

Quorum Court Minutes

02/25/2013

Resolution No. 2013-02 PASSED

Resolution No. 2013-03 PASSED

Resolution No. 2013-04 PASSED

Resolution No. 2013-05 PASSED

**FILED**  
**FEB 26 2013**  
**KADE HOLLIDAY**  
COUNTY & PROBATE COURT CLERK

AGENDA  
CRAIGHEAD COUNTY QUORUM COURT MEETING  
February 25, 2013 – 7:00 p.m.

\*Amended Agenda

NOTE: Meeting in Lake City Courthouse  
Lake City, AR

OPENING PRAYER

Judge Hill will brief the full court on any updates or information concerning any ongoing projects or business.

- I. Roll Call
  
- II. Approval of minutes, January, 2013 meeting.
  
- III. Committee Reports:
  - a. Public Service Committee Report
  - b. Finance and Administration Committee Report
  - c. Roads and Transportation Committee Report
  
- IV. Old Business:  
None
  
- V. New Business:
  1. Resolution concerning the appointment of a board member to the Bono Fire Protection District. Randy Statler to a five (5) year term to replace the expired term of Lynn Whitehurst.
  2. Resolution concerning the appointment of a board member to the Philadelphia Fire Protection District. James A. Cole to a five (5) year term to replace the expired term of Tommy Lovrien.
  3. Resolution reappointing Kim Elmore to the MAPC ( Metropolitan Area Planning Commission) for a second term.
  4. Tax Back Resolution for Spirit Fitness, 3000 Nestle Road, Jonesboro, Arkansas.

(\*Minor change in Tax Back Resolution and the addition of a Resolution reappointing Board member to the MAPC Board of Directors.)

February 25, 2013 Craighead County Quorum Court Meeting

Eight Justices of the Peace present. **Jim Bryant, Kevin Hoke, Gary Watkins, Josh Longmire, Bob Blankenship, and Terry Couch** were absent at roll-call. **Couch** joined the meeting a short time later.

Judge **Ed Hill** called the meeting to order.

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#### Bono Lake

Judge **Hill** noted that there will be a meeting on March 5 at 9 AM in the County Judge's Conference Room to discuss the Bono Lake Project. All relevant parties will be there including the contractor and engineer.

Judge **Hill** mentioned that he, Justice **Mike Hawkins**, and **Tony Thomas** had recently met with the Arkansas Game and Fish Commission. **Hawkins** said that they seemed supportive and said that they would stock the lake with fish when completed.

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#### Bono Bridge

Judge **Hill** also provided an update on the Bono Bridge. If the county was able to purchase 2 to 2.5 acres of adjacent property, federal money would be available to assist in the project. It would be an 80-18-2 split with 80 percent being federal funding, 18 percent being state funding, and 2 percent being county funding.

Justice **Kenny Hendrix** asked how certain we could be about the federal money. Judge **Hill** said he was assured by the Arkansas State Highway Department that the money would be available contingent upon the purchase of the property.

Justice **Ken Stacks** asked if the owner of the property would sell. Judge **Hill** stated that the owner had assured him that he would sell at the appraised value - \$6,000 per acre. **Stacks** asked if the purchase would count towards the county's required 2 percent portion of the cost. Judge **Hill** said that he would look into it. Judge **Hill** also said that the county had paid for the survey and that should count towards the cost as well.

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Justice **Barbara Weinstock** moved for the minutes of the February 11, 2013 meeting to be approved. Justice **Stacks** seconded. The minutes were approved via a voice vote.

Justice **Fred Bowers** provided a report on the Public Service Committee Report from February 11, 2013 – *Appendix 1*.

Justice **Hendrix** provided a report on the Finance and Administration Committee Report from February 11, 2013 – *Appendix 2*.

Justice **Hawkins** provided a report on the Road and Transportation Committee Report from February 11, 2013 – *Appendix 3*.

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County Clerk **Kade Holliday** read Resolution 2013-02 – *Appendix 4*.

Justice **Stacks** moved to pass the resolution. Justice **Bowers** seconded.

Justice **Weinstock** asked for more details on the project.

**Rhonda Smiley** of Spirit Fitness said that they would be adding 100,000 square feet.

Justice **Bowers** noted that it would be a \$2.5 million dollar expansion. Judge **Hill** noted that it was a fabulous facility.

