

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

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

2015 SEP 18 PM 3:41  
FILED

- 260.1 The Washington County Quorum Court met in regular session on Thursday, June 18, and the meeting was called to order by County Judge Marilyn Edwards.
- 260.2 JP R. Dennis led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 260.3 Judge Edwards announced that D. Balls would not be at this meeting as he had been held up at the airport in Los Angeles, CA.
- 260.4 MEMBERS PRESENT: 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.
- 260.5 MEMBER ABSENT: Daniel Balls.
- 260.6 OTHERS PRESENT: County Judge Marilyn Edwards, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 260.7 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 260.8 B. Pond stated that Resolution #11.1 in honor of the Weaver family as farm family of the year needed to be added to the agenda and further asked if it could be slightly amended to add A. Harbison as a co-sponsor of the resolution.
- 260.9 In response to an inquiry, County Attorney Steve Zega stated that a motion to add A. Harbison as a co-sponsor would be appropriate when it is read.
- 260.10 A. Harbison explained the reason she wanted her name added as co-sponsor is that the Weaver family lives in her JP District.
- 260.11 E. Madison suggested that the resolution be addressed earlier on the agenda before the Finance Report and B. Pond stated that he would accept that as a friendly amendment.
- 260.12 **Judge Edwards called for a voice vote on placing the resolution on the agenda following Approval of the Minutes. The motion passed unanimously by those present.**

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- 261.1 **A motion was made and seconded to adopt the agenda as amended. The motion passed unanimously by voice vote by those present. The agenda was adopted as amended.**
- 261.2 APPROVAL OF MINUTES: Judge Edwards asked for approval of the May 5 Special Meeting and May 21 Regular Meeting of the Washington County Quorum Court.
- 261.3 **A motion was made and seconded to approve the Minutes as presented.**
- 261.4 E. Madison stated that since their last discussion and she became more aware of the Roberts Rules of Procedure regarding meeting minutes, she wanted to make a statement as she will be voting against the motion to approve these minutes. She noted that their agenda packet had 80 single-spaced pages this month from these meetings; she did not have time to review them with any care and given that she was the main speaker at the May 5 meeting, it is irresponsible of her to approve minutes that she hasn't read and it is important to her that they be correct. She stated that it also bothers her that they don't approve their committee minutes. She read from Robert's Rules of Order that the minutes should contain mainly a record of what was done at the meeting, not what was said by the members and the bulk of their minutes discuss what was said, particularly in the May 5 minutes. She stated until their minutes comply with Robert's Rules of Order, she will have to vote against approval.
- 261.5 S. Madison asked County Attorney Steve Zega what the significance was of their minutes in terms of legality and whether they can be used in a court proceeding if necessary to which he responded that the minutes become the official record of this court, which is the reason they vote on them to acknowledge their actions and can be introduced in a court proceeding as prima facie evidence of what happened in any given meeting for which the minutes were recorded.
- 261.6 S. Madison stated since they have oral recordings of all their meetings why wouldn't the court look to something that was obviously more accurate; to which County Attorney Steve Zega responded that there may be a tactical decision about whether to introduce the written record or the recording and it is entirely possible that they would have someone wanting the most accurate record to ask for the digital recording to give to the court.
- 261.7 S. Madison stated that while she usually reads the minutes, in this case she did not read them due to the volume.

- 262.1 **With no further discussion, Judge Edwards called for a roll call vote on the motion to approve the minutes.**
- 262.2 VOTING FOR: S. Lloyd, J. Maxwell, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, J. Firmin, and A. Harbison. VOTING AGAINST: T. Lundstrum, E. Madison, and J. Patterson. ABSTENTIONS: S. Madison and L. Ecke. **The motion passed with nine members voting for and three members voting against the motion, and two abstentions. The minutes were approved as presented.**
- 262.3 A RESOLUTION IN HONOR OF THE WEAVER FAMILY: B. Pond introduced and read **A Resolution in Honor of the Weaver Family.**
- 262.4 B. Pond stated that he had another reason for asking A. Harbison to co-sponsor this resolution other than it being her JP District; that she is another farmer on this court. He pointed out some of the things that are necessary for a successful farm including determination, environmental sustainability, animal welfare, and a lot of praying. He stated that they need to recognize and realize how important to their environment that the agri-acres are to help keep their environment clean and desirable. He noted that every year they lose agri-acres and their water quality issue becomes shakier. B. Pond noted in reading the article in the newspaper about the Weaver family, a statement was made about the many things that they have to consider and have to get right because a mistake on one of those issues can create disaster.
- 262.5 A. Harbison congratulated the Weaver family for being Washington County's Farm Family of the Year, stating that they are dedicated to agriculture and part of the backbone of the economy of Arkansas, it's agriculture and a link in feeding the world. She noted that a dairy farm is hard work and they have to have milk, while there are fewer and fewer people willing to do dairy farming.
- 262.6 **B. Pond made a motion to adopt the resolution. A Harbison seconded.**
- 262.7 Citizen Comments: There were no citizen comments made.
- 262.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 262.9 VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. **The motion passed unanimously by those present. The resolution was adopted.**

**RESOLUTION NO. 2015-14, BOOK NO. 3, PAGE NO. 109**

- 263.1 Judge Edwards acknowledged the Weaver family and they were given a round of applause.
- 263.2 Michael Weaver addressed the Quorum Court stating he appreciated everyone very much and that it was an honor to be invited, but had to leave on account of a farm bureau board meeting.
- 263.3 **FINANCE REPORT:** R. Cochran reported that there was one resolution and six appropriation ordinances from the Finance and Budget Committee.
- 263.4 **A RESOLUTION EXPRESSING THE QUORUM COURT'S INTENT TO COMMIT TO THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY EMERGENCY MEDICAL RESPONSE PLAN:** R. Cochran introduced **A Resolution Expressing The Quorum Court's Intent To Commit To The Washington County Regional Ambulance Authority Emergency Medical Response Plan**, and County Attorney Steve Zega read the resolution.
- 263.5 R. Cochran explained that this resolution, although not binding on future Quorum Courts, is made to show their intent to financially support the Washington County Regional Ambulance Authority in expansion in the areas that the Springdale Fire Department has been supporting, but will no longer support beginning January 2016. He stated that the commitment they are making is for a five year period during which CEMS will be financing a new ambulance to cover the expanded area. R. Cochran noted that 25-35 years ago, the Washington County voters approved a one percent sales tax and one of the services they promised this would cover was an ambulance service, so this is money they have already received, it will be a fairly significant bump for the next five years, but it will keep their ambulance service at the level that they are currently experiencing.
- 263.6 **R. Cochran made a motion to adopt the resolution. A Harbison seconded.**
- 263.7 **Citizen Comments:** There were to citizen comments made.
- 263.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**

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

**RESOLUTION NO. 2015-16, BOOK NO. 3, PAGE NO. 110**

264.2 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: R. Cochran introduced **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**, and County Attorney Steve Zega read the ordinance.

264.3 R. Cochran explained that this ordinance is to appropriate money for the expenses incurred during the investigation of county bridges.

264.4 E. Madison stated that she appreciates J. Firmin's initial designation of a budget estimate and this is actually what it cost.

