

FILED
JAN 23 2018
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

Quorum Court Minutes

1/22/2018

January 22, 2018 Quorum Court Meeting

12 Justices of the Peace Present. Justice Ken Stacks was absent.

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

The minutes for December 2017 were accepted.

Committee Reports: Public Service Committee Report was read and is attached as **Appendix 1**. Finance and Administration Committee Report was read and is attached as **Appendix 2**. Lastly, the Roads and Transportation Report were read and are attached as **Appendix 3**.

Business for Full Court/Old Business: It was agreed upon to modify the recent 1% pay raise that was provided to all county employees. The modification would note that all Justice of the Peace would not receive this 1% raise in pay. Judge Hill stated that he had spoken with County Clerk Kade Holliday in order to address the processing of this change. Modification was brought for a vote. Terry Couch made motion to accept and Dan Passmore seconded the vote.

New Business: We received updates from Rainwater, Holt and Sexton regarding two (2) lawsuits that have been filed against Craighead County.

Mitchell v. Craighead County: In short, Mr. Mitchell's complaint was that he had worked over-time hours (over 40 hours a week) on a regular basis and had not been provided comp-time or over-time pay. It was the responsibility of the District Court Clerk at the time, Mr. Joe Monroe, to maintain an accurate record of time worked by District Court Employees. Mitchell's argument was that this did not happen. It is the opinion of Rainwater, Holt and Sexton that the County has some potential liability regarding Mitchell's argument; thus, the negotiated \$25,000.00 offer that was currently on the table. This offer is not including the attorney fee of Rainwater, Holt and Sexton which are currently at approximately \$3,000.00. Further, the County is not admitting any wrong doing in the settlement of this case. Settlement was put to a vote and recorded as nine (9) voting in favor of settling the case for \$25,000.00 and three (3) voting to against settlement.

Lastly, Tony Thomas stated that Stan Mitchell is a current county employee when in fact, Joe Monroe is currently employed by Craighead and Stan Mitchell is not.

Miles v. Craighead County: Thus far, Judge David Laser has opined in this case that fees paid before the filing of the lawsuit, December be deemed voluntary and any fees paid by individuals after the filing of this lawsuit (filing date 12/18/2012) to be refunded to the individuals paying same. More specifically, any fees charged by Craighead County that are not "state mandated" are illegal to collect and will be returned to the parties. Currently, the Circuit Court Clerk, Candice

Edwards is working with the District Court to obtain a list of individuals who paid these overages. Upon identifying these parties, they will be contacted via publication in the local paper for a period of two (2) weeks, as well as, Certified Mail Return Receipt Requested to the last known address of each party.

The Court questioned who was responsible for originally charging the erred collections. Candace Edwards stated that County Court Clerk, Kade Holliday was not present, but she was sure he could provide the requested information.

Josh Longmire questioned if the Risk Management Policy held with Rainwater, Holt and Sexton would cover either of these lawsuits. The RHS representative stated that it would not cover these losses because the general consensus of the counties as a whole do not want to be held responsible to cover risks taken if a clerk turns a blind eye to this type of issue. Civil rights violations are an example of a covered loss per RHS.

Appropriation Ordinance No. 2018-01 being An Ordinance Appropriating Funds from Special Revenue Accounts into County General For Expenditures that Have Already Been Incurred and Paid, and Disbursements by the County Treasure to Fund Offices and Departments, and To Transfer County General and Special Revenue Funds as Necessary. Ordinance was read for the final time and accepted by unanimous vote. Please see attached **Appendix 4**.

Ordinance No. 2018-2 Requesting an Ordinance to be Entitled: An Ordinance to Standardize rates for the Bono Fire Protection District. Said Proposed Ordinance was read for the second time. Per Judge Hill, Ordinance is to be read for the third (3rd) time next month and put to a vote. Please see attached **Appendix 5**.

Judge Hill adjourned the meeting at 6:40 p.m.

