

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

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

FILED
2016 MAY 20 PM 4:07
REC'D LEMLEY
CL & INSURANCE CLERK
WASHINGTON CO. WA

- 815.1 The Washington County Quorum Court met in regular session on Thursday, November 19, 2015. The meeting was called to order by County Judge Marilyn Edwards.
- 815.2 T. Lundstrum led the Quorum Court in prayer and in the Pledge of Allegiance.
- 815.3 MEMBERS PRESENT: Daniel Balls, Rick Cochran, Robert Dennis, Lisa Ecke, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Gary McHenry, Joe Patterson, Butch Pond, and Bill Ussery.
- 815.4 MEMBER ABSENT: Harvey Bowman.
- 815.5 OTHERS PRESENT: County Judge Marilyn Edwards, Chief of Staff George Butler, County Attorney Steve Zega, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 815.6 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 815.7 **R. Cochran made a motion to add the following ordinances to the agenda: Ordinance #9.2, which is regarding the fees payable to the Planning Office; a revised Ordinance #14.1, which is regarding additional revenues and appropriations in various budgets; and Ordinance #16.1, which is regarding the Washington County's 2016 Budget. T. Lundstrum seconded. The motion passed unanimously by those present by voice vote.**
- 815.8 **J. Maxwell made a friendly amendment to move the budget ordinance #16.1 up on the agenda to #8.1.**
- 815.9 **R. Cochran and T. Lundstrum accepted J. Maxwell's motion as a friendly amendment.**
- 815.10 **The motion passed unanimously by those present by voice vote. Agenda item #16.1 was moved up to #8.1 on the agenda.**
- 815.11 **R. Cochran made a motion to adopt the agenda as amended. The motion was seconded. The motion passed unanimously by those present by voice vote. The agenda was adopted as amended.**

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- 816.1 APPROVAL OF MINUTES: Judge Edwards asked if there were any corrections to the minutes of the August 20 regular meeting, and August 11 and 31 special meetings of the Quorum Court.
- 816.2 **S. Madison made a motion to approve all three sets of minutes as presented. R. Cochran seconded.**
- 816.3 E. Madison stated as they were voting to approve all of the minutes at the same time, she would have to abstain because she was not present for one of the meetings.
- 816.4 **Judge Edwards called for a roll call vote on the motion to approve Minutes.**
- 816.5 VOTING FOR: D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, S. Madison, J. Maxwell, J. Patterson, B. Pond, and B. Ussery. ABSTENTION: E. Madison and G. McHenry. **The motion passed with twelve members voting in favor of the motion and two members abstaining from the vote. The minutes were approved as presented.**
- 816.6 COUNTY JUDGE'S REPORT: Judge Edwards reported that she has several board appointments to run by the Court and would like to vote to confirm all of the appointments at the same time.
- 816.7 WRMC Board of Directors: The Board of Directors of Washington Regional Medical Center has requested Quorum Court approval of Mr. Greg Lee to serve an additional six-year term as a member of the WRMC Board of Directors beginning January 1, 2016.
- 816.8 In addition, WRMC has submitted the nomination of Dr. Randall Hightower, Chief of the Medical Staff at WRMC (2014-2015) to serve a two-year term on the Board of Directors. This term will also begin on January 1, 2016.
- 816.9 County Library Board: The City of Farmington has recommended Jane Vest to fill their seat on the Washington County Library Board, previously held by Betty Hummel. The appointment is for a 5-year term and will begin January, 2016.
- 816.10 Rural Development Authority: Judge Edwards recommended the reappointment of Benny Stout for another 5-year term to the Washington County Rural Development Authority.

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- 817.1 Washington Water Authority: Judge Edwards recommended the reappointment of LaJoyce Duncan to the Washington Water Authority for a 5-year term.
- 817.2 **A motion was made and seconded to confirm the board appointments as requested by Judge Edwards. The motion passed unanimously by those present by voice vote. The appointments were confirmed.**
- 817.3 Judge Edwards reported she had a conflict on the third Thursday of January with their regular Quorum Court meeting and proposed that they hold the meeting one week prior on January 14th. She stated that this meeting would also serve as their special Quorum Court meeting for finance matters.
- 817.4 **B. Pond made a motion to move the first meeting of 2016 to January 14. A. Harbison seconded.**
- 817.5 E. Madison stated she would be out-of-town on January 14 and believes it is important to keep their regular Quorum Court meetings on schedule.
- 817.6 A. Harbison stated if the County Judge cannot be there, she is just as important as a JP.
- 817.7 E. Madison stated when the County Judge is absent, State law provides how they proceed with their meetings by appointing one of their own to serve in her place. She believes certainty with their regular meetings is important and noted they plan their lives around the meetings being on the third Thursday of the month and she does not think that should be changed for anyone's conflicting schedule.
- 817.8 S. Madison asked when the organizational meeting would be; to which Judge Edwards responded that they will not be one held in 2016 as they run for two years with the terms.
- 817.9 **A. Harbison called for the question.**
- 817.10 **With no further discussion, Judge Edwards called for a vote on the motion to move the first meeting of 2016 to January 14.**
- 817.11 VOTING FOR: D. Balls, R. Cochran, R. Dennis, A. Harbison, G. McHenry, B. Pond, and B. Ussery. VOTING AGAINST: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and J. Patterson. ABSTENTION: L. Ecke. **The motion failed with seven members**