264.5 **E. Madison made a motion to adopt the ordinance. R. Cochran seconded.**

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

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

**ORDINANCE NO. 2015-41, BOOK NO. 10, PAGE NO. 197**

264.9 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$99,734 FROM THE GENERAL FUND TO THE AMBULANCE SERVICE BUDGET FOR 2015: R. Cochran introduced **An Ordinance Appropriating The Amount Of \$99,734 From The General Fund To The Ambulance Service Budget For 2015**, and County Attorney Steve Zega read the ordinance.

264.10 R. Cochran explained that this ordinance appropriates money to fund the training costs during the fourth quarter for Central EMS to prepare to cover the

Springdale Fire Department area that they are discontinuing service in 2016. He noted that this service is paid out of the Medical/Dental/Hospital line item.

- 265.1 **R. Cochran made a motion to adopt the ordinance. H. Bowman seconded.**
- 265.2 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 265.3 **VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-42, BOOK NO. 10, PAGE NO. 198**

- 265.4 Judge Edwards thanked Becky Stewart, Central EMS Chief for everything they do for Washington County.
- 265.5 Becky Stewart, Central EMS Chief, addressed the Quorum Court thanking them for their support and stated that Washington County is blessed to have this support that will allow them to continue providing seamless service.
- 265.6 T. Lundstrum thanked Chief Stewart, the Central EMS Board, and Quorum Court for supporting this project because the three main cities in his JP District would have otherwise totally been without ambulance service as none are financially able to do it on their own.
- 265.7 R. Cochran stated that these have been important votes for their ambulance service in Northwest Arkansas and Washington County, noting that Resolution #6.1 and Ordinance #6.3 allow the other three cities in T. Lundstrum's District to go forward with their budgeting knowing that Washington County will support a certain amount, and then they will commit to certain amount.
- 265.8 **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: R. Cochran introduced **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**, and County Attorney Steve Zega read the ordinance.**

- 266.1 R. Cochran explained that this ordinance appropriates funds for the Prairie Grove District Court to repair damages to their building caused from a car accident.
- 266.2 **R. Dennis made a motion to adopt the ordinance. R. Cochran seconded.**
- 266.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 266.4 **VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-43, BOOK NO. 10, PAGE NO. 199**

- 266.5 **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: R. Cochran introduced **An Ordinance Anticipating Additional Revenue Of \$10,576 In The General Fund, And Appropriating The Amount Of \$10,576 From The General Fund To The Environmental Affairs Budget For 2015**, and County Attorney Steve Zega read the ordinance.**
- 266.6 R. Cochran explained that this ordinance appropriates additional funds for the Environmental Affairs Recycling Program due to an increase in recycling costs for the CRT's that they take in and in response to this, the recycling fee for the CRT's has been increased from \$5 to \$10 each which defrays some, but not all of the cost of the increase. He stated that it also recognizes some additional revenue for fluorescent light recycling.
- 266.7 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 266.8 H. Bowman stated that he noticed that this is coming from fluorescent bulbs and as they are now moving toward LED lighting, questioned whether that would be a less costly way to look at lighting these facilities instead of fluorescent.

- 267.1 Judge Edwards stated that Building Superintendent Ron Wood has been working with the electric companies toward getting all of the County's bulbs changed out and then they will receive a rebate from the companies.
- 267.2 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 267.3 **VOTING FOR: E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. VOTING AGAINST: S. Lloyd and T. Lundstrum. The motion passed with twelve members voting in favor and two members voting against the motion. The ordinance was adopted.**
- ORDINANCE NO. 2015-44, BOOK NO. 10, PAGE NO. 200**
- 267.4 **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: R. Cochran introduced **An Ordinance Anticipating Revenue Of \$18,000 In The JDC Grant Fund; And Appropriating The Amount Of \$18,000 From The JDC Grant Fund To The JDC HOFNID Budget For 2015,** and County Attorney Steve Zega read the ordinance.**
- 267.5 R. Cochran explained that this is an ordinance anticipating this revenue for the HOFNOD ("Hooked on Fishing Not on Drugs") Budget.
- 267.6 **R. Cochran made a motion to adopt the ordinance. R. Dennis seconded.**
- 267.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 267.8 **VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-45, BOOK NO. 10, PAGE NO. 201**



- 268.1 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$14,255 IN THE LAW ENFORCEMENT GRANT FUND FOR 2015; AND APPROPRIATING THE AMOUNT OF \$14,255 FROM THE LAW ENFORCEMENT GRANT FUND TO THE 2015 JAG GRANT BUDGET. R. Cochran introduced **An Ordinance Recognizing Additional Revenue Of \$14,255 In The Law Enforcement Grant Fund For 2015; And Appropriating The Amount Of \$14,255 From The Law Enforcement Grant Fund To The 2015 JAG Grant Budget**, and County Attorney Steve Zega read the ordinance.
- 268.2 R. Cochran explained that this is an ordinance recognizing grant revenue for the JAG ("Justice of Assistance") Grant Budget and appropriates that revenue to purchase a computer and some small equipment.
- 268.3 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 268.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 268.5 VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-46, BOOK NO. 10, PAGE NO. 202**

- 268.6 S. Madison commented on their Finance Committee meeting stating that there were some inquiries from members about line item transfers from some line items to a third line item to pay for bottled water in the building. She stated she was surprised that they were paying for bottled water assuming that they had water fountains, but were told that the county's water fountains didn't meet standards and that the Health Department had required that they be removed. She asked for documentation and hadn't heard back, so checked with the Health Department who advised her that they do not inspect water fountains and had nothing to do with them being removed. She noted that some of the water fountains have been removed from the building and replaced by bottled water but this was not because of the Health Department and she wanted to report that they had received information that was not totally accurate.

269.1 COUNTY JUDGE'S REPORT:

269.2 Washington Regional 2015 Annual Report - William L. Bradley, Chief Executive Officer of Washington Regional, addressed the Quorum Court to highlight some areas from this report. He noted how proud he was of his teammates at Washington Regional with the significant changes in healthcare reform, they have continued to grow with some construction, and with all of this going on, his teammates have stayed focused on caring for their patients and families. He stated that the theme for this year has been growth, noting that hospitals are typically measured by their admission growth; the average hospital in Arkansas will grow 1½% in admissions and nationally growth is 2% with the majority of that from aging population creating that demand while growth at Washington Regional was 9%. Mr. Bradley reported that Washington Regional has 2,200 employees and expect to add at least 200 more over the next 18 months. Looking at 2015 year-to-date, he stated that it looks like they will grow another 9%.

269.3 Mr. Bradley highlighted some of the programs at Washington Regional, stating that they are best known for Walker Heart Institute with the only electrophysiology program in Northwest Arkansas. He reported over this past year they have started accessing the heart with a smaller catheter through the wrist for eligible patients with much success. He stated that their Cardiology Interventional Program received an award of excellence from HealthGrades, which is an independent third party that evaluates various hospitals across the country. He reported that Washington Regional did over 5,500 cardiac catheterizations this year.

269.4 Mr. Bradley stated that the Total Joint Center at Washington Regional has been busy as well and they were recognized as one of America's 100 Best Hospitals for Orthopedic Surgery. He stated that the key part of that has been their joint program and Dr. Kris Hanby, Medical Director of the Total Joint Center, is the only fellowship-trained joint replacement physician in Northwest Arkansas having done over 650 joint replacements this year.

