

FILED
JUN 27 2017
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

Quorum Court Minutes

6/26/17

Resolution 2017-7 – PASSED

Resolution 2017-8 – PASSED

Ordinance 2017-6 – TABLED

June 26, 2017 Quorum Court Meeting

11 Justices of the Peace Present, Justice Ken Stacks and Josh Longmire were absent.

Judge Ed Hill called the meeting to order at 5:30pm.

Justice Barbara Weinstock moved to approve the minutes from the meetings occurring during May 2017 with no changes, this was seconded by Justice Billie Sue Hoggard. All voted to approve the motion.

Justice Richard Rogers read the Public Service Committee report. – *Appendix 1*

Justice Jim Bryant read the Finance Committee report. – *Appendix 2*

A motion was made by Justice Steve Cline and seconded by Justice Rogers to allow County Clerk Kade Holliday to formalize a proposal for the purchase of new Voting Equipment with a 50/50 match from the state. All were in favor of the motion.

Justice Cline read the Road and Transportation Committee report. – *Appendix 3*

Resolution 2017-7 was read to allow Spirit Fitness to take part in the Tax Back program. Justice Weinstock motioned for the adoption of the resolution, seconded by Justice Cline. All voted in favor. – *Appendix 4*

Resolution 2017-8 was read to allow to express support of the submission of an application for a Crisis Stabilization Unit being located in Craighead County. Justice Fred Bowers motioned for the adoption of the resolution, seconded by Justice Dan Pasmore. All voted in favor. – *Appendix 5*

Before Ordinance 2017-6 was read Justice Rogers motioned to table the motion until the following meeting considering not all Justices were present to vote on it, this was seconded by Justice Hoggard. The Ordinance was tabled in a 7/4 vote with Justices Bryant, Max Render, Cline, and Terry Couch voting against. – *Appendix 6*

Justice Aaron Harris stated that after the next Quorum Court meeting on July 10th that there would be a county fire department head meeting occurring in the basement of the courthouse annex and encouraged members of the court to attend to hear discussion on the state of current radio equipment being utilized by those departments.

Circuit Clerk Candace Edwards thanked the court for their thoughts and prayers after as she underwent surgery.

Justice Couch inquired about the ability of the courthouse to close on Monday July 3rd which was ultimately stated that it would require a vote from the Quorum Court Justice Weinstock stated that she was against since that would mean the courthouse was closed for 4 days where individuals in the county could not receive services. Justice Bryant made a motion to close the courthouse on Monday July 3rd; as well as, Tuesday July 4th for holiday observation, this was seconded by Justice Couch the motion passed 9/2 with Justice Bowers and Weinstock voting against.

Justice Pasmore inquired about if the funding questions raised by Treasurer Terry McNatt had been addressed which Treasurer McNatt stated that they had been for now. Justice Weinstock questioned if this would be an ongoing situation to which Treasurer McNatt stated that it would have to be continually looked at in order to maintain compliance with new directives he received from Legislative Audit. Assistant to the County Judge Tony Thomas further stated that this would continually be done through the utilization of transfers from the Interfund Transfers line item which could be put into the red and then cleaned up at the end of the year per usual.

With no other business to be discussed, Justice Couch motioned to adjourn the meeting with a second from Justice Render. All were in favor and the meeting stood adjourned at 6:02pm.

AGENDA
CRAIGHEAD COUNTY QUORUM COURT
JUNE 26, 2017
5:30 P.M.

ASSEMBLY AND PLEDGE OF ALLEGIANCE

OPENING PRAYER

- I. Roll Call**
- II. Approval of minutes for May, 2017**
- III. Committee Reports:**
 - a. Public Service Committee Report.**
 - b. Finance and Administration Committee Report.**
 - c. Roads and Transportation Report.**
- IV. Old Business:**

None
- V. New Business:**
 - a. Resolution concerning a "Tax Back" Program that allows a refund of local sales and use tax as provided in Consolidated Incentive Act of 2003.**
 - b. Resolution supporting the location of Pilot Crisis Stabilization Units (CSU) in Northeast Arkansas.**
 - c. Appropriation Ordinance regarding amending the 2017 Budget to allow changes in areas of ethics and nepotism.**

Craighead County Quorum Court Meeting
Public Service Committee
June 12, 2017
5:30 p.m.

Public Service Committee assembled after the opening of the court meeting and briefing from Judge Ed Hill.

Chair Richard Rogers called the meeting to order. Those present included Justice Rogers, and Justices Fred Bowers, Billie Sue Hoggard, and Aaron Harris.