Justice **Hendrix** asked who the owner of the business was. **Smiley** said that it was Dyaco, a Taiwanese based company. Justice **Weinstock** asked how many employees they had in Jonesboro. **Smiley** said it was currently 52 and the expansion would add approximately 15 more.

**Smiley** noted that the building expansion would cost \$2.5 million plus an additional \$200,000 in equipment.

Justice **Weinstock** asked if the material and equipment had to be bought in Craighead County. Judge **Hill** said there was no such rule in place. **Smiley** noted that the company would make efforts to buy locally as much as possible.

The resolution passed 8-0 with five justices absent.

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County Clerk **Holliday** read Resolution 2013-03 – *Appendix 5*.

Justice **Bowers** moved to pass the resolution. Justice **Max Render** seconded.

The resolution passed 8-0 with five justices absent.

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County Clerk **Holliday** read Resolution 2013-04 – *Appendix 6*.

Justice **Couch** moved to pass the resolution. Justice **Hawkins** seconded.

The resolution passed 8-0 with five justices absent.

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County Clerk **Holliday** read Resolution 2013-05 – *Appendix 7*.

Justice **Weinstock** moved to pass the resolution. Justice **Stacks** seconded.

The resolution passed 8-0 with five justices absent.

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Sheriff **Marty Boyd** answered questions from the court about the monthly Sheriff's Report – *Appendix 8*.

Justice **Weinstock** asked if the work-release program had started. Sheriff **Boyd** said that it had not and that they were still working on an ordinance and with Attorney **Mike Rainwater** to ensure all aspects of the program were legal.

Justice **Hawkins** asked what the capacity of the jail was. **Boyd** answered that it was 400. Justice **Hawkins** asked why the current jail population was down. **Boyd** noted that in tax season people have more money to pay fines and also noted that the second District Judge has expedited the judicial process some.

Justice **Hawkins** asked about the dispatch calls. Sheriff **Boyd** noted that the number was only county calls, not city calls within the county.

Sheriff **Boyd** noted that 911 fees are down statewide because of cell phone usage. People who call 911 on a cell phone are not charged for the call like they are when they call from a land-line.

Judge **Hill** noted that the County Judges were discussing possible legislation to change this.

Justice **Hawkins** stated that he thought this should be looked at, but he was skeptical of new taxes.

Justice **Stacks** said that he thought all 911 fees should go into a big pot and then divided based upon population like sales tax is done. Justice **Hendrix** agreed.

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Justice **Weinstock** moved to adjourn the meeting. Justice **Hawkins** seconded.

Meeting adjourned.

PUBLIC SERVICE COMMITTEE MEETING  
Craighead County Quorum Court  
February 11, 2013

Public Service members assembled after Bid Opening on Motor Graders, and briefing from Judge Ed Hill on current matters.

Members present were: Chairman, J.P. Fred Bowers, J.P. Ken Stacks, J.P. Barbara Weinstock, and J.P. Josh Longmire.

1. Motion made by Barbara Weinstock, seconded by Ken Stacks to postpone the proposed insurance change indefinitely. All members voted "Yes" to the motion.
2. Recommendations were brought before Public Service to appoint new board members for both Bono Fire Protection District, and Philadelphia Fire Protection District.
  - a. Ken Stacks made a motion, seconded by Barbara Weinstock to appoint James A. Cole to a five (5) year term to the Philadelphia Fire Protection District, replacing the expired term of Tommy Lovrien. All members agreed.
  - b. Josh Longmire made a motion, seconded by Ken Stacks to appoint Randy Statler to a five (5) year term to the Bono Fire Protection District, replacing the expired term of Lynn Whitehurst. All members agreed.

County Clerk Kade Holliday spoke briefly concerning possible minor changes in the Personnel Policy regarding various accrual of time by employees. Changes may occur in order to be in compliance with State Labor Board regulations.

Sheriff Marty Boyd spoke to the Committee concerning a work program for non-violent inmates. This would allow some inmates to retain their jobs and still support their families. They would work during the day as usual, but report to the jail to serve their time out. At the present time Sheriff's staff is supervising the inmates, , however, program may become self-sufficient later on. Small fee for participation will be charged.

Meeting adjourned at approximately 7:55 p.m.

**Finance Committee Meeting**

February 11, 2013

Finance Committee Members present: Chairman Bob Blankenship, Vice Chairman Jim Bryant, and Justices Kenny Hendrix, Kevin Hoke, and Gary Watkins.