269.5 Mr. Bradley stated that their biggest change this past year has been in their Neuroscience Institute with Washington Regional being the only hospital in Northwest Arkansas that does actual brain surgery and this department has grown with five neurosurgeons currently on staff and two of those are endovascular neurosurgeons and are only two of a little over 100 in the U.S. with this training to perform brain stints. He further noted that Washington Regional has this area's only fellowship-trained complex spine neurosurgeons

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trained at Harvard doing back surgeries; are the only program in Northwest Arkansas and the River Valley to provide cerebral aneurysm surgery and care.

- 270.1 Mr. Bradley reported that the Women's Center at Washington Regional began an expansion in February 2015, of 130,000 square feet at a cost of \$65 million, which is their second expansion since moving to the current location in 2002. The facility will have an expanded neo natal intensive care unit, increasing from 12 to 34 beds; new adult and pediatric patient rooms, a second helipad on the roof of their expansion, and a four-level 350+ space parking garage. He noted that there have been several times in the last three months when they have had no room and one day during that period of time when every hospital in Northwest Arkansas was on divert too. Mr. Bradley stated that they were also the highest-ranked trauma center in the area.
- 270.2 Mr. Bradley stated that their commitment to their seniors, who make up the majority of their patients, is significant with a Memory Clinic and a Movement Disorders Clinic led by Dr. Allen Diamond who is probably in the top 25 movement disorder specialists in the country. He further reported that they received quite a few grants on Parkinson's and Huntington's disease. He noted that they have a Center for Exercise which exercises seniors sooner, open to all, but focused on seniors.
- 270.3 Mr. Bradley stated that Washington Regional Hospice Program provides inpatient care at the Willard Walker Hospice Home, has been very successful since opening in 2011, and stays pretty full under the direction of Dr. Stanley Bradley.
- 270.4 Mr. Bradley reported that the Washington Regional Emergency Department is the only Level-two Trauma Center in Northwest Arkansas and this year they will have about 55,000 visits to their Emergency Department, which is about 150 visits a day. He stated that this year they opened an Urgent Care Center across the street from their Emergency Department because many patients they see in their Emergency Department are very sick and if you are not very sick compared to them, the wait is greater and is usually a dissatisfier for people who wait longer than they think they should. The clinic is averaging 30 patients a day with expectations that it will get to 50 patients a day. He noted that they had thought their volume would go down in the Emergency Department and it has actually gone up, so they believe it might not slow down.
- 270.5 Mr. Bradley stated when he came to Washington Regional, they had about twelve integrated physicians who are employees of the hospital and they now have 130 physicians who are employees of the hospital. He reported that they

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had about 250,000 clinic visits last year and expect to see about a 20% increase this year. He noted that during the past three years, they have recruited over 50 new physicians to the area which is quite an investment to make, but most of them are pretty busy now with some first time specialties for the area.

- 271.1 Mr. Bradley addressed the area of Nursing, stating that it is the "heart" of the hospital and they are coping well with the nursing shortage and have re-subsidized both the Nursing Program at NWACC and at the U of A, allowing them to expand enrollment to their programs. He stated that they will get a fair share of those nurses and they train on their systems so come prepared to be Washington Regional employees so they do get a return on their investment from their subsidy.
- 271.2 Mr. Bradley stated that Dr. David Ratcliff, Chief Medical Officer of Washington Regional, points out in the yearly report that in 2014 alone, Washington Regional earned the Healthgrades' Patient Safety Excellence Award, the only hospital in Northwest Arkansas and one of only four hospitals in the state to do so and this distinction places Washington Regional within the top 10 percent of all hospitals in the nation. He further states that the Joint Commission named Washington Regional a 2013 Top Performer on Key Quality Measures, one of only sixteen hospitals in the state to achieve that distinction. Further, for the second consecutive year, Healthcare IT News named Washington Regional to its annual list of the 25 best IT departments nationwide.
- 271.3 With regard to community benefits, Mr. Bradley noted that Washington Regional works with the County at the Department of Health on prenatal care and the HIV Clinic at the Department of Health as well. He stated that they are probably the major donor for the Northwest Arkansas Free Health Clinic and provide a lot of tuition to those going into healthcare professions. He stated that they started a Mobile Dental Clinic, to which Walmart provided the grant for the van so they can now perform preventative treatment services and estimate seeing 1,100 patients a year. He explained that they drive to the site, at Seven Hills at least two days a week, and see patients who have no access to dental care or insurance dental coverage.
- 271.4 A. Harbison stated last year in his report, Mr. Bradley had mentioned the short fall from the reduction in the Medicare payment and inquired how this has worked out and how it has impacted the hospital.
- 271.5 Mr. Bradley responded to A. Harbison stating that more people are covered now which is one reason that they are seeing more in their Emergency

Department. He explained that hospitals fund about 20% of healthcare reform through cuts so the cuts that they took, about 35% to 40% of it has been offset by people who now have coverage and come to the hospital that before didn't have any coverage and were uncompensated care. He stated that they are still having shortfall of over half from what their cuts were.

- 272.1 A. Harbison asked how many uninsured people come to the Emergency Department now; to which Mr. Bradley responded that out of that 55,000 a year number, somewhere around 15% to 20% have no coverage. In further response to her question whether they help get those people insurance coverage, he stated that they have become experts on enrolling people who are eligible into Medicaid and into the Health Exchanges, but sometimes it is just not possible to get them coverage.
- 272.2 A. Harbison stated her appreciation for their Mobile Dental Program because it is helping a lot of people who would normally not be getting any kind of dental work done.
- 272.3 In response to A. Harbison's question regarding wait time in the ER; Mr. Bradley stated that their average time is probably 1½ hours, but it depends on how many ambulances or helicopters have arrived and the number of high-acuting patients bumped for those who are in immediate need of service. He stated that it is not a "First Come First Serve" model that they use, but rather a "Worst Come First Serve" model.
- 272.4 A. Harbison pointed out that another hospital in this area advertises that there will not be more than a 30 minute wait in the Emergency Room; to which Mr. Bradley commented that that hospital is probably not all that busy. He further noted that they will receive calls from that hospital's ER wanting to know what the wait time is at Washington Regional and obviously those patients aren't terribly sick as they are shopping for waiting times.
- 272.5 A. Harbison thanked Mr. Bradley for the service of Washington Regional to Northwest Arkansas.
- 272.6 E. Madison addressed the Urgent Care Center that they recently opened compared to the ER and asked who is appropriate to go to which place; to which Mr. Bradley responded if there is a doubt, go to the ER at which time you are screened and then see an advanced Nurse Practitioner who will triage the severity of what they think is going on clinically and then may even suggest Urgent Care which would be quicker and cheaper. He continued stating that

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some people even given all of those options, like to stay at the ER and if so, it depends on what is going on. E. Madison asked what types of cases they are typically seeing at Urgent Care to which he responded that they are seeing some broken bones there, but otherwise it is an after-hours doctor's office.

