of allocation. She further noted that these personnel will earn their wages by the month, so the county could make this in monthly payments.
- 239.2 S. Madison stated that since Springdale has decided to shrink the area that they cover, wouldn't they end up with extra employees and an extra ambulance; to which Chief Dayringer responded that they are pulling back into their city limits so the resources that they have now that they are providing coverage in the rural parts of the county because they need their resources in the city because the number of calls per service through them each year has increased every year like the Ambulance Authority's has, so there will be no resources available for us to use in our service area.
- 239.3 S. Madison asked if Fayetteville only covers what is in their city limits; to which Chief Dayringer responded that the Ambulance Authority covers the rest of the county other than what Springdale has been covering for many years now. He further explained that Fayetteville is part of the interlocal agreement that establishes the Ambulance Authority and they pay on a per capita basis like every other member of that interlocal agreement.
- 239.4 S. Madison stated that the big picture is then that the population of the area has grown to the extent that they need another staffed ambulance; to which Ms. Stewart added that Springdale is at the point for their city where they need to add an ambulance and staff, so the way they are doing this is by pulling the resources into the city limits from serving in the county and they are getting an injection of resources into the city by doing that. It was also pointed out that Springdale will no longer get the portion of the County's sales tax for that out in the county.
- 239.5 County Attorney Steve Zega stated that the County pays Springdale about \$250,000 now to service the northeast and northwest portions of the county

and what he understands this agreement to do is to pull that back. He stated that Springdale's portion of the 1 cent sales tax isn't going to change as a result of this agreement because these are two different sets of money.

- 240.1 S. Madison stated that the contract that the Ambulance Authority had with Springdale will now go to the Authority and County Attorney Steve Zega added that what Washington County paid to Springdale will now go under this arrangement to the EMS local ambulance authority.
- 240.2 S. Madison stated even if Springdale hadn't changed, they would still be looking at needing another ambulance; to which Ms. Stewart responded that Ambulance Authority would not be covering that area. Ms. Madison stated that somebody would have to buy another ambulance, either Springdale or Ambulance Authority. She further explained that this is largely due to growth and is not necessarily because of Springdale changing, but is due to both.
- 240.3 Ms. Stewart further explained that Springdale chose to increase their resources by changing their service area which at that point, Ambulance Authority has to increase their resources to cover that area.
- 240.4 S. Madison stated that she just wants to make sure that they are not ending up with a double dipping; to which Chief Dayringer responded that they were not.
- 240.5 Ms. Stewart continued to explain that what they have been able to do is take the cost of purchasing the ambulance and ongoing cost of hiring employees and make that feasible for the small towns and what they think that the county can do going forward from 2016 and they need to amend the interlocal agreement as well. She further stated that what the county will be paying over and above what they are currently paying is the \$99,000 for hiring and training new employees through the end of 2015 and the financing cost of the ambulance.
- 240.6 Chief Dayringer added that these costs are being shared by the potential new members of the ambulance authority, Elm Springs, Johnson and Tontitown, who are like the county increasing their head count to citizens that they were serving with the Authority.
- 240.7 S. Lloyd asked if it was the percentage of people that they will be covering in this new area the same percentage that Springdale was covering and therefore, they need that exact amount of money, or was it miles that will have to be covered or population served; to which Ms. Stewart responded that it is because of both issues. She explained that they looked at where the calls were historically and where they can best cover those calls with an

ambulance inside of 12 minutes and 20 minutes as shown on the map. She stated that they looked at where the new calls were located and what response time they needed to meet to get to those calls and where they needed to put ambulances to meet those response times and they came up with needing one ambulance and another at night crew in the rest of the system to cover those calls. She stated that they took the cost of that and came up with a formula for the funding that worked for everybody, so they are taking on additional population, as well as ground and that figures into the response time and how many ambulances they need to cover that ground and get to those calls, and this figured out to one ambulance and ten people. She further stated that one ambulance 24/7 is 6 people and a night crew is 4 people and with those additional people, they can cover the additional calls for the system.

- 241.1 Ms. Stewart addressed a previous question regarding the current ambulance system, stating before they came up with this recommendation, they looked at the current system and it needed an ambulance in the northeast area of Fayetteville, so the current system is adding in one additional ambulance starting in 2016 and funding that as members of the current system at an increase starting in 2016 and the county will see that. For the expanded service area, the additional calls and ground that they have to cover will require one ambulance and ten people and they tried to finance it so it was spread over a period of time and pull the people at the end of the year so they have a smaller amount of wages and salaries and split it out per capita because that is the way everything else is split out.
- 241.2 S. Lloyd asked if they got an APR on the financing of that ambulance; to which Ms. Stewart responded that they are trying to get a good one and traditionally they have had reasonable rates. She stated that they are looking at hiring a tax attorney to write them a letter that specifically says they qualify for governmental rates as some lending institutions require that while others don't. As an interlocal authority or a quasis governmental entity, they have had a change of retirement to governmental retirement and there are a lot of other things that they believe they will qualify for.
- 241.3 H. Bowman stated that they had a meeting here about two months ago talking about this issue and at that time, he was the only one who believed that their rates would go up very substantially, so he is really excited that they will be paying about the same as their neighbors should be paying. He asked if that additional revenue came from the three CD's that were not paying any taxes at all for EMS; to which Ms. Stewart responded that they have taken a look at the current system so the numbers of that system are funding one additional ambulance in the northeast area of Fayetteville and that will cost members of the current system to move from 2000 census to 2010 population and that will

increase the funding and also to increase the per capita funding by \$2.06 per capita which will leave the cities from \$4 to \$6.06 per capita and the county from \$15.50 to \$17.56 per capita and from the current members, that is how that ambulance in the northeast Fayetteville area is going to be covered, so some of the initial numbers that were very shocking were affected by that.

- 242.1 L. Ecke asked if someone were to call for ambulance service, how much would the bill be that they received; to which Ms. Stewart responded that the regional average ambulance bill is about \$950 to \$1,000 and that depends on the level of care and could be much less than that and could be more. She added along those lines, the ambulance authority's operating budget will be close to \$10 million in 2015 and they collect 80% of that operating cost based on fees for transport reimbursement from third party, Medicare, Medicaid, private insurance and some from private pay, but the remaining 20% is made up of 10%-11% is local government support and grants. She noted that this can be very tenuous because they are talking about grants, as well as approval of local government institutions and reimbursement.
- 242.2 A. Harbison stated that J. Patterson has worked on a local agreement that they have and she knows that many people on the court don't realize the work that has gone into developing this ambulance system. She noted at that time, Springdale didn't participate and wanted part of it, so they just paid them so much per capita to cover that area; but now that they decided they don't want to do that, they have to pick up the rural area because they are drawn back into their city limits. Otherwise, all other cities in the county are a part of a regional ambulance service. She stated that because they have dropped in population in the county, they normally suffer and in this situation, it has helped us. She suggested that some of them may want to talk to J. Patterson because they don't need to reinvent the wheel every time they start to talk about ambulance service. She stated that they have a good ambulance service and they really need to get behind this because it helps their rural citizens.
- 242.3 J. Firmin verified that the Ambulance Authority's total operating costs were around \$10 million this year, noting that this is extraordinary and he is aware that they have put a lot of time into this and have done a fantastic job. He further suggested that they get this on the agenda for June's Finance & Budget Committee so they can get these people hired. In further response to J. Firmin, Ms. Stewart stated that she believes Tontitown city limits had 114 calls for 2014.
- 242.4 J. Patterson stated that many of the JPs are new to this, but he has been involved with the ambulance authority for several years and he can state that they are just an unbelievable distance away from where they were when they

started. He stated that it is really very complex when you start getting into the nuts and bolts of it, noting when they started they were dealing with Springdale separately applying how they work their ambulance deal to what they were doing with the ambulance deal in the rest of the county. He is amazed at how they were able to work this out because he thought it was going to cost them a lot more than it did. He pointed out that this will be ongoing and changing all the time as it is not settled, but is on the right track and everybody is going to have to watch it because they will be having another census before too long.

