

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

Thursday, August 20, 2015
6:00 p.m.
Washington County Quorum Court Room

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- 420.1 The Washington County Quorum Court met in regular session on Thursday, August 20, 2015. The meeting was called to order by County Judge Marilyn Edwards.
- 420.2 J. Maxwell led the Quorum Court in prayer and in the Pledge of Allegiance.
- 420.3 Judge Edwards announced that H. Bowman and L. Ecke were out-of-town and would not be at the meeting.
- 420.4 MEMBERS PRESENT: Daniel Balls, Rick Cochran, Robert Dennis, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Joe Patterson, Butch Pond, and Bill Ussery.
- 420.5 MEMBER ABSENT: Harvey Bowman and Lisa Ecke.
- 420.6 OTHERS PRESENT: County Judge Marilyn Edwards, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 420.7 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 420.8 S. Madison stated that citizens believe the Quorum Court members do not take citizen comments until after they have made up their minds. She also reported hearing at the recent Association of Arkansas Counties meeting that most counties are moving citizen comments to be placed between the adoption of the agenda and the approval of the minutes. She noted how it appeared that there were several citizens present at this meeting who wanted to talk.
- 420.9 **S. Madison made a motion to move Citizen's Comments up on the agenda between the Adoption of the Agenda and Approval of Minutes. The motion was seconded.**
- 420.10 A. Harbison stated she thought this was a good idea, but believes not all items on the agenda will have discussion and thought it more appropriate to have citizen comments before the items that people are interested in, such as with the Animal Shelter ordinance.

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- 421.1 E. Madison stated what A. Harbison is talking about is required anyway and she is referring to the general comment period typically held at the end of the meetings.
- 421.2 S. Madison reported that it was said at the Association of Arkansas Counties meeting that having the public comments at the beginning of the agenda would satisfy all of the legal requirements to have public comments before a vote. She further stated that what A. Harbison was suggesting would put the Quorum Court in a position of second guessing what people might have comments about. S. Madison stated that sometimes appropriation ordinances have substance to them, but do not require public comment; she believes that has created some ill will to wait until the end of the meeting for citizen comments.
- 421.3 County Attorney Steve Zega stated he understood the motion to place the general citizen comment item as #5 on the agenda and bump everything else down. The Court will still be affording the public not only general comment by the substance of this motion, but also item by item comment if a citizen is interested in a particular item. He further stated that it was well within the Court's right to do it that way.
- 421.4 S. Madison suggested that County Attorney Steve Zega call the AAC attorneys to be certain of her understanding that having public comments at the beginning of the agenda would satisfy all legal requirements for public comment; and the Court should do a hybrid for this meeting.
- 421.5 B. Ussery noted that many times during a debate a lot of the public's questions are answered because everything is on the table.
- 421.6 E. Madison suggested that perhaps the grand issue should perhaps be referred to the Ordinance Review Committee once it is formed.
- 421.7 B. Pond stated before voting, he would appreciate hearing from anyone present who was interested in expressing their opinion.
- 421.8 S. Madison stated that she is willing to withdraw her motion, but believes that before the Animal Shelter ordinance is heard tonight, the Court should have public comments unless it violates any rule.
- 421.9 County Attorney Steve Zega stated even though it is an appropriation ordinance, the Quorum Court can suspend the rules and allow for public comment on that individual item.
- 421.10 **S. Madison withdrew her motion.**