Craighead County Quorum Court Meeting
Public Service Committee
January 8, 2018
5:30 p.m.

Public Service Committee assembled after the opening of the court meeting.

Members present: Justices Richard Rogers, Billie Sue Hoggard, Fred Bowers and Aaron Harris.

1. Discussed money going back to the same department after a wreck of a vehicle in that department; and not going to County General Fund.
2. Discussions concerning fund raising for charity.
3. Discussed in length about the absence of J.P. Ken Stacks and what can be done in the future to prevent situations such as this.

Meeting adjourned at approximately 6:05 p.m.

Finance Committee Meeting

January 8, 2018

Finance Committee Members present: Chair Person Barbara Weinstock, Vice Chair Dan Pasmore and Justices Anthony Martin and Josh Longmire. Justice Ken Stacks was absent.

Others present: Al Haines, County Treasurer Terry McNatt, County Clerk Kade Holliday, Collector Wes Eddington, and other guests.

Justice Weinstock called the Finance Committee Meeting to order at 5:35 PM after the full court meeting.

First item of business was to select a vice chair for the committee. Justice Dan Pasmore was selected and accepted this position.

Collector Eddington briefed the committee concerning tax collections. Total tax collections are up by \$3.7 million which represents a 5.56% increase over the year 2016. Delinquent real collections are up by 65.5% over 2016 and delinquent personal collections are up by 34.3% over 2016. Total collections for 2017 was \$70,535,994.

Treasurer McNatt brought the committee update on revenues and expenditures. He noted several shortfalls in revenue and for the general fund, Capital Fund will begin receiving a percentage of the local sales tax revenue this month, and the Road Fund in on the right track and with revenues increasing and spending decreasing.

Justice Weinstock raised several issues that the committee may want to consider throughout this year.

Noted issues for discussion:

Bono Lake status

Lake City Building-to sell or not

Craighead Nursing Center-to sell or not

Hiring freeze for employees-implement or not

County Clerk Kade Holliday advise the committee that a lawsuit has been filed against the Craighead Nursing Center and advised that should the Nursing Center be sold, that all funds be set aside until lawsuit is settled. Some of the committee members will begin to gather title information and appraised value.

With no other business to be discussed, the meeting stood adjourned at 6:20 PM.

**Craighead County Quorum Court Meeting
January 8, 2018
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, and Max Render. Justice David Tennison was absent.

Others present included Eugene Neff, Dan Oswald, and Judge Hill.

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

- 1. Justice Couch was elected 2018 Committee Chair with Justice Render remaining as Vice-Chair. Justice Couch presided over the following updates:**
- 2. Eugene Neff updated the committee on the monthly road report also distributed during the meeting of the full court.**
 - a. Shoulder work continues on CR 361 (leading to Lake Bono).**
 - b. Striping on various county roads discussed.**
 - c. Crews will work on unstopping drainage tiles in the Eastern District and will request assistance from the City of Caraway (they have better equipment for this purpose). Other culvert work in the County was also discussed.**
 - d. Discussed a request made in reference to a traffic signal at Bono Hill and the new Bono Bridge.**

With no other business, the committee stood adjourned.

APPROPRIATION ORDINANCE NO. 2018-1

AN ORDINANCE APPROPRIATING FUNDS FROM SPECIAL REVENUE ACCOUNTS INTO COUNTY GENERAL FOR EXPENDITURES THAT HAVE ALREADY BEEN INCURRED AND PAID, AND DISBURSEMENTS BY THE COUNTY TREASURER TO FUND OTHER OFFICES AND DEPARTMENTS, AND TO TRANSFER COUNTY GENERAL AND SPECIAL REVENUE FUNDS AS NECESSARY.

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KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

SECTION 1. That Craighead County receives monies each year that are Special Revenue Account Funds. These special revenues are received from various sources and are used for funding some County offices.

