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COUNTY & PROBATE COURT CLERK

QUOROM COURT MINUTES
NOVEMBER 23, 2020

FILED

DEC 14 2020

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COUNTY & PROBATE COURT CLERK

November 23, 2020 Quorum Court Minutes

13 Justices of the Peace were present. (Please see statement regarding Zoom difficulties)

Also present was Lesli Penny

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

Invocation led by Craighead County Clerk Lesli Penny

Assembly and Pledge of Allegiance.

First order of business was approval of Quorum Court minutes from November 9, 2020. A motion to accept was made by Justice Cline and seconded by Justice Longmire. Judge Day took a vote and it passed unanimously.

Report for Road committee meeting on November 9, 2020 was read by Justice Cline. Report for Public Safety Committee on November 9, 2020 was read by Justice Rogers. Report for Finance Committee meeting on November 9, 2020 was read by Justice Longmire.

Old business.

Lisa Lawrence presented information on the Full time Election Coordinator position (see attached addendum A).

Jeannette Robertson presented information in favor of continuing the Full time Election Coordinator position.

Judge Day stated that the Full time Election Coordinator would be assisting with quarterly reporting for the Judges office.

Justice Cook questioned how many fines the County had received in the last 10 years and under what office did the Election Coordinator position fall. Judge Day stated that the position technically fell under the election Commission. Justice Cook suggested that there be some cross training done with the Election Coordinator and the County Clerk's Office.

Judge Day stated that the Election Coordinator was under the same requirements as the department heads and met with Lisa Lawrence (Judge Days assistant) on a regular basis. Justice Williams wanted to make sure that the Election Coordinator had work to be done all day, every day. Justice Longmire asked if the position clocked in and out and how their time was kept. Justice Cook voiced his concern regarding who was keeping track of the person in the position and what work they are doing. Discussion was had concerning moving the position to the County Clerks office. Justice Cook asked if the County clerk oversees the Elections. Jeannette Robertson explained that The Election Commission oversees Elections and the County Clerk oversaw early voting only. Justice Cook asked if there was an open position currently in the County Clerk's office now. Judge Day stated that Lacey Rush (HR manager) was currently doing payroll and they were hoping that would continue to work.

Judge Day stated that time clocks were being looked at for all County employees, but due to software issues with Apprentice, it had been put on hold.

Justice Longmire stated he sees the value in the position, especially during Election years but is concerned

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with the amount of down time the position may have on off years.

Judge Day announced that it has been brought to his attention that the Paupers Fund has been running short of funds and needs to be increased from \$5000.00 to \$10,000.00. A vote was taken to amend the budget and passed unanimously. Due to zoom difficulties, Justice Weinstock's response was inaudible. Justice Cline made a motion to accept seconded by Justice Williams.

Justice Cook request that the title of the full time Election Coordinator be changed to accommodate all the duties they may possibly handle. Also request that the job description be reviewed and corrected to reflect the duties.

Justice Longmire request that charities be removed from the budget. Justice Longmire request information on which charities have requested their money. Judge Day stated that technically the money was used to buy a service. Justice Cook asked what service was being provided by St. Jude's Children's Hospital. Discussion was had on how to determine what charities to keep and what charities to remove. Justice Price requested information on the services provided by each charity. Judge Day stated that information would be emailed to the Quorum Court members before the next meeting.

New business:

An ordinance was read to establish rates of taxation on personal and real property (see addendum B). a motion was made by Justice Couch and seconded by Justice Cline to approve. A vote was taken and passed unanimously.

An ordinance was read setting forth policies and best practices for Fire Districts and annual reporting to the Quorum Court of Craighead County, and for other matters. (see addendum C).

Announcement: Early vote for City Clerk run off will be November 24th through November 30th, 2020 8:00 AM. to 5:00 PM. The drive through will be open as well for ballot drop off.

Public comment: Roger Kidd questioned if the Election Coordinator position should be a non-partisan position according to the Arkansas Constitution.

Harold Carter spoke to the Court regarding the charitable contributions. He encouraged Justice Longmire to continue to pursue narrowing down the amount of charitable contributions the County is making.

No further comments were made.

Motion to adjourn by Justice Rogers seconded by Justice Price.

Judge Day ended the meeting at 6:31 PM.