- 273.1 S. Madison asked whether or not people are still using the ER as their primary care giver to which Mr. Bradley responded that they are. She stated that she was glad to hear the answer to A. Harbison's question that yes, Washington Regional is trying to get uninsured patients signed up for the Universal Healthcare coverage as it is to their advantage to do so.
- 273.2 S. Madison stated that she thinks she is probably the only JP on this Court today who was on this Court when the County sold Washington Regional to the private non-profit in 1991 for the grand total of \$25. She stated back then when they heard the annual reports there were JPs who always reminded the CEO that some charity care was expected each year and that did not mean unpaid debts and she asked whether they were still doing some charity care.
- 273.3 Mr. Bradley responded to S. Madison stating that they have a whole program for that with an application process that people go through and they do an average of about \$10 million in charity care each year and that is not based on charges, but based on cost.
- 273.4 S. Madison expressed her appreciation stating that there are many people in need in this area that for one reason or another may not have signed up for coverage.
- 273.5 Law Library Board Appointment - Judge Edwards stated at the request of the Washington County Bar Association, she is asking that Susan Purtle be reappointed to the County Law Library Board for a 5-year term to expire in the year 2021.
- 273.6 **A motion was made and seconded to approve this board reappointment.**
- 273.7 E. Madison stated that she has known Susan Purtle for many years; she is a wonderful person who works for Legal Aid and has dedicated her legal career to helping those who need the most help legally.
- 273.8 **With no further discussion, Judge Edwards called for a voice vote on the motion.**

- 274.1 **The motion passed unanimously by those present by voice vote. The reappointment was approved.**
- 274.2 Bridge Investigation Update - Judge Edwards stated that she wanted to update the court on some of the matters related to the bridge investigation. Regarding the Stonewall Bridge, she reported that the County has contracted with Iowa Bridge Company for Mr. Jim Griffith, a resident of West Fork to provide supervision to the County Road Board to complete this bridge and the work on Stonewall Bridge started on June 8. She stated that they have contracted with G.T.S. to do the technical testing on this bridge with Engineer Jim Beatty doing phase work inspections. She stated that Mr. Jim Griffith has built bridges everywhere and he will come in, inspect and advise what needs to be done, direct the people there, and they will complete the work under supervision. She reported that everything was moving along well until the rainy weather and flooding which caused them to have to stop work.
- 274.3 T. Lundstrum asked if there was an estimate on the cost of the contract with Iowa Bridge Company; to which Judge Edwards responded that they are charging the county \$200 an hour with Mr. Griffith only spending a few hours on site.
- 274.4 Judge Edwards addressed the Harvey Dowell Bridge stating that bids were opened June 16 and they received five bids ranging from \$166,500 to \$393,400 and the low bid was with Northwest Arkansas Benchmark Construction which has been awarded. She stated that they will start work on the Harvey Dowell Bridge as soon as weather allows and they can get the permit which they are working on currently. She stated once they start the contract states 90 days, but they feel confident that they can finish that project in 60 or so days.
- 274.5 She further stated that the Road Department Employee Concern Safety Committee has been established of eight County Road Department employees, not supervisors. She noted that their first organizational meeting was held on May 27 and met again on June 8 to address safety procedures and equipment needs.
- 274.6 E. Madison asked if the bid included changing of the guard rails curbing situation to which Judge Edwards responded that she would be addressing that.
- 274.7 Judge Edwards addressed improvement on the internal hiring policies stating that new internal application processes have been implemented with jobs

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being posted internally for five days that gives everyone an opportunity to see the job postings. She stated that written assessments on safety and work policies has been developed for applicants; skill tests will soon be completed for each job; assessments and skill tests have a corresponding quantitative scoring card and they continue to work on the skill testing and she briefly explained the grading procedure.

- 275.1 Judge Edwards stated that they are currently reviewing Road Department structural changes with Salary Consultant Blair Johanson who has been working with Human Resources Administrator Lindsi Huffaker on this.
- 275.2 Judge Edwards reported that they held training classes on Mining and Safety and Health Administration Class on May 29; Wage and Hour Class on June 12; three days of Dale Carnige Classes were completed with good feedback from those who attended and they anticipate holding another session in the fall for another group of supervisors. Referring to memorandum #7.2 from Assistant Road Supervisor Shawn Shrum, regarding the T Squared (T2) program that H. Bowman has been looking into with a list of the classes and training that they have taken advantage of since from 2010 to 2015. Judge Edwards explained that this money is shared over the state with other counties so the University will only allow them to do so many.
- 275.3 H. Bowman stated in looking at the classes that they have been through that include Defensive Driving, Chain Saw Safety, Work Zone/Flagger Certification, Forklift Certifications and CPR/First Aid, he doesn't see anything that relates to road or bridge construction type classes and asked if it was possible to request specific classes when they do a training session or do they just accept classes that are available.
- 275.4 Assistant Road Supervisor Shawn Shrum responded to H. Bowman's question, stating that they can request certain classes, but the classes that they have taken were really ones that they need, especially with the work zone flagging and forklift certifications that are required. He stated that each year they are spread out so when one certification is expiring, they get a group in. He reiterated that they try to spread the wealth around, not letting just a few entities use all the funds, and only let them have a certain number trained each year. He further stated that he is hopeful with the passage of Act 898 they can take advantage of more training.
- 275.5 H. Bowman stated when he visited with Dr. Williams, he advocated that if they make a request that other counties are invited to come in and participate as well so to avoid single county involvement. He stated he was so impressed



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with the information that came out of Pennsylvania that he felt anything that Washington County could do to implement the construction and maintenance programs that they have would be phenomenal. He stated that they seem to be the most advanced group in the nation in gravel road preparation and maintenance and he would like to see us focus in that area as much as possible to maximize the quality of our county roads. He suggested that they might want to go ahead and request a specific class for county road construction and maintenance that would be most helpful to us at this time. He noted that Dr. Williams told him that this special program that the state is willing to support them on wouldn't begin until October and seemed enthusiastic about trying to help them have a local demonstration project here.

- 276.1 Shawn Shrum responded to H. Bowman stating that he is sure that they can and it is something that they can look into. He noted that one of the things that they run into is their laws don't match up with other states such as the right-of-way and drainage easement issues. He stated that he has worked with both Dr. Williams and her husband and this is a great asset for the county to have.
- 276.2 H. Bowman stated that he took a road tour with Dr. Williams to show her what he was talking about and she made several comments about along a steep area, if they could divert water to the ditch on the adjacent property, that this would minimize some of the erosion that takes place where water volume builds up and asked if this was something that wasn't allowed; to which Mr. Shrum responded that they try to do this whenever they can but there are many places that people do not want the water turned out into a field for different reasons.
- 276.3 H. Bowman stated that he observed one area where there had been no turnout in smaller spaces and one area that was 100 to 150 feet square where road gravel had washed out into the field and obscured a lot of the grass and he thinks it would be better to have smaller areas where water came out; to which Mr. Shrum responded that it depends on the person and with all of the rain they have been having, there has been a lot of that. He stated that there are also issues turning out water where utilities will get washed out over time.
- 276.4 Judge Edwards stated that she has reviewed the Road Investigation transcript preparations and at this time she has taken all action she feels is necessary concerning personnel and is not at liberty to comment on this any further because of personnel issues. She stated that from the information provided by Engineer Jim Beatty, the main thing she wants to say is that our bridges are not unsafe; what is wrong with our bridges is they will just not hold up for the

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long-term of many, many years if they had been done the way the engineer plans were designed. She stated that these bridges have been built this way over Washington County for many years, but that is not what she asked for and not the design she presented as she wanted them to last longer. She stated that they have taken action to protect public safety and ensured the wise use of public resources to make sure that these types of problems do not happen again.

