

Quorum Court Minutes
8/24/15

AGENDA
CRAIGHEAD COUNTY QUORUM COURT
5:30 P.M.
AUGUST 24, 2015

**NOTICE: MEETING ON THE 24TH OF AUGUST WILL BE HELD
AT THE COUNTY EXTENSION OFFICE AT 611 E.
WASHINGTON ST., BEGINNING AT 5:30 P.M. THE MEAL
WILL BE SERVED 5:30 P.M. AND THE MEETING WILL BEGIN
AT 6:15 P.M.**

Assembly and Pledge of Allegiance

OPENING PRAYER

Briefing by Judge Ed Hill to Court Members.

I. Roll Call

II. Approval of minutes for July, 2015 meeting.

III. Presentation from Stephens Insurance.

IV. Committee Reports:

- a. Public Service Committee Report.**
- b. Finance and Administration Committee Report.**
- c. Roads and Transportation Report.**

V. Old Business:
None

VI. New Business
None

August 24, 2015

12 Justices of the Peace present, Justice Terry Couch absent.

Judge Ed Hill called the meeting to order.

Justice Barbara Weinstock moved to approve the minutes from the meetings for July 2015 with no changes, Justice Billie Sue Hoggard seconded. All voted to approve the motion and accept the minutes from the July 2015.

Judge Hill thanked all those that contributed to the good work being done at the County Extension office.

Representatives from Stephens Inc. updated the Court on the upcoming health insurance renewal period. The county has seen a decline in the loss ratio for the 2015 year and expects Blue Cross and Blue Shield to come back with a decent renewal offer. Stephens will return in a few weeks to update the Court with more detailed information.

Justice David Tennison read the Public Service Committee report. – *Appendix 1*

Justice Ken Stacks read the Finance Committee report. – *Appendix 2*

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

**changes suggested for the minutes were noted*

Justice Hoggard inquired about the computer storage of the county and requested that the Court have a chance to tour the facility where our servers are stored. Justice Longmire agreed with the idea of a tour and also requested that Brad Nelson from Computer Services be at the next meeting to discuss the latency and storage issues discussed in previous meetings. Also requested was information on the bidding process that would take place beyond the State bid. Justice Garry Meadows suggested bringing in a third party consultant into our Computer Services department and allow them to analyze our current set up. Though this may cost the county in the short-term, it could be a long-term benefit.

Justice Hoggard also inquired about the County's Disaster Recovery Plan. Each office has a Disaster Recovery Plan. Circuit Clerk Candace Edwards stated these plans must be 3 miles away from the office and cannot be located at a residence. Tax Collector Marsha Phillips stated her Disaster Recovery Plan is located in Little Rock and in case of a cataclysm she could continue to collect taxes.

Edwards addressed the Court on a recently discovered statute that requires the Circuit Clerk's office to destroy records of Juveniles on their twenty-first birthday with a few exceptions. Up to this point, the

office has failed to follow this protocol but is now working to comply with the statute. This will involve many man hours and may require an additional part-time employee as well as shredding services. Edwards wanted the Court to understand her current predicament and know that her office was doing everything possible to comply as soon as possible. Justice Ken Stacks commended Edwards on her candor.

Justice Jim Bryant moved to adjourn the meeting, Justice Richard Rogers seconded.

Also distributed to the Court was Arkansas Code 9-27-309. – *Appendix 4*

Craighead County Quorum Court Meeting
Public Service Committee
August 10, 2015
5:30 p.m.

Public Service Committee assembled at approximately 6:00 p.m. after a meeting of Finance Committee Members that began at 4:30 p.m. Also discussed was a question about the Veteran's Van. Veteran Billy Cribbs and other veterans were present and explained the issue to the satisfaction of the Court Members.

Chairman David Tennison called the meeting to order. Committee members Richard Rogers and Fred Bowers were also present. Billie Sue Hoggard was absent.