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- 422.1 **T. Lundstrum made a motion to move Items #7 (Appropriation Ordinance for a Juvenile Court Family Communications Grant) and Item #12 (Resolution Adopting the Pre-Hazard Mitigation Plan) up on the Agenda following the Approval of Minutes. The motion was seconded. The motion passed unanimously by those present by voice vote.**
- 422.2 **R. Cochran made a motion to add to the agenda a resolution authorizing Nathan Crouch to solemnize a marriage. The motion was seconded. The motion passed unanimously by those present by voice vote.**
- 422.3 **A motion was made and seconded to adopt the agenda as amended. The motion passed unanimously by those present by voice vote. The agenda as amended was adopted.**
- 422.4 APPROVAL OF MINUTES: Judge Edwards asked if there were any corrections to the Quorum Court minutes for the June 18 regular meeting and July 9 special meeting.
- 422.5 S. Madison referred to July 9th Special Meeting stating that in paragraph 296.6, line 25, there appears to be a word missing after the word "deliberative" and she suggests adding the word "process". She stated in paragraph 304.1, line 9, that the word "excites" should be "exits". She stated in paragraph 326.3, line 8, the word "is" should be inserted before "one of the pastors".
- 422.6 S. Madison referred to the June 18 regular meeting stating that reading and editing these minutes has taken her more than 2½ hours and ironically this meeting is when the Court dealt with a desire for shorter, more concise minutes. She stated in paragraph 264.10, line 3, the word "service" should be "serve". She stated in paragraph 265.7, line 3, there is an "as" that should not be there. She stated in paragraph 270.3, line 1, that the word "which" should be inserted after "Regional Hospice Program". She stated in paragraph 271.5, line 4, that the word "it" does not seem to refer to anything. She stated in paragraph 273.4, line 1, the "are" should be omitted. She stated in paragraph 276.1, lines 1 through 3 make no sense. She stated in paragraph 277.1, line 3, the word "whether" should be "rather". She stated in paragraph 278.2, line 4, the name "Gales" should replace "Gale". She stated in paragraph 280.1, line 10, the word "inappropriate" seems odd. She stated in paragraph 281.1, line 10, the word "through" should be "three". She stated in paragraph 282.5, line 3 has a gap that should not be there. She stated in paragraph 284.2, line 1, the word "approach" should be "approached". She stated in paragraph

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285.1, line 6, that the word "course" should be "coarse". She stated in paragraph 287.5, line 1, that the word "imitated" should be "initiated". She stated that paragraph 290.1, line 1 makes no sense. She stated in paragraph 290.2, line 1 there is something missing, and again in paragraph 290.2, line 7 there is something missing.

- 423.1 S. Madison stated that she feels that the minutes should come back to the Court corrected before they are adopted because County Attorney Steve Zega has stressed to the Court that the minutes are a legal record of what transpired at the Court's meetings. She stated that unless she can read the minutes in a shorter amount of time, she will not read them and will not vote to approve something she has not read.
- 423.2 **A. Harbison made a motion to approve the minutes. B. Pond seconded. The motion passed with ten members voting to approve the minutes, one member voting not to approve the minutes and one member abstaining. The minutes were approved.**
- 423.3 A RESOLUTION AUTHORIZING NATHAN CROUCH TO SOLEMNIZE THE MARRIAGE OF IAN CHANDLER AND JENNA JACKSON ON SEPTEMBER 8, 2015, IN WASHINGTON COUNTY, ARKANSAS: R. Cochran introduced **A Resolution Authorizing Nathan Crouch to Solemnize the Marriage of Ian Chandler and Jenna Jackson On September 8, 2015, In Washington County, Arkansas**, and County Attorney Steve Zega read the resolution.
- 423.4 In response to an inquiry from S. Madison, County Attorney Zega verified that this item had just been added to the agenda, and he would suggest that the Court suspend the rules to move it forward.
- 423.5 **S. Madison made a motion to suspend the rules and move resolution #17.1 forward on the agenda. The motion was seconded.**
- 423.6 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present.**
- 423.7 Nathan Crouch addressed the Quorum Court stating that he would be the officiate for this wedding and announcing that the couple would be married whenever Ian comes home on furlough from the Navy.
- 423.8 County Attorney Steve Zega reread the resolution.

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424.1 **R. Cochran made a motion to adopt the resolution. A. Harbison seconded.**

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

424.3 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2015-20, BOOK NO. 3, PAGE NO. 116

424.4 Referring back to the adoption of the minutes, S. Madison asked whether the motion to adopt the minutes included "as corrected"; to which A. Harbison stated that her motion did not include this. E. Madison stated that she would rather table the minutes until they are corrected.

424.5 **E. Madison made a motion to table the minutes until they are corrected. S. Madison seconded the motion.**

424.6 R. Cochran stated since the Court had already voted to approve the minutes, he believes it is a dead issue; to which County Attorney Steve Zega stated that the Court would need a motion to reconsider because he did not hear A. Harbison state "as corrected" in her motion to approve the minutes.

424.7 A. Harbison stated she did not say "as corrected", but that was her intent.

424.8 County Attorney Zega stated that it is his opinion that E. Madison's motion to table is out of order since the Court has already voted on the substantive question; however, they can move to reconsider and either consider E. Madison's motion to table or accept A. Harbison's corrected motion.

424.9 S. Madison stated that anyone who reads the July 18 minutes would be bewildered and she cannot make a motion to reconsider since she voted against the motion to approve, so effectively the Court has approved some really botched minutes.

