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

Thursday, February 18, 2016
6:00 p.m.
Washington County Quorum Court Room

- 19.1 The Washington County Quorum Court met in regular session on Thursday, February 18, 2016. The meeting was called to order by County Judge Marilyn Edwards.
- 19.2 Judge Edwards reported on Monday, February 8, she was honored to sign a proclamation designating Washington County as a Purple Heart County. She noted that Marion, Faulkner and Pulaski Counties are the only Arkansas Counties to currently hold this designation, along with 15 states and 1065 cities and counties nationwide.
- 19.3 R. Dennis led the Quorum Court in prayer and in the Pledge of Allegiance.
- 19.4 **MEMBERS PRESENT:** Daniel Balls, Harvey Bowman, 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.
- 19.5 **OTHERS PRESENT:** Chief of Staff George Butler, County Attorney Steve Zega, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 19.6 **ADOPTION OF THE AGENDA:** Judge Edwards asked if there were any additions or deletions to the agenda.
- 19.7 **R. Cochran made a motion to adopt the agenda as presented. A. Harbison seconded. The motion passed unanimously by voice vote. The agenda was adopted as presented.**
- 19.8 **APPROVAL OF MINUTES:** Judge Edwards asked if there were any corrections to the minutes of the Quorum Court meetings held on October 13, 15, 19, 20 and 26.
- 19.9 S. Madison stated that she had not had time to read these minutes and would be abstaining from this vote.
- 19.10 **R. Cochran made a motion to approve the Quorum Court minutes of the meetings held on October 13, 15, 19, 20 and 26 as presented. A. Harbison seconded. The motion passed with 14 members voting in favor and 1 member abstaining by voice vote. The minutes were approved as presented.**

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- 20.1 TREASURER'S REPORT: In the absence of County Treasurer Bobby Hill, Chief Deputy Treasurer Lindsey Young gave the Treasurer's Financial Summary for the month of January. She reported that County General began the month with \$12.8 million, had expenditures of \$2.5 million, and an ending balance for January of \$11.4 million. The Road Fund began the month with \$2.3 million, had expenditures of \$1.1 million, with an ending balance for January of \$1.8 million. The Jail Fund had a beginning balance of \$1.0 million, had expenditures of \$1.4 million, for an ending balance for January of \$760,000. She noted that the subtotals for the month were a beginning balance of \$24.0 million, expenditures of \$6.2 million, and an ending balance for January of \$22 million.
- 20.2 L. Young also reported that \$550,000 was collected from the County's 1-cent sales tax which is 5% over this same time last year and the best January numbers they have had since the Year 2008. They collected \$748,000 in January from the ¼-cent jail sales tax, 5.6% over this time last year and the best showing for this tax since the beginning of 2003. They collected \$112,000 from the road ½-cent sales tax in January, 1.20% over this time last year. She stated that the Employee Insurance Fund began the month at \$1.3 million and ended at \$1.4 million.
- 20.3 COMPTROLLER'S REPORT: Comptroller Cheryl Bolinger stated the January 2016 General Fund Unappropriated Reserves beginning and ending balance was \$7,214,580. She addressed the January 2016 Summary of Revenues and Expenditures, noting the percentage expended/realized and unappropriated balance for each fund. She addressed the Summary Statement of Operations-Expenses by Fund and Department that shows encumbrances and percent used for each department with the total percent used of 17%. She stated that they have some ordinances from 2015 coming through at this meeting, noting that this includes the carryover ordinance which is normally not done until March to May but with a good January, they believe this is what the actual final carryover will be.
- 20.4 R. Cochran noted that ordinance #10.1 adjusting personal services line items has a total of over \$1.0 million, but ordinance #11.1 adjusting carryover does not have a total included. He would like to be able to weigh the two ordinances against each other; to which C. Bolinger responded it does #11 is by individual fund and #10.1 is per line item and for various things. However, she would compute the total carryover amount for when it is discussed later in the meeting.