- 277.1 Judge Edwards reported on the Orr Road Bridge stating that they have received some information from Engineer James Beatty on whether this bridge could be repaired rather than replaced. She summarized his report stating that he would not recommend repairing this bridge because of the cracked pins and its age and cost of doing so. She further noted that due to relatively close alternate routes to cross the Illinois River that the bridge remains completely closed to vehicular traffic.
- 277.2 Judge Edwards stated in response to E. Madison's expressed concern last month about the guardrail on CR62, Engineer James Beatty is currently working on this and she is awaiting his response.
- 277.3 E. Madison stated that the guardrail is also missing on Harvey Dowell Bridge and she asked whether that is part of the Benchmark contract; to which Judge Edwards responded that it is not part of that contract, but something that the County will do themselves.
- 277.4 County Attorney Steve Zega stated he was under the impression that it was part of the contract and in a discussion with Mr. Beatty about the engineering specs, he stated before the bridge was reopened as designed, he would sign off on a guardrail design that he assumed was going to be done by Benchmark.
- 277.5 E. Madison stated one of the issues is that the bridge is also narrower than it is supposed to be which is a safety issue, as is lack of a guardrail and questioned what repairs were going to be made for \$166,000. She stated that the guardrail itself would be a significant part of the expense so what she is hearing is that they will have more expense on top of the Benchmark contract.
- 277.6 Assistant Road Supervisor Shawn Shrum responded to E. Madison stating that the Benchmark contract addresses the additional walls on the abutments and wrapping of the piers, and he was of the understanding that the County was going to do the guardrail. He explained that they will be adding some additional supports to the guardrail and Mr. Beatty is fine with the spacing on the guardrail.

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- 278.1 E. Madison stated that Mr. Gales was concerned over lack of a curb which would revert vehicles back onto the roadway instead of going off into the river and asked if the plans included a curb; to which Mr. Shrum responded that Mr. Beatty does not believe that they need a curb and is fine with the guardrail. He further pointed out that there are a lot of state bridges that have guardrails and it is not uncommon
- 278.2 E. Madison stated that since she now pays a lot of attention to the bridges she drives over, she has noted state bridges with guardrails also have curbs. She stated that she spent a lot of time with Mr. Gales and respects his opinion and Mr. Beatty's initial plan was that it would have a curb and Mr. Gales specifically said the reason for having a curb is to keep vehicles on the bridge which she believes is a safety issue that they need to give more attention to. She further stated that reinforcing the guardrail is certainly important, but Mr. Gales' concern that a vehicle going off will probably take part of the bridge with it because the guardrails are welded to the beams in a bridge, as opposed to a curb that is wrapped through rebar into the concrete roadway. She noted that it puts a very different part of the bridge structure at risk with the exclusive use of guardrails and believes that they need to rethink this.
- 278.3 Mr. Shrum responded that this is up to Judge Edwards who responded that she would be speaking to Engineer Beatty and follow his recommendations.
- 278.4 A. Harbison suggested that they have Mr. Beatty come and explain to the court this safety issue and how he plans to take care of it and if he can explain that it is safe, and then they should go with it.
- 278.5 Judge Edwards responded that she is sure Mr. Beatty would be willing to come in and speak to them about this issue.
- 278.6 J. Maxwell asked Mr. Shrum besides the guardrail portion, what other parts of this bridge are not covered by the Benchmark costs and that the County is going to pick up on its own; to which he responded to his knowledge, that is it. He noted that the \$200 cost for permits has already been taken care of and they are currently waiting on the 404 permit from the Corp of Engineers. In further response, Mr. Shrum stated that he did not know how much the guardrail would have cost had they contracted this out because Mr. Beatty is still working on that and they will have that information in the near future.
- 278.7 Judge Edwards stated that when Mr. Beatty comes to talk to them, he will be able to answer that question as well.

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- 279.1 Judge Edwards reported since March 19 there have been seven employees resign, one of which taking an early retirement, from the Road Department and she feels bad to have lost these people.
- 279.2 S. Lloyd asked for the record whether all Road Department employees were interviewed during this process to which Judge Edwards responded that there were only 17 interviewed out of 80 employees.
- 279.3 COMMITTEE REPORTS: E. Madison, Chairman of the County Services Committee, reported that the County Services Committee met on June 1st and the only item on their agenda was a review of Quorum Court organizational procedures. She stated that they had a healthy discussion about Roberts Rules of Order, the meeting minutes, level of decorum and formality, and anonymous letters and this discussion will be continued at future meetings.
- 279.4 H. Bowman, Chairman of the Public Works Committee stated that the committee met on June 1<sup>st</sup> and heard a status report on the Buildings and Grounds budget by Buildings & Grounds Assistant Jennifer Hinkle who advised that the electric costs are down from the same time last year by \$10,635 due to all of the electrical changes they had made and that they will be back to ask for money if they need to. He further noted that they heard a report from the Road Department's Assistant Superintendent Shawn Shrum on county bridges and safety training. He reported that they have scheduled a Fall Road Tour for September 28<sup>th</sup> at 1:00 p.m. to view projects that the Road Department has been working on this year. H. Bowman reported on Act 898 and the possibility to get additional training on construction of county roads through the University of Arkansas.
- 279.5 B. Pond, Chairman of the Personnel Committee, reported that the committee met on June 8<sup>th</sup> and the only item on their agenda was discussion on mileage reimbursement practices and procedures for JPs.
- 279.6 T. Lundstrum, Chairman of the Jail/Law Enforcement/Courts Committee, reported that the committee met on June 8<sup>th</sup> during which they were provided a dinner by Sheriff Helder and crew. He stated that Juvenile Detention Director Jeane Mack reported that her intakes were 32 last month and she is looking forward to providing some special training to some of the high risk children including CPR and first aid training. He stated that Sheriff Helder spoke to them regarding an incentive program for officers who have extra training and funding of the program.

- 280.1 R. Cochran, Chairman of the Finance and Budget Committee stated that the Finance and Budget Committee met on June 9th and County Treasurer Bobby Hill presented the Treasurer's Report and reported that funds in the County General cash account increased by \$3.5 million and the County Road cash fund increased by \$500,000 due to the spring property tax receipts. He reported that revenue projections are reportedly holding well and they return to a gain over the same month last year in sales tax revenue. Year-to-date, both County and Jail sales tax increase over last year and year-to-date are enough that if they were flat the rest of the year, they would make their projections. He noted that Comptroller Cheryl Bolinger reported no change in unappropriated reserves and most of the county budgets are in great shape year-to-date. R. Cochran stated that the committee began determining how they would proceed with their budget process for 2016 and this should be wrapped up at their next regular meeting, after which he will present those decisions to the department managers so they have plenty of time to work toward the fall budget process.
- 280.2 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: J Maxwell 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 Mount Pleasant Church Expansion. This ordinance contains an emergency clause making it effective immediately upon passage.
- 280.3 **J. Maxwell made a motion to adopt the ordinance. B. Pond seconded.**
- 280.4 Citizens Comments: There were no citizen comments made.
- 280.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 280.6 VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-47, BOOK NO. 10, PAGE NO. 203**

- 280.7 AN ORDINANCE ESTABLISHING VOTE CENTERS IN WASHINGTON COUNTY FOR ALL SPECIAL ELECTIONS IN 2015: E. Madison introduced **An Ordinance Establishing Vote Centers In Washington County For All Special Elections In 2015**, and County Attorney Steve Zega read the

ordinance.