voting in favor, six members voting against the motion and one abstention.

- 818.1 Judge Edwards noted that the regular meetings have been rescheduled for previous County Judges before her, including Charles Johnson and Jerry Hunton.
- 818.2 COMMITTEE REPORTS: E. Madison reported that the County Services Committee met on November 2 and several items discussed at this meeting are on the agenda tonight, including the vote centers, changes in their planning, fee structure with respect to cell towers, and a change proposed by D. Balls with respect to the Animal Shelter and she will lead those as they come up on the agenda. She stated they had a healthy discussion with Juliet Richey from the Planning Office to give her bi-monthly report, including the Eastern Park Subdivision that received preliminary approval from this body and is going through the remainder of the planning process and trying to do a self-contained sewer system. She stated that it appears that issue will not come back before the court as it has already gained approval from this body and that will be handled through the Planning Office and Planning Board. She stated they received the quarterly report from Angela Ledgerwood from the Animal Shelter that continues to receive donations and she reported on some of the good things they are doing and provided the quarterly statistics. Unfortunately, the animal rush is still coming in with a large population at the Shelter. She noted their meeting concluded with a citizen speaking who lives on Smokey Bear and expressed some concerns over the expansions there and H. Bowman planned to resume discussions of that issue in the Public Works Committee where it more properly resides.
- 818.3 In the absence of H. Bowman, Judge Edwards reported that the Public Works Committee did not meet this month due to lack of an agenda.
- 818.4 B. Pond reported that the Personnel Committee met on November 9 and heard a fairly routine report from Salary Consultant Blair Johanson for Washington County. They had some discussion about an amendment to the Employee Handbook pertaining to use of county property.
- 818.5 T. Lundstrum reported that the Jail/Law Enforcement/Courts Committee did not meet this month due to lack of an agenda.
- 818.6 AN ORDINANCE RECOGNIZING REVENUES AND APPROPRIATING MONIES FOR THE EXPENDITURES IN EACH FUND FOR WASHINGTON COUNTY, ARKANSAS, FOR THE YEAR 2016, AND

ADOPTING A BUDGET FOR THE VARIOUS DEPARTMENTS
REFLECTING THE LINE ITEM EXPENDITURES THEREOF:

- 819.1 **R. Cochran made a motion that they move the Budget Ordinance #8.1 off the table for discussion. T. Lundstrum seconded.**
- 819.2 **Judge Edwards called for a roll call vote on the motion to take Budget Ordinance #8.1 off the table.**
- 819.3 VOTING FOR: D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The Budget Ordinance #8.1 was taken off the table for discussion.**
- 819.4 R. Cochran introduced **An Ordinance Recognizing Revenues And Appropriating Monies For The Expenditures In Each Fund For Washington County, Arkansas, For The Year 2016, And Adopting A Budget For The Various Departments Reflecting The Line Item Expenditures Thereof**, that was on first reading.
- 819.5 A. Harbison stated that they have met twelve times to work on this budget at a cost of \$37,000 and she believes it is time to wrap this up.
- 819.6 **A. Harbison made a motion to adopt the 2016 Budget Ordinance. B. Pond seconded.**
- 819.7 County Attorney Steve Zega stated that he thinks it is probably prudent for him to read the whole ordinance at this time because they did not vote on it the other night and if it does not garner ten votes for whatever reason tonight, it needs to be read at three meetings.
- 819.8 County Attorney Steve Zega read **An Ordinance Recognizing Revenues And Appropriating Monies For The Expenditures In Each Fund For Washington County, Arkansas, For The Year 2016, And Adopting A Budget For The Various Departments Reflecting The Line Item Expenditures Thereof.**
- 819.9 J. Maxwell stated obviously when there are this many moving parts on this big of a budget and that they have spent a lot of time on it trying a couple of ways to make sure that they are fiscally responsible, but still find all the things that matter. He stated it seems like they find themselves in a spot where it has been very difficult to find places to cut because everyone that has come before them has very good reasons for what they need and

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have made very logical cases for that. He stated he knows there are parts of this budget that are not up for discussion, but he would like to propose a motion that they administer a 2% reduction and let the department heads, as they have voiced in the past, find places that are appropriate for them to make changes so they fund the things that are critical and are able to move the money from places that maybe are not quite so critical.