- 21.1 A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY FOR AN ARKANSAS SUPREME COURT IMPROVEMENT PROGRAM GRANT ON BEHALF OF CIRCUIT COURT III - JUVENILE DIVISION: R. Cochran introduced **A Resolution Authorizing The County Judge To Apply For An Arkansas Supreme Court Improvement Program Grant On Behalf Of Circuit Court III - Juvenile Division**, and County Attorney Steve Zega read the resolution.
- 21.2 Grant Administrator Renee Biby addressed the Quorum Court and explained that this small grant of \$2,500 would be used by the Juvenile Court for their Diversion Program family and youth services.
- 21.3 **R. Cochran made a motion to adopt the resolution. The motion was seconded.**
- 21.4 Citizen Comments: There were no citizen comments made.
- 21.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 21.6 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **The motion passed unanimously. The resolution was adopted.**
- RESOLUTION NO. 2016-01, BOOK NO. 3, PAGE NO. 135**
- 21.7 A RESOLUTION AUTHORIZING THE WASHINGTON COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE ARKANSAS RURAL DEVELOPMENT COMMISSION ON BEHALF OF THE EVANSVILLE COMMUNITY: R. Cochran introduced **A Resolution Authorizing The Washington County Judge To Submit A Grant Request To The Arkansas Rural Development Commission On Behalf Of The Evansville Community**, and County Attorney Steve Zega read the resolution.
- 21.8 R. Cochran stated that he is pleased to see Evansville follow-up with what Rheas Mill has done, noting that this was his former District and currently J. Maxwell's District. He reported that Evansville has raised matching funds through projects and in-kind donations.
- 21.9 **R. Cochran made a motion to adopt the resolution. J. Maxwell seconded.**

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- 22.1 Grant Administrator Renee Biby addressed the Quorum Court stating that Evansville is a small community and other than the Post Office, this is just about the only other building in the community. She announced that they have a Friday morning breakfast starting at 7:00 a.m. for donations that the community turns out for.
- 22.2 Citizen Comments: There were no citizen comments made.
- 22.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 22.4 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **The motion passed unanimously. The resolution was adopted.**
- RESOLUTION NO. 2016-02, BOOK NO. 3, PAGE NO. 136**
- 22.5 AN ORDINANCE APPROPRIATING THE TOTAL AMOUNT OF \$1,178,012 FROM VARIOUS FUNDS TO PERSONAL SERVICES AND TRANSFERS OUT LINE ITEMS FOR 2015: R. Cochran introduced and read **An Ordinance Appropriating The Total Amount Of \$1,178,012 From Various Funds To Personal Services And Transfers Out Line Items For 2015**, and County Attorney Steve Zega read the ordinance.
- 22.6 Comptroller Cheryl Bolinger noted that pages 21-28 of "Attachment A" reflects the breakdown by position of the full-time salaries and explained that generally when doing line item appropriations they get it per line item, but for that line item, you have to do it per position so no more than what was appropriated can be spent on a position, and then at the end of the year they clean that up as they have done quarterly in the past. She further noted page 29 shows the 4th Quarter Housekeeping Appropriation Summary which shows the total of all positions within departments. She stated she added "Transfers Out" to this summary and they had underestimated in revenue projections what the Recorder's Costs would transfer to County General. She stated that this should cleanup 2015.
- 22.7 R. Cochran stated due to their intense focus on revenue and budget this year, he appreciates having these figures early.
- 22.8 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**

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- 23.1 E. Madison stated she is puzzled by the size of the amount and impact it will have on their reserves as it looks to her like they are moving over \$1.0 million out of where they worked very hard to get north of \$6.0 million.
- 23.2 C. Bolinger responded to E. Madison stating it does not affect their reserves at all as their reserves are based on this year's budget and does not affect their carryover because it is money already spent and they are just doing the appropriations. She stated that 2016 unappropriated reserves is based on all new numbers of revenue projections and expenditures and has nothing to do with the 2015 budget. She noted when Lindsey Young gave the Treasurer's Report, that is actual money they have and this is just numbers that they have to do to satisfy the auditors that they spent this money.
- 23.3 J. Maxwell asked for further explanation on the \$800,000 Transfers Out of County General; to which C. Bolinger stated this is money that they transfer to the Jail Fund and noted on the Unappropriated Reserves Report they report when they transfer money, but do not actually appropriate it until the end of the year.
- 23.4 S. Madison asked if the Salaries Non-Contributory Retirement were all some kind of salary adjustment made whether for longevity or something else; to which C. Bolinger responded it is all salary adjustments, but a lot of it is longevity and people moving from one position to another and this is a way to adjust it because they could not anticipate those kind of hires when they appropriate for positions 1½ years in advance with whatever the person in that position is making at that time. S. Madison stated she still sees the wording "unappropriated reserves" in the ordinance misleading.
- 23.5 Citizen Comments: There were no citizen comments made.
- 23.6 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 23.7 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **The motion passed unanimously. The ordinance was adopted.**