- 281.1 E. Madison explained after they passed their initial ordinance on vote centers, the Election Commission took their proposal to the Secretary of State, met every requirement and approved the initial plan to use vote centers for the school elections. Thereafter, the Election Commission is requesting to establish vote centers for all special elections this year which she believes is a good idea because of the low turnout, they can reduce the number of places open, not only reducing the cost of an election and keeping the goal of making it easier for people to vote. She stated that in order to get this done in time to meet all special elections coming up, they need to pass this ordinance on three readings tonight.
- 281.2 **E. Madison made a motion to suspend the rules and place the ordinance on second reading by title only. A. Harbison seconded. The motion passed unanimously by voice vote by those present.**
- 281.3 County Attorney Steve Zega read **An Ordinance Establishing Vote Centers In Washington County For All Special Elections In 2015** by title only.
- 281.4 **E. Madison made a motion to suspend the rules and place the ordinance on third and final reading by title only. R. Cochran seconded. The motion passed unanimously by voice vote by those present.**
- 281.5 County Attorney Steve Zega read **An Ordinance Establishing Vote Centers in Washington County for All Special Elections In 2015** by title only.
- 281.6 **E. Madison made a motion to adopt the ordinance. J. Firmin seconded.**
- 281.7 Citizen Comments: There were no citizen comments made.
- 281.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 281.9 VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, J. Patterson, B. Pond, B. Ussery, H. Bowman, R. Cochran, R. Dennis, L. Ecke, J. Firmin, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2015-48, BOOK NO. 10, PAGE NO. 206**

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- 282.1 OTHER BUSINESS: J. Firmin stated that he read in the newspaper this morning on the issue of the Parole Board and asked Sheriff Helder if he had any more information on that.
- 282.2 Sheriff Helder addressed the Quorum Court stating that he hadn't read the newspaper so wasn't sure what J. Firmin was referring to.
- 282.3 J. Firmin stated that the Parole Board was reviewing some policies at the State level.
- 282.4 Sheriff Helder stated that he has been appointed by the Governor to serve on the Legislative Criminal Justice Review Committee which is the overall committee that sub-committees spin off of. He reported that they had their third meeting yesterday in Little Rock and he is going to be serving on the sub-committee which will be reviewing parole and probation policies to see if it can be revamped to better fit current society. He explained that populations in jails and prisons have increased dramatically over the last couple of years and following the murder of a University student in Little Rock by an ex-con, there was a reaction whereby the policies prior didn't do any technical violations leaving 50,000 people on parole and probation running amok, it was decided to tighten everything up and incarcerate and violate for the slightest technical violation. He stated he believes in part that is what has caused a lot of their overcrowding backlog and he is very interested in finding out the exact policies for parole and probation, in having some dialogue and being involved in that process to see if there are some changes that can be made to make the situation better.
- 282.5 J. Firmin stated that the newspaper stated that there was someone who the state hired to do a review of their policies and Arkansas is the only state in the country that is doing their parole violations that way and based on her projections, it sounded like we have the largest increases of any state in the country. As it is something that they are struggling with, he questioned whether they should send a letter to the folks making these decisions that would be pertinent to their discussions. He stated his understanding that it is a board that is not part of the Legislature.
- 282.6 Sheriff Helder responded to J. Firmin stating that it is the Parole and Probation Board, but that is all part of this comprehensive plan that is going to be developed, so they are mining down into what those processes are and he will represent Washington County on this committee and doesn't believe a letter is necessary at this point. He stated if they continue down the path they are going, the numbers are unbelievable and projections staggering, and they can't

- 283.1 handle the system that way. He stated that he is flattered to be on this committee, encouraged, and guardedly optimistic that they can make significant changes in the way they think and do things. He reported on some testimony he gave that he has been in law enforcement 36 years and for 25 of those, he was a "hook 'em and book 'em" guy and didn't care, but for the last almost 11 years he has a different perspective. He stated that they have got to be smarter in how they go about this process and now that he manages a Detention Center and is involved at the state level, he sees problems that the past procedures cause. He stated that they have to do things differently by engaging our community and faith based organizations, through treatment and intervention and he is confident that they can get there, but it will take some work. Sheriff Helder stated that he would keep the Quorum Court updated as he attends these meetings.
- 283.2 Judge Edwards thanked Sheriff Helder and congratulated him on this appointment.
- 283.3 H. Bowman stated that County Attorney Steve Zega has given them packets with the updates to their ordinances and he requested that his fellow JPs go through some old ordinances, look at the new ordinances, and try to come together with suggestions about what they want in their new ordinances.
- 283.4 In response to a request from H. Bowman, County Attorney Steve Zega explained that the question was about education on the structural ordinances which is part of what he has tried to accomplish. As he recalls in the County Services Meeting, H. Bowman, E. Madison, and L. Ecke began to talk about the process of training on Roberts Rules of Order which he is happy to do to the extent that he knows, but they had also discussed a possible University class or professor. He stated frankly while he believes he has a decent handle on the basics of Roberts Rules, someone who teaches it would be much better and he could learn a lot in that process as well. He stated he is Parliamentarian and fortunately has not been called on much to make parliamentary rulings at this point.
- 283.5 County Attorney Steve Zega stated that he recalls the committee asking him to bring them up to speed on their organizational and compensation ordinances which falls to him as part of his job as County Attorney. He stated that part of what he tried to do in the memo was to give them a broad based look at what is in the book right now. He stated that several municipal and Quorum Courts that he has seen at work have ordinance review committees where they essentially go through the entire ordinance book and start looking at things that need to be changed or thrown out and at the pleasure of the court, he would be



happy to assist in the drafting of those and attend meetings if they wanted to do an ordinance review committee as either an ad hoc or standing committee of the court. He believes it may be a good idea for each new court to do this as they come in and his intent with the memo was to give them all a jumping off point on the specifics that they discussed in the County Services meeting.