Others present: Al Haines, Treasurer Terry McNatt, and two ASU Students

The Finance Committee Members assembled at 7:20 PM after the full court meeting and discussed the following:

Reviewed revenue and expenditure reports for January 2013.

The Finance Committee expressed an interest in expenditure over run in the E911 department and when a new agreement with the City of Jonesboro will be renegotiated. The committee expressed an interest to be involved with the process.

Another area of concern of the committee is the Bono Lake construction process and funds that remain for completion of the lake. The monthly financial report indicates that less than \$150,000 remains in the fund. The County Judge, and the three firms involved with the lake construction process are scheduled to meet in the near future in hopes of getting a final cost of the lake construction. Again, the finance committee would like to be notified when this meeting is scheduled and hopefully involved, to some degree, with the discussions.

Treasurer Terry McNatt reported to the committee that information between the County Clerk's Office and the County Treasurer's Office is flowing in a positive manner with very few errors.

With no other business to be discussed, the Finance Committee stood adjourned at 7:45 PM.

Craighead County Quorum Court Meeting  
February 11, 2013  
Roads and Transportation Committee

Members of the Roads and Transportation Committee assembled at 7:25 pm after the meeting of the full court. Members present included: Mike Hawkins, Ray Kidd, and Max Render. Others present included Eugene Neff—Road Superintendent and Tony Thomas.

Justice Hawkins called the meeting to order and the following business was discussed:

1. Eugene Neff delivered his monthly road report (also distributed to the full court).
  - a. Bridge repair began this week on Otwell Road.
  - b. CR 273 (Goat Road) and Edgewood Lane are currently being prepared for paving.
  - c. Another gravel pit was located in the County with some good material.
  - d. CR 602—partially chat near the cement factory but gravel down near the residences. Some improvements were made by the company who purchases their own material.
  - e. The winter season has not been difficult on roads, many have held up well under the circumstances.
2. Mike Hawkins inquired about a maintenance program for roads and whether it could prove beneficial to the county to fix small problems before they became larger issues. Neff indicated he would look at this as a maintenance program might prove beneficial.

With no other business the meeting adjourned at 7:38 pm.



**Tax Back  
Resolution**

RESOLUTION No. 2013-02

**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

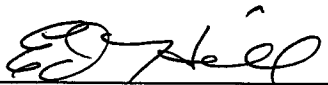
**WHEREAS**, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

**WHEREAS**, Spirit Fitness, located at 3000 Nestle Road, Jonesboro, Arkansas, has sought to participate in the program and more specifically has requested benefits accruing from an expansion and adding 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: 2-25-13

Attest:   
\_\_\_\_\_  
Clerk

**FILED**  
**FEB 25 2013**  
KADE HOLLIDAY  
COUNTY & PROBATE COURT CLERK

RESOLUTION NO. 2013-03

A RESOLUTION APPROVING THE APPOINTMENT OF A BOARD MEMBER TO THE BOARD OF DIRECTORS OF THE BONO FIRE PROTECTION DISTRICT.

WHEREAS, ACT 742 OF THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, STATES THAT THE COUNTY JUDGE OF EACH COUNTY IS THE APPROPRIATE PERSON TO APPOINT AND REAPPOINT BOARD MEMBERS TO THE BONO FIRE PROTECTION DISTRICT BOARD OF DIRECTORS.

WHEREAS, THE SAID COUNTY JUDGE DOES HEREBY MAKE THE FOLLOWING APPOINTMENT TO THE BONO FIRE PROTECTION DISTRICT BOARD OF DIRECTORS FOR A FIVE (5) YEAR TERM. THIS WILL FILL A VACANCY DUE TO THE EXPIRATION OF THE TERM OF LYNN WHITEHURST.

Randy Statler  
295 CR 317  
Bono, AR 72416

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT THAT RANDY STATLER, 295 CR 317, BONO, AR 72416 BE APPOINTED TO THE BONO FIRE PROTECTION DISTRICT FOR THE TERM AS STATED ABOVE; SAID TERM TO BECOME EFFECTIVE FEBRUARY 25, 2013 AND EXPIRE ON FEBRUARY 25, 2018.

Dated this 25<sup>th</sup> day of February, 2013.