424.10 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$2,500 IN THE LAW ENFORCEMENT GRANT FUND, AND APPROPRIATING \$2,500 FROM THE LAW ENFORCEMENT GRANT FUND TO THE JUVENILE COURT-FAMILY COMMUNICATIONS CLASS GRANT BUDGET FOR 2015: R. Cochran introduced **An Ordinance Recognizing**

Additional Revenues Of \$2,500 In The Law Enforcement Grant Fund, And Appropriating \$2,500 From The Law Enforcement Grant Fund To The Juvenile Court-Family Communications Class Grant Budget For 2015, and County Attorney Steve Zega read the ordinance.

425.1 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**

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

425.3 VOTING FOR: J. Patterson, B. Pond, B. Ussey, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2015-61, BOOK NO. 10, PAGE NO. 235

425.4 A RESOLUTION ADOPTING THE PRE-HAZARD MITIGATION PLAN FOR WASHINGTON COUNTY, ARKANSAS: T. Lundstrum introduced **A Resolution Adopting the Pre-Hazard Mitigation Plan for Washington County, Arkansas**, and County Attorney Steve Zega read the resolution.

425.5 T. Lundstrum explained that this resolution has to do with the redoing of the County's floodplain maps which the Court discussed in detail at the August 10 County Services Committee meeting and was unanimously passed onto the full Quorum Court with a do-pass recommendation.

425.6 **T. Lundstrum made a motion to adopt the resolution. B. Pond seconded.**

425.7 Citizen Comments: There were no citizen comments made.

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

425.9 VOTING FOR: J. Patterson, B. Pond, B. Ussey, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2015-21, BOOK NO. 3, PAGE NO. 117

- 426.1 AN ORDINANCE REDUCING THE CIRCUIT CLERK'S BUDGET IN THE GENERAL FUND BY \$20,000; APPROPRIATING THE AMOUNT OF \$20,000 FROM THE GENERAL FUND TO THE ANIMAL SHELTER BUDGET; AND APPROPRIATING THE AMOUNT OF \$20,000 FROM THE CIRCUIT CLERK COMMISSION FEE FUND TO THE CIRCUIT CLERK'S BUDGET IN SAID FUND FOR 2015: R. Cochran introduced **An Ordinance Reducing The Circuit Clerk's Budget In The General Fund By \$20,000; Appropriating The Amount Of \$20,000 From The General Fund To The Animal Shelter Budget; And Appropriating The Amount Of \$20,000 From The Circuit Clerk's Commission Fee Fund To The Circuit Clerk's Budget** that is on second reading.
- 426.2 R. Cochran explained that this ordinance is to fund the Animal Shelter in the amount of \$20,000 by appropriating money from the Circuit Clerk's Commission Fee Fund.
- 426.3 **B. Pond made a motion to suspend the rules and take public comment at this time. R. Cochran seconded.**
- 426.4 **Judge Edwards called for a roll call vote on the motion.**
- 426.5 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present.**
- 426.6 Citizen Comments: Mike Emery, resident of Fayetteville and former staff member of the County Animal Shelter addressed the Quorum Court stating that everyone was there to discuss something that should have been settled weeks ago and noted the disappointment by county citizens with what has taken place. He thanked Judge Edwards for the statement released this week correcting some inaccurate information dispersed since the last meeting of this Court. Mr. Emery stated the cost to the County for the funds transfer from the Circuit Clerk's Budget would have been nothing, but instead because of political division and other agendas, the taxpayers have not only paid for the cost of special meetings, but have been subjected to undignified rhetoric. He noted two lessons that have been learned two things from all of this. First, the citizens of Washington County do in fact support the Shelter and want to see it funded and operating properly. Secondly, he stated that this has highlighted political divisions and displayed exactly how to hinder forward progress of a community. He urged the Court to approve this funding ordinance for the Washington County Animal Shelter because it is simply the right thing to do.

