

Quorum Court Minutes

11/28/16

Resolution – 2016-8 – PASSED

Resolution – 2016-9 – PASSED

Appropriation Ordinance – 2016-6 – PASSED

Ordinance – 2016-7 – First Reading

FILED
NOV 29 2016
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

AGENDA
CRAIGHEAD COUNTY QUORUM COURT
NOVEMBER 28, 2016
5:30 P.M.

ASSEMBLY AND PLEDGE OF ALLEGIANCE

OPENING PRAYER

- I. Roll Call
- II. Approval of minutes for October, 2016.
- 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:
 - 1. Resolution for appointment to Craighead County Nursing Home Board of Directors.
 - 2. Resolution concerning the adoption of the finalized Mitigation Plan for Craighead County.
 - 3. Ordinance to establish the tax rates for the tax year 2016, to be collected in the tax year 2017.
 - 4. Ordinance to amend the Employment/Personnel Policy to Address questions concerning conflicts of interest, ethics, and nepotism.

November 28, 2016 Quorum Court Meeting

All Justices of the Peace Present,

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

County Judge Hill presented the minutes for approval from the October meetings, all voted to approve the motion and accept the minutes from the October 2016 meetings.

Justice Billie Sue Hoggard read the Public Service Committee report. – *Appendix 1*

Justice Josh Longmire read the Finance Committee report. – *Appendix 2*

- It was noted that the interest rate stated in the minutes was incorrect and should be corrected from .0085 to .85.

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

- It was noted that Justice Couch called the meeting to order, not Justice Kidd.

Resolution 2016-8 was read to appoint Jim Agan to you a 5 year term to Craighead Nursing Center Board of Directors. Justice Barbara Weinstock moved to approve the resolution, seconded by Justice Steve Cline. All voted in favor of the motion and the resolution was passed. – *Appendix 4*

Resolution 2016-9 was read to accept the proposed Craighead County Hazard Mitigation Plan. Justice Cline moved to approve the resolution, seconded by Justice Jim Bryant. Ray Kidd questioned some wording considering funding for the grant, County Judge Hill stated that there was no money required on the counties part to do initiatives; however, it allowed the county to seek money to execute initiatives laid out in the plan. All voted in favor of the motion and the resolution was passed. – *Appendix 5*

Appropriation Ordinance 2016-6 was read to levy the millage rates for the 2016 year to be collected in 2017. Justice Weinstock moved to approve the ordinance, seconded by Justice Cline. All voted in favor of the motion and the resolution was passed. – *Appendix 6*

County Ordinance 2016-7 was read to amend ordinance 20141-3 and amend the county employment/personnel policy addressing nepotism. Discussion immediately ensued concerning this ordinance. Justice Cline stated that he did not believe it was possible to implement as it contradicted state laws already in place. Justice Richard Rogers and Justice Hoggard rebutted that this is not the case as several other counties have policies similar to this one and further stated that the state even has this rule for state entities just witnessed in the debacle with Arkansas State University Chancellor Hudson hiring his wife, etc. Justice Couch stated that he has spoken with several employees who are completely against the idea of this policies implementation. Justice Rogers stated that if a supervisor wanted to hire their family members then they should use their own money to open a business and run it as they please; however, using governmental funds to do so may not be a wise use of money and is what the Quorum Court members are elected to protect. Justice Longmire motioned to suspend the rules to

place the ordinance on a second and third reading to be passed with an emergency clause, seconded by Justice Hoggard. Justice Ken Stacks stated that the court should proceed with caution rushing this as they are not allowed to make changes to the ordinance after the second reading. The motion failed 7-6 with Justices Stacks, Bowers, Bryant, Render, Cline, Couch, and Kidd voting against the measure. The ordinance will be placed on a second regular meeting at the next quorum court meeting. – *Appendix 7*

Justice Josh Longmire reminded the full court that the budget meeting would meet again on Tuesday December 6th at 9am in the Judges Office Board Room.

Justice Garry Meadows asked about the proposed meeting with the drainage districts. County Judge Hill stated that contact has been made with numerous entities and that the meeting should take place after the New Year in Mid-January.

Discussion ensued concerning the second meeting in December which falls on December 26th that is a County observed Holiday as Christmas falls on Sunday. Justice Josh Longmire made a motion to move the regular meeting to Tuesday December 27th at 5:30pm in the Judges Office Boardroom, seconded by Justice David Tennison. The motion passed 12-1 with Justice Fred Bowers voting against.

