

Quorum Court Minutes

03/25/2019

FILED

MAR 27 2019

**KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK**

March 25, 2019 Quorum Court Minutes

12 Justices of the Peace Present. Justice Longmire was absent.

Judge Marvin Day presided and called the meeting to order at 5:30 p.m.

Minutes for March 11, 2019 were approved by Justice Cline and Justice Couch.

Justice Rogers read the Public Service Committee minutes. The Road Committee Minutes were read by Justice Cline and Justice Cook read the Finance Committee Minutes. All minutes were from the committee meetings that took place on March 11, 2019.

Old Business: None to discuss.

New Business: Deputy Clerk read the resolution entitled A Resolution Recommending the Appointment of a Board Member to the Craighead Nursing Center Board of Directors. Justice Cline made a motion to pass the resolution and was seconded by Justice Percy. With no further discussion, a vote was taken, and the motion passed unanimously. A copy of the resolution is attached hereto as **Appendix 1**.

Judge Day asked Deputy Clerk to read the next resolution entitled A Resolution Recommending the Appointment of a Board Member to the Board of Directors of Southridge Fire Protection District. Justice Tennison made a motion and Justice Rogers seconded. There was no discussion regarding the resolution. A vote was taken which passed unanimously. A copy of said resolution is attached hereto as **Appendix 2**.

Deputy Clerk then read the resolution entitled A Resolution Recommending the Reappointment of a Board Member to the Metropolitan Area Planning Commission (MAPC). Justice Cline made a motion to pass the resolution and was seconded by Justice Percy. With no discussion, Judge Day took a vote and the motion passed unanimously. A copy of the resolution is attached hereto as **Appendix 3**.

Judge Day advised the Quorum Court regarding an ordinance entitled An Ordinance establishing Rules, Signage, and Security for use on Bono Lake Property. He had anticipated receiving the legal terms needed in order to update the ordinance. He further stated that if the first reading was done they would not be allowed to make amendments later without going through the entire process again with a new ordinance. He further stated that the ordinance could be read, discussed, and tabled for a later meeting if that was the Quorum Court's will. Justice Cline stated that he believed there were things in the ordinance that needed to be discussed. Deputy Clerk then read the ordinance. A copy of said ordinance is attached hereto as **Appendix 4**. Justice Cline stated he believed that the definition of loitering should be more specific and limited usage after dark, except for fishing and camping, should be included. Justice Cline also stated that there may be a need to post a notice or signage stating that during hunting

season orange must be worn. Multiple Justices stated that since it is a no hunting zone that it should not be required. Justice Cline rebutted stating that it is State law that if you are in the woods during hunting season you must wear orange. The differences between the Bono Lake property and Craighead Forest Park property were discussed. Craighead Forest is recognized as a park while Bono Lake is not. Justice Cook asked who is responsible for establishing the fine amounts for littering and is the County going to provide trash receptacles on the Bono Lake property. Judge Day stated that the fines for littering would be established by Arkansas State Statutes. He further stated that disruption of the lake bed could be considered destruction of public property and prosecuted in that manner. There are some fines that would be decided by the Quorum Court such as foot traffic on the levee. Finally, it was Judge Day's opinion that if it were left up to him, the County would provide trash receptacles. Justice Cline stated that a sign could be put above the entrance stating that any visitors are responsible for the removal of their trash and impose a hefty fine if the public does not adhere to the signage. Justice Cline further stated that if we place trash bins on the property, animals will get into them and the trash would end up all over the property. Justice Pasmore then asked for clarification regarding foot traffic on the levee and if fishing was still going to be allowed. At this point, multiple Justices recommended moving "foot traffic on the levee" from non-allowable uses of the facility to allowable uses of the facility in the ordinance. Justice Pasmore then inquired about ATV usage and why they are not allowed on the property. Judge Day stated that other facilities, like Craighead Forest, have significant erosion from ATV usage. Justice Weinstock asked for the difference in hunting and the discharging of firearms. It was confirmed that the discharging of firearms could be defined as shooting bottles or snakes which is not considered hunting. Judge Day asked if there were any further comments and Justice Cook stated that he personally feels that the Bono Lake property would be better off without trash receptacles. Judge Day commented that several people called the Game and Fish and wanted to know what the regulations and rules of the property were because there had been no rules set at that point by the Quorum Court. Justice Pasmore asked if there would be an explanation of why the ATVs are not allowed. Judge Day said that his suggestion is to go with what the committee suggested but that it is up to the will of the Quorum Court. Justice Tennison asked if this would be a good opportunity for the Court to have a meeting on the property. Plans were made that the next full Quorum Court meeting would be held at Bono Lake property. Justice Cline stated that we do need to inquire with the Game and Fish about construction and usage of the boat dock. Judge Day again advised that amendments can be made on the first reading of the ordinance. Justice Rogers made motion to table the ordinance until the next meeting. Justice Pasmore seconded the motion. Deputy Clerk called role and the vote was unanimous in favor to table the motion.

Announcements: Judge Day made an announcement that he would be traveling to Little Rock on March 26, 2019 to learn of possible grant opportunities for the Bono Lake property. The Judge also reminded everyone of the upcoming bid openings on March 26, 2019 at 1:30 p.m. for bidding on the Crisis Stabilization Unit and March 28, 2019 at 2:00 p.m. for bids on a new phone system.

With no further business to discuss, Justice Cline made a motion to adjourn the meeting followed with a second by Justice Price. Judge Day adjourned the meeting at 6:05 p.m.