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- 427.1 Joyce McGowen, resident of West Fork, addressed the Quorum Court stating that she is very disappointed in four members of the Quorum Court who she believes are pursuing a personal agenda and not really taking the County's needs and services into consideration. These actions are putting the animals' lives at risk for their own personal agenda and the citizens of this County expect them to run the County in an orderly manner without personal agendas. Ms. McGowen stated that she spoke to two of the Quorum Court's members after the last meeting and both expressed to her the reason they voted against the appropriation last time was because they did not believe the Circuit Clerk was doing the right thing by moving funds out of his department. She stated that the Circuit Clerk has stated he has surplus funds; that money has been given to other county departments in the past so there is a precedent for this; and she does not believe that the Quorum Court should second guess an elected official who is doing a very good job of running his own department.
- 427.2 Kathleen Lehman, resident of Fayetteville, addressed the Quorum Court in support of this ordinance, noting that she spoke last time and has nothing new to add except to point out that there are many citizens who have come back for this issue because it is very important to them.
- 427.3 Alice Anabol Walker, resident of Fayetteville, addressed the Quorum Court stating that she moved here two years ago, is a registered nurse who has worked in the healthcare industry for a long time, and is also the responsible owner of a rescue dog from the County Animal Shelter. She knows a lot of people who have animals that are integral to their family health and happiness and have used rescued dogs as service animals for disabled people. She urged the Court to pass this appropriation ordinance.
- 427.4 Darlene Graf, resident of Fayetteville, addressed the Quorum Court in support of this ordinance, stating that this Court just spent a lot of time expounding over their meeting minutes, and it only takes a few minutes to put healthy animals to sleep because the Animal Shelter does not have the resources to shelter them.
- 427.5 Daline Wait, resident of Fayetteville, addressed the Quorum Court showing one of the dogs that was rescued from the Animal Shelter and was trained to work with disabled people, noting if those dogs had to be purchased from breeders; it would cost a lot more for people with low incomes to have service dogs.
- 427.6 **E. Madison made a motion to suspend the rules and place the ordinance on third and final reading by title only. R. Cochran seconded.**

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- 428.1 **With no further discussion, Judge Edwards called for a vote on the motion to suspend the rules.**
- 428.2 VOTING FOR: B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, E. Madison, S. Madison, and J. Maxwell. VOTING AGAINST: J. Patterson, S. Lloyd, and T. Lundstrum. **The motion failed with nine members voting in favor and three members voting against the motion to suspend the rules.**
- 428.3 R. Cochran thanked the citizens for their support who attended the meeting tonight and explained that nine votes on a third reading will pass this ordinance.
- 428.4 E. Madison apologized for how this process has played out noting that she now has much more information on this funding request that she did not have at the time she first voted. She noted that this extra money that the Circuit Clerk has could help fund his office for next year so technically this still is the county's money, but this is a good compromise solution to get them out of the ditch on this issue.
- 428.5 In response to an inquiry from R. Cochran, County Attorney Steve Zega stated that either the County Judge or two Justices of the Peace can call a special meeting at their next regularly scheduled committee meeting night rather than waiting for the next regular Quorum Court meeting for the third reading of this ordinance. He noted the sooner the Court moves on with this ordinance, the sooner the Animal Shelter can resume normal operations.
- 428.6 After further discussion, Judge Edwards called a special Quorum Court meeting just for this ordinance to piggybacked with the Public Works Committee meeting on Monday, August 31, at 5:30 p.m., noting that this would not cost the county additional money.
- 428.7 Judge Edwards commended the Animal Shelter supporters who have been so dedicated and willing to speak out on this matter.
- 428.8 **A five-minute recess was taken at this time.**
- 428.9 COUNTY JUDGE'S REPORT: Judge Edwards stated that it has been brought to her attention by some JPs that the "Other Business" agenda item has turned into topics that should have been placed on the agenda either before published or at a minimum added to the agenda when adopted. Bringing up substantial issues under other business not only deprives adequate notification to the public that the Quorum Court will be discussing those items at the meeting, but is discourteous to other members of the

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Court who need to know that an item is to be discussed in advance so they can be properly prepared. Judge Edwards requested that the Court restrict other business for brief announcements or for raising issues for inclusion on a future agenda.

