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COUNTY & PROBATE COURT CLERK

QUORUM COURT MINUTES

February 12, 2024

QUORUM COURT MINUTES 2.12.2024

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

The invocation was led by Ferrel Duffel, Family Baptist Fellowship Church.

The Pledge of Allegiance was led by Justice Forrest.

The roll was called, and all Justices were present.

The first order of business was approval of Quorum Court Minutes from January 22, 2024. A motion to accept the minutes as prepared was made by Justice Weinstock and seconded by Justice Forrest. Judge Day took a vote and it passed unanimously.

The Road Committee report was read by Justice Cline.

No OLD BUSINESS

NEW BUSINESS

The 2023 Annual Report of the Hot Check program was presented by the managing Deputy Prosecuting Attorney Charlene Davidson, on behalf of the Prosecuting Attorney's Office, in accordance with ACA 16-21-120 (c).

Justice Williams wants to make clear that the program is not going any longer, and Deputy Prosecutor Davidson answered it is not, terminated April 1, 2021.

Justice Williams asked if there was any money still available. Davidson answers there is still money coming in from the defendants that plead guilty and agreed to a payment plan. Some of them pay, some of them do not. Sheriff Boyd has been good at intercepting their tax refunds. We receive monies that have been owed for 10, 15, 20 years. So yes, we are still receiving monies that need to go out to the victims and merchants involved and this should continue for quite some time.

Justice Williams asked if people are still being prosecuted, how does it work if the program no longer exists. Deputy Davidson answered that once the defendant is found guilty, usually of a felony, the courts would produce an Order or Judgment that's entered for restitution. The collection of restitution is done by the sheriff's office until it's paid in full. The money is still owed even though we are no longer prosecuting those type cases through the program.

Justice Cook asked if you're not prosecuting those type cases, and someone writes a hot check to your business, how do we get them to court for an Order or Judgment. Who prosecutes them. Deputy Prosecutor Davidson responds that there may still be some cases that are prosecuted. It may be fraud or forgery. There are a lot of cases involved, they're just not being prosecuted under the hot check program anymore. She adds that you can also seek a judgment in civil court.

Justice Williams asks why the program was terminated if there is still money to be collected. Deputy Prosecutor Davidson responds that the termination was done by the politically appointed Keith Chrestman. He was the appointed Prosecuting Attorney, and the decision was based on the fact that not as many people write checks anymore, and the cost was getting greater than what we were able to collect and get out of it.

Justice Cook asks Collector Eddington about a couple of large hot checks written to him. Collector Eddington answers that the Prosecutor and Sheriff had helped him collect these, and that he'd continue to need their help. Deputy Davidson assured him they'd continue to be there.

Justice Williams wants to simplify in the confusion that in the event help was needed to prosecute a hot check, there would still be help. Deputy Davidson answers that individuals would present the check to a law enforcement agency for investigation instead of bringing them straight to the prosecutor's office. After an investigation, if probable cause for arrest was found it would be forwarded then to the prosecutor's office.

Justice Pasmore states so it's still there, just not in your office. Deputy Davidson says yes.

Justice Allison shared it was her understanding that the reason the program was discontinued was the excessive fees and fines that were added on. That whoever was being prosecuted did not only have a hot check but accumulated additional excessive fees. Deputy Davidson answers they do have fees added on, a merchant's fee, a prosecuting attorney's fee. I would not say those fees were excessive. Typically, the normal defendant writes a lot of hot checks. I believe that the reason why we terminated this program was because individuals were not writing as many checks, and it wasn't cost effective to maintain what was needed. Judge Day responds that he doesn't think what Justice Allison heard was accurate. Revenue vs expenses was the problem.

Justice Forrest offered an example in Greene County with bad checks being written to Walmart and the collection of those.

Judge Day comments that this report doesn't need a vote, but that it may be in the best interest to take a vote to accept the report as prepared. Justice Forrest made the motion to accept the report and Justice Couch seconded. It passed unanimously.

ANNOUNCEMENTS

Judge Day recognized Justice Weinstock before the Court and presented her with a plaque of appreciation to thank her for 27 years of service to Craighead County as a Justice of the Peace.

Judge Day shared a second announcement, that although it was sad for Craighead County and happy for Lisa Lawrence, Lisa will be retiring from the county this Friday. Judge Day also wanted to brag to the Court that although they may have pointed her in a direction, Lisa was the one

responsible for getting the job done and bringing \$30,594,485.00 in grants to help the people of Craighead County. Judge Day thanked her and stated he will miss her.