With no further business to be discussed Justice Jim Bryant motioned to adjourn the meeting with a second from Justice Rogers, all were in favor and the meeting stood adjourned at 6:15pm.

Craighead County Quorum Court Meeting
Public Service Committee

November 14, 2016

5:30 p.m.

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

1. Jim Agan has been selected to fill a five (5) year term on the Craighead County Nursing Home Board. He will replace Harry Hurst whose term has expired.
2. Brief discussion concerning updating the County Personnel Policy.

With no other business to discuss, the meeting adjourned at 6:15 p.m.

Finance Committee Meeting

November 14, 2016

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

Press: Jonesboro Sun, KASU

Others present: Al Haines, Tony Thomas, County Clerk Kade Holliday, County Treasurer Terry McNatt, Circuit Clerk Candace Edwards, and other guests.

Justice Longmire called the Finance Committee Meeting to order at 5:55 PM. The Justice Longmire commended Kade Holliday on a well-run election. Justice Meadows inquired about combining some of the smaller voting locations to save on election costs. Holliday noted that there has to be a polling site within a certain distance for voters to use. He also noted that new voting equipment will be purchased in 2017 to upgrade technology to meet state requirements.

Treasurer McNatt addressed the committee concerning current revenue shortfalls as well as possible revenue shortfalls for 2017. Short falls specifically noted was housing state prisoners, E911, Circuit Court, Civil Process, Juvenile Fees, District Court, Recorders Cost Fund, as well as the Lower Court Cost revenue will not be available next year.

Justice Meadows inquired as to the deficit in the E911 Fund and why the revenue does not fully fund the service. A lengthy discussion followed with no short term solution. Holliday noted that this is a state wide problem and a blue ribbon committee in the state legislature is seeking a solution to the problem.

Treasurer McNatt opened bids from local financial institutions for rates on the county's financial services for the next two years. Rates were very competitive with the highest return being .0085% from First National Bank.

With no other business to be discussed, the meeting stood adjourned at 7:00 PM.

**Craighead County Quorum Court Meeting
November 14, 2016
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, Ray Kidd, and Max Render.

Others present included Eugene Neff—Road Superintendent and Judge Hill.

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

- 1. Eugene Neff updated the committee regarding the monthly road reported distributed during the meeting of the full court. He highlighted various overlay, striping, and patching projects throughout the County. He also indicated shoulder work was taking place on Lawson Road.**
- 2. Judge Hill indicated that personnel from the Game & Fish Commission reached out about budgeting the 1 mile of pavement leading to Lake Bono and the fishing pier in their upcoming budget. Eugene Neff indicated road crews had completed prep work on this roadway.**
- 3. Some general discussion was held about the county 50/50 paving program. This program is in conjunction with landowners who are willing to cost share for paving projects that do to meet other the State-Aid criteria.**
- 4. Departmental equipment needs for the upcoming year were discussed for inclusion in the 2017 budget process.**

With no other business, the committee adjourned.

RESOLUTION NO. 2016-8

A RESOLUTION RECOMMENDING THE APPOINTMENT OF A BOARD MEMBER TO THE CRAIGHEAD NURSING CENTER BOARD OF DIRECTORS;

WHEREAS, That on June 26, 2000, Ordinance 2000-9 was passed by the Craighead County Quorum Court that created a five-member administrative board for the Craighead Nursing Center.

WHEREAS, The five member board was established by Resolution 2000-14. A vacancy exists due to the expiration of Board Member Harry Hurst.

WHEREAS, The Craighead County Judge and the Quorum Court has recommended that Mr. Jim Agan be appointed by the Craighead County Quorum Court to fill this position.

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT THAT Jim Agan, 4605 Rockport Drive, Jonesboro, Arkansas 72404 be appointed to the Craighead Nursing Center Board of Directors for a five (5) year term; said term to become effective December 1, 2016 and expiring December 1, 2021 upon passage of this resolution.

Dated this 28th day of November, 2016.

Approved: 
Ed Hill
Craighead County Judge

Attest: 
Kade Holliday
Craighead County Clerk

FILED
NOV 29 2016
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

A Resolution of the Quorum Court of Craighead County; Adopting the finalized Craighead County Hazard Mitigation Plan; Providing and effective date; and for other purposes:

WHEREAS, The participating jurisdictions of Craighead County have worked together to develop a strategy known as the Craighead County Hazard Mitigation Plan to improve disaster resistance in the planning area; AND

WHEREAS, the Federal Disaster Mitigation Act of 2000 (DMA2000) pursuant 44 CFR Part 201 and the Federal Emergency Management Agency (FEMA) require communities to adopt an approved hazard mitigation plan in order to be eligible to receive pre-disaster and post disaster federal funding for mitigation purposes; AND

WHEREAS, the participating jurisdiction has participated in the hazard mitigation plan by the formation of a Hazard Mitigation Planning Team (HMPT); AND

WHEREAS, the HMPT recommends the formal adoption of the Craighead County Hazard Mitigation Plan by the passing of this resolution.