ORDINANCE NO. 2016-04, BOOK NO. 10, PAGE NO. 383

- 24.1 AN ORDINANCE ADJUSTING CARRYOVER REVENUES IN VARIOUS FUNDS FOR 2016: R. Cochran introduced **An Ordinance Adjusting Carryover Revenues In Various Funds For 2016**, and County Attorney Steve Zega read the ordinance.
- 24.2 S. Zega noted a scrivener's error in line four of Article 1 for County Clerk's Cost which should read \$8,018.
- 24.3 Comptroller Cheryl Bolinger reported that the totals that the JP Cochran asked for early is a reduction in carryover in the first article a total amount of \$479,383, and an increase to carryover in the second article a total amount of \$1,523,375.
- 24.4 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 24.5 Citizen Comments: There were no citizen comments made.
- 24.6 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 24.7 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-05, BOOK NO. 10, PAGE NO. 393**
- 24.8 AN ORDINANCE MAKING ADJUSTMENTS TO 2016 GRANT BUDGETS: R. Cochran introduced **An Ordinance Making Adjustments To 2016 Grant Budgets**, and County Attorney Steve Zega read the ordinance.
- 24.9 Grant Administrator Renee Biby explained that the revenue in the Animal Shelter Grant Fund is actually donations that were previously being put into the General Fund for the Shelter. This year they are being put in their own separate fund and they are recognizing the donations that came in late last year to be appropriated as they need them.
- 24.10 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 24.11 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-06, BOOK NO. 10, PAGE NO. 394

25.2 In response to a question from H. Bowman about where the \$22,759 in donations came from, C. Bolinger stated that these were various donations made directly to the County during the last quarter of the year. It does not include any donations made so far this year.

25.3 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$28,277 IN THE GENERAL FUND; AND APPROPRIATING \$33,289 FROM THE GENERAL FUND TO THE SHERIFF-ENFORCEMENT BUDGET FOR 2016: R. Cochran introduced **An Ordinance Recognizing Additional Revenues Of \$28,277 In The General Fund; And Appropriating \$33,289 From The General Fund To The Sheriff-Enforcement Budget For 2016,** and County Attorney Steve Zega read the ordinance.

25.4 R. Cochran explained that they had a totaled vehicle from the Sheriff's Department where insurance paid \$28,277. A new vehicle cost \$33,289 for a difference of \$5,012 which is what they are appropriating.

25.5 **R. Cochran made a motion to adopt the ordinance. G. McHenry seconded.**

25.6 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-07, BOOK NO. 10, PAGE NO. 395

- 26.1 AN ORDINANCE SUSPENDING JESAP POLICIES FOR CERTAIN PERSONNEL POSITIONS IN THE SHERIFF AND JAIL BUDGETS; APPROPRIATING \$10,983 FROM THE GENERAL FUND TO THE SHERIFF-ENFORCEMENT BUDGET; REDUCING LINE ITEMS IN THE SHERIFF-JAIL BUDGET BY \$13,047; AND APPROPRIATING THE AMOUNT OF \$11,609 FROM THE JAIL FUND TO THE SHERIFF-JAIL BUDGET FOR 2016: R. Cochran introduced **An Ordinance Making Adjustments To 2016 Grant Budgets**, and County Attorney Steve Zega read the ordinance.
- 26.2 R. Cochran stated as they discussed at the Personnel Committee meeting last week, this is something the Sheriff has requested due to a retirement and some people moving up into new positions at a net cost of approximately \$9,000 to do these changes.
- 26.3 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 26.4 S. Madison asked which JESAP policies were being suspended and the particular reason for this; to which County Attorney Steve Zega explained that when creating a position they move money for the position during the budget process and their JESAP policies and budget controls say in order to change positions in this way, they must suspend the JESAP policies when it is done outside of the budget cycle from September to December.
- 26.5 S. Madison stated that JESAP used to go through and analyze positions to find out how much was mediocre, tedious or stressful to which S. Zega responded that this is still done. S. Madison stated that the goal here is to expedite as well and JESAP would slow it down; to which S. Zega responded that he could not speak to that issue. S. Madison questioned whether they were violating any of the JESAP philosophies.
- 26.6 B. Pond stated that a way to explain this is that with JESAP, they are not capable of making a position change that would result in spending more money. He stated they can only make recommendations regarding giving promotions, or starting someone out at a little higher salary. In this case if the full Quorum Court votes to approve this appropriation, they have provided for this position or some new position, a certain amount of money which in this case was \$6,730. He noted that JESAP cannot say that the county is going to spend this amount of money more than what they budgeted for as it is outside of budget controls; but the Court can suspend that JESAP rule to spend that money.