- 243.1 B. Pond stated that Springdale Fire Department was covering the north part of Washington County rural area and they are about to take that on, and at that time, they will be covering every part of Washington County except for the Springdale city area. In response to a question about how many people are employed by Central EMS; to which Ms. Stewart responded currently they employ 86 full time people, at last count, they had 22 part time people, and are getting ready to add 18 field staff. B. Pond stated that these are dedicated people and on a time or two, he had the pleasure of seeing 2/3<sup>rd</sup> of them at one time in one room and he does appreciate what they do.
- 243.2 Ms. Stewart thanked the Quorum Court in closing and stated that they are blessed to have a very seamless and incredible network of first responders and rural fire department dispatch their folks and the paid career fire departments and the County who has supported ambulance service for over 35 years which makes it possible for them to work for Washington County. She added that this is a result of a lot of hard work from Chief Dayringer, Jimmy Beachum, and Ron Wood, who is a member of their executive committee, Ray Morgan, Owen McIvey as their new financial director and Steve Harrison, as well as the mayors in every town in Washington County.
- 243.3 R. Cochran stated that he will support the Ambulance Authority for their startup costs as well as their 5-year plan because the benefit to the citizens of Washington County is great.
- 243.4 Equalization Board Appointment for Quorum Court - Judge Edwards stated that some on this court may have known Mr. Joe Bailey who passed away. Therefore, she stated that the city has to appoint someone to represent them. She stated that the Quorum Court has representatives on the County's Equalization Board; Mildred Runkle and Luther Freeman. She stated that Mr. Freeman's term expires this year in June and Mrs. Runkle's in 2017. She reported that Court Secretary Karen Beeks has spoken with Mr. Freeman and he is interested in being reappointed if it is the desire of the Quorum Court.

- 244.1 **B. Pond made a motion to confirm Mr. Freeman's reappointment to the Equalization Board. J. Patterson seconded. The motion passed unanimously by those present by voice vote. The reappointment was confirmed.**
- 244.2 Update from Judge Edwards on Bridge Investigation Items – Judge Edwards reported with all the recent rain, the Road Department has been pretty busy as they have had a lot of damage to their roads with some cave ins and a mud slide around Cove Creek where the road was closed completely.
- 244.3 Judge Edwards commended E. Madison and Russell Hill on the excellent job they did on the bridge investigation, but when they got through there were 1400 pages of depositions which she believes the JPs each have a copy of. She stated that she is wading through that very patiently and as soon as she, along with County Attorney Steve Zega along with several people in her office get through all of that, they will have some discussion and decide what needs to be done. She reported that on the Harvey Dowell and Stonewall Bridges they have a request for qualifications and they have advertised for two weeks for a Contract Bridge Crew Supervisor and this will close on May 18 with one RFQ was received and a meeting is being scheduled to review this with the individual and discuss the project. She stated if the RFQ is accepted and a contract entered into, they will oversee the Road Department employees to complete the construction of the Stonewall Bridge. She noted that GTS will continue to do the technical testing at the site and Jim Beatty is doing the phase work inspections. She stated that once the bridge is completely, it will be certified by their Engineer Mr. Beatty.
- 244.4 Judge Edwards reported that Mr. Jim Beatty has drawn up the plans for the retrofit on the Harvey Dowell Bridge. She stated that the county will be hiring this work out and the bridge specifications on this project are nearing completion and they anticipate these to be published in Sunday's paper and the bid period will be open for three weeks which will make the deadline sometime the week of June 15<sup>th</sup>. She stated that everyone received cost data on the Harvey Dowell and Stonewall Bridges that Shawn Shrum worked up and although he could not be here, if anyone has any questions, they should feel free to talk to them on the phone or at his office.
- 244.5 Judge Edwards referred to the report from Meyers-Beatty Engineering on the County Road 62 Bridge over the Illinois River, noting that Mr. Beatty's report from his visual inspection of the bridge that day revealed no signs of distress in the spans or the substructure that would indicate problems.
- 244.6 E. Madison referred to the Hwy. 62 Bridge and lack of a curb, noting that one of the things they discussed with Mr. Beatty was the ability to go back on the

Harvey Dowell Bridge and add a curb to have that additional safety measure to keep cars from going off the bridge and not seeming concerned with the plight of Hwy. 62 Bridge. She stated that it is not necessarily a structural defect that they need fixing, but she would be curious to ask Mr. Beatty about that to which Judge Edwards stated she would speak with him about that.

- 245.1 Judge Edwards stated that they also have going a Safety Equipment Employee Concern Safety Committee, reporting that the Washington County Road Department Safety Committee was first established in 2010 but kind of fell by the wayside due to employees leaving and the county training procedures changing. She reported that this is being revamped and will include several employees from the Road Department, as well as some people from Environmental Affairs because they deal with chemicals. Judge Edwards reported that this Safety Committee will begin meeting within the next week to discuss any employee concerns such as safety, additional training needs, and a public safety equipment purchase. She noted that this committee will be employed, organized and run by several employees who have come forward and asked to serve on this committee.
- 245.2 Judge Edwards pointed out that the Washington County Road Department actually has more scheduled programs for safety training than any Road Department in the State. She stated that there is a substantial amount of new hire training and there is continued safety training occurring throughout the year.
- 245.3 Judge Edwards stated that OSHA regulations state that safety equipment needs to be determined by the job classification such as when steel toed shoes are required, hard hats, sign or fall protection, etc. She stated that they will be looking at different jobs to determine what safety equipment is required for job duties by OSHA which is something that the Employee Committee can also provide input on.
- 245.4 Judge Edwards stated that County HR Director Lindsi Huffaker would now report on some of the areas that they have worked on.
- 245.5 Lindsi Huffaker, County Human Resources Director, addressed the Quorum Court stating that she wanted to update the court on other areas other than the bridges themselves that they are trying to work on to improve the environment at the Road Department. She stated that their goal and mission going forward is training of leaders as well as employees. She stated that Judge Edwards and Dan Short had asked her to discuss first of all the promotionary process at the Road Department. She stated that as many of them may be aware if they are familiar with the Employee Handbook, internal jobs within a department are intra-departmental jobs and these do not require



public advertising and don't even require internal advertising per county policy. She stated that the Road Department has decided that they will begin to post absolutely every internal job at a public location and by internal job she is not talking about just promotionary jobs like from an HEO position to an HEO2, but if they have a job that opens up in the shop and somebody is on a grater, they will advertise the same job title officially with the same grade of pay and give their employees a chance to ask to be considered for such a job before they go outside and look elsewhere to fill the position.

246.1 Ms. Huffaker also noted that the process for promotion or transfer will be a little different than it has been in the past. She explained that they have designed an application just for the Road Department crew for internal postings where they can complete their years of relevant experience and any training that would qualify them for the job they are going into, as well as their tenure with the county. She stated that they will be doing a different type of processes that were done in the past where traditionally they may have an application and interview, now there will be a series of qualifications taken into account, including their performance history, past performance evaluations, tenure with the county, skills tests directly associated with that position to make sure that the person moving into that position does possess the qualities they need to do the job successfully, as well as an interview. She noted that each section of the transfer promotionary process will have a weight score attached to it so when they complete the process, they will have a quantitative number tied to every individual considered. Ms. Huffaker stated that they have actually tabled posting the internal jobs at this point because there are several vacancies and they are not posting them until they complete this process just to ensure that each current Road Department employee has a fair and equal shot to be considered for open jobs.

246.2 Ms. Huffaker stated that this is a work in progress, reporting that they held a meeting Monday with the entire staff and Road Department employees to cover the process changes that are going to be coming and give them a heads up that these things are coming down the road. She stated that they had some very good suggestions made by the employees that they are hoping to tie into this process. When speaking to the Road Department employees on Monday, she stated that she tried to stress that anytime they have a concern, there is a sound off system where an employee can voice their complaint to another party that is not being utilized and she did remind them if they didn't feel comfortable bringing a concern to their manager, that her department has an open door and she further noted that the HR Department takes anonymous complaints all of the time. She stated that the very next day, she had several phone calls, not necessarily making complaints, but also refreshers, asking questions, and clarifying.