Therefore, be it resolved by the Quorum Court of Craighead County; **THAT:**

Section 1: The participating stakeholder hereby approves and adopts the hazard mitigation plan in its entirety with projects as adopted by the HMPT; AND agree to be governed by the Hazard Mitigation Plan attached hereto and incorporated.

Section 2: The participating stakeholder authorizes the appropriate participating officials to pursue funding opportunities for implementation of proposals designated therein; AND will upon receipt of such funding or other necessary resources, seek to implement the actions contained in the hazard mitigation plan.

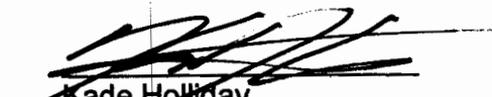
Section 3: The participating jurisdiction will continue to cooperate and participate in the hazard mitigation planning process, holding regular meetings, including reporting of progress as required by FEMA, the Arkansas Department of Emergency Management (ADEM) and the HMPT.

Dated this 28th day of November, 2016.

ATTEST:

APPROVED:

FILED
NOV 29 2016
KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK


Kade Holliday
County Clerk


Ed Hill
County Judge

Ordinance No. 2016-6

BE IT ENACTED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, ARKANSAS, AN ORDINANCE TO BE ENTITLED.

AN ORDINANCE TO ESTABLISH THE RATES OF TAXATION TO BE LEVIED AGAINST PERSONAL AND REAL PROPERTY IN CRAIGHEAD COUNTY FOR THE USE AND BENEFIT OF THE CITIES, TOWNS, SCHOOLS AND OTHER ENTITIES IN CRAIGHEAD COUNTY FOR THE TAX YEAR 2016 TO BE COLLECTED IN 2017.

ARTICLE 1. The tax rate to be levied on all taxable personal and real property in the County of Craighead for the use and benefit of the various Cities, Towns, Schools, and other entities in Craighead County, Arkansas, for the Tax Year 2016 to be collected in the year 2017 shall be as follows:

<u>County</u>				<u>Jonesboro</u>			
County General	0.00400	4.00	Mills	Jonesboro Police	0.00050	0.50	Mills
County Road	0.00210	2.10	Mills	Jonesboro Fire	0.00050	0.50	Mills
County Library	0.00200	2.00	Mills	Jonesboro Library	0.00200	2.00	Mills
Total	0.00810	8.10	Mills	Total	0.00300	3.00	Mills

<u>Schools</u>				<u>City</u>			
Bay	0.04170	41.70	Mills	Bay	0.00160	1.60	Mills
Brookland	0.03900	39.00	Mills	Black Oak	0.00190	1.90	Mills
BIC	0.04000	40.00	Mills	Bono	0.00210	2.10	Mills
Jonesboro	0.03310	33.10	Mills	Brookland	0.00125	1.25	Mills
Nettleton	0.03895	38.95	Mills	Caraway	0.00180	1.80	Mills
Riverside	0.04106	41.06	Mills	Cash (Real)	0.00110	1.10	Mills
Valley View	0.04250	42.50	Mills	Cash (Personal)	0.00250	2.50	Mills
Westside	0.03542	35.42	Mills	Egypt	0.00160	1.60	Mills
GCT	0.03749	37.49	Mills	Lake City	0.00160	1.60	Mills
				Monette	0.00180	1.80	Mills

Dated this 28th day of November, 2016

Approved: 
 Ed Hill, Craighead County Judge

Attest: 
 Kade Holliday, Craighead County Clerk

FILED
 NOV 29 2016
 KADE HOLLIDAY
 COUNTY & PROBATE COURT CLERK

ORDINANCE NO. 2016- 7

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.

However, this does not alter the status of that person as an "at-will" employee. The nepotism provision applies to all employees hired after the date of adoption of these personnel policies and procedures by the Craighead County Quorum Court.

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 28th day of November 2016.

APPROVED _____

Ed Hill
County Judge

ATTEST: _____

Kade Holliday
County Clerk