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LESLI PENNY

COUNTY & PROBATE COURT CLERK

QUORUM COURT MINUTES

JANUARY 25, 2021

January 25, 2021 Quorum Court Minutes

13 Justices of the Peace were present. Terry Couch, Josh Longmire, Jason Price, and Kevin Williams were on Zoom. Also present were Lesli Penny and by Zoom Terry McNatt and Wes Eddington.

Judge Day called the meeting to order at 5:30 PM.

Invocation by Gary Henderson, Pastor, Fairview Baptist Church

Assembly and Pledge of Allegiance.

First order of business was approval of Quorum Court minutes from 01.11.2021. A motion to accept was made by Justice Cline and seconded by Justice Rogers. Judge Day took a vote and it passed unanimously.

Road Committee minutes for 1.11.2021 were read by Justice Cline. Public Service committee minutes were read by Justice Rogers. Finance Committee minutes were read by Justice Longmire.

Old business. 3rd reading of Ordinance setting -forth professional services to include technological needs and service-related agreements (addendum A). Justice Cook made a motion to read by title only and seconded by Justice Rogers. A motion was made to approve by Justice Cline and seconded by Justice Pearcy. Roll was called and passed unanimously.

No other old business.

The 2019 Legislative Audit (addendum B) was presented for acknowledgement by the Court. One area of deficiency was noted due to the theft by former County Clerk Kade Holliday. A motion was made to accept by Justice Cline and seconded by Justice Pasmore. A vote was taken and passed unanimously.

An ordinance was read (addendum C) to amend the 2021 operating budget to include Funds 3591 and 3548 to include Rural Community Grant monies for Brookland Fire Protection District and Southridge Fire Protection District. A motion to accept was made by Justice Pasmore and seconded by Justice Pearcy. Roll was called and passed unanimously.

An ordinance was read (addendum D) to amend the 2021 Budget to include Fund 3555, Department 0109 CTCL Covid-19 Response Grant. A motion was made to accept by Justice Tennison and seconded by Justice Pearcy. No comment. Roll was called and passed unanimously.

A resolution was read (addendum E) to appoint Mike Mahan to the Cash Fire Protection District Board of Directors for a five-year term. A motion was made to accept by Justice Cline and seconded by Justice Lewis. A vote was taken and passed unanimously.

A letter regarding the Hot Check Program (addendum F) was presented for annual reporting by the Prosecuting Attorney's office. A motion was made to accept by Justice Cline and seconded by Justice Noel. No questions or comments. A vote was taken and passed unanimously.

Announcements: Judge Day stated that the County had received a bill from the IRS for the 1st quarter of 2020 concerning the late fees and interest for not filing the County's quarterly reports and not paying the taxes by the former County Clerk. The County has been working closely with Congressman Crawford's office to get the late fees waived. Judge Day stated they feel very good that most of the fees will be waived. The total bill was approximately \$156,000.00.

Judge Day states the County has done well financially considering the pandemic and theft. Judge Day stated that the County needs to look closely at the current state of the jail and court rooms. Upgrades are needed. Judge Day would like to make these upgrades without raising taxes using the current revenue. The question was asked when the jail was built. Judge Day stated the Jail was built 31 years ago. The last phase added was in 2007. Judge Day stated the last two jail standard reports show that the jail is reaching the last phases of useful life. Currently, the Jail needs a new back-up generator, door locks and heat-and-air system. Discussion was held on the number of prisoners the jail holds. The County is permitted up to 385 prisoners. Discussion was held on the separation of prisoners for multiple reasons. Justice Pasmore asked if the County was holding State prisoners. Judge Day answered saying that it varies, if the County is holding State prisoners the State reimburses the County for that inmate. Justice Pearcy asked how the County can maintain the number of 309 prisoners. Judge Day responded that he spoke with the Sheriff regarding the number of 309 prisoners and that the County is guaranteed a certain allotment of 309 prisoners. Justice Longmire asked if the jail was expanded could the County house State, Federal, and other County inmates. Judge Day said he believes that could be possible. Discussion was held on other Counties having contracts with Counties and other states to house inmates. Justice Pearcy asked about the jail population during the pandemic. Judge Day responded by stating that the numbers had decreased for a period but are now back to the usual average. Justice Cook inquired how the Crisis Stabilization Unit was doing. Judge Day answered by saying that the Law Enforcement was becoming more accustomed to utilizing the facility and that the facility was not equipped to house violent offenders. The County received a contract two weeks ago that fully funded the facility through the end of the year.