- 247.1 Ms. Huffaker reported that JP B. Ussery helped provide a means for them to get into Dale Carnegie and they have four supervisors currently going through leadership training with five more to start shortly. She stated that their hope and goal is when they get to the end of all of this is that all the frustration that the court has had, employees have had, and leadership has had, that they have the best Road Department in the State and will work very hard with everyone to bring that about.
- 247.2 H. Bowman asked about qualifications and whether they have a number to tenure and how much that would have in a hiring situation; to which Ms. Huffaker responded that they don't have that yet. She stated that right now they have the qualifications and are currently working on the skill test and have not put the weights on yet, but will be doing that. As soon as they have those, she will be more than happy to share all of that with the court and employees as well. She pointed out that tenure will have a fair amount of points related to it because they do want to consider those who have been with the county for a long time and have a lot of experience and skills of course first.
- 247.3 H. Bowman stated that he doesn't want to put down any of their older employees, but he believes that they absolutely need to keep knowledge of technology at a forefront and not overweigh tenure in these hiring decisions.
- 247.4 Ms. Huffaker stated that this is very much in the development phase and they are looking for feedback so if any member of the court has suggestions, they would welcome them.
- 247.5 L. Ecke stated that she reached out to Lindsay Huffaker right after they received the report from the investigative team on the bridges and asked about Safety Manuals, etc., and while Ms. Huffaker was on vacation at that time, Cassi Wood put together for her a package that contained the Safety and Health Policy, as well as the Employee Handbook that talks about grievances. She commended Ms. Huffaker's Office who did very well in getting her the information she requested.
- 247.6 Judge Edwards noted that between the packet from HR and Depositions, L. Ecke is going to be busy.
- 247.7 R. Dennis asked how many years does HR keep records on employee files, present and past, to which Ms. Huffaker responded that she has the entire life of the employment of present employees, but once they terminate, the files are kept for five years. R. Dennis asked if five years was long enough; to which Ms. Huffaker responded that by federal law five years is long enough. She stated that federal law recommends not keeping employee files too long

- due to the storage issue, but they actually have elected to keep them slightly longer than the federal requirement so if an issue comes up, they can reference it.
- 248.1 R. Cochran asked if the manuals that L. Ecke has are publically accessible on the website; to which Ms. Huffaker responded that they are posted on the resource website, though she is not sure about the Safety Manual. She stated she would check into that and if they are not on the website, she can certainly make it available.
- 248.2 B. Ussery stated that they talked to employees about time cards and also, he would like to hear the results of the recent state audit; to which Ms. Huffaker responded that they did receive an investigation by the Wage and Hours Division of the Department of Labor based off of an anonymous tip. She reported that the main issue of the investigation was lunch hours and whether or not employees were being compensated accurately if they worked through lunch or their lunch hour was adjusted. Ms. Huffaker reported that the Department of Labor came in and interviewed 19 employees, most performed off-site and also interviewed the Road Department Administrative Staff and payroll people to see how it was collaborated. In reviewing the time cards, they could find multiple instances where somebody worked through lunch and were paid for their lunch or took an alternate lunch hour than a normal lunch hour and the ultimate result of the investigation was that the county was not in violation as they did have sufficient evidence to supply time cards and prove that they had paid employees correctly as they reported.
- 248.3 E. Madison asked what the Department of Labor may have recommended as far as policy changes; to which Ms. Huffaker responded that there were no policy changes recommended as they were already being implemented; however, they just recommended going through training courses with new employees. She reported that they had there first meeting at the Road Department with Supervisors a week ago and have one slated this next Friday for all employees just to cover the labor standards, how their time should be reported, and how to let their supervisor know if something is incorrect. She stated that there was one claim made by somebody that they were filling out a report before work that should have been filled out during work, but there wasn't anything to collaborate that and the Road Department staff had told them many times to fill them out during the day, so it wasn't anything that they felt the county was violating, but just recommended that all employees process all of their paper work during work hours. Ms. Huffaker stated that they had voluntarily changed a form so when they do their report logs of their hours worked and services performed each day, it will include a column where they can voluntarily state if anything changed during their work schedule that day, it will be on both their time card and on their work log.

- 249.1 E. Madison asked if there was any back pay that had to be paid out to which Ms. Huffaker responded that there was not. She further explained that JP Ussery attended their last meeting.
- 249.2 L. Ecke asked what Shawn Shrum's title was to which Ms. Huffaker responded that his title is Safety Enforcer. L. Ecke stated so if there were any safety violations, they would come to Mr. Shrum's Office. She further asked who at the Road Department communicates with Mr. Shrum on any kind of safety issues; to which Ms. Huffaker responded she wasn't familiar with that process and wouldn't want to try to guess because she doesn't know. She noted that they have a committee but haven't operated it as frequently as they ought to.
- 249.3 Ms. Huffaker stated that they have been talking with Blair Johanson and the Road Department is looking at ways to better structure some of the positions within the organization to more clearly define the roles. She pointed out that many of the crews are very static and are here one day and on a different crew the next day and they are trying to find a way without completely tying the hands of the Road Department to where they can't do their business, to allow an employee to have a better understanding of who they directly report to, which crew they are more frequently on, and what their expectations are as a member of that crew.
- 249.4 E. Madison stated when she spoke to Donnie Coleman after the investigative report, one thing that occurred to her was this HEO structure sort of being universal and doesn't really take into account that people's jobs are so different, i.e., someone riding on a brush hog all day vs. someone expected to read engineering plans to build a bridge and while she understands the practical realities, there has to be some way to reflect in the job descriptions the differences in those two positions or recognize the different skill sets and try not to establish such a rigid structure that it doesn't allow for people's skills to be reflected in pay or in responsibilities. She realizes that this may be quite a challenge for them, but if they are going to try to attract and retain the people to do the jobs they need, then there is going to have to be some way to recognize that.
- 249.5 Ms. Huffaker responded to E. Madison stating that they realize that this is a little vague right now and they talked with Blair Johanson and ironically when they asked what other cities and counties doing in this particular area, he said that they had a heavy equipment operator. In other words, most cities and counties are in the exact same boat they are in here, but that doesn't mean it is the best way to operate. She stated that very specifically they looked at graters and will immediately do something about them because their job duties are so different and this is a highly coveted position at the Road

Department and requires a very distinct skill. She further noted that they broke out Bridge Crew Lead and Bridge Crew Supervisor in more detail.

- 250.1 County Attorney Steve Zega reported that he was part of a round table discussion on whether or not the county needs a full time engineer and specifically with respect to the Road Department and other aspects such as the Rich Red Dirt Appeal and things such as sight distance planning on roads that the Planning Department utilized. He stated that basically the conclusion that everybody came to was that they might have enough work to keep an engineer busy at a three-quarters full time job which is not yet quite to the cuff where this court needs to create that position and then appropriate the money for the professional person. He stated when talking about civil engineering, even within that discipline, there are several sub-disciplines and specialties that include things like building roads and bridges, filling other services in Public Works, so they might hire an engineer who is doing something in the ballpark, but still end up having to pay a consulting engineer. Therefore, at this time, it was not an important thing for them to create the position and appropriate the money for a full time engineer at this time.
- 250.2 With regard to the bridge safety concerns, Judge Edwards stated that Washington County has had a routine bridge inspection program long before any of the current issues came to their attention. She stated that they have had the State Highway Department come in every year and try to look at different bridges at least every other year, but they have some bridges that they feel like may require more attention and would try to look at it again in six months or a year. She stated that she has confidence in the State Highway Department to inspect their county bridges. Judge Edwards noted that she has only built two bridges since she has been County Judge and those two bridges are no less structurally sound than hundreds of other bridges that they have in Washington County. She stated if they want someone to inspect close to 200 bridges in the county and tell them when they need to do to repair and make them better. She stated that those bridges were built during the time when that is how bridges were built which was way before her time on this court. She stated if they are going to inspect all the bridges for not just safety, but for just problems with the bridges, they will have to have a lot of funds to do so. Otherwise, she will continue to have the State Highway Department come in and inspect the bridges for them.
- 250.3 Judge Edwards reported that there was a pin on the Orr Bridge that they were watching and once that pin gave so much, she knew that she couldn't leave that bridge open and she closed it completely off. She stated that the same thing occurred with the Woolsey Bridge which is one of the old metal bridges that she needed to close but the State Highway Department and feds are going to help the county rebuild that bridge.

- 251.1 In response to a question from Judge Edwards, County Attorney Steve Zega stated that the county contribution is a single digit. A. Harbison stated that she talked to Shawn Shrum recently and he told her that the county's contribution was 1%.
- 251.2 Judge Edwards reported that she has had several departments and several people that are hesitant to come before the Quorum Court, stating that they have been treated rudely and talked down to when they come before the court. She told them that she would bring it to the court's attention because these are county employees who are entitled to the same respect as this Quorum Court expects. She urged everyone to show these employees respect because they are hard working people and will do anything they can to help out.
- 251.3 E. Madison stated that her understanding of the State Highway Department inspections are that they might go as long as two years between inspections and she felt that it would be a good preventative issue for them to have in place some type of routine inspection of their own. She pointed out that the Hwy. 62 Bridge issues found by Mr. Beatty she could see by just walking under the bridge. She stated that the painting issue was something that is pretty easy to detect and she feels that if the county had some type of routine inspection program in place themselves, that they shouldn't be waiting on the State, go inspect them ourselves and find ways to improve them and prevent problems from getting as bad. She believes that the State will be looking for more serious issues and the county could do more preventative inspections to find ways to make the bridges last longer and be more durable.
- 251.4 R. Dennis concurred with E. Madison on the county performing its own routine bridge inspections by someone who knows their bridges and is tenured. He further stated that he has been asked by his constituents about the Orr Bridge and questioned whether it could be repaired instead of being torn down and replaced; to which Judge Edwards responded that the problem in her mind with the Orr Bridge was if you could open it up for just pickup trucks and cars, that would be wonderful, but she can't keep logging trucks and hay trucks off of it which creates a problem. He suggested that they restrict these vehicles from using the bridge to which Judge Edwards questioned who was going to police it. R. Dennis stated that common sense would be a good way to restrict it by placing a rail across the top so that a tall vehicle couldn't go through. Judge Edwards stated that she will certainly have someone look into these suggestions for the Orr Bridge. He reported driving on county roads a lot since this bridge issue has come about and he has learned a lot. He would like to see them go forward and make things good.