APPROVED: ED Hill  
ED HILL  
CRAIGHEAD COUNTY JUDGE

ATTEST: Kade Holliday  
KADE HOLLIDAY  
CRAIGHEAD COUNTY CLERK

**FILED**  
FEB 25 2013  
KADE HOLLIDAY  
COUNTY & PROBATE COURT CLERK

RESOLUTION NO. 2013-04

A RESOLUTION APPROVING THE APPOINTMENT OF A BOARD MEMBER TO THE BOARD OF DIRECTORS OF THE PHILADELPHIA FIRE PROTECTION DISTRICT.

WHEREAS, ACT 742 of The General Assembly of the State of Arkansas, states that the County Judge of each county is the appropriate person to appoint and reappoint board members to the Philadelphia Fire Protection District Board of Directors.

WHEREAS, A vacancy exists on the Philadelphia Fire District Board of Directors, and the existing Board of Directors has recommended James A. Cole to fill this position for a five (5) year term. He will replace Tommy Lovrien, whose term has expired.

James A. Cole  
6313 Hwy. 141 North  
Jonesboro, AR 72401

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT THAT THE ABOVE DESCRIBED PERSON, JAMES A. COLE BE APPOINTED TO THE PHILADELPHIA FIRE DISTRICT BOARD OF DIRECTORS FOR A FIVE (5) YEAR TERM, SAID TERM TO BECOME EFFECTIVE FEBRUARY 25, 2013, AND EXPIRE ON FEBRUARY 25, 2018 UPON PASSAGE OF THIS RESOLUTION.

APPROVED: Ed Hill  
ED HILL  
CRAIGHEAD COUNTY JUDGE

ATTEST: Kade Holliday  
KADE HOLLIDAY  
CRAIGHEAD COUNTY CLERK

FILED  
FEB 25 2013  
KADE HOLLIDAY  
COUNTY & PROBATE COURT CLERK

RESOLUTION NO. 2013-05


A RESOLUTION APPROVING THE APPOINTMENT OF A BOARD MEMBER TO THE METROPOLITAN AREA PLANNING COMMISSION BOARD OF DIRECTORS.

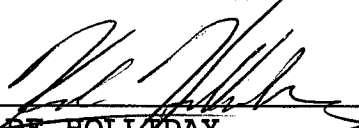
WHEREAS, ACT 742 of the General Assembly of the State of Arkansas, states that the County Judge of each County is the appropriate person to appoint and reappoint board members to the (MAPC) Metropolitan Area Planning Commission Board of Directors.

WHEREAS, Kim Elmore, 308 Hunters Ridge Dr., Jonesboro, AR 72404 has been recommended to serve a second term on the MAPC Board of Directors (Metropolitan Area Planning Commission.)

BE IT HEREBY RESOLVED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, ARKANSAS THAT KIM ELMORE, 308 HUNTERS RIDGE DR., JONESBORO, ARKANSAS 72404 BE APPOINTED TO SERVE A SECOND TERM ON THE BOARD OF DIRECTORS OF THE (MAPC) METROPOLITAN AREA PLANNING COMMISSION BOARD OF DIRECTORS, SAID TERM EFFECTIVE JANUARY 25, 2013 AND EXPIRING JANUARY 25, 2016.

Dated this 25<sup>th</sup> day of FEBRUARY, 2013.

APPROVED:   
JUDGE, ED HILL  
CRAIGHEAD COUNTY JUDGE

ATTEST:   
KADE HOLLIDAY  
CRAIGHEAD COUNTY CLERK

**FILED**  
FEB 25 2013  
KADE HOLLIDAY  
COUNTY & PROBATE COURT CLERK

**CRAIGHEAD COUNTY SHERIFF'S DATA  
02/01/2013 THRU 02/25/2013**

**TOTAL COLLECTIONS:  
\$132,861.13**

**WARRANTS SERVED:  
373**

**CIVIL PAPER'S SERVED:  
118**

**NEW INMATES BOOKED INTO JAIL 02/01/2013 THRU 02/25/2013:  
634**

**NUMBER OF INMATES HOUSED ON 02/25/2013:  
262**

**MILEAGE DRIVEN TRANSPORTING PRISONERS FROM WITHIN THE  
STATE:  
6418**

**COURTS WORKED: (APPROXIMATELY 80 PRISONER TRANSPORTS )  
60 IN 16 DAYS**

**VIDEO COURTS WORKED:  
37 IN 16 DAYS**

**POLICE DISPATCH CALLS FOR SERVICE 02/01/2013 THRU 02/25/2013:  
1145**