

QUORUM COURT MINUTES

04/27/2020

FILED

MAY 04 2020

KADE HOLLIDAY
COUNTY & PROBATE COURT CLERK

April 27, 2020 Quorum Court Minutes

Justices Longmire, Pasmore, Rogers and Williams were present at 511 Union St in the basement of the Courthouse Annex. Justices Cline, Cook, Couch, Forrest, Noel, Pearcy, Price, Tennison and Weinstock were present via Zoom conference call.

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

The first order of business was the approval of the April 16, 2020 meeting's minutes. Justice Weinstock made a motion to approve and Justice Longmire seconded.

Committee Reports: Justice Rogers read the Public Service Committee meeting's minutes from April 16, 2020. A copy of same is attached hereto as **Addendum A**.

Justice Longmire read the Finance Committee meeting's minutes from April 16, 2020. A copy of same is attached hereto as **Addendum B**.

Judge Day read the Road Committee meeting's minutes from April 16, 2020. A copy of same is attached hereto as **Addendum C**.

Old Business: The only order of old business was the third reading of the Ordinance to amend Ordinance 2014-3, incorporating a policy for exempt employee leave requirements. Justice Longmire made a motion to suspend the rules and read by title only. Justice Williams seconded. The Deputy Clerk read the Ordinance by title only, a copy of same is attached hereto as **Addendum D**. There was no further discussion. The Deputy Clerk called the roll and the Ordinance was adopted with all votes in favor of.

New Business: The first order of new business was the reading of an Appropriation Ordinance to amend the 2020 Operating Budget to add Funds 3559, 3561, 3563, 3565, 3567, 3569, 3571, 3573 and 3575, Blue & You Foundation Mini-Grants to purchase Automated External Defibrillator (AED) machines for multiple Craighead County Departments. The Deputy Clerk read the Appropriation Ordinance, a copy of same is attached hereto as **Addendum E**. Justice Cline made a motion to pass the Appropriation Ordinance and Justice Tennison seconded. Roll was called and the motion passed unanimously.

The second order of new business was the reading of a Resolution to reappoint Kevin Bailey to the Metropolitan Area Planning Commission. The Deputy Clerk read the Resolution, a copy of same is attached hereto as **Addendum F**. Justice Rogers made a motion to adopt the Resolution and Justice Pasmore seconded. Judge Day took a verbal vote and the motion passed with all votes in favor of.

The third order of new business was the reading of a Resolution to reappoint Brent Stidman to the NEA Industrial Development Commission. The Deputy Clerk read the Resolution, a copy of same is attached hereto as **Addendum G**. Justice Williams made a motion to adopt the

Resolution and Justice Pearcy Seconded. Judge Day took a verbal vote and the motion passed with all the votes in favor of.

The last order of new business was the reading of a Resolution to appoint J.D. Payne to the Craighead Nursing Center Board. The Deputy Clerk read the Resolution, a copy of same is attached hereto as **Addendum H**. Justice Longmire made a motion to adopt the Resolution and Justice Pasmore seconded. Judge Day took a verbal vote and the motion passed with all votes in favor of.

Announcements: Judge Day announced that the county is exploring the option of voluntary furloughs with the state's Shared Work Program through the Division of Workforce Services. Voluntary furloughed employees whose hours were reduced would receive both state and federal unemployment benefits to help bridge the gap from the 10 to 40% reduction in hours. Judge Day reiterated that there are no mandatory furloughs at this moment, the voluntary furloughs are a way for business to go on and save money. Judge Day stated that all Elected Officials have also agreed to no large purchases. Judge Day went on to say that saving money now will help prevent the Court from having to make hard decisions in the future when all the numbers come in.

Justice Weinstock asked if there were any grants that the county has applied for. Judge Day stated that there is one grant in the amount of \$58,000 from the Department of Finance that the county is looking into obtaining.

Justice Longmire asked about the FEMA recovery assistance for the March 28, 2020 tornado. Judge Day stated that there are 3 parts, the business, public and personal benefits. The business side has already taken effect and FEMA has sent support letters to the President for the remainder. We are just waiting now.

Justice Longmire then asked who is the insurance broker for the county now? Judge Day stated that Madonna, from Sunstar, is the broker that helped the county during the last enrollment period.

Public Comment: None.

With no further business to discuss, Justice Rogers made a motion to adjourn the meeting and Justice Williams seconded. Judge Day adjourned the meeting at 6:03 p.m.

Public Service Committee Minutes

4/16/2020

The public service committee meeting was called to order at 5:55 pm by Chairman Rogers. The following items were on the agenda for the meeting.