1. A presentation from Doug Doggett and Steve Jett was heard regarding health insurance. They represent several large insurance companies. No decisions were made at this time.

With no other business at hand, committee adjourned at approximately 6:40 p.m.

Finance Committee Meeting

August 10, 2015

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

Press: Hunter Field, Jonesboro Sun
KAIT TV

Others present: Al Haines, Tony Thomas, Computer Services Director Erin Johnson, County Treasurer Terry McNatt, County Collector Marsha Phillips, Assessor Hannah Towell, Collector Marsha Phillips, Joe Monroe, Teresa Presley, Billy Cribbs, Richard Carvell, and other guests.

Justice Stacks called the Finance Committee Meeting to order at 4:30 PM prior to the full court meeting to discuss the DAV letter that had been circulated to several officials. After the DAV representatives explained the motive for the letter, the committee agreed to put the issue to rest and that the counties only concern was related to the donation of funds to help purchase DAV vans.

Erin Johnson addressed the committee concerning the need for additional data storage capacity for the county. Several justices had questions related to the total dollar amounts, timing of the justices being made aware of the need, and whether to solicit other bids or purchase from the State Contract. Justice Longmire adamantly insisted that the County solicit other bids to compare to the State bids. Justice Meadows indicated that his main concern was lack of transparency. All issues were addressed by Erin Johnson and Tony Thomas and indicated that there were more factors to consider other than just price. The state contract bids were explained in detail. After a lengthy discussion, that carried over to the full court, the full court voted with a majority vote to allow the proposed purchase to proceed through the state contract.

The Finance Committee reconvened at 6:00 pm after the full court adjourned.

Justice Stacks asked McNatt to bring the committee up to date on revenues and expensed. Overall, revenues and expenses are in line as projected.

Collector Phillips briefed the committee on collections.

Officials and employees salaries were discussed to some degree and was noted that salaries vary from office to office and not all salaries are equitable. No decisions were made concerning salary changes and the Budget Committee may be tasked in trying to make salaries more equitable across the board for all departments.

Doug Doggett and Steve Jett presented a proposal for the county to consider for health insurance for the upcoming year. The company represents several large companies.

With no other business to be discussed, the committee stood adjourned at 7:15 PM.

Craighead County Quorum Court Meeting
August 10, 2015
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 and Judge Hill.

Justice Kidd 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.
 - a. Bridge crews recently completed a project in Caraway. The bridge crew will be moving to some striping projects. Additional equipment is now allowing striping to be taken care of in house.
 - b. Still working on preparing CR372 for improvements after delays with utility relocates due to the rain weather. A number of other projects are in sight once some additional prep work is complete.
 - c. Discussed the potential of another gravel source for county roads.
2. Justice Kidd indicated he recently met with Neff related flooding issues for property owners on Crowley's Ridge. Some ditch work may easily fix the issue if property owners can agree to allow something to be done (some want the work and some doesn't).
3. Justice Kidd allowed each member to bring forth issues impacting constituents. A number of minor issues were discussed. Justices also continued discussion related to the storage issue discussed during the full court meeting. Most of the discussion centered on the state bidding process.
4. General discussion was held related to the increase in salary for County Officials that is being considered. Various opinions and positions were discussed related to this issue.

With no other business, the committee stood adjourned.

Appendix - 4

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A.C.A. § 9-27-309 (Copy w/ Cite)

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A.C.A. § 9-27-309

Arkansas Code of 1987 Annotated
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*** Legislation is current through the 2014 Second Extraordinary Session ***
*** and updates received from the Arkansas Code Revision Commission ***
*** through December 12, 2014. ***

Title 9 Family Law
Subtitle 3. Minors
Chapter 27 Juvenile Courts And Proceedings
Subchapter 3 Arkansas Juvenile Code

A.C.A. § 9-27-309 (2015)

9-27-309. Confidentiality of records.