- 820.1 **J. Maxwell made a motion to amend the ordinance to administer a 2% reduction to budgets. S. Lloyd seconded.**
- 820.2 E. Madison stated she would suggest that he make that to be certain funds, like the Road Fund, Jail Fund, General Fund, the things that get general fund money because the funds that have their own revenue like the library, there is not really a reason to do that because it does not go into General Fund reserves.
- 820.3 J. Maxwell stated that was what he was referring to when he noted that some of these things are really not negotiable, like employee insurance and the library fund, and they can defer to the Comptroller for which funds are negotiable and can be managed like the General Fund, etc., to accomplish some fiscal responsibility, but not single anyone out or make it difficult or cumbersome for any one department.
- 820.4 B. Pond stated with the motion on the floor for the amendment for a 2% reduction, would this include the contract with CEMS and other emergency services such as their Volunteer Fire Departments; to which S. Zega responded the way he understood J. Maxwell's motion which was clarified and articulated further by E. Madison, was 2% cuts determined by department heads in general funds and there are emergency funds afforded by emergency departments supported by general fund monies.
- 820.5 B. Pond stated that their emergency funds like CEMS and the Fire Departments which are operating on a shoestring budget as it is, he would have to consider leaving them out of this 2% cut the same way you would the library.
- 820.6 R. Cochran stated he would offer a friendly amendment to describe the decrease to a 2% reduction in the 1000 County General Fund; a 2% reduction in the 2000 Road Fund; and a 2% reduction in the 3017 Jail Fund to be carved out of the various budgets that fall under there as those department heads deem. He stated that would allow them to leave CEMS intact. He stated looking at those three funds; the budget request for the General Fund is just over \$28 million, the budget request for the Road Fund is just over \$9 million, and the budget request for the Jail Fund is

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\$14,451,000 and a 2% reduction on those equates to a little over \$1 million and that basically will not all go to unappropriated reserves for County General because about 20% of it would increase the Road Fund.

- 821.1 **R. Cochran offered the above as a friendly amendment to J. Maxwell's motion and both J. Maxwell and S. Lloyd accepted this as a friendly amendment.**
- 821.2 T. Lundstrum stated that they tried to do this when Micah Neal was on the Quorum Court and they excluded all emergency services and he believes they are moving in the right direction with this.
- 821.3 C. Bolinger asked if this includes the departments who have already cut their budgets by 2% or more; to which J. Maxwell asked which departments she was specifically referring to. C. Bolinger stated in County General, this would include the County Judge, Treasurer, General Services, Archives, Human Resources, Circuit Court I, Circuit Court II, and Circuit Court V.
- 821.4 S. Lloyd stated she has the same concern that C. Bolinger has and suggested they take 2% off of what their 2015 budget was because they verbally approved those budgets, but the entire budget has not been approved.
- 821.5 A. Harbison stated that there are 15 departments that are down and to cut them an additional 2% would not be fair.
- 821.6 **A. Harbison made a motion to amend that the Court only cut 2% from the budgets that had an increase. The motion died for lack of a second.**
- 821.7 R. Cochran reiterated that the 2% reduction was in aggregate or in total so those various departments under the County General or Road Fund would need a 2% cut in total, so if someone has already taken a 2% cut, they might take 2½ % somewhere else in labor or supplies which would cover them. He stated that way they have the latitude within those aggregate funds to bring the overall budget down. He stated that they are not pointing at any one particular area and those in charge can look at the various departments and decide where that money should be reduced; and they have full latitude later with budget controls to move money around should they need to do so next year. He stated this would give them \$1 million or so infusion and about \$800,000 in County General and about \$200,000 in the Road Fund and that will help them achieve their unappropriated reserve goal.