Justice Pasmore commented he had never seen anyone as resourceful as Lisa, that she would step out and do what others could not do in the past.

No PUBLIC COMMENT

With no public comments, Judge Day took a motion to adjourn from Justice Williams and seconded by Justice Forrest. Judge Day took a vote and it passed unanimously.

The meeting was adjourned at 5:50 pm, and all members were dismissed to committees.

Road Committee minutes
2/12/2024

Chairman Cline called the meeting together at 5:51 pm. Justice Couch, Justice Tennison, Justice Barnes, John James, and Judge Day were present. Judge Day presented a resolution expressing Craighead County's willingness to utilize federal aid monies for Highway 49/ CR 792/cr960 improvements. Justice Tennison motioned to approve 2nd by Justice Barnes, and all were in favor. John James gave an update on road work being done. The committee reviewed plats for Misty Lyles CR 407, Jerry Allison Salem Ridge subdivision, Tom Deuter CR 394, and Theodore Turner 4743 Highway 163. Justice Barnes motioned to approve 2nd by Justice Tennison, and all were in favor.

With no other business, Justice Couch motioned to adjourn 2nd by Justice Barnes. All were in favor, and the committee adjourned at 6:00 pm.

Public Service Committee Minutes

Monday 2-12-24

5:54 PM

Justice Linda Allison says she will not take minutes for the rest of her term.

Resolution to appoint Carole Farmer to the Craighead Co Nursing Center Board motion by Justice Allison and second by Justice Williams. Moves to the full court for approval.

Ordinance adopting an Interlocal Agreement between Craighead County and Jonesboro regarding oversight and operations of the Craighead County Public Library. Motion by Justice Williams, second by Justice Noel. Moves to the full court for approval.

Ordinance adopting an Interlocal Agreement for library services between Craighead County and Poinsett County. Motion by Justice Williams and second by Justice Noel. Moves to the full court for approval.

Adjourned at 6:10 PM

Finance Committee Minutes
February 12, 2024

Chairman Longmire called the Finance Committee meeting to order at 5:51 pm. Present were committee members Justice Cook, Justice Forrest, Justice Weinstock, and Justice Pasmore. Also present were County Judge Marvin Day, Treasurer McNatt, Collector Eddington, Circuit Clerk David Vaughn, and County Clerk Mary Dawn Marshall.

Collector Eddington presented the tax collection report for January. Total taxes collected in January 2024 was \$530,585 dollars, which was up 3.6% over January 2023 collections. Tax statements will be mailed out soon.

Treasurer McNatt presented Financial Statements for January 2024. General Fund ended the month with over \$17 million dollars, the Capital Fund ended with over \$4 million dollars, and the Road Fund ended the month with over \$6.5 million dollars. Sales tax for January 2024 was 9.81% higher than last January, bringing in \$2.6 million dollars. At the end of January 2024, there was 28.153% of the 2023 budget remaining.

Chairman Longmire read the Appropriation Ordinance to establish the Paul Ojo Memorial Scholarship through the Craighead County Community Foundation by title only, after a motion by Justice Forrest, seconded by Justice Pasmore. Motion passed. Chairman Longmire read the title only. After a discussion about the wording in the agreement, Justice Cook made a motion to accept the Appropriation Ordinance after adding wording to allow vocational school to qualify, seconded by Justice Pasmore. The motion passed and it will be heard by the full court at the meeting.

Chairman Longmire read the Resolution to support Philadelphia Fire applying for the Arkansas Rural Community grant by title only, after a motion by Justice Cook, seconded by Justice Forrest. Motion passed. Chairman Longmire read the Resolution by title only. Justice Forrest made a motion to approve the Resolution, seconded by Justice Cook. With no discussion, the motion passed to be heard by the full court.

Chairman Longmire read the Appropriation Ordinance for Fund 3523 to add a Case Manager position by title only, after a motion by Justice Forrest, seconded by Justice Cook. The motion passed and Chairman Longmire read the Appropriation Ordinance by title only. A motion to approve was made by Justice Pasmore, seconded by Justice Cook. The motion passed and the Appropriation Ordinance will be heard by the full court on February 26, 2024.

Chairman Longmire presented the Appropriation Ordinance regarding the 2023 fund transfers. A motion was made to approve by Justice Pasmore, seconded by Justice Forrest. The motion passed and the Ordinance will be heard by the full court.

With no other business, Justice Cook made the motion to adjourn, seconded by Justice Forrest. All were in favor and the Finance Committee adjourned at 6:23 pm.