ROAD COMMITTEE MINUTES

NOVEMBER 23, 2020

Craighead County Road Committee met on November 23, 2020 with Chairman Steve Cline calling the meeting to order at approximately 6:68 pm.

Those present were Justices Terry Couch, David Tennison, and Barry Forest. County Judge Marvin was also present for the meeting.

Five plats were presented for approval by the committee:

Jo Gambill	CR 311	Dividing acreage into 5 separate lots
Kenneth Scrape	HWY 141N	Sterling Springs Estate Subdivision
Blake Warlow	Cr 7598	Replat Approval
James Harrel	CR 765	Replat Approval
Clarence McCalister	CR 108	Antler Ridge Subdivision

Justice David Tennison made a motion to approve Seconded by Terry Couch. All were in favor.

Justice Terry Couch made a motion to adjourn, seconded by Barry Forrest. The meeting adjourned at 6:34 pm.

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ADDENDUM A

FULL TIME ELECTION COORDINATOR

What was promised in 2019:

Hiring a full-time Election Coordinator would save the County an averaged cost of programming \$27,000, as Jennifer would receive training to code the machines herself.

What was learned in 2020:

Information that was given regarding the training for coding was incorrect. Local contact gave estimated cost of \$7,000 to be trained to code. Actual licensing cost of \$25,000/year to use software.

	2016	2017	2018	2019	2020	Savings
Total budget expenditures	\$ 407,443.05	\$ 230,621.20	\$ 623,105.00 incl \$268,685 mach & equip \$ 354,420.00	\$ 96,371.93	\$ 173,571.15	\$ 233,871.90

	2016	2017	2018	2019	2020	Savings
Contract Labor/Other professional services **includes election workers & commissioners	\$ 165,288.71	\$ 49,008.00	\$ 78,149.43	\$ 22,057.74	\$ 50,555.35	\$ 114,733.36

	2016	2017	2018	2019	2020	Savings
Computer Software & Support Line 3012 expenditures to ES&S	\$ 104,134.78	\$ 10,684.85	\$ 72,755.53	\$ 32,547.23	\$ 28,240.12 to 11/12/2020	\$ 75,894.66

	2016	2017	2018	2019	2020	Savings
Assisted & prepared absentee ballots w/County Clerk ***Not required part of job description***	845 ballots				3153 ballots Unofficial results	

CTCL grant researched, applied & received solely \$ 59,856.00

Helped with:

- Coronavirus Grant application-researched-2 year grant \$ 58,008.00
- STAR Court grant-obtained letters-3 year grant \$ 500,000.00
- Bank reconciliations for County Clerk's office for 2019 & 2020 years for audit
- Assisted with 941's payroll tax reports
- Craighead County website implementation
- Financial Grant online training certification
- Helped review handbook for errors
- Obtained drone footage for website

2021

Special election - Jon Milligan & 2 school elections

Total Savings \$ 190,628.02

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ORDINANCE NO. _____

Be it enacted by the Quorum Court of Craighead County, Arkansas, an Ordinance to be entitled.

An ORDINANCE TO ESTABLISH THE RATES OF TAXATION to be levied against personal and real property in Craighead County for the use and benefit of the cities, towns, schools and other entities in Craighead County for the tax year of 2020 to be collected in 2021.

ARTICLE 1. The tax rate to be levied on all taxable personal and real property in the County of Craighead for the use and benefit of the various cities, towns, schools, and other entities in Craighead County, Arkansas, for the tax year of 2020 to be collected in the year 2021 shall be as follows:

<u>COUNTY</u>			<u>JONESBORO</u>		
County General	0.00400	4.00 Mills	Jonesboro Police	0.00050	0.50 Mills
County Road	0.00210	2.10 Mills	Jonesboro Fire	0.00050	0.50 Mills
County Library	0.00200	2.00 Mills	Jonesboro Library	0.00200	2.00 Mills
Total	0.00810	8.10 Mills	Total	0.00300	3.00 Mills

<u>SCHOOLS</u>			<u>CITY</u>		
Bay	0.04170	41.70 Mills	Bay	0.00160	1.60 Mills
Brookland	0.03900	39.00 Mills	Black Oak(Real)	0.00200	2.00 Mills
BIC	0.04000	40.00 Mills	Black Oak(Personal)	0.00140	1.40 Mills
Jonesboro	0.03310	33.10 Mills	Bono	0.00210	2.10 Mills
Nettleton	0.03895	38.95 Mills	Brookland	0.00050	0.50 Mills
Riverside	0.04106	41.06 Mills	Caraway	0.00180	1.80 Mills
Valley View	0.04250	42.50 Mills	Cash(Real)	0.00110	1.10 Mills
Westside	0.03542	35.42 Mills	Cash(Personal)	0.00250	2.50 Mills
GCT	0.03749	37.49 Mills	Egypt	0.00160	1.60 Mills
			Lake City	0.00160	1.60 Mills
			Monette	0.00180	1.80 Mills

Dated this _____ day of November, 2020.