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- 822.1 R. Dennis stated he will not vote for this because if they did this bad on this many accounts, they need to go back to work and the good thing about that is that they have maxed out on their salaries so they can do it for free. He stated the department managers came and sat in front of them to argue their points and they accepted their budgets at that point and now they want to cut 2% from what they said they wanted and they do not have a chance for rebuttal.
- 822.2 S. Madison addressed R. Dennis' comments, stating when she observed some of the budget meetings last Fall before she was elected, they had sort of come to an impasse where it was becoming difficult to achieve the bottom line they were seeking and the Chairman of Finance volunteered to meet with various departments, sat down and negotiated the end result that everyone had sought to achieve. She stated in some ways she believes that is what they are trying to do and that this is a way for the departments themselves to look at their budgets and see where they might acknowledge a little bit of cushion that they could have to swap around with later in the year if need be. She stated she is certainly much more comfortable with this proposal than any she has seen before.
- 822.3 B. Ussery stated if they had set a target and worked with these department heads in the beginning, he would not have an issue with this at all, but here it is the ninth hour and everyone has invested hours of time and to throw a curve ball at this time is not the right direction to go. He stated to do what is being asked to be done is going to take hours of their time with more meetings and going further over budget. He noted they spent a great deal of money on Tuesday night and really were no different than when they walked in the door. He stated he looks at this like a business and this year they had less money come in than they had last year and yet, their reserves did not drop by the same amount by any stretch of the imagination. He believes they need to work with the different departments and where they see something not doing well, give them the tools they need so they can do it better next year. He stated that they also need to look at the revenue side and tax on internet sales because he knows there are states collecting money right now from the different companies through internet sales, and he wants to figure out how they do that and strive very hard to get Arkansas to do the same thing. He stated they need to look at other ways to bring more money in whatever that might be.
- 822.4 R. Cochran stated when they started their budget one of the first things Judge Edwards asked was for our goals for unappropriated reserves and this current budget shows \$5.4 million. The lowest number he recalls was

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\$6 million so he believes they did set a target and since they are not at that target, believes they are within their prerogative to make it to where the departments can adjust their own budgets as they see fit. He stated that is why they invited a few departments back last Tuesday to discuss some concerns that they had to see what would happen, they negotiated, voted and that is where they stand. He does not believe this request would be inappropriate at this time.

- 823.1 J. Patterson stated that he does not think they have done very good on the budget this year and that includes himself. He stated he was discouraged the other night when there were conflicting stories coming out about who was pushing to get certain things in certain buildings and he finds this troubling. He stated he would have no problem voting on the 2% reduction as long as Rural Fire Departments, Sheriff's Department, and CEMS are exempt.
- 823.2 S. Zega stated that the motion on the floor is the amendment by R. Cochran, moved by J. Maxwell and seconded by S. Lloyd is to take an aggregate 2% cut to the following General Fund categories: 1000, 2000, and 3017. He noted if this passes, he believes they are going to need to not vote on the ordinance tonight because the budgeting units will have to go back and fix the line items. The ordinance attaches the line items and incorporates them.
- 823.3 R. Dennis asked if they will be taking public comments at this time to which S. Zega responded that would take a suspension of the rules.
- 823.4 S. Zega responded to a question stating that the Sheriff's General Fund monies are not exempt.
- 823.5 **With no further discussion, Judge Edwards called for a vote on the above motion.**
- 823.6 **VOTING FOR:** R. Cochran, L. Ecke, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, and B. Pond. **VOTING AGAINST:** D. Balls, R. Dennis, A. Harbison, and B. Ussery. **The amendment passed with ten members voting for and four members voting against the motion. The amendment was agreed to.**
- 823.7 **A motion was made and seconded to table the Budget Ordinance. The motion passed unanimously by those present by voice vote.**
- 823.8 **AN ORDINANCE ESTABLISHING VOTE CENTERS IN WASHINGTON COUNTY FOR ALL ELECTIONS:** E. Madison introduced **An Ordinance**

Establishing Vote Centers In Washington County For All Elections,
and County Attorney Steve Zega read the ordinance that is on first reading
and being recommended by the County Services Committee.

- 824.1 E. Madison stated this court has passed two vote center ordinances already; the first to have all specialty school elections in the current calendar year done in vote centers and then special elections with vote centers including the Fayetteville City Special Election on the Non-Discriminatory Ordinance back in September.
- 824.2 Jennifer Price with the Election Commission addressed the Quorum Court stating that the September 8 Election was the first time and they had over 10,000 ballots cast that day and 21% were cast at polling places where the voter was not typically assigned to that polling place. She stated the greatest increase was at Central United Methodist and Trinity Methodist where each of those had close to 50% of the ballots cast there from voters outside the normal voting precincts. She reported that they have had nothing but positive wonderful feedback from the public in regard to the vote centers to the convenience, especially for voters who maybe had not updated their addresses. She stated their goal was to get to where they could do vote centers for the primary and general election and they look forward to going to vote centers for the general election next year and all elections thereafter.
- 824.3 E. Madison stated she thinks this is the wave of the future in terms of elections as people are expecting flexibility and an easier way than it has been historically. She noted that these vote centers allow people to vote on their way to work, on their way to or from dropping kids off at school without regard to where their polling place may be and provides a great deal of flexibility. She stated that it does make voting go electronic rather than paper ballots and those who have historically wanted paper ballots will need to use early voting at the County Clerk's Office. She noted that besides improving the process for voters, it will improve the way they get their results because they will be available electronically instead of having to scan paper ballots on election night that took all night in some cases. She stated that when the Legislature allowed this to happen, the Secretary of State passed some pretty cumbersome regulations that they had to jump through to be able to do this and our Election Commission did it and should be commended for blazing the trail as counties around are following suit.
- 824.4 **E. Madison made a motion to suspend the rules and place the ordinance on second reading by title only. R. Dennis seconded. The motion passed unanimously by those present by voice vote.**