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- 27.1 S. Zega added that he also remembers from the committee meeting that they are talking about three people in the Sheriff's Office where he has made some transfers of senior people. The particular JESAP provision that they are suspending is Section H - "The amount of promotional increase for employees promoted to an existing county position with a greater level of accountability and corresponding classification or grade must be to the minimum salary range of the position the employee is being promoted to or up to halfway between the salary range and the midpoint or up to a 5% increase above the employee's present salary. These promotional salary adjustments will be made at the discretion of the elected official. If the employee's current base salary exceeds the new position salary range midway point between the minimum and midpoint, then the employee will receive a 5% increase on their current base salary. Any promotional increase that exceeds the above criteria requires the approval of the Personnel Committee of the Quorum Court." He further explained that there are two employees that the Sheriff has promoted; Steve Whitmill is staying as Captain, but is moving up in his compensation which requires suspending JESAP policy, and Kenny Yates is moving from a salary of about \$44,000 with the increase up to \$52,738 which is \$2,100 more than JESAP policy would allow which is the reason for the exception. He noted that they also have a Sheriff's Deputy that is taking a voluntary demotion and they are trying to soften the impact of that demotion and suspending JESAP policy allows them to compensate her, but not hurt her as much while they are still utilizing her to the extent the Sheriff wants to.
- 27.2 S. Madison reiterated that she just wants to make sure they are not starting to stray from JESAP philosophies and she does understand the explanation she has been given.
- 27.3 J. Patterson pointed out that the Sheriff's Deputy taking a demotion is covered in the next ordinance.
- 27.4 S. Zega stated that those positions covered in Ordinance #14.1 include one for \$10,938, one for \$13,047 and one for \$11,609.
- 27.5 Executive Assistant Karen Beeks further pointed out that Article 3 of this ordinance is actually a reduction.
- 27.6 Citizen Comments: There were no citizen comments made.
- 27.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

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

ORDINANCE NO. 2016-08, BOOK NO. 10, PAGE NO. 396

28.2 AN ORDINANCE SUSPENDING JESAP POLICIES TO CHANGE THE TITLE OF A HEAVY EQUIPMENT OPERATOR POSITION TO A TRAINING OFFICER/ONE CALL OFFICER IN THE ROAD DEPARTMENT BUDGET, AND APPROPRIATING THE AMOUNT OF \$6,730 FROM THE ROAD FUND TO THE ROAD BUDGET FOR 2016: R. Cochran introduced **An Ordinance Suspending JESAP Policies To Change The Title Of A Heavy Equipment Operator Position To A Training Officer/One Call Officer In The Road Department Budget, And Appropriating The Amount Of \$6,730 From The Road Fund To The Road Budget For 2016**, and County Attorney Steve Zega read the ordinance.

28.3 R. Cochran explained that this position upgrade is needed and a good move by their Road Department as it gets them into the position of a Safety Officer as his primary duty, but can continue to operate heavy equipment and administer Arkansas One Call duties to satisfy the state requirements to precede their grading activity.

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

28.5 T. Lundstrum stated he is very interested in enhancing safety in their Road Department and he would personally like to see all of their Supervisors trained in safety. He was originally in favor of this, but the more thought he has given it, the less in favor of it he is. He explained at this point in time he would like to have more information about it and does not know how much impact this One Call issue is going to have because it is basically a \$6,730 raise to this employee.

28.6 S. Madison noted at the Personnel Committee meeting it became clear that the Road Department had chosen someone to fill this position before the position had really been fully vetted; the duties were not clearly defined and the salary was unknown, but people were expected to apply for this position. She stated she is happy to see the Road Department

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acknowledging their need for this safety position by moving forward, but does not approve of the steps in which this happened. She stated this leads her to believe that there were some reasonable qualified people who probably did not apply because of the very nature of the unknown entities at that time. She further stated the fact that they were told that they had done this before this way does not hold much water with her and believes this was a very inappropriate way to handle a very important new position with tremendous responsibility and a descent raise, so she will not support this ordinance.