1. Re-appointment for Kevin Bailey to the MAPC for a term of 3 years ending April 28, 2023. Motion was made by Justice Williams, 2nd by Justice Noel. Motion passed to move to full court for approval.
2. Re-appointment of Brent Stidman to NEA Industrial Development Commission to a term of 3 years ending March 31, 2023. Motion was made by Justice Price, 2nd by Justice Williams. Motion passed to move to full court for approval.
3. Appointment of JD Payne to the Craighead Nursing Center Board for a 5-year term ending April 27, 2025. Motion was made by Justice Noel, 2nd by Justice Williams. Motion passed to move to full court for approval.

Motion was made to adjourn by Justice Williams, 2nd by Justice Noel. Meeting adjourned at 6:02 pm.

Finance Committee Meeting

April 16, 2020

Chairman Josh Longmire and Justices Vince Percy, Dan Pasmore and Darrel Cook were present. Justice Barbara Weinstock was absent from the committee meeting, but participated by Zoom digital conferencing.

Others present: County Treasurer Terry McNatt, Collector Wes Eddington, County Judge Marvin Day and County Judge Assistant Lisa Lawrence.

Chairman Longmire called the Finance Committee meeting to order at 6:01 pm. Chairman Longmire read the Ordinance to amend the 2020 budget to include Funds 3559, 3561, 3563, 3565, 3567, 3569, 3571, 3573 and 3575, for Blue and You Foundation mini grants to purchase AED machines for different departments. A motion to approve was made by Justice Percy, seconded by Justice Pasmore. The Ordinance passed unanimously to send to full court.

Collector Wes Eddington presented the tax collection report for March 2020. Collections in March were \$6.2 million and total tax collected in 2020 to date is \$7.1 million. Collector Eddington said that his office is working on collecting escrow checks.

Treasurer Terry McNatt reported on Craighead County's finances for March 2020. County General Fund ended the month with \$4.3 million. The Capital Fund ended with \$1.4 million. Road Fund ended with \$5.0 million. Sales tax receipts were up 3.34% in March 2020 compared to March 2019. Craighead County's portion was \$307,241.52.

There was some discussion on the expected revenue shortfall due to Covid-19. Judge Day said that a possible 17% decline in sales tax revenues could last through the summer. Road tax revenues will be affected, diesel fuel is holding steady, but retail fuel sales are down. Fortunately, the changes in 911 funding will help as revenues from the state are covering the cost of the facility.

With no other business to discuss, Justice Weinstock moved to adjourn and Justice Percy seconded. Chairman Longmire adjourned the meeting at 6:25 pm.

ROAD COMMITTEE MINUTES

April 16, 2020

Those present for the Road Committee meeting were Chairman Justice Steve Cline and Justices Terry Couch, David Tennison and Barry Forrest.

Justice Steve Cline called the meeting to order at 5:39 pm. County Judge Marvin Day updated the committee on road projects being completed.

The following items were on the agenda for plat review:

- Tyler Cole, Coles 149 subdivision. Justice Couch moved to approve, seconded by Justice Tennison. All were in favor.
- Wyatt Hodges, 583 CR 319, Justice Tennison made a motion for approval, seconded by Justice Forrest and the approval passed unanimously.
- Taylor McBride, Antler Ridge, Phase 1 located on CR 108 was presented and Justice Forrest made a motion to approve with latitude being given to Judge Day regarding the right of way, seconded by Justice Tennison. Plat was approved unanimously.
- Belk's Heritage Hills Replat. There was discussion on the right of way required being 20 feet. Justice Forrest made a motion to approve, seconded by Justice Tennison and motion passed unanimously.
- Justin Phillips, 195 CR 221 was brought for review. Justice Forrest moved to approve, seconded by Justice Tennison and motion passed unanimously.
- William Harris, 1756 CR 403, but Chairman Cline mentioned there was a question about the private drive and the motion was tabled.

With no further business to discuss, Justice Tennison made a motion to adjourn, seconded by Justice Couch. The meeting adjourned at 5:53 pm.

ORDINANCE NO. 2020 - _____

**AN ORDINANCE TO AMEND ORDINANCE 2014-3, INCORPORATING A POLICY FOR
EXEMPT EMPLOYEES LEAVE REQUIREMENTS, AND FOR OTHER PURPOSES**

WHEREAS, the Quorum Court regularly reviews the Craighead County Employment Policy, and

WHEREAS, further review has indicated that the policy is silent on the treatment of Exempt Employees and a fair administration of the Fair Labor Standards Act, and

WHEREAS, an exempt leave policy is needed for the proper treatment of pay practices including sickness, disability, and duties imposed upon the employee, and

WHEREAS, an exempt leave policy shall be incorporated to project fairness and provide applicable guidelines for managers and elected officials, and

WHEREAS, the Quorum Court seeks to adopt and incorporate an Exempt Employment Policy.