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- 825.1 County Attorney Steve Zega read **An Ordinance Establishing Vote Centers In Washington County For All Elections** by title only.
- 825.2 **E. Madison made a motion to suspend the rules and place the ordinance on third and final reading by title only. R. Dennis seconded. The motion passed unanimously by those present by voice vote.**
- 825.3 County Attorney Steve Zega read **An Ordinance Establishing Vote Centers In Washington County For All Elections** by title only.
- 825.4 **E. Madison made a motion to adopt the ordinance. The motion was seconded.**
- 825.5 R. Cochran stated with due respect to the good job they do at the Election Commission, his mom likes to vote on Election Day and since they will not have paper ballots, he will not support this ordinance.
- 825.6 L. Ecke asked how many vote centers were being added in Washington County, to which J. Price responded that they felt the best way to approach vote centers would be to either designate a few polling places as vote centers or do them all as vote centers. As designating a few gets too confusing for the voters to know exactly where to go, so their plan is to all of their polling places as vote centers, with some consolidation in the cities of Springdale and Fayetteville. She stated right now they are looking at going from 56 polling places to 50 and they would all be vote centers. J. Price thanked the Prairie Grove Telephone Company because they enabled the Election Commission to be able to provide internet services free of charge at Evansville, Morrow and Cane Hill at places where they might not have had the ability to do vote centers. She stated the city split between Fayetteville and Springdale in regards to the polling places with the consolidation is probably going to be 14 in Fayetteville and 9 in Springdale. She noted that Springdale does not have as many registered voters and does not have as many votes cast as the City of Fayetteville does. She reported that Arvest Ball Park cannot be a polling place since their hours would not accommodate them on Election Day.
- 825.7 J. Patterson stated that the citizens of the County should be relatively happy with what they have done here.
- 825.8 R. Dennis thanked the Prairie Grove Telephone Company and the Parks family who are always wonderful to support the County.
- 825.9 Citizen Comments: There were no citizen comments made.

- 826.1 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 826.2 **VOTING FOR: D. Balls, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, and B. Ussery. VOTING AGAINST: R. Cochran and T. Lundstrum. The motion passed with twelve members voting for and two members voting against the motion. The ordinance was adopted.**
- ORDINANCE NO. 2015-88, BOOK NO. 10, PAGE NO. 277**
- 826.3 **AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTION 11-76 FEES PAYABLE TO PLANNING OFFICE: E. Madison introduced **An Ordinance Amending Washington County Code Section 11-76 Fees Payable To Planning Office**, and County Attorney Steve Zega read the ordinance that is on first reading and being recommended by the County Services Committee.**
- 826.4 E. Madison stated they are revising the way they handle the minutes from their cell tower appeals. She stated they do not act by their writing, but by their meetings and votes, but the way the federal law reads, they have to take action with respect to cell tower permits in writing. She stated that they had been relying on their minutes, but they are not fast enough for the United States Supreme Court and County Attorney Zega found a way around that whereby they will have a court reporter here anytime they are considering a cell tower appeal who will prepare the minutes very quickly so they are available to comply with Supreme Court requirements. She stated the applicant will be charged \$1,500 to cover the cost of the court reporter and if the fee is not used, it will be returned and if the fee goes over \$1,500, the applicant will be responsible for that.
- 826.5 **E. Madison made a motion to suspend the rules and place the ordinance on second reading by title only. R. Cochran seconded. The motion passed unanimously by those present by voice vote.**
- 826.6 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Section 11-76 Fees Payable To Planning Office**, by title only.
- 826.7 **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 those present by voice vote.**