SECTION 2. That section 2 of this Appropriation Ordinance is for the purpose of reimbursing County General Funds for expenditures that have already been expended for the operation of various offices and departments and transfers in amounts that are listed below for the calendar year 2017.

	Transfer Amount
From Fund 3505 SAMHSA Juvenile Drug Court Expansion Grand Fd to Fund 1000 County Gen Fund (approving ct order 2017-116)	\$5,406.07
From Fund 3562 Accountability Court Grant DWI Fund to Fund 1000 County Gen Fund (approving ct order 2017-116)	\$828.41
From Fund 3568 Hazard Mitigation Project Grant Fund to Fund 1000 County Gen Fund (approving ct order 2017-116)	\$34,005.03
From Fund 3570 ADEM Homeland Security FY15 Grant Fund to Fund 1000 County Gen Fund (approving ct order 2017-116)	\$66,557.11

SECTION 3. That section 3 of this Appropriation Ordinance is for the direct transfer of funds and amounts by the County Treasurer to the various agencies and departments listed below for the operation of those agencies and departments.

Fund 3008 Craighead County Public Library	\$832,197.39
Fund 6400 Jonesboro Public Library	\$2,405,147.54

SECTION 4. That section 4 of this Appropriation Ordinance is for the transfer of Administration of Justice Funds and amounts to the agencies and departments listed below and approving court order transfers.

From Fund 6498 Prosecutor's Victim/Witness Fund to Prosecuting Attorney (approving Ct order, dated 5-12-17, for dept operations)	\$40,484.74
From Fund 6498 Prosecutor's Victim/Witness Fund to Prosecuting Attorney (approving Ct order, dated 10-4-17, for dept operations)	\$33,494.32


SECTION 5. That section 5 of this Appropriation Ordinance is for the transfer of funds from fund to fund and approving court order transfers.

From Fund 1000 County Gen Fund to Fund 3004 Assessors Amendment 79 Fund (approving ct order 2017-16)	\$5,000.00
From Fund 1000 County Gen Fund to Fund 3006 Recorder's Cost Fund (approving ct order 2017-112)	\$6,700.00
From Fund 1000 County Gen Fund to Fund 3006 Recorder's Cost Fund (approving ct order 2017-65)	\$56,864.87
From Fund 1000 County Gen Fund to Fund 3006 Recorder's Cost Fund (approving ct order 2017-67)	\$2,797.81
From Fund 1000 County Gen Fund to Fund 3006 Recorder's Cost Fund (approving ct order 2017-70)	\$30,000.00
From Fund 1000 County Gen Fund to Fund 3014 Communications Facility & Equipment Fund (approving ct order 2017-100)	\$1,647.66
From Fund 1000 County Gen Fund to Fund 3017 Jail Operation & Maint Fund (approving ct order 2017-65)	\$62,485.12
From Fund 1000 County Gen Fund to Fund 3018 County Detention Facility Fund (approving ct order 2017-65)	\$25,764.44
From Fund 1000 County Gen Fund to Fund 3020 Emergency 911 Fund (approving ct order 2017-116)	\$25,000.00
From Fund 1000 County Gen Fund to Fund 3020 Emergency 911 Fund (approving ct order 2017-65)	\$98,417.31
From Fund 1000 County Gen Fund to Fund 3020 Emergency 911 Fund (approving ct order 2017-83)	\$150,000.00
From Fund 1000 County Gen Fund to Fund 3505 SAMHSA Juvenile Drug Court Expansion Grant Fund (approving ct order 2017-3)	\$5,204.03
From Fund 1000 County Gen Fund to Fund 3578 District Court DWI Court Fund (approving ct order 2017-65)	\$2,648.80
From Fund 1000 County Gen Fund to Fund 3578 District Court DWI Court Fund (approving ct order 2017-83)	\$5,000.00
From Fund 1000 County Gen Fund to Fund 3578 District Court DWI Court Fund (approving ct order 2017-93)	\$2,703.00
From Fund 1000 County General to Fund 3562 Accountability Court Grant DWI Fund (approving ct order 2017-65)	\$693.68
From Fund 1894 Assessors Fee Fund to Fund 3042 Assessor's Late Assessment Fee Fund (approving ct order 2017-116)	\$55,032.63