NOW THEREFORE be it Ordained by the Quorum Court of Craighead County, State of Arkansas as follows:

SECTION 1. Ordinance 2014-3 shall be amended and Section 5 of the Craighead County Employment Policy shall add the following Subsection H

(Reference Exhibit A)

SECTION 2. Exempt employees will still be required to submit time sheets in connection with each pay period to their supervisor to allow for proper payroll processing by the County Clerk.

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.

PASSED AND APPROVED on this _____ day of _____, 2020.

Marvin Day, County Judge

ATTEST: _____

County Clerk

EXHIBIT A.

5 (H)

Purpose. In accordance with the Fair Labor Standards Act regulations, exempt employees who are required to be paid on a salary basis may not have their pay reduced for variations in the quantity or quality of work performed as defined in the Code of Federal Regulations.

1. Exempt employees normally must receive their full salary for any week in which they perform any work, without regard to the number of days or hours worked. However, exempt employees need not be paid for any workweek in which they perform *no* work at all for the County.
2. Deductions from pay cannot be made as a result of absences due to the circumstances listed below. Such improper pay deductions are therefore specifically prohibited by Craighead County, regardless of the circumstances. Managers or supervisors violating this policy will be subject to investigation of their pay practices and appropriate corrective action in accordance with normal procedures.
 - a. Jury duty.
 - b. Attendance as a witness.
 - c. Temporary military leave.
 - d. Absences caused by the employer.
 - e. Absences caused by the operating requirements of the business.
 - f. Partial day amounts other than those specifically discussed below.
3. The few exceptions to the requirement to pay exempt employees on a salary basis are listed below. In these cases, deductions may be permissible as long as they are consistent with other company policies and practices.
 - a. Absences of one or more full days for personal reasons other than sickness or disability (partial days must be paid).
 - b. Absences of one or more full days due to sickness or disability.
 - c. Penalties imposed by infractions of safety rules of major significance. A deduction from pay as a penalty for violations of major safety rules can be made in any amount.
 - d. Unpaid disciplinary suspensions of one or more full days in accordance with Counties disciplinary policy.
 - e. Deductions for the first and last week of employment, when only part of the week is worked by the employee, as long as this practice is consistently applied to all exempt employees in the same circumstances.
 - f. Deductions for unpaid leave taken in accordance with a legitimate absence under the Family and Medical Leave Act.
4. Complaint Procedures. If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor, elected official or to the human resources department. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deductions made. This provision does not

negate the employees right under the employment policy for a grievance hearing, if employee so chooses.

5. Nothing in Section H shall contradict Section 13 of the Craighead County Employment Policy regarding Leave Policies and its amendments hereinafter.

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

An Ordinance amending the 2020 Annual Operating Budget to add Funds 3559, Dept 0422, 3561, Dept 0418, 3563, Dept 0109, 3565, Dept 0100, 3567, Dept 0500, 3569, Dept 0105, 3571, Dept 0409, 3573, Dept 0800, 3575, Dept 0400, Blue & You Foundation Mini-Grant Fund, to include Grant monies that have become available to Circuit Court, Detention Center, Election Commission, County Judge, Office of Emergency Management, Tax Assessor, Lake City District Court, Veteran's Service, and the County Sheriff's Office and should be incorporated into the 2020 Craighead County Annual Operating Budget and processed according to grant requirements for receiving and dispersing of these grant funds.

SECTION 1. That Arkansas Blue Cross Grant monies have become available through the Blue & You Foundation for a Healthier Arkansas in amount of \$1,000.00 for each office and department listed that can be used to purchase a portable Automated External Defibrillator (AED) to be placed in offices and departments listed and a County Deputy patrol vehicle; and other medical supplies such as Stop The Bleed kits, should monies remain after the AED purchases.

SECTION 2. That these funds are considered to be special revenue and Funds 3559, 3561, 3563, 3565, 3567, 3569, 3571, 3573, and 3575 will be created in the 2020 Annual Operating Budget to allow for accurate tracking, disbursing, and accounting of these funds and will include budget totals as described below.