1. Brief discussion concerning the nepotism issue. Discussion regarding the "Grandfathering" in some of the employment structuring that currently exists in order to provide fair treatment to some employees that have been with the county for a lengthy amount of time. If approved, any changes will apply to newly hired employees.
2. J.P. Richard Rogers made a motion to take this to the full court, seconded by Billie Sue Hoggard. All members voted in favor of the motion; it will be brought before the full Court on June 26, 2017.

With no other business, the meeting adjourned at 6:30 p.m.

Minutes done by : Jeanne Taylor

Finance Committee Meeting

June 12, 2017

Finance Committee Members present: Chairman Jim Bryant, Vice Chair Barbara Weinstock, and Justices Dan Pasmore, Josh Longmire, and Ken Stacks.

Others present: Al Haines, County Treasurer Terry McNatt, County Clerk Kade Holliday, Tax Collector Wes Eddington, Election Commissioner Jeanette Robertson, other election commissioners, and other guests. Justice Bryant called the Finance Committee Meeting to order at 5:55 PM after the full court Assembly.

Justice Bryant asked Treasurer McNatt to bring the committee up to date on revenues and expenditures. McNatt noted that the County General is down approximately \$300,000 from a year ago, capital fund has slight increase monthly, and the road fund is going in the positive direction. The general fund has received 31% of revenues and spent 40% year to date. Local sales tax had a rebound in May and is up from last year. McNatt noted several revenue streams are down for the year, and need to be watched closely. Some noted revenue short fall is District Court Costs, Recorders Cost Fund, E911 Fund, Jail operation & Maintenance Fund, State Housing Prisoners, State Police Tickets, and some others. McNatt advised the committee that effective June 13, 2017 that he will no longer process checks for any expenses in any fund that has a negative balance. He was advised by Legislative Audit that that process is contrary to state law. He recommended that transfers be made to bring all negative funds balances into the positive. He said the Recorders Cost Fund has a current negative balance of \$196,260.30.

Tax Collector Wes Eddington brought the committee up to date on tax collections. He advised the committee that he is working with the City of Jonesboro to try to attach business personal property tax to city business license. This process will insure that these taxes are collected before business license are issued. Eddington advised the committee that tax collections are ahead of last year by \$4,300,000.

Justice Weinstock inquired as to when health insurance will be available for the committee to study. Holliday advised that premiums vs claims is done quarterly and the next available review should be available in July. The committee unanimously agreed to have the Judge's office have the health insurance claims for the committee to review by July 10, 2017.

McNatt and Holliday has had job descriptions available and on file for their office for more than 2 years. Eddington completed a flow chart for each of his employees as requested by Legislative Audit.

Jeanette Robertson addressed the committee of the need for funding to purchase updated voting equipment for the upcoming year as the Secretary of State secures funding that will pay 50% of the equipment cost and also would include maintaining the equipment and a trade in of the current equipment is being offered in the amount of approximately \$40,000.

After a lengthy discussion, the committee unanimously agreed to present to the full court for consideration to appropriate \$354,871.62 from the Capitol Fund for the county's 50% share of the cost of the new voting equipment. The equipment line item in the current general appropriated budget would not be used for this new purchase, but would be used to purchase some additional need equipment such as scanners, printers, tablets, and WIFI expense.

With no other business to be discussed, the meeting stood adjourned at 6:45 PM.

Minutes prepared by Al Haines

**Craighead County Quorum Court Meeting
June 12, 2017
Roads and Transportation Committee**

Members of the Roads and Transportation Committee assembled after the meeting of the full court. Members present included: Steve Cline, Terry Couch, Max Render, and David Tennison.

Others present included Eugene Neff and Judge Hill.

Justice Cline called the meeting to order after the meeting of the full court:

- 1. Eugene Neff updated the committee on the monthly road report (also distributed during the meeting of the full court).**
- 2. Weather permitting, paving will begin in the CR 466/464 area and CR 508 in the Eastern District. Total pavement between these projects is no more than 1.5 miles.**
- 3. The recent rains have placed an emphasis on ditch cleaning on the County Road System. Crews have been addressing issues in this area.**
- 4. Judge Hill and Justice Cline updated the committee on recent meeting regarding the Cache River flooding that both had attended. Justice Render indicated that with talk of changes related to permitting requirements, this may be the time to get work planned and moving.**

With no other business, the committee stood adjourned.