From Fund 2000 County Road Fund to Fund 1000 County Gen Fund (approving quorum court final budget change)	\$100,000.00
From Fund 3000 Treasurer's Automation Fund to Fund 1000 County Gen Fund (approving ct order 2017-13)	\$114.75
From Fund 3003 WD District Court Automation Fund to Fund 1000 County Gen Fund (approving ct order 2017-81/FE)	\$67.66
From Fund 3003 WD District Court Automation Fund to Fund 1000 County Gen Fund (approving ct order 2017-81/JA)	\$67.66
From Fund 3017 Jail Operation & Maint Fund to Fund 3501 Juvenile Detention Facilities Grant Fund (approving ct order 2017-64)	\$32,847.60
From Fund 3416 Sheriff's Donation Fund to Fund 1000 County General Fund (approving ct order 2017-116)	\$0.04
From Fund 3498 County Jail Fund to Fund 3501 Juvenile Detention Facilities Grant Fund (approving ct order 2017-68)	\$915.50
From Fund 3501 Juvenile Detention Facilities Grant Fund to Fund 3498 County Jail Fund (approving ct order 2017-69)	\$1,831.00
From Fund 3570 ADEM Homeland Security FY15 Grant Fund to Fund 1000 County Gen Fund (approving ct order 2017-10)	\$13,259.68
From Fund 3596 Sheriff Local Law Enforcement Block Grant Fund to Fund 1000 County Gen Fund (approving ct order 2017-116)	\$2.41
From Fund 3598 Courthouse Security Grant Fund to Fund 1000 County Gen Fund (approving ct order 2017-116)	\$0.01

Be It Resolved by the Craighead County Quorum Court that these transfers be made and court order transfers be approved as described, by the Craighead County Treasurer, upon passage of this Appropriation Ordinance.

Dated This 22nd Day Of January, 2018.

Approved:  _____

Ed Hill
Craighead County Judge

Attest:  _____

Kade Holliday
Craighead County Clerk

ORDINANCE NO. _____

BE IT ENACTED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, ARKANSAS, AN ORDINANCE TO BE ENTITLED: AN ORDINANCE TO STANDARDIZE RATES FOR THE BONO FIRE PROTECTION DISTRICT.

WHEREAS, A few years ago, the Quorum Court increased the rate of taxes collected for fire departments in Craighead County. At that time the Bono Fire Protection District opted to not have the rates increased in that district. (Ordinance No. 2009-7)

WHEREAS, The Bono Fire Protection District has asked the court to increase the rate to that of the other subordinate service districts in the county. The rate increase will help the Bono Fire Protection District begin to replace a fleet that is aging, purchase air packs for interior firefighting operations, and upgrade other equipment to industry standards.

WHEREAS, The Bono Fire District may not exceed the annual rates listed below:

Residence:	\$ 75.00
Apartments/Unit	40.00
Small Business	150.00
Industrial/Large business	300.00
Farm Shop	150.00
Transportation Discretionary*	250.00 & up
Department Discretionary **	75.00 & up

*Transportation Discretionary is for truck, train, aircraft, etc. that does not pay into the fire district. This would also cover vehicles traveling through the districts, and will include bridge and grass fires on railroads and right-of-ways. Charges would be billed at the discretion of the fire district involved.

**Department Discretionary refers to persons who own land that is vacant of a structure, and lives elsewhere and does not pay an annual fee. Charges would be billed at the discretion of the fire district involved.

WHEREAS, This Ordinance shall become effective after three (3) readings at which the proposed rates will become effective.

Dated this _____ day of _____ 20_____.

Approved: _____
Ed Hill
Craighead County Judge

Attest: _____
Kade Holliday
Craighead County Clerk