(a) All records may be closed and confidential within the discretion of the circuit court, except:

(1) Adoption records, including any part of a dependency-neglect record that includes adoption records, shall be closed and confidential as provided in the Revised Uniform Adoption Act, § 9-9-201 et seq.;

(2) Records of delinquency adjudications for which a juvenile could have been tried as an adult shall be made available to prosecuting attorneys for use at sentencing if the juvenile is subsequently tried as an adult or to determine if the juvenile should be tried as an adult; and

(3) Records of delinquency adjudications for a juvenile adjudicated delinquent for any felony or a Class A misdemeanor wherein violence or a weapon was involved shall be made available to the Arkansas Crime Information Center.

(b) (1) (A) Records of delinquency adjudications for which a juvenile could have been tried as an adult shall be kept for ten (10) years after the last adjudication of delinquency or the date of a plea of guilty or nolo contendere or a finding of guilt as an adult.

(B) Thereafter they may be expunged.

(2) The court may expunge other juvenile records at any time and shall expunge all the records of a juvenile upon his or her twenty-first birthday, in other types of delinquency, dependency-neglect, or families in need of services cases.

(3) For purposes of this section, "expunge" means to destroy.

(c) Records of juveniles who are designated as extended juvenile jurisdiction offenders shall be kept for ten (10) years after the last adjudication of delinquency, date of plea of guilty or nolo contendere, or finding of guilt as an adult or until the juvenile's twenty-first birthday, whichever is longer.

(d) (1) If an adult criminal sentence is imposed on an extended juvenile jurisdiction offender, the record of that case shall be considered an adult criminal record.

(2) (A) The court shall enter an order transferring the juvenile record to the clerk who is the custodian of adult criminal records.

(B) The clerk shall assign a criminal docket number and shall maintain the file as if the case had originated as a criminal case.

(e) This section does not apply to nor restrict the use or publication of statistics, data, or other materials that summarize or refer to any records, reports, statements, notes, or other information in the aggregate and that do not refer to or disclose the identity of any juvenile defendant in any proceeding when used only for the purpose of research and study.

(f) This subchapter does not preclude prosecuting attorneys or the court from providing information, upon written request, concerning the disposition of juveniles who have been adjudicated delinquent to:

(1) The victim or his or her next of kin; or

(2) The school superintendent of the school district in which the juvenile is currently enrolled.

(g) When a juvenile is adjudicated delinquent for an offense for which he or she could have been charged as an adult or for unlawful possession of a handgun, § 5-73-119, the prosecuting attorney shall notify the school superintendent of the school district in which the juvenile is currently enrolled.

(h) Information provided pursuant to subsections (f) and (g) of this section shall not be released in violation of any state or federal law protecting the privacy of the juvenile.

(i) (1) If a juvenile is arrested for unlawful possession of a firearm under § 5-73-119, an offense involving a deadly weapon under § 5-1-102, or battery in the first degree under § 5-13-201, the arresting agency shall as soon as practical and with all reasonable haste cause written notification of the arrest to be given to the superintendent of the school district in which the juvenile is currently enrolled.

(2) (A) The superintendent shall then notify the principal and the resource officer of the school in which the juvenile is currently enrolled.

(B) The arrest information shall be treated as confidential information and shall not be disclosed by the superintendent to any person other than the principal and resource officer, who shall also maintain the information as confidential.

(3) The arrest information shall be used by the school only for the limited purpose of obtaining services for the juvenile or to ensure school safety.

(j) Records of the arrest of a juvenile, the detention of a juvenile, and the proceedings under this subchapter shall be confidential and shall not be subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq., unless:

(1) Authorized by a written order of the juvenile division of circuit court; or

(2) The arrest or the proceedings under this subchapter result in the juvenile's being formally charged in the criminal division of circuit court for a felony.

(k) Information regarding the arrest or detention of a juvenile and related proceedings under this subchapter shall be confidential unless the exchange of information is:

- (1)** For the purpose of obtaining services for the juvenile or to ensure public safety;
- (2)** Reasonably necessary to achieve one (1) or both purposes; and
- (3)** Under a written order by the circuit court.