- 252.1 L. Ecke stated that attitude reflects leadership and it starts with leadership. She stated that she has not received any rebuke, chastise, etc. from anyone who she has asked to help. She stated that the Quorum Court members who are sitting here have shown leadership and respect and when they refer to her, they give her the respect that her elected position calls for. She stated that they call her Judge Edwards out of respect for her elected position. Moving forward, she would like to ask Judge Edwards to respect the JPs and when calling upon them, refer to them according to their elected positions as either Justice Ecke or JP Lisa Ecke and show due respect to them as they do to her. She is a little taken aback by the chastisement that Judge Edwards just gave this court because they have all worked together to get along and to work with one another and have never openly said anything derogatory or belittling to county employees and she takes exception to that public chastisement.
- 252.2 Judge Edwards stated that she is not arguing L. Ecke's point, but she has had staff members who came to her and she feels that she owes the two floors of this county that respect also.
- 252.3 B. Pond stated that Judge Edwards can call him "Butch." He stated with respect to the truss bridge structure mentioned by Judge Edwards, it would be a real good idea to get that into perspective. He noted that Benton County has one just across the county line at the Mill and to get a good idea to see what is needed to keep up the maintenance on one of those bridges, he suggests that they check to see what has been spent on that bridge. He stated that one thing that they have done years ago that they have now gotten away from that probably helps that structure and that is to put in a concrete floor which adds a lot of weight to the structure, but still redo it with lumber instead.
- 252.4 COMMITTEE REPORTS: E. Madison, Chairman of the County Services Committee, reported that the County Services Committee met on May 4<sup>th</sup> and heard a presentation from John Pennington, Executive Director with the Beaver Watershed Alliance who talked to them about water quality in the Beaver Watershed and particularly a topic of interest was the West Fork of the White River specifically 27 miles that has been put on a watch list as problem for erosion which erodes the quality of water in Beaver Lake that many of them drink. She noted that they heard the quarterly report from the Angela Ledgerwood, Director of the Washington County Animal Shelter and the message from there is that it is spring and with an increase in population at the shelter, that people need to adopt a new dog or cat. She reported that the committee heard a bi-monthly report from Juliet Richey, Director of the Washington County Planning Office; as well as a quarterly report from Sophia Stephenson, Director of the Washington County Environmental Affairs Office.

- E. Madison reported that John Adams, IT Director reported that all fax lines have been cut over and the E-Fax Project is complete. Finally, the committee dealt with some housekeeping measures.
- 253.1 H. Bowman reported that the Public Works Committee did not meet this month due to lack of an agenda.
- 253.2 B. Pond reported that the Personnel Committee did not meet this month due to lack of an agenda.
- 253.3 T. Lundstrum reported that the Jail/Law Enforcement/Courts Committee, did not meet this month due to lack of an agenda.
- 253.4 R. Cochran, Chairman of the Finance and Budget Committee stated that the Finance and Budget Committee met on May 12<sup>th</sup> and County Treasurer Bobby Hill presented the Treasurer's Report that they have had their 13<sup>th</sup> month of increases over last year. Comptroller Cheryl Bolinger reported on their change in unappropriated reserves and the condition of various county budgets with everything appearing to be fairly well on track.
- 253.5 R. Cochran reported in addition to the various appropriation ordinances that were brought forth tonight, the committee heard a presentation by Bobby Hill on the revenues, milages and taxes which was a good training for their new JPs and a good review for others; and they held a good discussion on getting started on budget controls next month.
- 253.6 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: E. Madison introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney Steve Zega read the ordinance. The Planning Board granted a Conditional Use Permit on May 7 for Fritchie Farms. This ordinance contains an emergency clause making it effective immediately upon passage.
- 253.7 E. Madison explained she left this ordinance on the agenda tonight just so that the folks who were here tonight had an opportunity to speak, but she let them know if there is an appeal, there will be a special hearing held and they will have ample opportunity to talk and they would be first on the agenda there. She explained that this is in the Goshen Planning Area and is a proposal for a wedding event venue consisting of 21 acres with a plan to split the property and have a private residence and then a wedding venue. There were discussions about limits on noise and how late there would be music playing and whether there would be outdoor or amplified music. She noted that there was opposition from some of the neighbors and when she talked to



Ms. Ritchie about it last week, at that point in time they weren't sure whether there would be an appeal, but some of the landowners have notified the county that they do intend to appeal. She explained that this was going to be on the agenda tonight for just the ratification, but in light of the appeal, she would move to table it, but allow those who are there tonight to speak if they would like to, realizing that they will have another opportunity.

- 254.1 **E. Madison made a motion to table this ordinance indefinitely. R. Cochran seconded.**
- 254.2 County Planner Courtney McNair commented that they had advised the applicant that they were pulling it from the agenda tonight and she does know that he would have liked to talk about it if he had known that there would be discussion allowed. Initially, she reported that they provide any information that anybody asks for including appeal information, and if anyone present has any questions or wants to see any documentation, all they have to do is call them and they will provide that to them immediately. She noted that she had appeal forms and their zoning ordinance with her tonight if anyone needs that information.
- 254.3 E. Madison requested that they allow the lady to speak who has been waiting patiently to speak on this issue.
- 254.4 Becky Martin, resident 300' from the proposed event center on 15671 Ball Road, addressed the Quorum Court stating that they held this last week and it was unclear to any of them that there was an appeal process and she only found out about it yesterday when she obtained the necessary appeal forms. She stated that she almost feels like they are not being afforded the same concessions that Mr. Fritchie has been afforded in his quest to open this event center. She has lived on her property for 14 years and Mr. Fritchie does not live there and it is also her understanding that the property is being split to build a house on with the existing house still for sale and then the Fritchie portion that is being planned for an event center. She has been told that it will hold weddings, birthdays, special occasions, and when he was asked whether it could be rented by a fraternity or sorority for a party, he didn't answer which concerns her because she believes the events are planned to be far more widespread. Ms. Martin further noted in his letter, Mr. Fritchie stated that the event center would be open mostly on Fridays and Saturdays which leaves five additional days of the week; that he would like to contain outside music, but didn't say he was going to; and mentioned in his letter that most of the lighting would not affect all of the neighbors, so that means some of them will be affected.

- 255.1 Ms. Martin stated that B. Pond is very familiar with this property as he has worked on it quite a bit and he knows in this area, the way it is set out, sound travels completely through there and she believes that this CUP will be a disruption to their community. She stated that zoning laws and regulations are put in place to protect their property rights and when she moved there, she understood it to be a community and discussion was held about whether one or two houses could be built on an acre. She stated that this property is in a residential area, not zoned for an event center, nor zoned for the fact that Mr. Fritchie in the rest of his proposal wants to come in and apply a 10-year plan where he will put cabins out there for people to spend the night.
  
- 255.2 Ms. Martin noted that Mr. Fritchie talked about having parking for 85 cars and pointed out that this would bring in 200 to 300 people coming up and down that dirt road and at this time he is not planning on having a liquor license; however, people can cater in their own alcohol. She noted that if any of them have driven down Tuttle Road, right before turning onto CR330, there is a very dangerous curve and when you stop right there to turn onto CR330, the people immediately behind you can easily ram you and there are hidden drives all around the area. She is worried that this use would be a disruption to her community; is worried about her property values; is worried about the fact that people will be drinking and driving and traveling this road. Ms. Martin noted on his plan, Mr. Fritchie stated that there was a place for the fire truck to turn around, but he didn't mention that there is an older barn on the property and it is her understanding that he planned on keeping that barn and having pictures made in it and this barn is a long way from where his fire turnaround is.
  