Approved: _____
Marvin Day, Craighead County Judge

Attest: _____
Lesli Penny, Craighead County Clerk

ADDENDUM C

ORDINANCE NO. 2020-_____

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

**AN ORDINANCE SETTING FORTH POLICIES AND BEST PRACTICES FOR FIRE
DISTRICTS AND ANNUAL REPORTING TO THE QUORUM COURT OF
CRAIGHEAD COUNTY, AND FOR OTHER MATTERS**

WHEREAS, Ordinance 2009-7, 1999-36, and 1999-34 established Craighead County Fire Protection Districts fee structures for the county collector to collect assessments and dues for fire suppression and other emergency services, and

WHEREAS, Fire Protection Districts have a statutory obligation to be financially transparent to the citizens of Craighead County and members of their fire district; and

WHEREAS, Act 210 of the Acts of Arkansas of 2011, codified as Ark Code § 14-86-2202. *et seq.*, mandates of fire protection district and fire improvement districts in Arkansas, be transparent and file an annual report making the full disclosure of contracts, bank account statements and balances; income; expenditures; indebtedness; and financial condition of the district; and

WHEREAS, a fire protection district is clearly engaged in a public purpose, as evidenced by the County's specific authority to make provision for fire prevention and protection services, Ark. Code Annotated 14-14-802, and

WHEREAS, a county may exercise local legislative authority that is not denied by the Constitution or by law under Amendment 55; and

WHEREAS, the Fire Departments are subject to the Arkansas Freedom of Information Act (the "FOIA") Ark. Code Ann. Section 25-19-103, *et. seq.*; and

WHEREAS, by virtue of Amendment 55 of the Arkansas Constitution, the Quorum Court of Craighead County is vested with legislative authority ("Home Rule"), to enact ordinances not prohibited by the Constitutions and laws of the United States or the State of Arkansas; and

WHEREAS, the citizens of Craighead County, of which are also members of subject fire districts are utilizing the statutory authority of the County Collector to remit their district assessments and dues; and

WHEREAS, the citizens of Craighead County should be afforded access to complete and accurate information and documentation to the financial records and financial condition of their local fire district, and

WHEREAS, the Quorum Court, in an effort to assure compliance, seeks to ensure that each Fire District shall adhere to generally accepted principle of accountability agreed upon procedures review by an independent Certified Public Accountant that is licensed by the State of Arkansas;

WHEREAS, said procedures shall be set forth within 30 days of passage of this Ordinance and shall only be modified by this governing body.

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

Section 1.

- I) Every fire district that is using the county collector to collect their assessment or dues shall on an annual basis file with the county clerk a copy of the agreed upon procedures review on or before March 15, 2021, and each successive year for the previous fiscal year reflecting the following:
 - (a) Perform a proof and reconciliation of cash for all money that is received from the Craighead County Treasurers' office.
 - (b) Confirm that this money was spent on fire protection expenditures as defined in the Act 833 funding guidance or accounting related expenses.
 - (c) Verify 25% the supporting documentation for these expenditures and all expenditures over \$6,000.
 - (d) Confirm that these funds are kept in a separate bank account and not comingled with any other funds
 - (e) Review the policies and procedures that the department is utilizing for internal controls.

Section 2.

- 2) Failure to file the annual financial audit on or before March 15, 2021, and each successive year thereafter, may result in the following:
 - (a). The loss of funds from future appropriations
 - (b). Removal of one or more Board Members
 - (c). Other measures as the Quorum Court shall deem appropriate and reasonable.

Section 3.

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.

APPROVED:

_____, COUNTY JUDGE

DATE SIGNED: _____

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ATTEST:

_____, COUNTY CLERK

SPONSOR: _____

DATE ADOPTED: _____

Votes for: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

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