- 284.1 H. Bowman stated that even after coming onto his second term, he was unaware that they had the ordinances there and he believes that there are probably a lot of others in that same situation. He reiterated his request that they have the group make input into changes that they need to do to update their ordinances and then come back with recommendations and if a committee is needed, he is open to that.
- 284.2 H. Bowman stated when he came on the court 2½ years ago; he left the first meeting wondering what he had gotten himself into and had other members he had known for a while apologize later about what they went through at that meeting. After going through the budget issues last year, he saw tension and a rather toxic environment develop within their County Courthouse and on the Quorum Court which disappoints him because they are a team that needs to be working together. He stated that he has seen this on the Quorum Court but hadn't experienced it at the Courthouse, so he made some inquiries from people in the Courthouse and has received information that during our budget process last year, there were a number of people who were really offended by the way they approached cutting the budgets. He noted that it is never easy to cut budgets, but they need to focus on the opportunity to make input into a very positive environment or a very negative environment and they each have responsibility in that. He stated that they have talked about this, but it is really time to address the big white elephant in the room and do something about this and make it a team effort. H. Bowman asked everyone in the Courthouse and on this Quorum Court to take a hard look at their comments, input, suggestions and attitudes about how they do business and he wants this to be a fun, friendly place that they can come and do the best job that can be done for Washington County. He pointed out that they are an intelligent bunch of people or they wouldn't be in this courtroom and they have the option to do better. He stated that they can disagree, but don't have to be disagreeable.
- 284.3 E. Madison stated in the theme of H. Bowman's comments, she has sensed in the past few meetings they have had, just by the elevation of the titles they use they are elevating their formality, their meetings have seemed more pleasant, their interactions are more formal, and she appreciates that. She thinks what they have to remember about their jobs are that they are sometimes tasked with asking the hard questions with the people who come before them and it is

really the only opportunity they have to do that. She believes in transparency of government and believes that they all do as well. She stated that she hopes when they ask those hard questions and make those tough decisions, they are doing so because that is their job, not because it is personal because they are the legislative branch that oversees the budget process. She agreed that the budget process last year was challenging because they had a significant decline in their revenue forecast and all had to make hard decisions.

- 285.1 E. Madison stated the recent exchange at a meeting left her very bothered and attacked by the comments made about her. She read from the Employee Handbook a provision which is a good reminder for all of them and all county employees. "Employees on duty or in uniform shall restrain from using indecent or profane language. Employees shall be courteous to citizens, maintain command of their temper, and refrain from coarse, boisterous or insolent language. Upon request, employees must provide citizens their name and any badge number. Employees shall treat superiors, subordinates and associates in a respectful manner. Employees shall practice professional courtesy and refrain from making personal attacks that ridicule, belittle or defame the county or county personnel. "
- 285.2 E. Madison stated that she still continues to receive calls about the Road Department, employees as well as citizens, and her concern is that despite the work that they are doing on the bridges and structural and procedural changes, she is still very concerned about the work environment at the Road Department. She reported talking to HR Supervisor Lindsi Huffaker and she is working very hard on some of the HR structural things, but her time is admittedly limited. She stated after spending two very intense weeks working diligently on a short time table to get answers and well over a month since the report was made and exactly one month since all the information was provided to Judge Edward's Office, she is now concerned a month later that they still have that work environment problem at the Road Department. She reported that employees are still reporting negativity and work ethic issues. She noted other issues listed at the end of her presentation that needed to be looked into have been addressed by Judge Edwards in her report such as the promotion process, but there were other things such as work ethic, harassing language, negativity, and discriminatory remarks that have not been addressed because she is hearing that they are still going on. She stated she feels bad because people are coming to her thinking that she has some power to do something and these days she feels pretty powerless about anything to have to do with the Road Department. She believes that these people need a voice and someone to talk to.

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- 286.1 E. Madison stated that reading between the lines, it sounds like Judge Edwards is maybe dispensing some discipline, but can't talk about it because it is a personnel matter. She has mentioned her concern over people who did not cooperate in the investigation to her knowledge have not been disciplined. She stated that it has been particularly hard for her this week and part of the reason that she hasn't had time to read the minutes was because she probably spent 12-13 hours this week responding to very voluminous FOIA request that she received from an employee of the Road Department for everything she had on the bridge investigation. She reiterated that something has to be done about the work environment at the Road Department. She stated ultimately the only power they have is the budgetary power and that is not really a power she wants to use, but if they don't think things are being done, they will have to work on that. It is hard for them to preach about being polite and getting along and decorum when she feels that their county employees are working in an awful environment.
- 286.2 R. Cochran stated one thing they have talked about is their minutes and E. Madison has suggested condensing them for the future. He noted that they have 67 pages this month of minutes and he would assume that they could be condensed down to less than 10 pages from the Quorum Court and committees if they can do that. He asked what committee would be appropriate for an ordinance that would address the issue of putting them in a condensed format and making sure that they have a recording available for the future.
- 286.3 County Attorney Steve Zega addressed R. Cochran, stating that the County Services Committee would be the appropriate committee to address the form of their minutes. He stated if the committee was to steer themselves into a ditch, he believes could get them into legal trouble, he would tell them, but they are free, within some legal constraints, to do some modifications to the way their minutes are published. He stated, however, that they are coming up on at least two CUP appeals and for a lot of reasons, he would prefer that the written record on CUP appeals stay the same as it is for meetings now because in cases where you are sitting as an appellant body, more is better than less in those kinds of discussions.
- 286.4 R. Cochran requested that County Attorney Steve Zega give them his thoughts and input on how they might structure the minutes to reduce the volume, but still protect themselves in a way that is necessary.
- 286.5 County Attorney Zega responded that he would be happy to give that report at the next County Services Committee meeting with the Chair's blessing.

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- 287.1 E. Madison stated as Chairman of the County Services Committee that the County Attorney's idea of an ordinance review committee might be better for all of this because H. Bowman who has been the initiator of this is not on County Services Committee, even though he could be there. She stated that she is sort of struggling with whether this shouldn't be an ad hoc committee and this body would need to be the body that creates it and shouldn't come to County Services because she doesn't believe that they can create their subcommittee.
- 287.2 County Attorney Zega addressed E. Madison stating that he believes they could do it either way to create a another committee because they will need an ordinance to do that because they have an ordinance establishing committees already. In his judgment, it is entirely appropriate for it to be ad hoc. In response to R. Cochran's statements and concerns, he thinks that E. Madison is onto something that in terms of the big picture and something they want taken care of within the next 30-45 days, it may need to go to another committee.
- 287.3 R. Cochran suggested if any JPs are interested on getting on an ad hoc formal committee to review their ordinances, contact Karen Beeks and then they can see what the interest is and if there is enough interest, they can draft the ordinance to create the committee and stack it onto one of their other committee meeting nights.
- 287.4 H. Bowman suggested that they all come back with notes made on what County Attorney Zega has given them and then give them to him or Karen Beeks to put all together. In terms of the minutes, he stated that they have talked about the possibility of have audio and video recordings of all their meetings on the website and personally he thinks it would be a very positive thing to have because any of the media that wanted to know what was going on in their courtroom would have access to exactly what was said and to see the interaction in the courtroom. He asked if they have any feedback on what the cost would be for having both audio and video recordings of their meetings.
- 287.5 Karen Beeks responded to H. Bowman stating that she has initiated conversation with the City of Fayetteville and they haven't met to actually discuss it, but they are willing to do the same. She stated that they charge an hourly rate for this and will work up a package deal to all committee meetings. She noted that committee meetings could not be live, but aired later and of course put on the website for anyone to view at any time. She believes that they can have something decided on this within the next few days.