Justice Cook requested if the members were going to have to continue to wear masks if Judge Day could get a microphone to assist with hearing him better. Judge Day said he believed that could be arranged.

No public comment.

A motion was made to adjourn by Justice Cook and seconded by Justice Rogers.

Meeting ended at 6:04 p.m.

ORDINANCE NO. 2021-_____

BE IT ORDAINED BY THE QUORUM COURT OF CRAIGHEAD COUNTY,
ARKANSAS AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE SETTING FORTH PROFESSIONAL SERVICES TO INCLUDE
TECHNOLOGICAL NEEDS AND SERVICES RELATED AGREEMENTS, AND FOR
OTHER MATTERS**

WHEREAS, as a general matter, counties are prohibited by state law from using competitive bidding to procure various professional services as described by Ark. Code Annotated, Sections 19-11-801, and

WHEREAS, professional services listed in Ark. Code Annotated Section 19-11-801 are described as legal, architectural, engineering, land surveying, and such other consulting services as the political subdivision shall designate by two-thirds vote of its governing body, and

WHEREAS, Craighead County has the need to hire certain personal services that require special skill, experience, or particular business judgment. See AG opinion 94-286; 93-412, 91-308, and

WHEREAS, Craighead County is seeking a special skill and experience in the area of Software and Technology Security Measures, and

WHEREAS, the Quorum Court concurs in the importance of expanding the current listing of professional services to better serve the citizens of Craighead County.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, STATE OF ARKANSAS.

Section 1.

- 1) The County of Craighead, by authority in Ark. Code Annotated Section 19-11-801 *et. seq.*, extends professional services to include:

Desktop Management

Software and Data Management

Security and Firewall Management

Backup Solutions

Business Technological Needs

Section 2.

Severability. If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining provisions of the ordinance, which remains effective, absent the invalid provision, and to this end, the provisions of this ordinance are declared to be severable.

PASSED AND APPROVED on this ____ day of _____, 2021.

Marvin Day, County Judge

ATTEST:

Lesli Penny, County Clerk

Sen. Jason Rapert
Senate Chair
Sen. Eddie Cheatham
Senate Vice Chair



Rep. Richard Womack
House Chair
Rep. DeAnn Vaught
House Vice Chair

Roger A. Norman, JD, CPA, CFE, CFF
Legislative Auditor

LEGISLATIVE JOINT AUDITING COMMITTEE ARKANSAS LEGISLATIVE AUDIT

January 8, 2021

The Honorable County Judge and Quorum Court Members
Craighead County, Arkansas

We have audited the regulatory basis financial statements of the general fund, road fund, and other funds in the aggregate of Craighead County, Arkansas, as of and for the year ended December 31, 2019, and have issued our report thereon dated December 10, 2020. An audit finding is disclosed on page 5 of the enclosed audit report. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards* as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 26, 2020. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the County are described in Note 1 to the financial statements. Ark. Code Ann. § 14-71-101 went into effect for the year ended December 31, 2019, and requires sales taxes be recognized in the year received by the County. For 2019, the County will only recognize 11 months of sales taxes instead of 12 months. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management.

Management has corrected all such misstatements.

In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 10, 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Honorable County Judge and Quorum Court Members
Craighead County, Arkansas
January 8, 2021
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Other Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year. These discussions occurred in the normal course of our professional relationship.

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with the regulatory basis of accounting, which differs from accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

With respect to the other information accompanying the financial statements, we did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

Ark. Code Ann. § 10-4-418 requires this report to be reviewed by the governing body. This law also requires the governing body to take appropriate action relating to each finding and recommendation contained in the report.

Restrictions on Use

This information is intended solely for the use of the County Judge and Quorum Court members and management of the County and is not intended to be, and should not be, used by anyone other than these specified parties.

ARKANSAS LEGISLATIVE AUDIT



Roger A. Norman, JD, CPA, CFE, CFF
Legislative Auditor

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

An Ordinance amending the 2021 Annual Operating Budget to add Funds 3591 and 3548, Departments 0503 to include Rural Community Grant monies that have become available to the Brookland Fire Protection District and Southridge Fire Protection District and should be incorporated into the Craighead County Annual Operating Budget and processed according to grant requirements for receiving and dispersing of these grant funds.