- 29.1 R. Dennis stated that when he read the letter from a lady in Elkins it brought up some concern as it did not appear that they did things exactly the way they should have, and he would recommend that they table this ordinance until they can look at it further and ask some questions.
- 29.2 **R. Dennis made a motion to table the ordinance indefinitely. E. Madison seconded.**
- 29.3 **As this motion was not discussable, Judge Edwards called for a vote on the motion to table the ordinance indefinitely.**
- 29.4 **VOTING FOR: S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, H. Bowman, R. Cochran, and R. Dennis. VOTING AGAINST: A. Harbison, B. Pond, B. Ussery, D. Balls, and L. Ecke. **The motion passed with ten members voting in favor and five members voting against the motion. The ordinance was tabled indefinitely.****
- 29.5 County Attorney Zega explained that this ordinance can be put on the Personnel Committee agenda and taken off the table for further discussion.
- 29.6 J. Maxwell reported that he has forwarded to Executive Assistant Karen Beeks an e-mail where HR Director Lindsi Huffaker had answered several questions that he had about this earlier, and he believes it will help to answer some of their questions.
- 29.7 E. Madison suggested that it be put on their next regular Quorum Court agenda because she does not want them to lose sight of this important position and she is still fully committed to this position being created in the Road Department. She further read an e-mail from the lady in Elkins that R. Dennis had previously mentioned and noted receipt of a letter from Mr.

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Braswell raising the same issues. She stated she is not in favor of giving a raise when someone is already in the position, even if they have done this before, because she is not sure this is a good practice and they are hearing these same concerns from people inside and outside of the county.

30.1 With tabling of this ordinance, it was agreed to place it on the next Quorum Court agenda for follow-up.

30.2 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$12,355 IN THE RURAL COMMUNITY GRANT FUND; AND APPROPRIATING \$12,355 FROM THE RURAL COMMUNITY GRANT FUND TO THE WHEELER FIRE DEPARTMENT BUDGET FOR 2016: R. Cochran introduced **An Ordinance Recognizing Additional Revenues Of \$12,355 In The Rural Community Grant Fund; And Appropriating \$12,355 From The Rural Community Grant Fund To The Wheeler Fire Department Budget For 2016**, and County Attorney Steve Zega read the ordinance.

30.3 R. Cochran explained that this basically recognizes this grant revenue for the Wheeler Fire Department.

30.4 **R. Cochran made a motion to adopt the ordinance. R. Dennis seconded.**

30.5 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-09, BOOK NO. 10, PAGE NO. 398

30.8 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$1,375 IN THE JDC GRANT FUND; AND APPROPRIATING \$1,375 FROM THE JDC GRANT FUND TO THE JDC HOFNOD BUDGET FOR 2016: R. Cochran introduced **An Ordinance Recognizing Additional Revenues Of \$1,375 In The JDC Grant Fund; And Appropriating \$1,375 From The JDC Grant Fund To The JDC HOFNOD Budget For 2016**, and County Attorney Steve Zega read the ordinance.

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- 31.1 R. Cochran noted this was more money for the Juvenile Program "Hooked On Fishing Not on Drugs".
- 31.2 **R. Cochran made a motion to adopt the ordinance. E. Madison seconded.**
- 31.3 Citizen Comments: There were no citizen comments made.
- 31.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 31.5 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-10, BOOK NO. 10, PAGE NO. 399**
- 31.6 COUNTY JUDGE REPORT: Judge Edwards stated that Road Superintendent Charles Ward and Assistant Road Superintendent Brad Phillips and would be giving an update from the Road Department.
- 31.7 Road Superintendent Charles Ward reported the Quorum Court on activities at the Road Department. He stated that the State lowered the weight limit on Ballard Bridge, but will go back to the previous weight once the problem is corrected. They are also are continuing to assemble necessary records and paperwork for FEMA from the recent rains. This includes working closely with the engineer, State Representative, and FEMA on getting the cost of fixing Dye Creek Bridge. C. Ward reported that with the increased temperatures, the Road Department has been patching asphalt on some of the paved roads. They have also been obtaining permits needed for some of the new construction projects along as the regular grading duties and upgrading drainage on some of the dirt roads. He reported that they had a major failure with their shaker screen at the Morrow Crusher but should be back up and running soon with the installation of a new shaker screen.
- 31.8 S. Lloyd asked what road Ballard Bridge was on; to which C. Ward responded it is CR #15, a little road that crosses the Ballard Creek. The repair work is estimated to take a couple of months once they get a basket crane underneath the bridge to begin welding.