**Tax Back
Resolution**

RESOLUTION No. 2017-7

RESOLUTION OF THE QUORUM COURT OF CRAIGHEAD COUNTY, ARKANSAS, CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use tax as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

WHEREAS, Spirit Fitness, located at 3000 Nestle Road; PO Box 2037; Jonesboro, Arkansas, has sought to participate in the program and more specifically has requested benefits accruing from adding construction and equipment to the specific facility; and

WHEREAS, Spirit Fitness has agreed to furnish the local government all necessary information for compliance.


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

1. Spirit Fitness be endorsed by the Quorum Court of Craighead County, Arkansas for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. The Department of Finance and Administration is authorized to refund local sales and use taxes to Spirit Fitness.
3. This resolution shall take effect immediately.



Craighead County Judge

Date Passed: 6/26/17

ATTEST: 
Clerk

FILED
JUN 27 2017
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

Resolution No. 2017-8

**A RESOLUTION EXPRESSING SUPPORT OF THE APPLICATION FOR THE LOCATION OF
A PILOT CRISIS STABILIZATION UNIT SERVING NORTHEAST ARKANSAS**

WHEREAS, Act 423 (2017) established authority and a framework for operation of Crisis Stabilization Units (CSU) in the state of Arkansas; and

WHEREAS, A CSU will provide an option to divert from the county jail a person experiencing an acute crisis due to a mental illness or other behavioral health condition who commits a low-level offense; and

WHEREAS, CSU's are short-term clinical facilities that are in operation for 24 hours per day, seven days per week to provide assessment and treatment services that effectively address a person's behavioral health condition(s) and facilitate successful return to the community; and

WHEREAS, the budget for the State of Arkansas included an allocation of General Fund monies for the operation of up to three CSUs; and

WHEREAS, the State of Arkansas is accepting applications for the location of (3) three pilot CSU's and has invited eligible Arkansas governmental entities to submit applications for state funding up to approximately \$1.6M for the operation of a sixteen-bed CSU facility; and

WHEREAS, Participating counties must commit to provide the brick and mortar for a suitable facility; and

WHEREAS, Craighead County is submitting an application for a pilot CSU based upon the expectation of continued state funding and cooperation from regional partners.

Therefore, be it resolved, that the Craighead County Quorum Court does hereby support the submission of the application by Craighead County for a pilot CSU serving Northeast Arkansas.

THIS RESOLUTION adopted this 26th day of June, 2017.



Ed Hill, County Judge

ATTEST:


Kade Holliday, County Clerk

FILED
JUN 27 2017
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

ORDINANCE NO. 2017- 6

BE IT ENACTED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING ORDINANCE NO. 2014-3 TO AMEND THE COUNTY EMPLOYMENT/PERSONNEL POLICY HANDBOOK."

Section 1. Section 14 of the Craighead County Employment/Personnel Policy Handbook entitled "Personnel Policies is hereby amended to read as follows:

I. Conflicts of Interest, Ethics, and Nepotism

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a family member as a result of business dealings with Craighead County. For the purposes of this policy, a family member is mother, father, mother-in-law, father-in-law, son, daughter, foster or stepchildren, husband, wife, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, niece, grandfather, grandmother, grandson, and granddaughter.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose it to his/her supervisor/elected official and Purchasing Department as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or family member has a significant ownership interest in a firm with which Craighead County does business, but also when an employee or family member receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealing involving Craighead County. Craighead County recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to OUR activities. However, the employee must disclose conflicts so that Craighead County may assess and prevent potential conflicts of interest from arising. For more information, refer to A.C.A §14-14-1202.

The employment of persons who are related to each other is limited to employment not within the same line of supervision. No employee shall be under the direct line of supervision of a relative.

A "relative" is defined in paragraph one of this section (see above). When marriage results in an employee being supervised by a relative, the situation may be resolved by transfer to another available position in the County or resignation. If transfer alternatives are available, the employee will be given the opportunity to select among the available alternatives. If no alternative position

is available within 60 days, the County will take action to resolve the situation up to and including immediate termination.

A supervisor is defined as any individual having authority in the interest of a county department to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees.

However, this does not alter the status of any person as an "at-will" employee. The nepotism provision applies to the following:

1. All employees with a hire date after June 26, 2017.
2. Any employee with a hire date prior to June 26, 2017 forgo this "grandfather" status when transferring to a position outside the department in which they are currently employed.

Section 2. EMERGENCY CLAUSE. There now exists in the Craighead County Employment/Personnel Policy Handbook an immediate need to amend the policy regarding Conflicts of Interest, Ethics and Nepotism. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon its date of passage.

Dated this 26th day of June 2017.

APPROVED _____

Ed Hill
County Judge

ATTEST: _____

Kade Holliday
County Clerk