- 827.1 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Section 11-76 Fees Payable To Planning Office**, by title only.
- 827.2 **E. Madison made a motion to adopt the ordinance. R. Cochran 831.1seconded.**
- 827.3 Citizen Comments: There were no citizen comments made.
- 827.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 827.5 VOTING FOR: D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2015-89, BOOK NO. 10, PAGE NO. 278**
- 827.6 AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTION 11-205 FEES: E. Madison introduced **An Ordinance Amending Washington County Code Section 11-205 Fees**, and County Attorney Steve Zega read the ordinance that is on first reading and being recommended by the County Services Committee.
- 827.7 E. Madison stated this is obviously a related issue, but was actually another amendment that Planning Director Juliet Richey suggested and asked if it was a parallel provision; to which Juliet Richey responded that there are two sections, a general planning part of the ordinance and then the zoning subsection that outlines specific fees for conditional uses. She wants to include it both places so that people could understand that.
- 827.8 J. Richey stated she mentioned at the County Services Committee meeting if they pass this ordinance then she would probably have to come back and ask the Quorum Court for money to put in their budget, especially if they are talking about more cuts. She stated last year when they cut their budget, they did not use the percentage that they cut coming out of personal services like salaries and when they are asked to cut 2% of their entire budget, if they are taking salaries into consideration that takes a huge chunk out of their operating budget and where she did not have much padding before, she has zero now.
- 827.9 **A point of order was called for being off track for this ordinance.**

- 828.1 **E. Madison made a motion to suspend the rules and place the ordinance on second reading by title only. R. Cochran seconded. The motion passed unanimously by those present by voice vote.**
- 828.2 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Section 11-205 Fees**, by title only.
- 828.3 **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 those present by voice vote.**
- 828.4 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Section 11-205 Fees**, by title only.
- 828.5 **E. Madison made a motion to adopt the ordinance. R. Cochran seconded.**
- 828.6 Citizen Comments: There were no citizen comments made.
- 828.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 828.8 VOTING FOR: D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2015-90, BOOK NO. 10, PAGE NO. 281**
- 828.9 AN ORDINANCE AMENDING WASHINGTON CIUNTY CODE CHAPTER 2.7, SECTION 35: D. Balls introduced **An Ordinance Amending Washington County Code Chapter 2.7, Section 35**, and County Attorney Steve Zega read the ordinance that is on first reading and being recommended by the County Services Committee.
- 828.10 D. Balls explained that there are two changes with this ordinance, the fee is going from \$15 to \$20 a day; and the \$200 fee is which is only paid when an animal is claimed that has not been spayed or neutered and the owner does not want to have this done. He stated that they are having animals brought in, being picked up and are not spayed or neutered and then the puppies are being brought to the shelter that is paying for it and it is hoped that these changes to the ordinance will give people the incentive to get their animals spayed or neutered.

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- 829.1 **D. Balls 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 those present by voice vote.**
- 829.2 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Chapter 2.7, Section 35**, by title only.
- 829.3 **D. Balls made a motion to suspend the rules and place the ordinance on third and final reading by title only. A. Harbison seconded. The motion passed unanimously by those present by voice vote.**
- 829.4 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Chapter 2.7, Section 35**, by title only.
- 829.5 **D. Balls made a motion to adopt the ordinance. A. Harbison seconded.**
- 829.6 S. Madison stated that she fully supports this ordinance. She addressed the wording in Article 1(a) that states: "Identifying information is defined as any type of information in writing or otherwise that would clearly put a person on notice as to whom the dog or cat belonged and how to contact said owner", and questioned who the "person" is referring to. She stated that her cats are micro chipped and she strives to keep identifying collars on them, and she asked if this includes microchipping. D. Balls stated he would assume it includes microchipping.
- 829.7 S. Zega stated his understanding in drafting the ordinance was that the microchipping was included because it is the shelter personnel who will try to reach out and get to the owner and the microchip would serve that purpose.
- 829.8 R. Dennis stated in theory he is for this; however, in Article 1(b) he had not noticed when they first approved it, the language, "Failure to claim said dog or cat within three (3) days shall subject the dog or cat to adoption or euthanasia" and he believes this is too soon to have the choice of euthanasia.
- 829.9 S. Zega stated that is how the ordinance currently reads and he can consider bringing a proposal increasing the time before the committee.
- 829.10 E. Madison stated that she too was surprised by this language, but that is when they do not know who the animal belongs to and it is truly a stray, but if you are a responsible pet owner and have your pet microchipped or have a collar on, then they fall under Article 1(c) and that gives ten days

before the animal is subject to euthanasia. She also believes that three days is too short a time and also does not believe that the Shelter is acting on three days.

830.1 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2015-91, BOOK NO. 10, PAGE NO. 283

830.4 AN ORDINANCE LEVYING THE COUNTY, MUNICIPAL AND SCHOOL DISTRICT TAXES FOR THE YEAR 2015: R. Cochran introduced **An Ordinance Levying The County, Municipal And School District Taxes For The Year 2015**, and County Attorney Steve Zega read the ordinance.

830.5 R. Cochran stated each year at this time the Quorum Court is required to levy the school, county and municipal taxes for the current year. R. Cochran explained that Article 1 has a total of 6 mills and that is set by this body and the remaining real estate personal property millage is set by the voters in those districts.