- 429.1 COMMITTEE REPORTS: E. Madison, Chair of the County Services Committee, reported that the Committee met on August 10 following the special Quorum Court meeting. She stated that they addressed replacing their Vice-Chair given John Firmin's recent resignation from the Court and JP Daniel Balls was elected to this position. She stated that the Committee addressed the Pre-Hazard Mitigation Plan Resolution that was proposed earlier by T. Lundstrum and the Court passed. Planning Director Juliet Richey gave her monthly report with an update on items coming through the Planning Board, as well as a report on the Washington County Flood Insurance Study update and the funding request that Ms. Richey is anticipating making to the Court to pay for our portion for FEMA to do the second phase of the flood insurance study which is of great benefit to the residents of Washington County because it gives them information for flooding potential and helps with insurance issues. Angela Ledgerwood, Director of the Animal Shelter, gave her quarterly report. E. Madison reported that the County Services Committee reviewed an Emergency Ordinance amending Chapter 2, Section 22, of the County Code in regard to the committee structure that will be addressed later on tonight's agenda. The Committee had an ongoing discussion about the Quorum Court's organizational procedures, which was brought to the Committee by H. Bowman, and recommended forming an additional committee. The "Ordinance Review Committee" would be a standing committee that would not meet with the regularity of the Court's other standing committees and would begin an intensive review of the Court's ordinances.
- 429.2 Judge Edwards reported that the Public Works Committee did not meet this month.
- 429.3 B. Pond, Chair of the Personnel Committee, reported that the Committee met on August 3 and heard a report from Salary Consultant Blair Johanson stating that at this time of the year, Job Evaluation/Salary Administration Program (JESAP) receives a file with County employees' information that is uploaded in to the compensation software. This allows Mr. Johanson to create an average pay by employee based on the market. He is in the process of pulling information from other counties and cities to compare the pay of Washington County employees. He will come before the Quorum Court in September to report on that information. Mr. Johanson provided a handout regarding compensation for elected officials based on their term in office, which looks at the difference between salary horizons between

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private and public sectors. He reported that the County is doing what it is supposed to do in terms of pay and is at 85% of the maximum pay for elected officials. B. Pond stated that the Personnel Committee reviewed an ordinance creating a Certificate Incentive Program for the Washington County Sheriff's Office while authorizing payments pursuant to that program, which gives incentive to our law enforcement officers to get more training whenever they can. This ordinance is currently on the agenda to put that program in place.

- 430.1 T. Lundstrum, Chair of the Jail/Law Enforcement/Courts Committee, reported that the Committee met on August 10 and Juvenile Detention Director Jean E. Mack reported that the Juvenile Detention Center (JDC) did an experimental two-week program with ten juveniles who were on intense probation. In order to keep the juveniles out of detention, they had to come to the JDC from 9:00 a.m. to 3:00 p.m., Monday through Friday, where they learned how to sew, garden, canoe and kayak, as well as getting certified in CPR. The Committee heard a report from Chief Deputy Jay Cantrell who reported that civil papers were down, but warrants were up. He also reported that the Sheriff's Office started a testing and evaluation program with body-worn cameras for which the officers are receiving good feedback. Adult Detention Major Randall Denzer reported that the Detention Center has had an increase in people and has received a check from the State for \$330,000 for state prisoners. Sheriff Tim Helder spoke to the Committee about the cost and a budgetary problem with the jail, explaining how the initial tax was set at one-half cent, then decreased to one-fourth cent, and was only intended to fund the jail for a certain period of time after which the Detention Center had to be supplemented out of the General Fund. The biggest cost for the Jail is its personnel cost, however, it has not increased during its 8 to 10 years in operation. The Jail has also been housing about 650 detainees which is close to the Jail's maximum. A suggestion was made that the Court raise taxes to support the Jail and T. Lundstrum concurs with Sheriff Helder that the people of Washington County would say that public safety is one of their main concerns as far as services provided by the County.
- 430.2 A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT #11 FOR 2015: B. Pond introduced **A Resolution Recognizing a Vacancy in Quorum Court District #11 For 2015**, and County Attorney Steve Zega read the resolution.
- 430.3 B. Pond stated that it has been a real pleasure serving with John Firmin and he will be missed.

431.1 **B. Pond made a motion to adopt the resolution. A. Harbison seconded.**

431.2 Citizen Comments: There were no citizen comments made.

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

431.4 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2015-22, BOOK NO. 3, PAGE NO. 118

431.5 Judge Edwards stated that John Firmin was a dedicated member of the Quorum Court for a long time and she thanked him for his service.

431.6 A RESOLUTION TO EXPRESS APPRECIATION OF THE QUORUM TO JOHN FIRMIN FOR SERVICE AS A JUSTICE OF THE PEACE: B. Pond introduced **A Resolution to Express Appreciation of the Quorum Court to John Firmin for Service as a Justice Of The Peace**, and County Attorney Steve Zega read the resolution.

431.7 **B. Pond made a motion to adopt the resolution. R. Cochran seconded.**

431.8 R. Cochran stated that John Firmin always had a good ear and made very sound decisions and thanked him for his years on the Court.