Section 1. That State Grant monies have become available through the Rural Community Grant Program to the Brookland Fire Protection District in the amount of \$15,000.00 and Southridge Fire Protection District in the amount of \$14,995 to aid in the purchase of turnout safety equipment for the use of firefighters.

Section 2. That these grants are a 50/50 match and the Brookland Fire Protection District will match with a \$15,000 contribution and deposited in Fund 3591 and the Southridge Fire Protection District will match with a \$14,995 contribution and deposited in Fund 3548 in the County Treasurer's Office per grant requirements.

Section 3. That checks have been received from the Rural Community Grant Program in the amount of \$15,000 for the Brookland Fire Protection District and \$14,995 for the Southridge Fire Protection District and deposited in Funds 3591 and 3548 respectively.

Section 4. That these funds are considered to be special revenue and Funds 3591 and 3548 will be created in the Annual Operating Budget to allow for accurate tracking, disbursing, and accounting of state rural grant funds for the Brookland and Southridge Fire Protection Districts and will include and budget totals as described below. Current fund balance in Fund 3591 on January 11, 2021 equals \$81.28.

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$30,081.28	\$30,081.28	\$0.00
Fund 3591	Rural Comm Grant Program/Brookland Fire District	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0503	Grants in Aid (Cycle 1 of Fiscal year 2021)	\$30,081.28	\$30,081.28	\$0.00
<u>Acct. #</u>	<u>Description</u>	<u>New</u>	<u>Change</u>	<u>Old</u>
2002	Small Equipment	\$30,081.28	\$30,081.28	\$0.00
	Total amount budgeted	\$30,081.28		

		\$29,990.00	\$29,990.00	\$0.00
	Special Revenue Projections			
Fund 3548	Rural Comm Grant Program/Southridge Fire	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0503	Grants in Aid (Cycle 1 of Fiscal year 2021)	\$29,990.00	\$29,990.00	\$0.00
<u>Acct. #</u>	<u>Description</u>	<u>New</u>	<u>Change</u>	<u>Old</u>
2002	Small Equipment	\$29,990.00	\$29,990.00	\$0.00
	Total amount budgeted	\$29,990.00		

There is hereby appropriated \$30,081.28 into Fund 3591, Dept 0503, Rural Community Grant Program/Brookland Fire and \$29,990.00 into Fund 3548, Dept 0503, Rural Community Grant Program/Southridge Fire, to aid in the purchase of turnout safety equipment. These funds shall be established in the chart of accounts by the County Treasurer and entered into the accounts payable appropriations journal by the County Clerk as described, upon passage of this appropriation ordinance.

Dated this _____ day of January 2021

Approved: _____
Marvin Day
Craighead County Judge

Attest: _____
Lesli Penny
Craighead County Clerk

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APPROPRIATION ORDINANCE NO. _____

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

An Ordinance amending the 2021 Annual Operating Budget to add Fund 3555, Department 0109, CTCL Covid-19 Response Grant to include grant monies that remain to be spent from funds received in 2020. These funds should be incorporated into the Craighead County Annual Operating Budget and processed according to grant requirements for disbursing of these grant funds.

Section 1. That grant monies became available from the nonpartisan Center for Technology and Civil Life (CTCL) in the amount of \$59,856.00 in 2020 and the funds were secured to provide safe and secure elections with the Covid-19 pandemic. Funds remain in 2021 to be spent according to the conditions of the grant as an extension of the grant period has occurred. These grant funds are required to be included in and expended through the County's Annual Operating Budget for tracking and auditing purposes.

Section 2. That Fund 3555, Department 0109, CTCL Covid-19 Response Grant will be created in the 2021 Annual Operating Budget to allow for accurate tracking, disbursing and accounting of the remaining grant funds..