830.6 **R. Cochran made a motion to adopt the ordinance. T. Lundstrum seconded.**

830.7 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2015-92, BOOK NO. 10, PAGE NO. 285

830.10 **A short recess was taken at this time.**

- 831.1 A RESOLUTION AUTORIZING THE WASHINGTON COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM ON BEHALF OF THE CANEHILL COMMUNITY: R. Cochran introduced **A Resolution Authorizing The Washington County Judge To Submit A Grant Request To The Arkansas Department Of Parks And Tourism On Behalf Of The Canehill Community**, an County Attorney Steve Zega read the resolution.
- 831.2 R. Cochran reported that the Canehill Days Festival is a lot of fun and recommended it for anyone.
- 831.3 **R. Cochran made a motion to adopt the resolution. R. Dennis seconded.**
- 831.4 Citizen Comments: There were no citizen comments made.
- 831.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 831.6 VOTING FOR: D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The resolution was adopted.**
- RESOLUTION NO. 2015-27, BOOK NO. 3, PAGE NO. 123**
- 831.7 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES AND MAKING APPROPRIATIONS TO PERSONAL LINE ITEMS IN VARIOUS COUNTY BUDGETS FOR 2015: R. Cochran introduced **An Ordinance Recognizing Additional Revenues And Making Appropriations To Personal Line Items In Various County Budgets For 2015**, and County Attorney Steve Zega read the ordinance.
- 831.8 Comptroller Cheryl Bolinger addressed the Quorum Court and explained that this is where overtime and part-time line items have gone over. She stated that the General Fund and Jail Fund had revenues that would cover theirs and the Road Fund's portion of \$30,000 would come out of the road unappropriated reserves.
- 831.9 **R. Cochran made a motion to adopt the ordinance. T. Lundstrum seconded.**
- 831.10 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2015-93, BOOK NO. 10, PAGE NO. 331

832.3 AN ORDINANCE APPROVING AN INTERLOCAL AGREEMENT ("AGREEMENT") BETWEEN WASHINGTON COUNTY, ARKANSAS ("COUNTY") AND THE CITIES OF ELKINS, ELM SPRINGS, FARMINGTON, FAYETTEVILLE, GOSHEN, GREENLAND, JOHNSON, LINCOLN, PRAIRIE GROVE, TONTITOWN, WEST FORK, AND WINSLOW ("CITIES") FOR CONTINUATION AND EXPANSION OF AMBULANCE SERVICES AND FOR EXPANDED MEMBERSHIP IN THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY ("WCRAA"): T. Lundstrum and J. Patterson introduced **An Ordinance Approving An Interlocal Agreement ("Agreement") Between Washington County, Arkansas ("County") And The Cities Of Elkins, Elm Springs, Farmington, Fayetteville, Goshen, Greenland, Johnson, Lincoln, Prairie Grove, Tontitown, West Fork, and Winslow ("Cities") For Continuation And Expansion Of Ambulance Services And For Expanded Membership In The Washington County Regional Ambulance Authority ("WCRAA")**, and County Attorney Steve Zega read the ordinance that is on first reading.

832.4 T. Lundstrum stated that it was important that they pass this ordinance tonight so that these cities get this ambulance service, noting that Elm Springs, Tontitown and half of Johnson have been added to this interlocal agreement whereas before they were receiving this service at no cost.

832.5 **T. Lundstrum made a motion to suspend the rules and place the ordinance on second reading by title only. J. Patterson seconded. The motion passed unanimously by those present by voice vote.**

832.6 County Attorney Steve Zega read **An Ordinance Approving An Interlocal Agreement ("Agreement") Between Washington County, Arkansas ("County") And The Cities Of Elkins, Elm Springs, Farmington, Fayetteville, Goshen, Greenland, Johnson, Lincoln, Prairie Grove, Tontitown, West Fork, and Winslow ("Cities") For Continuation And Expansion Of Ambulance Services And For**