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- 288.1 H. Bowman stated that he doesn't think that it being live would be an important issue as long as they are posted and people could have access to it. He thinks that this would be very positive and eliminate the need for copious notes about the individual meetings and what is taking place.
- 288.2 B. Pond stated while they are discussing having some way to go back and look at a video or have minutes or some kind of read of a meeting in its entirety, he stated that it is important to be written down some way. He noted it hasn't been that many years ago that they got into a discussion about the need for building an Animal Shelter and they were presented with a thick folder of minutes in their entirety from the Animal Concerns Advisory Board and he can't begin to tell how valuable that was. He stated that it gave them a full picture of what the people on the board had researched, what their experience was, and their personal feelings about the issues and needs, and without those minutes for him to read, he would not have been able to get a handle on all that board had done. He stated whatever they decide to do, somewhere they need to have all of that written down or on video where someone can research it if there ever a need in the future. He stated he is a little hesitant about condensing their minutes because when someone goes back to do research, they would have to dig someplace else to find out what was actually said. If he is going to research something like that, he doesn't want the cliff notes, but wants to know what was actually said to get the full meaning of it.
- 288.3 In response to a question from L. Ecke whether an ordinance is necessary or could it just be a consensus by the court to say what they want; County Attorney Zega stated that the Roberts Rules of Order by which past courts have elected to be governed talk about minutes in terms of an abbreviated or condensed version of notes of what happened at a meeting. He further noted that this court has been doing business like this in terms of the minutes for many years, so it very well may be that all they need to do is say how they want their minutes within legal limits. He stated part of his hesitance to go by Roberts Rules with the minutes issue is that they are written as a generic set of procedures for all deliberative bodies by an English General and are a very good way to do business. He further explained as an actual legislative body, they have certain obligations that many deliberative bodies, clubs and organizations simply don't have and so while there is probably a lot of merit in the idea that they don't need 38 pages of minutes, they also need to have written minutes that are robust enough to provide justification for their actions should they be challenged in court.
- 288.4 E. Madison stated that the General Assembly keeps no minutes and the state statutory requirement is that they have minutes of their Quorum Court

meetings, but the statute does not define what those minutes are and that is up to the Quorum Court. She stated that her concern is that they have this odd hybrid; they are not doing a transcript or word-for-word of what is said like the City of Fayetteville does, but they are also not reducing it just to their official actions. She is concerned how this could be interpreted by somebody else. She noted in the committee meetings in their current packet that are never approved, there are some significant disparities in the detail that is covered. She gave the example of the Jail/Law Enforcement/Courts Committee minutes that are almost word-for-word assessment of the meeting and then the Finance & Budget Committee meeting where they had some very heated exchanges, they are completely absent from the minutes. She stated that they either need to decide to have the bare minimum minutes and rely on the recorded record and when they have potential legal action coming, they have an ordinance to address those situations and she knows that Attorney Zega has suggested that they use a court reporter for some of those where they have to have a written record prepared quickly. She stated if they are going to have actual minutes as suggested by B. Pond, then they should be word-for-word. She is very concerned about this hybrid where someone else is deciding what is and is not in their minutes. She suggested that they need to have a committee to discuss this as there are a lot of issues surrounding it and a lot of competing interests.

- 289.1 J. Maxwell stated that he would echo the need for consistency whichever way they decide. He asked if their meetings are digitally recorded with audio and video as well, wouldn't that be sufficient documentation should anything come up legally that requires specifics and in addition if the written minutes don't completely show congruence with the recording, wouldn't the recorded documentation from a digital side be brought into play in that instance anyway.
- 289.2 In response to J. Maxwell's questions, County Attorney Zega stated in the first instance the act of voting to approve the minutes at the beginning of each meeting has legal significance where they are essentially blessing by vote that this is what they said and did at their last regular meeting. He stated that it could potentially come into play if one of their ordinances was constitutionally challenged in a court action which he has seen happen and done when in private practice where the members of a city council were put on the stand and questioned and then use the minutes to impeach a couple of them so the recorded minutes might be used by an enterprising attorney to impeach certain things that each of them undertake to have done. He stated that they would come into play in that way, but their official action is still the written minutes upon which they vote. He stated he doesn't believe that the digital record can be essentially official, but will get back to them on that but he believes that the

state statute requires written minutes.

- 290.1 J. Maxwell stated the fact that there is some satisfaction missing highlights the real problem and that is they are legally ratifying minutes that may or may not completely be in congruence with what actually happened, so he would be in agreement with the fact that really condensed minutes would be expedient and useful so that when they are agreeing to what actions are actually taken, there is not as much room for error and then obviously for the more sensitive CUP hearings, take it up a notch so if they were to be on the other side of the legal conversation referred to by County Attorney Zega, then there is some very hardy documentation that follows very closely, maybe word-for-word, of what took place verbally in the meeting so there is no chance for that to be misconstrued.
- 290.2 H. Bowman asked whether that would not be sufficient to go back and transcribe every word said off of the audio/video presentation to satisfy that requirement; to which County Attorney Zega responded yes, but the issue is the resources to do a word-for-word transcription. He noted that he has been visiting with E. Madison for a couple weeks about what he believes to be the need for a court reporter when they do cell tower appeals because of the many laws that are essentially being interpreted over the last six months or so. He stated if they do that they either have to have a person transcribing those meetings into verbatim minutes or they need either an actual court reporter which some governing bodies use or the voice recognition software that he suspects would be really expensive.
- 290.3 Court Secretary Karen Beeks stated that they talked about voice recognition software before and with the 15 to 18 voices, it would be impossible as that only works with a certain voice.
- 290.4 County Attorney Zega stated that he has experienced a lot of frustration personally with voice recognition software, so their choices would be to have a dedicated person to transcribe the minutes or have a court reporter come to the meetings.
- 290.5 H. Bowman reported using voice recognition software for 15 years and it does a lousy job.
- 290.6 Judge Edwards asked if you cut the minutes down and want to do something more simplified, what exactly would you want picked up; to which R. Cochran responded the Roberts Rules of Order definition for committee meetings probably would suffice as far as just recording the action of the votes as they never approve committee meetings and actually actions in the committee are

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not binding in anyway other than just moving the process to the full Quorum Court and questioned whether it was necessary to have a detailed record of the committee meetings.

- 291.1 County Attorney Zega responded a detailed record of committee meetings would not be necessary in legal terms, but they need to comply with their ordinance that says you have to comply with Roberts Rules of Order. He reiterated that it is the court's decision within Roberts Rules of Order as to what their record should look like and they are not as robust currently as Quorum Court minutes and in the law, what their record looks like is largely up to the court.
- 291.2 E. Madison stated that our minutes are circulated before they are approved and remain on the web in that form because they are part of the agenda packets and in addition, when corrections are made, she isn't sure she ever sees how they are actually corrected. She stated that they need some procedural changes in how they do this because when they adopt these minutes, they are their record. She addressed Judge Edwards question, stating that she isn't sure she has the answer; while to some extent, efficiency is great but looking at the Finance Committee minutes this month there are some explanations missing that probably shouldn't be, so they need to decide what they want.
- 291.3 CITIZEN COMMENTS: There were no citizen comments made.
- 291.4 ADJOURNMENT: The meeting adjourned at 8:22 p.m.

Respectfully submitted,



Cary Sandidge  
Quorum Court Coordinator/Reporter