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3559	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0422	Circuit Court Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3561	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0418	Detention Center Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3563	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0109	Election Commission Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3565	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0100	County Judge Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3567	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0500	OEM Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3569	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0105	Tax Assessor Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3571	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0409	Lake City District Court Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

		<u>New</u>	<u>Change</u>	<u>Old</u>
	Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3573	Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0800	Veteran's Service Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u>	<u>Description</u>			
2001	General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002	Small Equipment	\$990.00	\$990.00	\$0.00
	Total Amount Budgeted		\$1,000.00	

	<u>New</u>	<u>Change</u>	<u>Old</u>
Special Revenue Projections	\$1,000.00	\$1,000.00	\$0.00
Fund 3575 Blue & You Foundation Mini-Grant	<u>New</u>	<u>Change</u>	<u>Old</u>
Dept 0400 Sheriff's Office Blue & You Grant Funds(Special Rev)	\$1,000.00	\$1,000.00	\$0.00
<u>Acct. #</u> <u>Description</u>			
2001 General Supplies(Consumed Or Altered)	\$10.00	\$10.00	\$0.00
2002 Small Equipment	\$990.00	\$990.00	\$0.00
Total Amount Budgeted		\$1,000.00	

There is hereby appropriated \$1,000.00 into each of the following funds: Fund 3559, Dept 0422, 3561, Dept 0418, 3563, Dept 0109, 3565, Dept 0100, 3567, Dept 0500, 3569, Dept 0105, 3571, Dept 0409, 3573, Dept 0800, and 3575, Dept 0400, Blue & You Foundation Mini-Grant Funds to purchase portable Automatic External Defibrillators (AED) to be placed in offices and departments and a County Deputy Sheriff vehicle, and other medical supplies should funds remain after the AED purchases. 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 April, 2020.

Approved: _____

Marvin Day
Craighead County Judge

Attest: _____

Kade Holliday
Craighead County Clerk

Addendum F

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. Kevin Bailey, whose term expires April 28, 2020 is requesting to be reappointed to an additional three (3) year term on the Metropolitan Area Planning Commission (MAPC).

WHEREAS; The Craighead County Judge and the Quorum Court recommend that Mr. Kevin Bailey, 3557 CR 326, Bono, Arkansas 72416 be reappointed as a board member of the Metropolitan Area Planning Commission.

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT;

That Mr. Bailey, 3557 CR 326, Bono, Arkansas 72416 be reappointed to the Metropolitan Area Planning Commission for a three (3) year term, said term to become effective April 29, 2020 and expiring April 28, 2023 upon passage of this resolution.

THIS RESOLUTION ADOPTED ON THE _____ DAY OF _____, 2020.

APPROVED _____
Marvin Day, County Judge

ATTEST _____
Kade Holliday, Craighead County Clerk

RESOLUTION NO _____
REAPPOINTMENT OF BOARD MEMBER
NORTHEAST ARKANSAS INDUSTRIAL DEVELOPMENT COMMISSION

A RESOLUTION RECOMMENDING THE REAPPOINTMENT OF A BOARD MEMBER
TO THE NORTHEAST ARKANSAS INDUSTRIAL DEVELOPMENT COMMISSION;

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 Northeast Arkansas Industrial Development Commission (NEAIDC).

WHEREAS; Brent Stidman, whose term expired March 31, 2020, is requesting to be reappointed to an additional three (3) year term on the Northeast Arkansas Industrial Development Commission.

WHEREAS; The Craighead County Judge and the Quorum Court recommend that Brent Stidman, P.O. Box 1970, Jonesboro, Arkansas 72403 be reappointed as a board member of the Northeast Arkansas Industrial Development Commission.

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT:

That Brent Stidman, P.O. Box 1970, Jonesboro, Arkansas 72403 be reappointed to the Northeast Arkansas Industrial Development Commission for a three (3) year term, said term to become effective April 1, 2020 and expiring March 31, 2023 upon passage of this resolution.

THIS RESOLUTION ADOPTED ON THE _____ DAY OF _____, 2020.

APPROVED _____
Marvin Day, County Judge

ATTEST _____
Kade Holliday, Craighead County Clerk

RESOLUTION NO _____

APPOINTMENT OF BOARD MEMBER

CRAIGHEAD NURSING CENTER BOARD OF DIRECTORS

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

WHEREAS; That on June 26, 2000, Ordinance 2000-9 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. A vacancy exists due to the resignation of board member Jim Agan.

WHEREAS; The Craighead County Judge and the Quorum Court recommend that J.D. Payne, 4533 Lochmoor Drive, Jonesboro, Arkansas be appointed by the Craighead County Quorum Court to fill this position.

BE IT HEREBY RESOLVED BY THE CRAIGHEAD COUNTY QUORUM COURT THAT: J.D. Payne, 4533 Lochmoor Drive, Jonesboro, Arkansas be appointed to the Craighead Nursing Center Board of Directors for a five (5) year term, said term to become effective April 28, 2020 and expiring April 27, 2025 upon passage of this resolution.

THIS RESOLUTION ADOPTED ON THE _____ DAY OF APRIL 2020.

APPROVED _____

Marvin Day, County Judge

ATTEST _____

Kade Holliday, Craighead County Clerk