431.9 Citizen Comments: There were no citizen comments made.

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

431.11 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The resolution passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2015-23, BOOK NO. 3, PAGE NO. 119

431.12 AN ORDINANCE CREATING A CERTIFICATE INCENTIVE PROGRAM FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE AND

- AUTHORIZING PAYMENTS PURSUANT TO THAT PROGRAM:** B. Pond introduced **An Ordinance Creating a Certificate Incentive Program for the Washington County Sheriff's Office and Authorizing Payments Pursuant To That Program**, and County Attorney Steve Zega read the ordinance. This ordinance is on first reading and being recommended by the Personnel Committee.
- 432.1 S. Madison noted a word missing in Article I of the ordinance and County Attorney Steve Zega stated that it should read, "In the event that sufficient revenues **exist** in the judgment . . ."
- 432.2 **S. Madison made a motion to amend Article 1 as above. R. Dennis seconded. The motion passed unanimously by those present by voice vote.**
- 432.3 County Attorney Steve Zega stated that the ordinance was now back on first reading.
- 432.4 **B. Pond made a motion to suspend the rules and read the amended ordinance for the first time by title only. A. Harbison seconded. The motion passed unanimously by those present by voice vote.**
- 432.5 County Attorney read **An Ordinance Creating a Certificate Incentive Program for the Washington County Sheriff's Office And Authorizing Payments Pursuant To That Program** by title only.
- 432.6 **B. Pond made a motion to suspend the rules and place the ordinance on second reading by title only. The motion was seconded. The motion passed unanimously by those present by voice vote.**
- 432.7 County Attorney read **An Ordinance Creating A Certificate Incentive Program For The Washington County Sheriff's Office And Authorizing Payments Pursuant To That Program** by title only.
- 432.8 **B. Pond made a motion to suspend the rules and place the ordinance on third and final reading by title only. R. Cochran seconded the motion. The motion passed unanimously by those present by voice vote.**
- 432.9 County Attorney read **An Ordinance Creating A Certificate Incentive Program For The Washington County Sheriff's Office And Authorizing Payments Pursuant To That Program** by title only.

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

433.2 S. Lloyd addressed Article 2, paragraph (a)(1) and the eligibility for all or a portion of additional salary payments that added up to \$1,500 while there was then reference in Article 2, paragraph (a)(2b) to a maximum allowable annual aggregate payment of \$1,200; to which County Attorney Steve Zega explained that even if one employee possesses all of the certificates, there was still a cap of \$1,200.

433.3 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2015-62, BOOK NO. 10, PAGE NO. 236

433.6 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: A. Harbison 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 July 30 for Devore Homes. This ordinance contains an emergency clause making it effective immediately upon passage.

433.7 County Planner Courtney McNair addressed the Quorum Court stating that the County's zoning ordinance is written so that it is a legislative action and therefore, the Quorum Court has to ratify any actions done by the Planning Board for zoning. She stated that this is a Conditional Use Permit (CUP) for Devore Homes and the applicants want to split a 4-acre lot into two lots with one of the lots being slightly less than an acre to allow the applicants' neighbor to purchase a small portion of the property. Ms. McNair reported that the applicants were able to fit their entire septic system, meet all of their required setbacks, and were able to maintain their yard, so the Planning Board felt that this was an appropriate CUP as the total acreage and density was still within the range with the one lot being 0.8 acres. Ms. McNair requested that the Court ratify the Planning Board's decision to approve this CUP.

- 434.1 A. Harbison stated that this is in a very rural area of Washington County, basically the road that goes over the top of the Bobby Hopper Tunnel on I-49.
- 434.2 **A. Harbison made a motion to adopt the ordinance. B. Pond seconded.**
- 434.3 Citizen Comments: There were no citizen comments made.
- 434.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 434.5 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2015-63, BOOK NO. 10, PAGE NO. 238**
- 434.6 AN EMERGENCY ORDINANCE AMENDING CHAPTER 2, SECTION 22 OF THE WASHINGTON COUNTY CODE: E. Madison introduced **An Emergency Ordinance Amending Chapter 2, Section 22 Of The Washington County Code, and** County Attorney Steve Zega read the ordinance. The ordinance is being recommended by the County Services Committee and contains an emergency clause making it effective immediately upon passage.
- 434.7 E. Madison explained that this was the ordinance to confirm what the Quorum Court did by motion to dissolve the Finance and Budget Committee as a result of R. Cochran and H. Bowman's efforts where County Attorney Zega recommended that the members amend their ordinance. When it came to County Services Committee, the Committee decided to add an Ordinance Review Committee. She stated that this effectively takes away the Finance & Budget Committee, adds an Ordinance Review Committee, and it was decided to do it by an emergency clause since this is the way that they have been functioning.
- 434.8 **E. Madison made a motion to adopt the ordinance. J. Patterson seconded.**
- 434.9 In response to a question from A. Harbison about whether this ordinance confirms how the Court is conducting business at this time; to which County Attorney Zega responded that it was correct with the addition of the Ordinance Review Committee.