FUND 3555	CTCL Covid-19 Response Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0109	Election Commission	\$35,000.00	\$35,000.00	\$0.00
<u>Account</u>	<u>Description</u>	<u>New</u>	<u>Change</u>	<u>Old</u>
	Supplies			
2001	General Supplies (consumed or altered)	\$5,000.00	\$5,000.00	\$0.00
2002	Small Equipment (Less than capitalization)	\$8,000.00	\$8,000.00	\$0.00
3009	Other Professional Services	\$5,000.00	\$5,000.00	\$0.00
3021	Postage	\$2,000.00	\$2,000.00	\$0.00
3100	Other Miscellaneous	\$5,000.00	\$5,000.00	\$0.00
3102	Comp Software, support, maint, recovery	\$10,000.00	\$10,000.00	\$0.00
	Total Department Budget	\$35,000.00	\$35,000.00	\$0.00

There is hereby appropriated \$35,000 into Fund 3555, Dept 0109, CTCL Covid-19 Response Grant for purchasing needed items to hold safe and secure elections in the midst of the Covid-19 pandemic. These funds shall be established in the chart of accounts by the County Treasurer and entered into the accounts payable appropriations journal by the County Clerk as described, upon passage of this appropriations ordinance.

Dated this _____ day of _____ 2021

Approved: _____
Marvin Day
Craighead County Judge

Attest: _____
Lesli Penny
Craighead County Clerk

Addendum E.

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING THE APPOINTMENT OF A BOARD MEMBER TO THE BOARD OF DIRECTORS OF CASH 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 Cash Fire Protection District Board of Directors.

WHEREAS; the said County Judge does hereby make the following appointment to the Board of Directors of Cash Fire Protection District for the following term detailed below.

Mike Mahan to fill a five (5) year term as a member of the Administrative Board. Mr. Mahan lives at 114 S. Front Street, Cash, Arkansas 72421.

Mr. Mahan's term will become effective as of 1/1/2021 and expire on 1/1/2026. This vacancy is due to Board Member Erin Johnson relocating his residence from Cash, Arkansas to Brookland, Arkansas.

BE IT HEREBY RESOLVED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, ARKANSAS; that the above-described appointment will become effective upon passage by the court and filing of this document in the County Clerk's Office.

Dated this _____ day of January 2021

Approved _____
Marvin Day, Craighead County Judge

Attest: _____
Lesli Penny, Craighead County Clerk

Addendum F

KEITH L. CHRESTMAN
Prosecuting Attorney
Second Judicial District
CHARLENE DAVIDSON
TIARRA TANNER
MARTIN E. LILLY
GINA MARANO-KNIGHT
Deputy Prosecuting Attorneys
RUSTY GRIGSBY
Investigator
DENA HOOTON
Case Coordinator



Craighead County Courthouse
511 Union, Suite 342
Jonesboro, AR 72401
870-972-4779
FAX: 870-972-1700
LISA INGRAM
Hot Check Coordinator
870-972-8118
VICTIM WITNESS
COORDINATOR
870-972-9593

OFFICE OF THE PROSECUTING ATTORNEY
CRAIGHEAD COUNTY, ARKANSAS

January 11, 2021

Members of the Quorum Court
Craighead County, Arkansas
Jonesboro, AR 72401

Re: Hot Check Program

Dear Members of the Court,

This letter is written to you in compliance with Arkansas Code Annotated 16-21-120(C). Please accept this as our annual report to the Quorum Court of all receipts and disbursements for the Hot Check Program of the Craighead County Prosecuting Attorney's Office.

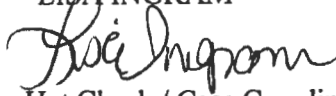
The hot check program is self-supporting and receives no funds from the county. The hot check writers pay a fee to the Hot Check Program, which is used by this office to pay various administrative and discretionary expenses. This is often used by us in lieu of budget appropriations, which is a savings to the taxpayers of Craighead County.

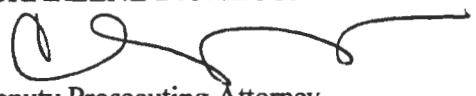
During the 2020 calendar year, our office collected fees in the amount of \$6360.76 for the hot check program. During 2020, \$9578.85 from that amount was used to pay for expenses.

Also, during the 2020 calendar year, \$40,198.18 was collected for the merchants of Craighead County as payment for hot check merchant and bank fees.

Thank you for your consideration. If you have any questions concerning these matters, please feel free to give me a call.

Sincerely,

LISA INGRAM

Hot Check / Case Coordinator

CHARLENE DAVIDSON

Deputy Prosecuting Attorney