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- 32.1 S. Madison stated that this bridge weight limit issue has made her realize she does not fully understand what this really means and to whom does it apply; to which Assistant Road Superintendent Brad Phillips responded that the weight limit applies to everybody using the bridge and it would be up to the trooper or whoever pulls them over as to how much they are exceeding the limit. He noted that there are exceptions to this as with the example that the only way to property where someone is building a house is over a bridge with a 9-ton weight limit. Bridge weight limits vary and fluctuate depending on the condition of the bridges. The state will inspect bridges yearly and if they do not think it will hold what it was holding, they would lower the limit until the problem is fixed back to where it was. In further response to S. Madison, B. Phillips confirmed that continued use of a bridge with loads over the weight limit could affect the life and integrity of the bridge and people should pay attention when crossing bridges and have some knowledge of the weight of their vehicle and/or load they are carrying when crossing said bridges. This is the way the Road Department interprets these issues as well.
- 32.2 E. Madison noted that from their capital appropriation for this year, the Court authorized the purchase of some dump trucks and requested an update; to which C. Ward reported as of right now these are out for bid with the bid opening set for March 8, and further that they did purchase a pickup at the end of 2015, but have not purchased anything so far this year. B. Phillips further advised that they paid \$6,000 on the price of the pickup purchased last year with trading in a vehicle they were not using.
- 32.3 E. Madison reported receiving a call from a resident living on Draper Road out on Highway 16 west of town which she understands the Road Department is widening; to which B. Phillips explained that they are not widening the county road, but maintaining it by cleaning it up and improving the drainage on the road so that it can accommodate two vehicles crossing as well as a school bus.
- 32.4 E. Madison stated the resident advised her that the county's work on this road had gone onto their property and their fence had fallen down; to which B. Phillips responded in this case, the road is 22 feet between the two residents' property. One has had a fence that has probably been up for 100 years and sometimes when they use a grader where the blade is almost as wide as the space; there will be some spillage over the fence. These posts were rotted and they advised this property owner that they would put the fence back up. This is just an issue that they cannot avoid sometimes and 100% of that damage was not done from the improvements that they are doing right now, but it was gradual overtime.

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- 33.1 E. Madison further stated that she was also told that the County was getting free dirt from somewhere and she questioned whether there was any kind of trading going on in that process; to which C. Ward responded that there was not necessarily a trade going on, but there is an individual on that road providing material and the County is hauling it off of his property to add material to the road.
- 33.2 E. Madison stated the fear is that this is going to turn into a big red dirt pit; to which C. Ward responded that they have heard that same concern, but this individual has not indicated any efforts to do that. She stated that it seems if they are doing excavation like they are doing, then they would have to go through planning, to which B. Phillips responded that this is not the case and the landowner is actually excavating the material for them using his machine and loading the county's trucks.
- 33.3 A. Harbison stated at one time the county had 42 impaired bridges and she was wondering why they were focusing on this particular bridge to repair; to which C. Ward stated that it does not necessarily have a lot of traffic, but the State degraded the weight limit to such an extent that they feel they need to repair it to get the weight limit back up.
- 33.4 A. Harbison that the County currently has 42 bridges with weight limits and she stated that is why they need to keep all the money they can to stay in the Road Department so that these bridges can be repaired; to which C. Ward and B. Phillips concurred.
- 33.5 L. Ecke stated asked who talks to citizens when they complain about his fence being damaged by the County; to which C. Ward responded that the supervisor on the road improvements obviously makes the first contact and thereafter, the Assistant Road Superintendents speak to them further if needed.
- 33.6 H. Bowman stated when one of their bridges weight limits is downgraded, what kind of changes are made to indicate this; to which C. Ward responded if the State recommends they lower the load rate, generally they just change the sign like in this case where the traffic is generally local residents.
- 33.7 H. Bowman stated in the instance of a Tyson truck delivering a load of feed, he doubts that they pay any attention to the bridge signs; to which C. Ward responded that he would hope they would. H. Bowman stated his belief that if people have been accustomed to crossing a bridge for years with a

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given weight limit and all of a sudden the sign is changed, that most of them will not even notice a change on the sign, and if there are substantial changes to a bridge needed creating a risk, he believes some kind of an additional warning should be posted.