- 255.3 Ms. Martin asked why there was an emergency clause on the ordinance; to which County Attorney Steve Zega explained that the typical process for an ordinance is to go through three readings and if it does not go through three readings on a single night by suspending the rules, then an emergency ordinance is done for Planning and Zoning so any particular CUP could use his permit when a CUP is non-controversial and is not going to be appealed and pass it immediately so the property owner can get on with their particular business interest. He stated in this case because it is going to be appealed, the emergency clause will not be used.
  
- 255.4 **With no further discussion, Judge Edwards called for a vote on the motion to table the ordinance indefinitely.**
  
- 255.5 VOTING FOR: A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. ABSTENTION: B. Pond. ABSENT: T. Lundstrum & J. Patterson. **The**

**motion passed with twelve members voting in favor and one member abstaining. The ordinance was tabled.**

- 256.1 **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD:** R. Cochran introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney Steve Zega read the ordinance. The Planning Board granted a Conditional Use Permit on May 7 for Elkhorn Springs Road Dirt Pit Expansion #2. This ordinance contains an emergency clause making it effective immediately upon passage.
- 256.2 R. Cochran stated that this Dirt Pit has been operational for some time and has expanded once before. Portions of the older areas of the Dirt Pit have been reclaimed. There has only been minimal objection to the Planning Board and passage of this ordinance does not preclude an appeal and that appeal period for this CUP is 30 days from Planning Board approval on May 7th. No new entrances were proposed for this CUP does not allow for the quarrying of rock, but only for the extraction of red dirt clay and gravel.
- 256.3 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 256.4 E. Madison stated that one thing she learned procedurally is if by chance this person who objected did want to appeal the ruling and she has heard that this is likely, their ratification of the Planning Board decision would not affect those appeal rights.
- 256.5 J. Firmin asked R. Cochran why he was sponsoring this ordinance; to which he responded that it is in his district and E. Madison added that this was part of the housekeeping from County Services. She stated that she thought that people who had projects come from their district should have the opportunity to be the sponsor unless like in the case of Fritchie Farms, B. Pond decided not to and then it defaults to the Chairman of County Services.
- 256.6 J. Firmin asked if this went through the County Services Committee to which E. Madison responded that it did not, but rather came straight from the Planning Board.
- 256.7 County Attorney Steve Zega explained that typically the Planning and Zoning Board meets after County Services and when these relatively non-controversial ordinances come out, they have by custom before gone through the Chair of County Services and the committee did not address this. He stated that it went through the Chair and Justice Madison asked that the JPs

in whose district it might be have the first opportunity or right of first refusal to bring it to the full Quorum Court.

- 257.1 J. Firmin asked if there were any complaints about this CUP at all to which County Planner Courtney McNair responded that there were a few. She looked those responses up and reported that they had one person commented in favor, one person asked questions but never stated support either way, and six people opposed. Those opposed to the CUP lived in proximity which led Ms. Richey and staff to believe that perhaps their opposition was to general truck traffic on Hwy. 16 as opposed to the actual dirt pit expansion, but the majority was concerned about the truck traffic and intensity on Hwy. 16.
- 257.2 A. Harbison stated that this dirt pit has been in operation for a long time and they are just expanding with no increase in truck traffic. The only difference is that they will be removing dirt from a different place on the property. She pointed out that the county needs red dirt and it has to come from somewhere.
- 257.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 257.4 **VOTING FOR:** A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, and J. Firmin. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-40, BOOK NO. 10, PAGE NO. 191**

- 257.5 **REPORT ON THE ANNUAL ASSOCIATION OF QUORUM COURTS MEETING:** E. Madison reported that the Arkansas Association of Quorum Courts Meeting on behalf of the Quorum Court on April 18<sup>th</sup>. She noted that there was a very standard agenda with a report from the Executive Director of AAC and they heard from Mike Rainwater, Beth Walker and the Attorney General's office about the Freedom of Information Act. She stated that the bulk of what she wanted to tell them about tonight was just about the Legislative Update.
- 257.6 E. Madison stated the she hopes the JPs received a copy of the obituary for Jonathan Greer that Carly circulated. She stated that Jonathan was the liaison for the Quorum Courts Association and at AAC and he took his own life after the meeting which was obviously very disturbing. She noted that Mike Rainwater's cell phone number is (501) and certainly the AAC staff is a little pressed right now for help, but she knows they will help the county if they need help.

- 258.1 E. Madison stated that they didn't convene in their congressional district of how they elect board members and she was elected to return to the Board for their Congressional District and then was elected Secretary of the Board of Directors for the Arkansas Association of Quorum Courts.
- 258.2 E. Madison reported that the brief legislative update that was provided included that JPs have now been added legislation for a cost of living adjustment, so the pay raise that they have set forth will also increase just like all of the other elected officials; however, it will not be as significant for them. She noted that there is no longer a floor, so there were some changes made to the method by which they are paid.
- 258.3 E. Madison reported that there is some new JP training that the AAC offers in December before they are actually sworn in and when they are doing that, there is no way for them to be paid because they are not currently an elected official. She stated that they have changed that now with a statute that allows the JPs to make a provision for the cost to attend that training and may be something that they will have to address with an ordinance. She reported getting a lot out of that seminar and believes that it is good for people to attend and believes that they should definitely facilitate that with that minor reimbursement of expenses.
- 258.4 Another legislative update reported by E. Madison was that there have been some changes made in the jail reimbursement with the per diem rate increasing from \$28 to \$30 and then other changes were that the time frame for the county jail reimbursement for medical costs has been reduced from 30 days to 21 days so hopefully that will speed up reimbursement for medical expenses. Regarding how quickly they can get reimbursed once a prisoner is moved to a State facility has changed from having to wait until the prisoner was already transferred to being able to do that faster.
- 258.5 E. Madison stated that she will get this legislative update to Karen Beeks in order that she put it on their website. E. Madison noted that Mike Rainwater shared with them his packet that include his quick summaries of certain things and this was the most comprehensive packet he has given them and she will make sure that it is available to everyone as well.
- 258.6 In response to a question from County Attorney Steve Zega regarding the ACT provided for in the reimbursement on the training in the packet; to which E. Madison stated that it was ACT 279 of 2015.
- 258.7 H. Bowman stated with regard to these new additions that E. Madison has talked about; they need to completely update their ordinance regarding

organization of the Quorum Court. He requested that they make provisions to go ahead and address that right away before they get into the budget season.

259.1 OTHER BUSINESS: There was no other business to address.

259.2 CITIZEN COMMENTS: Lorraine O'Neal addressed the Quorum Court stating that they had problems when listening to the report on EMS Services. She asked if she is to understand that they are trying to have the city pick up the cost of their assuming these responsibilities; she did question with as many people that there are unemployed in that line of work, why would you have to spend so much money training someone. She stated that it sounded to her that this private company was asking for the county to pay for them to make money and she may have misunderstood.

259.3 Regarding the bridge process, Ms. O'Neal realizes that this has been a major headache for the county, but her concern wasn't so much that the bridge construction may have been faulty, but that the cost of doing the job improperly vs. properly which is her bottom line in most things. She told a story from her childhood of a rickety old bridge that was at least 300 feet long over a very deep creek made completely out of timbers with no rails on the side that flooded every year, but seemed to hold up, so her main concern over the current bridge issues relates to misuse of public funds.

259.4 ADJOURNMENT: The meeting adjourned at 8:38 p.m.

Respectfully submitted,

Carly Sandidge  
Quorum Court Coordinator/Reporter

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 EXPRESSING THE QUORUM COURT'S INTENT TO COMMIT TO THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY EMERGENCY MEDICAL RESPONSE PLAN.

WHEREAS, the City of Springdale will be discontinuing emergency medical service response outside of their city limits beginning January 1, 2016; and,

WHEREAS, the Washington County Regional Ambulance Authority (WCRAA) has studied this matter and presented its plan to the Quorum Court; and,

WHEREAS, said plan includes the addition of one ambulance and an additional night crew to provide emergency medical service to the cities of Tontitown, Elm Springs, north Johnson, and northeastern Washington County at a level that meets the response time standards of the WCRAA while continuing the current response times provided by the Springdale Fire Department; and,

WHEREAS, said plan includes the necessary start-up costs for 2015 to cover wages for training new employees, the financing of an ambulance and equipment, and the subsidy dollar amount increase necessary for the next five-year period.