- Expanded Membership In The Washington County Regional Ambulance Authority ("WCRAA"), by title only.**
- 833.1 **T. Lundstrum made a motion to suspend the rules and place the ordinance on third and final reading by title only. A. Harbison seconded. The motion passed unanimously by those present by voice vote.**
- 833.2 **County Attorney Steve Zega read An Ordinance Approving An Interlocal Agreement ("Agreement") Between Washington County, Arkansas ("County") And The Cities Of Elkins, Elm Springs, Farmington, Fayetteville, Goshen, Greenland, Johnson, Lincoln, Prairie Grove, Tontitown, West Fork, and Winslow ("Cities") For Continuation And Expansion Of Ambulance Services And For Expanded Membership In The Washington County Regional Ambulance Authority ("WCRAA"), by title only.**
- 833.3 **T. Lundstrum made a motion to adopt the ordinance. B. Pond seconded.**
- 833.4 J. Patterson stated that this started about 7-8 years ago and over the years there have been a lot of changes in getting the small cities on board and without it they would have been left in the northwest part of the county without any ambulance service. He stated that this has been very good for the community and he thanked everyone involved.
- 833.5 T. Lundstrum thanked Chief Becky Stewart and those who work for her at EMS and the good job they did with bringing the cities back in and adding an additional ambulance and crews.
- 833.6 Citizen Comments: There were no citizen comments made.
- 833.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 833.8 **VOTING FOR:** D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, and B. Ussery. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2015-94, BOOK NO. 10, PAGE NO. 333**
- 833.9 OTHER BUSINESS: There was no other business.

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- 834.1 CITIZEN COMMENTS: Lorraine O'Neal, Fayetteville resident, addressed the Quorum Court to commend them for all of the hard work all of them have done on the budget, and especially J. Maxwell for initiating the 2% reduction.
- 834.2 Ann Harbison, resident of Washington County for 74 years, addressed the Quorum Court noting that her Great Grandfather was the Washington County Judge in 1900. She urged the Quorum Court to look at page 73 in the budget book and those departments that reduced their budgets or held their budgets to zero she does not think need to be included in the 2% reduction and believes it is unfair. She stated that the County has used the tax money efficiently and cut \$4 million out of the budget last year and had no capital outlay, and there were only a few departments who came back and got some capital items during the year. She believes they have done a good job on the budget, but believes those departments who reduced their budgets and are at zero should not receive the 2% cut.
- 834.3 Renee Biby, Washington County Grant Administrator, addressed the Quorum Court stating while she respects what J. Maxwell wanted to accomplish with the 2% decrease. She stated while she is fine doing this under operations and supplies, the largest portion of her budget is personal services and out of \$125,000, personal services are \$110,000 of her budget. She stated she does not have the ability to cut her personal services so this will equate to a 16.5% cut in her operations or \$2,500 which is a small amount; however, she is already on a shoestring budget. She reported she administered \$2.387 million in grants a year and if they were to pay an outside administrator to do this, they would pay \$238,000; compared to her budget of \$125,000 which is already a pretty good bargain.
- 834.4 Juliet Richey, Washington County Planning Director, addressed the Quorum Court stating that the 2% cut does cause some issues for her budget and some imbalance in cutting their operating costs. She stated that there are areas she cannot cut because she has to be able to pay a lease on a copy machine, and the areas that are flexible and she can cut from are training and not replace computers as quickly as she needs to which affect quality of service and morale of people in her department. She feels like morale is a big issue in the county right now, especially with bonuses replacing raises, and as a manager this is becoming very frustrating to her. She stated every year they cut more and she wants to know if anyone is working on a bigger plan to what end. She hopes in future years they can have some clear communication about what their expectations are at the beginning and that they can discuss bigger issues.

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- 835.1 Rick Hoyt, resident of Washington County and employee with the Sheriff's Office, addressed the Quorum Court with respect to the 2% budget reduction. He stated the part of the Sheriff's budget that comes out of the General Fund, they requested \$6.9 million this year and if they take the capital out, that was actually a cut from what they asked for last year and when they put it back in, is a 2% raise. He stated if they take out his personal services from his budget, that leaves him \$1,027,783 and that 2% cut actually means he has to cut \$139,000 out of that \$1 million which is a 13.6% cut and he does not know what persons he has to cut to reach that 2%, but he does not know where he will find 13.6% out of his operating budget. He noted that the total Jail budget for next year was \$13.3 million and 2% of that is \$1,294,035 and when you back out personal services which is \$10,455,000 that leaves an operating budget of \$2,907,000 and they will have to cut 44.5% or \$1.2 million.
- 835.2 Cheryl Bolinger, Washington County Comptroller, addressed the Quorum Court stating she really appreciates the work they do because they come in with limited knowledge and make some big decisions. She noted that they put the budget book together so they would look at the whole picture and figure out what they wanted to do up front, but instead they wanted to look at every line item in every department, everyone came in and they spent \$37,895 on meetings so far and there are four more scheduled which will be \$24,487 additionally. She urged the Court to look at the whole picture and not waste everyone's time coming in because they did the exact same thing last year, asking that they do not do the same thing next year.
- 835.3 ADJOURNMENT: The meeting adjourned at 7:24 p.m.

Respectfully submitted,


Cary Sandidge
Quorum Court Coordinator/Reporter