- 34.1 R. Dennis asked to be educated on the proper procedure to advise the Road Superintendents when someone has a complaint; to which C. Ward and B. Phillips responded that they can call or e-mail them at any time or access the road app on the website.
- 34.2 R. Dennis stated that he has had a complaint from a bicyclist regarding a bridge on Whitehouse Road to which C. Ward responded that these particular old bridges are grated and part of the bridge is concrete which may create an uneven surface. It was further pointed out that he is not sure they could do much to improve the situation for a cyclist anyway on a steel grated bridge on a concrete pad.
- 34.3 B. Phillips he pointed out that the Road Department would probably not spend their time and money on worrying about concerns of a bicyclist as much as some of the bigger issues they currently have with weight limit decreases.
- 34.4 A. Harbison noted that there are big grates in some of these bridges and this is just the way they were designed, some with weight limits also.
- 34.5 COMMITTEE REPORTS: E. Madison reported that the County Services Committee did not meet this month due to lack of an agenda.
- 34.6 H. Bowman reported that the Public Works Committee met and had a lively discussion about the possible use of GPS devices on County vehicles. He is following up on this and has not reached a point at this time to make a recommendation. He stated that they also discussed cameras in the Quorum Court's break room and received a report from Building Superintendent Ron Wood on the Historic Courthouse.
- 34.7 Judge Edwards reported while she was attending a County Judge's Association meeting, she discussed the use of GPS devices in county vehicles with a couple of young men. She stated she does not know what the exact cost was, but they had 60 cars with GPS devices and believe their cost was \$25 per month.

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- 35.1 H. Bowman stated he does have a list of all county vehicles and they have 302 vehicles if his information is up-to-date with the majority being at the Road and Sheriff Departments. He believes there are a lot of justifications for use of GPS devices, but he is still trying to all appropriate considerations to be included before moving ahead with any recommendation. He stated that he has discussed the GPS devices with Sheriff Helder and believes there are some very good reasons to not include them in this which he will explain when he gives his final presentation.
- 35.2 B. Ussery reported that the Ordinance Review Committee met for an organizational meeting with their first full blown meeting scheduled for next Monday, February 22.
- 35.3 B. Pond reported that the Personnel Committee met on February 8 and Salary Consultant Blair Johanson discussed the responsibilities of the Quorum Court, Personnel Committee, and JESAP, as well as the benefits and challenges involved in increasing the County's pay structure. He stated that they had a request from County Judge Marilyn Edwards to change a Heavy Equipment Operator position, Grade 12 to a Training Officer/One Call Officer position, Grade 17 in the Road Department budget for 2016. He stated that Road Superintendent Charles Ward stated that the this position involves dealing with new and current employees executing safety training, and he wants the person who fills this position to get certified in a capacity to where he can do all training for the Road Department. The new hire will also have to call in One Call locations in order for road maintenance and grading to be performed as well as other time consuming jobs the Road Department performs. The position will also be the one for employees to approach if they have a problem or safety concern and do not feel comfortable speaking with the Department Heads about it, in order to identify issues before it becomes a problem. He noted that they have addressed this ordinance earlier tonight and the same was tabled.
- 35.4 B. Pond stated that they had a request from Sheriff Tim Helder for an exception to the JESAP policy to increase the salary of Captain Steven Whitmill, and this was voted to pass onto the full Quorum Court with a do-pass recommendation. He reported they had a request from Sheriff Helder for an exception to JESAP to increase the salary of Captain Ken Yates and they voted to pass this ordinance onto the full Quorum Court with as do-pass recommendation. He noted that these ordinances were addressed and passed earlier.

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- 36.1 B. Pond stated that County Attorney Steve Zega informed the Personnel Committee that there was a Grievance Committee meeting scheduled for Friday, February 12; however this meeting was later cancelled. L. Ecke reported that she is working with the Human Resources Department to reward county employees for excellent job performance and give them an opportunity to go to the Cargill Company Store and purchase goods. The county would not be purchasing anything, but it is a privilege that employees can have on behalf of Cargill. She also reported that Cargill has entered into a partnership with the Juvenile Court's Adult Education Program where it is agreeing to pay for half of the meals provided for the parenting at the JDC and offering its conference room to do parenting classes. B. Pond thanked L. Ecke for her work and Cargill for their generosity to the county employees.
- 36.2 T. Lundstrum reported that the Jail/Law Enforcement/Courts Committee did meet and Juvenile Detention Center Director Jeane Mack reported that the population count, number of transports, and length of stay is about the same level that it has been. Randall Denzer reported that everything is going smoothly in Adult Detention and prisoners are still being taken to the Arkansas Department of Correction which is down a little bit, but they are up in out-of-state transports. Jay Cantrell reported that the dispatch calls are up considerably, but they dispatch for the County plus nine smaller police departments within the County.
- 36.3 T. Lundstrum stated the Committee discussed changing or amending Ordinance No. 2015-62 creating a Certificate Incentive Program for the Washington County Sheriff's Department. He stated the only change made to this ordinance which already passed was it removes the Sheriff from this program because to receive other incentive compensation would make him exceed his pay grade. T. Lundstrum stated that Sheriff Helder also thanked A. Harbison for making the suggestion that they try to handle employee pay the first thing in the budget as they get into the budget process in 2016 which also believes is a good idea.
- 36.4 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: J. Patterson 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 February 4, 2016 for Hunt Rogers Materials Office. This ordinance contains an emergency clause making it effective immediately upon passage.