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

ARTICLE 1. The Quorum Court hereby commits to the plan presented by NWRAA, and will plan to budget accordingly for the next 5-year period.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Rick Cochran

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2015-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE APPROPRIATING AN  
ADDITIONAL AMOUNT OF \$4,956 FROM  
THE GENERAL FUND TO THE GENERAL  
SERVICES BUDGET FOR 2015 TO FUND  
THE INVESTIGATION OF COUNTY  
BRIDGES.**

**ARTICLE 1.** There is hereby appropriated the amount of \$4,956 from the General Fund to the Special Projects Line Item of the General Services Budget (10000118-3103) for 2015.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Eva Madison \_\_\_\_\_

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_



ORDINANCE NO. 2015-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE APPROPRIATING THE AMOUNT  
OF \$99,734 FROM THE GENERAL FUND TO THE  
AMBULANCE SERVICE BUDGET FOR 2015.**

**ARTICLE 1.** There is hereby appropriated the amount of \$99,734 from the General Fund to the Medical/Dental/Hospital Line Item in the Ambulance Service Budget (10000301-3006) for 2015.

**ARTICLE 2.** Said appropriation will be divided into four (4) equal monthly installments to Central EMS, to be paid on or before the 15<sup>th</sup> of the month beginning August, 2015.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Rick Cochran

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2015-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE RECOGNIZING ADDITIONAL  
REVENUE OF \$6,406 IN THE GENERAL FUND,  
AND APPROPRIATING THE AMOUNT OF \$6,406  
TO DISTRICT COURT SECURITY BUDGET FOR  
2015.**

**ARTICLE 1.** There is hereby recognized additional revenue of \$6,406 in the State Grants Revenue Line Item of the General Fund (1000-7010) for 2015; and,

**ARTICLE 2.** There is hereby appropriated the amount of \$6,406 from the General Fund to the following line items in the District Court Security Budget for 2015:

<u>District Court Security</u>	
Small Equipment (10000432-2002)	\$ 2,556
Building Supplies and Materials (10000432-2020)	<u>3,850</u>
<b>TOTAL APPROPRIATION:</b>	<b><u>\$ 6,406</u></b>

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Rick Cochran

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2015-\_\_\_\_\_

APPROPRIATION ORDINANCE:

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

AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$10,576 IN THE GENERAL FUND; AND APPROPRIATING THE AMOUNT OF \$31,083 FROM THE GENERAL FUND TO THE ENVIRONMENTAL AFFAIRS BUDGET FOR 2015.

ARTICLE 1. There is hereby anticipated additional revenue of \$10,576 in the Fluorescent Bulbs Revenue Line Item of the General Fund (1000-7908) for 2015.

ARTICLE 2. There is hereby appropriated the amount of \$31,083 from the General Fund to the Other Professional Services Line Item of the Environmental Affairs Budget (10000702-3009) for 2015.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Rick Cochran

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2015-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE ANTICIPATING REVENUE IN  
THE AMOUNT OF \$18,000 IN THE JDC GRANT  
FUND; AND APPROPRIATING THE AMOUNT OF  
\$18,000 FROM THE JDC GRANT FUND TO THE  
JDC HOFNOD BUDGET FOR 2015.**

**ARTICLE 1.** There is hereby anticipated additional revenue in the amount of \$18,000 in the State Grants Revenue Line Item of the JDC Grant Fund (1900-7010) for 2015.

**ARTICLE 2.** There is hereby appropriated the amount of \$18,000 from the JDC Grant Fund to the Improvements Other Than Buildings Line Item in the JDC HOFNOD Budget (19000434-4003) for 2015.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Rick Cochran

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

## ORDINANCE NO. 2015-\_\_\_\_\_

## APPROPRIATION ORDINANCE:

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

AN ORDINANCE RECOGNIZING ADDITIONAL  
REVENUE OF \$14,255 IN THE LAW  
ENFORCEMENT GRANT FUND FOR 2015; AND  
APPROPRIATING \$14,255 FROM THE LAW  
ENFORCEMENT GRANT FUND TO THE 2015  
JAG GRANT BUDGET.

**ARTICLE 1.** There is hereby recognized additional revenue of \$14,255 in the Other Federal Grants Revenue Line Item of the Law Enforcement Grant Fund (1904-7109) for 2015.

**ARTICLE 2.** There is hereby appropriated the total amount of \$14,255 to the following line items in the 2015 JAG Grant Budget:

<u>2015 JAG Grant</u>	
Small Equipment (19040467-2002)	\$ 12,320
Computer IT Equipment (19040467-2009)	<u>1,935</u>
<b>TOTAL APPROPRIATION:</b>	<b><u>\$ 14,255</u></b>

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Rick Cochran

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_



WASHINGTON COUNTY, ARKANSAS  
County Courthouse

MEETING REPORT OF THE  
WASHINGTON COUNTY QUORUM COURT  
COUNTY SERVICES COMMITTEE

Monday, June 1, 2015  
5:30 PM  
Washington County Quorum Court Room

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

Others Present: Harvey Bowman, Rick Cochran, Ann Harbison, Joel Maxwell, Joe Patterson, Butch Pond, Bill Ussery, Marilyn Edwards, Jennifer Hinkle, Shawn Shrum, and members of the press.

JP Eva Madison called the meeting to order at 5:30 P.M and the agenda was adopted as presented.

Review of Quorum Court Organizational Procedures. H. Bowman stated that first they need to recognize that there are a lot of specifics in the ordinance that are outdated. He thinks that they need to make sure that they are all updated. When he came on the court, he was not aware that there was an ordinance that told them how they are supposed to operate and thinks that they need to put some provisions in the ordinance specifying who on the court in a new term would be the leader in setting up the review of what they were going to do, what committees they were going to have, and how they were going to change anything going on that year. He thinks that they need specific guidelines about who will be responsible for informing new JPs about the ordinance and about the guidelines that they work with so that is done in their first meeting. He thinks that it is really important that everyone knows what is expected, that they have a chance to review the process, and do that at their first meeting.

In response to a question from E. Madison, H. Bowman stated that he read through the stipulations about the Quorum Court and how things are supposed to be done and believes that all of that has changed and needs to be updated so that they are all current.

E. Madison stated that in many ways they are not conforming to Robert's Rules of Order yet they have adopted them as their procedural rules. The Quorum Court staff spends a

tremendous amount of time on the minutes however the minutes that they are receiving at the State level are a page long for a meeting that lasted four hours and she wants minutes like that. She looked at what Robert's Rules of Order said about them and it said that they are very brief and refers to official actions. She stated that State Law requires that minutes are taken at the Quorum Court meetings but are silent on the issue of how committee minutes are handled.

E. Madison stated that Robert's Rules of Order forbids them from using member's names mentioning that it is better to describe the member in some other way as by saying "the member who spoke last or the delegate from Mason County" because the notion is to keep the debate really civil and by using the titles you elevate the discussion.

H. Bowman stated that the meetings should be online and available to the people that want to know but could not come; to which Steve Zega suggested that JP Bowman speak with IT Director John Adams to talk about server space because audio and especially video files are "memory hogs."

R. Cochran stated that if they had gone to a condensed version of minutes and just said how people voted without saying what the discussion was and the reasons they voted that way, defending their position on a cell tower in Prairie Grove would have been very difficult and the judge wouldn't have made the decision that he had.

B. Pond stated that he has been interested in having committee meetings televised for a long time now but he wants to know how much it costs to televise the Quorum Court Meetings now; to which E. Madison requested that the County Judge's staff investigate that.

After further discussion on the subject, no action was taken.

Other Business: H. Bowman brought up an anonymous letter that was sent to the Quorum Court earlier that day and wasn't sure if they should consider anonymous accusations or praise not worthy to be brought to them.

After further discussion on the subject, no action was taken.

With no other business and no public comment, the meeting adjourned at 6:24 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**  
**PUBLIC WORKS COMMITTEE**

Monday, June 1, 2015  
6:30 P.M.

Washington County Quorum Court Room

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

Others Present: Robert Dennis, Steve Zega, Daniel Balls, John Firmin, Sharon Lloyd, Eva Madison, Bill Ussery, Marilyn Edwards, Jennifer Hinkle, Shawn Shrum, and members of the press.

Harvey Bowman called the meeting to order at 6:30 P.M and the agenda was adopted as presented.

Status Report on the Buildings and Grounds Budget – Jennifer Hinkle. Buildings & Grounds Assistant Jennifer Hinkle stated that the plan is to take the cost out of electricity because they had that much money already in there and as the year goes through, move money from other line items to put back in electricity to see how it goes. She ran last year's electricity versus what they have up to April of this year and reported that they are down \$10,635 so that will help some. They are more than likely going to be putting more back in there and if they need help then they will ask for more.

A. Harbison expressed her appreciation for allowing Ron Wood the opportunity to tell where the money was coming from and she hopes that when they start to move money and are taking it out of someone's budget that they talk with those people before hand and give them the opportunity to tell them where it can come from.