RESOLUTION NO _____
APPOINTMENT TO CRAIGHEAD NURSING CENTER
BOARD OF DIRECTORS

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

WHEREAS; That on June 26, 2000, Ordinance 2009-9 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. Mrs. Linda Wofford, 1105 Roxbury Cove, Jonesboro, Arkansas 72401, term expired on September 1, 2018.

WHEREAS; The Craighead County Judge and the Quorum Court recommend that Mr. Jack Harrington, 2500 Tumbleweed St, Jonesboro, Arkansas 72404 be appointed to the Craighead Nursing Center Board of Directors to fill this position.

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT:

That Mr. Jack Harrington, 2500 Tumbleweed St., Jonesboro, Arkansas 72404 be appointed to the Craighead Nursing Center Board of Directors for a five (5) year term, said term to become effective March 1, 2019 and expiring March 1, 2024 upon passage of this resolution.

THIS RESOLUTION ADOPTED ON THE _____ DAY OF _____, 2019.

APPROVED _____
Marvin Day, County Judge

ATTEST _____
Kade Holliday, Craighead County Clerk

RESOLUTION NO. _____

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

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

Mr. Joshsawa Lipsey has been recommended to fill a five (5) year term as a member of the Administrative Board. Mr. Lipsey lives at 101 CR 622, Jonesboro, Arkansas 72404. His term will become effective April 1, 2019 and expire on April 1, 2024. He will replace Matt Sandy whose term expires on April 1, 2019.

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: March _____, 2019.

APPROVED: _____
Marvin Day, Craighead County Judge

ATTEST: _____
Kade Holliday, Craighead County Clerk

RESOLUTION NO _____
REAPPOINTMENT OF BOARD MEMBER
METROPOLITAN AREA PLANNING COMMISSION (MAPC)

A RESOLUTION RECOMMENDING THE REAPPOINTMENT OF A BOARD MEMBER TO THE METROPOLITAN AREA PLANNING COMMISSION (MAPC);

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 Metropolitan Area Planning Commission (MAPC).

WHEREAS; Mr. David Handwork, whose term expired January 25, 2019 is requesting to be reappointed to an additional three (3) year term on the Metropolitan Area Planning Commission (MAPC). A vacancy exists due to the expiration of Mr. Handworks previous term.

WHEREAS; The Craighead County Judge and the Quorum Court recommend that Mr. David Handwork, 3817 Marchbanks Circle, Jonesboro, Arkansas 72401 be reappointed as a board member of the Metropolitan Area Planning Commission .

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT:

That Mr. David Handwork, 3817 Marchbanks Circle, Jonesboro, Arkansas 72401 be reappointed to the Metropolitan Area Planning Commission for a three (3) year term, said term to become effective March 25, 2019 and expiring March 25, 2022 upon passage of this resolution.

THIS RESOLUTION ADOPTED ON THE _____ DAY OF _____, 2019.

APPROVED _____

Marvin Day, County Judge

ATTEST _____

Kade Holliday, Craighead County Clerk

ORDINANCE NO. _____

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

An Ordinance establishing rules, signage, and security for use of Bono Lake property.

SECTION 1. Be it enacted by the Craighead County Quorum Court, State of Arkansas, an ordinance to be entitled: "An ordinance to establish rules, signage, and security for the use of the Bono Lake property for recreational benefits for the enjoyment by the public".

SECTION 2. Whereas, on the 19th day of August, 2016, the Bono Lake property was officially deeded to and accepted by Craighead County from Arkansas Game and Fish. Craighead County is charged with maintaining the property and setting rules and regulations in regards to the use, signage and safety for the general public.

SECTION 3. Whereas, Bono Lake was constructed by an overwhelming voter approval of a 1 cent sales tax for flood control and a recreational facility. The lake property is currently being utilized for fishing, bicycle trails, limited hunting, camping and other purposes. Craighead County is charged with operating a facility that appeals to families and sporting activities in a safe environment.

SECTION 4. Whereas, the Craighead County Quorum Court is charged with establishing allowable activities that will be conducive and safe for all citizens to enjoy with respect to various segments of the public, without infringement of others rights, safety for all persons, and with local law enforcement and Arkansas Game & Fish codes and regulations being enforced.

Section 5. Now therefore, be it resolved and enacted by the Craighead County Quorum Court to establish the following rules and regulations with adequate signage for maximum usage and safety for the public to utliize and enjoy the Bono Lake facility. This ordinance may be amended by the County Judge to include any changes that may arise in the future. Craighead County is not liable for injuries sustained on the Bono Lake property.

Allowable uses of Facility

- Fishing
- Biking trails
- Camping
- Boating-no wake/Lake idle only
- Horseback riding
- Hiking
- Motorcycles

Non Allowable uses of Facility

- Foot traffic only on levee
- No ATV's, 4 wheelers, or 3 wheelers
- No discharge of firearms
- No alcohol or drugs permitted
- No littering on land or water
- No loitering
- No destruction of public property
- Limit erosion and soil disturbance
- No hunting

Be it enacted by the Quorum Court of Craighead County, Arkansas, that the above rules and regulations be adopted to provide guidance and usage of the Bono Lake facility for the full benefit and safety of the public. This ordinance being in full force upon approval of the Quorum Court, and subject to Law Enforcement codes, will provide full public benefit of the Bono Lake property.

Dated this _____ day of March, 2019

Approved: _____
Marvin Day
Craighead County Judge

Attest: _____
Kade Holliday
Craighead County Clerk