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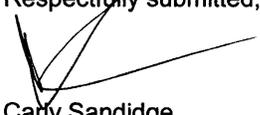
- 37.1 J. Patterson explained that they are just putting up a 2900 sq. ft. building to have meetings and store materials in.
- 37.2 **J. Patterson made a motion to adopt the ordinance. B. Pond seconded.**
- 37.3 Citizen Comments: There were no citizen comments made.
- 37.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 37.5 **VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-11, BOOK NO. 10, PAGE NO. 400**
- 37.6 J. Patterson stated for anyone who has not been by that quarry in the last 2-3 years, they would not recognize it as it is a big operation with a lot of equipment and mountains of materials stored.
- 37.7 **AN ORDINANCE AMENDING ORDINANCE NO. 2015-62 CREATING A CERTIFICATE INCENTIVE PROGRAM FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE AND AUTHORIZING PAYMENTS PURSUANT TO THAT PROGRAM: T. Lundstrum introduced **An Ordinance Amending Ordinance No. 2015-62 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 that is on first reading.**
- 37.8 T. Lundstrum stated that this is a simple ordinance, but important for their Sheriff's Department, justifying moving it forward.
- 37.9 **T. Lundstrum 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 voice vote.**
- 37.10 County Attorney Steve Zega read **An Ordinance Amending Ordinance No. 2015-62 Creating A Certificate Incentive Program For The Washington County Sheriff's Office And Authorizing Payments Pursuant To That Program** by title only.

- 38.1 **T. Lundstrum 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.**
- 38.2 County Attorney Steve Zega read **An Ordinance Amending Ordinance No. 2015-62 Creating A Certificate Incentive Program For The Washington County Sheriff's Office And Authorizing Payments Pursuant To That Program** by title only.
- 38.3 **T. Lundstrum made a motion to adopt the ordinance. B. Pond seconded.**
- 38.4 Citizen Comments: There were no citizen comments made.
- 38.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 38.6 VOTING FOR: A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, G. McHenry, J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, and L. Ecke. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-12, BOOK NO. 10, PAGE NO. 406**
- 38.7 OTHER BUSINESS: L. Ecke reported that she invited representatives from Cargill, Complex Manager Shane Acosta and HR Manager Julie Lawrence, to attend next month's Quorum Court meeting to share their partnership and community involvement with Judge Zimmerman's Diversion Program.
- 38.8 Judge Edwards reported that she has been working with JP Bowman the last couple of days about the security cameras, and as a result she will be removing the audio and video cameras from the break room.
- 38.9 E. Madison stated that she appreciates removal of these cameras from the break room and would like to know if video or audio equipment was installed anywhere else on county property; to which Judge Edwards responded that this had not been done to her knowledge. E. Madison asked if there were any other audio or video recording devices purchased other than the two in the break room; to which Judge Edwards responded that there were two additional cameras still packed in boxes.

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- 39.1 County Attorney Steve Zega stated that his understanding is that there was one that looks like the one in the break room and the other three were actually purchased for the Quorum Court Room to have audio capability during public meetings. He stated that these devices are still in their boxes and he understands they were not purchased from the same company.
- 39.2 E. Madison noted that there are two devices that look like smoke detectors in the break room; and Judge Edwards stated she will report that to IT and if this is the case, they will both be taken down. E. Madison stated that since the devices purchased for the break room never worked satisfactorily, whether they could return them for a refund; to which Judge Edwards responded she would ask IT about that because they ordered them.
- 39.3 CITIZEN COMMENTS: George Braswell, resident of the County, addressed the Quorum Court thanking them for the vote for the safety officer at the Road Department because they do need safety. He also noted that there was a pickup and a dump truck both purchased in December 2015.
- 39.4 ADJOURNMENT: The meeting adjourned at 7:40 p.m.

Respectfully submitted,


Cary Sandidge
Quorum Court Coordinator/Reporter