Report from Road Department – Assistant Superintendent Shawn Shrum. S. Shrum reported that they are in the process of receiving bids to do the contract for the Harvey Dowell Bridge, so he won't know what the cost will be until they get the bids in. He doesn't have the numbers but he can answer any questions about what they have done to date and what their plans are on the bridges.



T. Lundstrum stated that he would like what it is going to cost them to build something based on the plans and the numbers that they are getting from their concrete or steel suppliers; he thinks that Mr. Shrum can come pretty close to that.

S. Shrum stated that they have done quite a bit of safety training; enough that the Department of Labor said that Washington County does more training than any other county that they go to, but it was said that it is not implemented. He reported that they restarted the safety committee, where they have a person from each group meet look at safety equipment to see if there is any additional safety equipment that they need. He also suggested that the ones who are breathing in all of the debris should start getting yearly check-ups.

H. Bowman stated that Act 898 has a topic about state-supported cost sharing to help mitigate the run-off problems with water and to help improve county roads. He found the legislation online and what it amounts to is they are saying that once they approve the job they will cover half the cost. The county's contribution can be equipment, people, and a number of other items as their half of that cost. He saw that as an awesome opportunity to get help with water and the roads. In addition, there was a comment in there about the University of Arkansas providing the training. He hopes that the court will look at the website and be ready to approach Dr. Williams to request the training for construction and runoff.

Discussion of a Fall Road Tour (September 28, 2015). H. Bowman reported a possible scheduling of a road tour. He explained that it will start 1:00 pm, where they will meet locally then ride around to see the projects that the road department have worked on this year and then have dinner afterwards.

Other Business: E. Madison stated that two current county employees absolutely refused to meet with the investigative committee and she wanted to make it a topic for everyone to think about.

With no public comment, the meeting adjourned at 7:40 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, June 8, 2015  
5:30 P.M.

Washington County Quorum Court Room

Members Present: Daniel Balls, Harvey Bowman, Lisa Ecke, Ann Harbiso, Joe Patterson, Butch Pond, Bill Ussery

Others Present: Rick Cochran, Eva Madison, Sue Madison, John Firmin, Sharon Lloyd, Robert Dennis, Tom Lundstrum, Joel Maxwell, Tim Helder, Jay Cantrell, Randall Denzer, Rick Hoyt, Jeane Mack, Lindsie Huffaker and members of the press.

Chairman Butch Pond called the meeting to order at 5:30 P.M. The prayer and pledge of allegiance was led by Rick Cochran and the agenda was adopted as presented.

Discussion on Mileage Reimbursement Practices and Procedures for Justices of the Peace. JP Sue Madison stated that she spoke with the comptroller and was informed that the only mileage that is reimbursed by the county is for supervisor-approved, nondiscretionary travel that is required of their job and the same applies to elected officials. Since the only mileage that JPs incur that is truly required of the job is coming to meetings, she wanted to look at travel that might be discretionary or for discretionary functions of their job such as the event that they are summoned to a meeting to look at testing on a bridge, a settlement conference, or the opening of a waterline in a rural part of the county. She thinks their travel should be covered especially if other county employees drive county-owned vehicles or are reimbursed mileage to attend the same events.

Referring to the State Code, S. Madison read "Reimbursement of expenses that are incurred in the performance of discretionary functions in services may be permitted when provided for by specific appropriation of Quorum Court. The rate of compensation for reimbursement of expenses incurred by county officials and employees for each mile driven by such in their privately-owned vehicle while in the course of official county business shall be paid at the rate of compensation established by the IRS." She stated that there may already be authorization to pay them for discretionary travel and they need guidelines for what is appropriate travel for discretionary appearances. She suggested

that they start looking at the county vehicles that leave the county everyday if they are looking for ways to save money.

B. Ussery stated that when they went through the vehicles before, there were a couple people who said that it was a part of their compensation. If they live outside of the county, then something needs to be changed there so they need to figure out how they want to address that.

T. Helder stated that the Sheriff's office has several people that live out the county and those that have a vehicle are not allowed to take it home. They have a safe place that they will park it in county if that is the case.

E. Madison stated that she remains concerned about the number of vehicles that are going outside of the county because it is a considerable expense and speaking to JP Ussery's point about the employees that think they are part of their compensation. If in fact they are a part of their compensation then they should treat them differently under the IRS.

After further discussion, no action was taken.

With no other business and no public comment, the meeting adjourned at 6:25 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, June 8, 2015  
6:42 p.m.

Washington County Quorum Court Room

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

Others Present: Butch Pond, Ann Harbison, Daniel Balls, Lisa Ecke, Bill Ussey, Robert Dennis, Harvey Bowman, Rick Hoyt, Siegle Bell, Anthony Foster, Randall Denzer, Lindsay Huffaker, Jeane Mack and Dan Holtmeyer (NWA Papers).

JP Tom Lundstrum called the meeting to order at 6:42 P.M and the agenda was adopted as presented.

Report from the Juvenile Detention Facility. Juvenile Detention Director Jeane Mack reported that they had 32 intakes last month and transports went way down. She and Kendrick Sexton attended a JDC Director meeting in Little Rock, AR on Friday to discuss the juvenile reform that is going around the nation right now and reported that the Washington County will probably become a model site for the rest of the country. Their population remains low. Next year they will be doing a summer program with 10 very high risk kids currently on probation and keep them off the street for 2-4 weeks in the month of July and offer them different workshops including first aid and CPR training.

In response to a question from R. Dennis, J. Mack stated that it has been practiced that juvenile records are not released because they are juvenile and are confidential. She knows that there have been times where 18-year old kids want to get into the military or certain jobs may require them to provide their juvenile history but it is still at their discretion and they have to petition the court and go to the clerk and sign a release for that information. R. Dennis followed up by asking if the Freedom of Information Act made a difference in the information being released to which Ms. Mack repeated that juvenile records are confidential.

T. Lundstrum stated that he has been told by some city judges and chiefs of police that when a person reaches the age of 18 their juvenile record is expunged but he knows that

it is confidential until they are 18; to which Ms. Mack stated that she doesn't believe that to be correct and it depends on the case.

Report from the Sheriff's Office on Enforcement and Adult Detention. Randall Denzer reported that intakes are up a bit. State prisoners are backed up. They took 20 down to the department of corrections today and they are supposed to take a few more this coming week but it has been a long time since they sent anyone down. They had almost 240 waiting to go to the penitentiaries.

R. Denzer responded to a question stating that we are holding 23-25 Madison County prisoners on average.

In response to a question from A. Harbison, R. Denzer stated that we sign a contract with Madison County to take their prisoners at the first of the year and are charging them \$50 a day.

Jay Cantrell reported that there was nothing unusual on the enforcement side. Business is good and they have plenty of stuff to do.

T. Helder stated that they have had conversations over the years on ways to incentivize certified enforcement folks as an enticement to stay longer. People need to be compensated at a rate that is fair for them. They are proposing that they utilize their communications fund as funds are available to make payments to the employees for a pay incentive program.

In response to a question from S. Lloyd, T. Helder stated that the bigger counties like Benton and Pulaski are doing this.

Other Business: An update was given on the medical situation at the jail and all is well. They are getting assistance with insurance for their inmates and hopefully that will help with their pool money and early funding.

The Washington County Sheriff/Jail application has changed because the app developer sold his business to another company. It is now called MobilePatrol and can be found in the app stores.

A suggestion was made to increase the salary for Sheriff Tim Helder in 2016 and will be presented during the upcoming budget season.

The meeting adjourned at 7:20 p.m. and was followed by a tour of the Washington County Detention Center for interested parties.

/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 FINANCE AND BUDGET COMMITTEE

Tuesday, June 9, 2015  
5:30 P.M.

Washington County Quorum Court Room

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

Others Present: Joe Patterson, Joel Maxwell, Sue Madison, Eva Madison, Tom Lundstrum, Sharon Lloyd, Daniel Balls, Dan Holtmeyer (NWA Papers), Tim Helder, Jeane Mack, Owen McAdoo, Becky Stewart, David Dayringer, Cheryl Bolinger, Audrey Hill, Bobby Hill and Renee Biby.

Chairman R. Cochran called the meeting to order at 5:30 P.M; B. Ussery led the prayer and pledge of allegiance. The agenda included changes in the line-up where item #4 became #7, item #5 will became #4, item #6 became #8, item #7 became #5, and #8 became #6. The agenda was unanimously adopted as amended.