(l) (1) The information may be given only to the following persons:

- (A)** A school counselor;
- (B)** A juvenile court probation officer or caseworker;
- (C)** A law enforcement officer;
- (D)** A spiritual representative designated by the juvenile or his or her parents or legal guardian;
- (E)** A Department of Human Services caseworker;
- (F)** A community-based provider designated by the court, the school, or the parent or legal guardian of the juvenile;
- (G)** A Department of Health representative; or
- (H)** The juvenile's attorney ad litem or other court-appointed special advocate.

(2) The persons listed in subdivision (l)(1) of this section may meet to exchange information, to discuss options for assistance to the juvenile, to develop and implement a plan of action to assist the juvenile, and to ensure public safety.

(3) The juvenile and his or her parent or legal guardian shall be notified within a reasonable time before a meeting and may attend any meeting of the persons referred to in subdivision (l) (1) of this section when three (3) or more individuals meet to discuss assistance for the juvenile or protection of the public due to the juvenile's behavior.

(4) Medical records, psychiatric records, psychological records, and related information shall remain confidential unless the juvenile's parent or legal guardian waives confidentiality in writing specifically describing the records to be disclosed between the persons listed in subdivision (l)(1) of this section and the purpose for the disclosure.

(5) Persons listed in subdivision (l)(1) of this section who exchange any information referred to in this section may be held civilly liable for disclosure of the information if the person does not comply with limitations set forth in this section.

(m) (1) When a court orders that a juvenile have a safety plan that restricts or requires supervised contact with another juvenile or juveniles as it relates to student safety, the court shall direct that a copy of the safety plan and a copy of the court order regarding the safety plan concerning student safety be provided to the school superintendent and principal where the juvenile is enrolled.

(2) When a court order amends or removes any safety plan outlined in subdivision (m)(1) of this section, the court shall direct that a copy of the safety plan and a copy of the court order regarding the safety plan, as it relates to student safety, be provided to the school superintendent and principal where the juvenile is enrolled.

(3) The superintendent or principal shall provide verbal notification only to school officials who are necessary to implement the safety plan as ordered by the court to ensure student safety. This verbal notification may only be provided to assistant principals, counselors, and the school employee who is primarily responsible for the juvenile learning environment where the juvenile is currently enrolled, and bus drivers if applicable.

(4) Any school officials that receive a court order and safety plan or information concerning the court order and safety plan shall:

(A) Keep the information confidential and shall sign a statement not to disclose the information concerning the court order and safety plan that shall be kept by the superintendent or principal along with the court order and safety plan;

(B) Keep the information confidential and shall not disclose the information to any person not listed in subdivision (I)(1) of this section;

(C) Include the information in the juvenile's permanent educational records; and

(D) (i) Treat the information and documentation contained in the court order as education records under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

(ii) A school official shall not release, disclose, or make available the information and documentation contained in the court order for inspection to any party except as permitted under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

(iii) However, the local education agency shall not under any circumstance release, disclose, or make available for inspection to the public, any college, university, institution of higher learning, vocational or trade school, or any past, present, or future employer of the student the court order or safety plan portion of a student record.

(5) When a student attains an age that he or she is no longer under the jurisdiction of the juvenile division of circuit court, the safety plan and the order regarding the safety plan shall be removed from the juvenile's permanent records at the local education agency and destroyed.

HISTORY: Acts 1989, No. 273, § 8; 1993, No. 535, § 3; 1993, No. 551, § 3; 1993, No. 758, § 4; 1994 (2nd Ex. Sess.), No. 69, § 1; 1994 (2nd Ex. Sess.), No. 70, § 1; 1999, No. 1192, § 13; 1999, No. 1451, § 1; 2001, No. 1268, § 1; 2003, No. 1166, § 6; 2009, No. 956, § 8.

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