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- 435.1 Citizen Comments: There were no citizen comments made.
- 435.2 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 435.3 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell.
VOTING AGAINST: R. Cochran. **The motion passed with eleven members voting in favor and one member voting against the motion. The ordinance was adopted.**
- ORDINANCE NO. 2015-64, BOOK NO. 10, PAGE NO. 241**
- 435.4 OTHER BUSINESS: S. Lloyd asked when the deadline to request an item on the agenda was; to which Executive Assistant Karen Beeks responded that at least ten days before the Quorum Court meeting as the packets are sent out to the JPs on the Friday before the meeting.
- 435.5 E. Madison stated she has read Robert's Rules about the minutes and since she abstained from the vote approving the minutes, she is eligible to make a motion to reconsider the minutes which must be made at the same meeting so the Court can then vote on A. Harbison's motion as originally intended or decide whether the Court wants to table the matter.
- 435.6 **E. Madison made a motion to reconsider the minutes. S. Lloyd seconded.**
- 435.7 **With no further discussion, Judge Edwards called for a vote on the motion to reconsider the minutes.**
- 435.8 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, R. Cochran, R. Dennis, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell.
VOTING AGAINST: A. Harbison. **The motion passed with eleven members voting in favor and one member voting against the motion.**
- 435.9 **E. Madison made a motion to table the minutes until they can be seen in corrected form. T. Lundstrum seconded.**
- 435.10 S. Madison stated that since the minutes were so lengthy, she concludes that many members on the Court did not read them; however, she did and believes that it would reflect poorly on the Court to leave the minutes as they were. She urged the Court to table the minutes until they can be corrected.

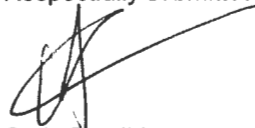
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- 436.1 **With no further discussion, Judge Edwards called for a vote on the motion to table the minutes.**
- 436.2 **VOTING FOR: J. Patterson, B. Ussery, D. Balls, R. Dennis, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. VOTING AGAINST: B. Pond, R. Cochran, and A. Harbison. **The motion passed with nine members voting in favor and three members voting against the motion.****
- 436.3 Judge Edwards stated that the minutes would be tabled until they could be corrected.
- 436.4 **CITIZEN COMMENTS:** Sheriff Tim Helder thanked the Quorum Court for creating the ability for him to offer incentives to his law enforcement officers in order to become better educated for the jobs that the officers perform. He noted that today the Sheriff's Office is celebrating the one year anniversary that Corporal Reed survived a gunshot wound so this was a timely issue to come about.
- 436.5 Joe Edgmon, resident and Alderman for the City of Tontitown, addressed the Quorum Court regarding a letter that he received from County Attorney Steve Zega. He stated that Tontitown has a Volunteer Fire Department under contract and the city has been trying to get to the bottom of some auditing items through certified letters by numerous Freedom of Information requests for which Mr. Edgmon gave examples where the requests were not being answered. Mr. Edgmon stated that his goal is to make sure anything the fire department is doing for the city or anyone that the fire department contracts with is being held accountable. He has forwarded information to the County Attorney on numerous occasions, but did not receive an answer for several weeks. Mr. Edgmon referred to a letter dated on July 10 in which County Attorney Zega implied that Mr. Edgmon's only goal was to cause trouble for the Volunteer Fire Department. Mr. Edgmon stated that he has an agenda on March 6 which stated that he wanted unification with the fire department. He did not appreciate the implications made in Attorney Zega's letter, which was e-mailed to other city officials, when Mr. Edgmon's only goal is to make the fire department accountable.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Carly Sandidge', written over a horizontal line.

Carly Sandidge
Quorum Court Coordinator/Reporter