An Ordinance Anticipating Additional Revenue Of \$10,576 In The General Fund; And Appropriating The Amount Of \$31,083 From The General Fund To The Environmental Affairs Budget For 2015. Environmental Affairs Director Sophia Stephenson stated that a charge was imposed on them for electronics that they did not know about until the beginning of this year so she is asking for additional funds to be able to cover that cost. If they had been charged last year for cathode ray TV's and computer monitors, they would have been charged \$20,507. Currently, they have been charged \$7,405, but they are sending out a load of electronics about every 5 weeks, the two bills that she had have totaled over \$7,000 and expects it to be at least \$20,000 this year. Another issue is having an increase with fluorescent bulb disposal. They have a fee that they impose for fluorescent bulbs and is asking that the money that comes in be recognized into their budget to cover that cost instead of going into the general fund.

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.

Discussion On An Informal Commitment To The 5-Year Ambulance Service Plan Proposed By The Washington County Regional Ambulance Authority – Central EMS.

Central EMS Chief Becky Stewart referred to a letter that was distributed and talks about the expanded service area to include the Nob Hill/Senora area and the Tontitown/Elm Springs area of Washington County. They are looking at an increased cost for the Ambulance Authority to provide service to this new area. She believes that the Tontitown, Elm Springs, and Johnson City Councils were generally in support of the numbers in the letter, which are more doable for them. The ambulance authority is asking Washington County to contribute \$99,000 towards the salaries for 10 new hires for the last quarter of 2015 so they will be prepared to work on the ambulance starting January 1, 2016; and a general support of financing their new ambulance over 5 years.

B. Stewart stated that she discussed a possible grant that is currently being worked on by Grant Administrator Renee Biby for the purchase of the ambulance through U.S.D.A, but she does not know if it would be a full or 50% contribution.

In response to a question from R. Dennis, B. Stewart stated that in 2009 all of the cities of Washington County joined together in an interlocal agreement for ambulance service and through that the Washington County Regional Authority was created. The organization itself is a quasi-governmental authority and each member of the interlocal agreement is an owner and an operator of the service. They are not private or for profit.

An Ordinance Appropriating The Amount Of \$99,734 From The General Fund To The Ambulance Service Budget For 2015.

R. Cochran made an amendment to the ordinance to spread it over four months starting in August. L. Ecke seconded. The motion was approved unanimously.

R. Cochran suggested that Judge Edwards write a letter on the court's behalf stating that the Quorum Court would be committed to the plan that the ambulance authority has presented and will plan a budget for that amount in the coming years. This will also allow the cities to see Washington County's interest in it, which will encourage them to move in a like manner.

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

Financial Report. Treasurer Bobby Hill reported that the revenues are better than the expenditures thanks to the \$3.5 million in current property taxes that were received in May. Road did real well this month with \$52,000 that came in for property tax. Jail doesn't receive property tax but their revenue came over the expenditures. There was a disappointing April for the 1 cent sales tax but it bounced right back. They were up 5.35% this year and brought in \$553,000, which was an increase of about \$30,000. Jail tax was

up 7.3% over last year for \$752,000. They are doing more than a quarter million more than this time last year. The road 1/2 cent tax continued its upper trend as it has all year with a 6% increase and it sits at 4.9% for the year. Mr. Hill sees no reason why the upper trend won't continue.

Comptroller Cheryl Bolinger reported that there were no changes that affected the overall outcome of the unappropriated reserves. Most of the budget are in great shape with exception to the sheriff's office because of the Walmart Meeting and Super Regionals that they are worked up to this year.

An Ordinance Appropriating An Additional Amount Of \$4,956 From The General Fund To The General Services Budget For 2015 To Fund The Investigation Of County Bridges.

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

An Ordinance Recognizing Additional Revenue Of \$6,406 In The General Fund, And Appropriating The Amount Of \$6,406 To District Court Security Budget For 2015.

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

An Ordinance Anticipating Revenue In The Amount Of \$18,000 In The JDC Grant Fund; And Appropriating The Amount Of \$18,000 From The JDC Grant Fund To The JDC HOFNOD Budget For 2015.

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

An Ordinance Recognizing Additional Revenue Of \$14,255 In The Law Enforcement Grant Fund For 2015; And Appropriating \$14,255 From The Law Enforcement Grant Fund To The 2015 JAG Grant Budget.

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

Review of 2015 Budget Controls. R. Cochran stated that these are items that they use to constrain changes for how their budget is set up and ran throughout the year. They seldom make changes, but are open to additions or revisions. He thinks they need to have a more detailed look at the individual budgets for at least a week instead of having them thrust upon them one or two days ahead. Also rather than a list of numbers, he would like to see a list of projects that departments want to do and amounts that would more or less tie back to the total budget.

A. Harbison suggested that R. Cochran meet with all of the Department Heads and explain what he would like to have from them.



J. Maxwell suggested putting caps on the line items transfers.

E. Madison suggested that the requests for additional appropriations or transfers requiring Quorum Court action be made by submitting a request to the County Judge's office and the chair of the Finance Committee. She also suggested compressing the time from when someone prepares the budget to when it comes to the court, and that hard copies of the budget packets are provided to the court via mail instead of email more than a week in advance.

After further discussion, R. Cochran suggested that the committee come up with questions and/or requests regarding budget controls for the next Finance & Budget meeting.

With no other business and no public comment, the meeting adjourned at 7:53 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 June 4 for Mount Pleasant Church 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 Mount Pleasant Church Expansion 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: \_\_\_\_\_ Joel Maxwell  
Date of Passage: \_\_\_\_\_  
Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_  
Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

### **Mt. Pleasant Church Expansion CUP**

The Planning Board/Zoning Board of Adjustments unanimously approved Mt. Pleasant Church Expansion Conditional Use Permit (with conditions) on June 4, 2015.

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

The owner of this property is the Mount Pleasant Church, represented by Brett Crawford. The surveyor is Jenkins Surveying. The applicant wishes to add a fellowship hall (1500 sq ft) to the existing church building. The fellowship hall will be a single open room. No additional restrooms are proposed. The applicant has stated that this proposal will not increase attendance to the church. No additional signage or lighting is proposed.

A lot split is required to split one acre for the church property. This has been submitted and staff will process this administratively. The one acre site will include the existing church building, existing parking and driveways, and existing septic system. The proposed addition will also be placed within the one acre site.

Large Scale Development review is not required of this project because the church will only occupy one acre of land.

Most concerns for this project have been met. The septic system was inspected and found adequate, and a secondary field location was established. The Fire Marshal's concerns have been addressed. Only general comments remain.

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project. Staff received one "in favor" comment.

This project was not contentious and staff recommended approval of the Mt. Pleasant Church Expansion Conditional Use Permit with conditions. The bolded condition was added to the conditions in order to address sight visibility concerns.

**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. Fire/emergency lighting is required over the new exits; the exit doors must be single-action and swing out.
2. Building must be constructed generally as presented.
3. The Fire Marshal shall inspect the addition prior to the occupation of the addition.

#### **Sewer/Septic/Decentralized Sewer Conditions:**

1. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

#### **Roads/Sight Visibility/Ingress-Egress/Parking Conditions:**

1. **Place a sign "entrance only, no exit" on the west entrance.**
2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

**Environmental Conditions:**

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. [www.adeg.state.ar.us](http://www.adeg.state.ar.us)

**Utility Conditions:**

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

**Signage/Lighting/Screening Conditions:**

1. No additional signage, lighting, or screening is proposed with this expansion.
2. As a general note, all 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.

**Standard Conditions:**

1. Pay neighbor notification mailing fees (\$33.12) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 5/29/15).
2. Pay engineering fees within 30 days of invoice date. Planning Staff will calculate once all invoices are received. If less than one hour of review, there will be no charge. Any extension must be approved by the Planning Office.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
  - o This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

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 SPECIAL 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 special 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 special elections in the County for 2015.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Eva Madison

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

RESOLUTION NO. 2015-\_\_\_\_

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

A RESOLUTION IN HONOR OF THE WEAVER FAMILY.

WHEREAS, the Michael and Kristi Weaver family have owned and operated a farm in Washington County for many years; and,

WHEREAS, Michael and Kristi Weaver both grew up on farms in Arkansas and Oklahoma; and,

WHEREAS, the Weaver family has been milking and farming for 37 years; and,

WHEREAS, Michael Weaver has been milking and farming full-time for 10 years and has been raising livestock for 22 years;

WHEREAS, the farming operation of the Weaver family, has, with hard work, met with great success; and,

WHEREAS, the Weaver family has been named the Washington County Farm Family of the Year for 2015.

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

That Michael and Kristi Weaver and their son, Levi, are hereby honored and congratulated by the Washington County Quorum Court.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Butch Pond

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_