

**SALINE COUNTY QUORUM COURT  
AGENDA**

**SALINE COUNTY QUORUM COURT-----JANUARY 17, 2017**

**PLACE-----Saline County Courthouse, Courtroom #1**

**6:30 P.M. -----Call meeting to Order**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**CLERK: Call the Roll**

**APPROVAL OF MINUTES**

**REPORTS:**

**Mark Vanderpool      Public Facilities Board**

**OLD BUSINESS:**

**Exhibit A.      Ordinance      Adding Roads to County Road System-Third Reading**

**NEW BUSINESS:**

**Exhibit B.      Ordinance      Quorum Court Procedure**

**Exhibit C.      Ordinance      Rate of Pay and Reimbursement for Jury Service**

**Exhibit D.      Resolution      Juvenile Representation Funds**

**COMMENTS:**

ORDINANCE NO. 2017-

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING ORD. 92-36 FOR THE PURPOSE OF ADDING ROADS TO THE COUNTY ROAD SYSTEM".

**Article 1.** The following roads in Saline County has been inspected and found to be in compliance with Ordinances 88-32 and 99-47 and therefore eligible to be included in the county road system. Therefore, these roads are hereby accepted and added to the County Road System.

Del Rey Court	1,097.00 Feet
Berkshire Drive	139.00 Feet
Mountain Springs Court	627.00 Feet
Bent Tree Drive	1,217.40 Feet
Hampton Drive	1,588.00 Feet of Extension Total of 1,983 Feet
High Meadow Drive	1,436.00 Feet of Extension Total of 2,223 Feet

**Article 2.** It is deemed necessary for the smooth operation of Saline County Government that this ordinance be approved.

DATED: JANUARY 17, 2017

APPROVED \_\_\_\_\_  
 JEFF AREY  
 SALINE COUNTY JUDGE

ATTEST \_\_\_\_\_  
 DOUG CURTIS  
 SALINE COUNTY CLERK

SPONSOR: J. R. WALTERS, JP DISTRICT #12

\_\_\_\_\_  
 Third Reading

ORDINANCE NO. 2017-

**BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE SETTING RULES OF PROCEDURE FOR THE SALINE COUNTY QUORUM COURT."**

**WHEREAS**, rules and procedures assure orderly conduct and encourage clear, efficient discussion of ideas; and

**WHEREAS**, the rules and procedures adopted by the Quorum Court should be reviewed on a regular basis and modified when necessary; and

**WHEREAS**, the rules and procedures shall be used for all regular and special meetings of the Quorum Court that are legislative in nature and, as applicable, to public hearing of the quorum court or its committees.

**NOW THEREFORE BE IT ORDAINED** by the Quorum Court of Saline County, Arkansas that:

**Article 1. Regular Meetings**

- (a) The regular meetings of the Quorum Court will be held at the Saline County Courthouse at 6:30 p.m. on the third Monday of each month. The Finance Committee and the Public Works and Safety Committee will meet at 6:30 p.m. on the first Monday of each month. These meetings may also be held at any other location and time that is designated by the quorum court at the regular scheduled meeting of the preceding month.
- (b) The order of business for regular Quorum Court meetings shall be:
1. Invocation;
  2. Pledge of Allegiance;
  3. Attendance roll call;
  4. Approval of the previous meeting's minutes;
  5. Reports from committees;
  6. Old business;
  7. New business;
  8. Announcements;
  9. Public Comment; and
  10. Adjournment

**Article 2. Special Meetings**

As provided by Ark. Code Ann. § 14-14-904(c), the County Judge or a majority of the elected justices may call a special meeting of the quorum court upon at least twenty-four (24) hours' notice by telephone, facsimile or electronic mail.

**Article 3. Public comment during meetings**

Any individual may be recognized by the presiding officer for comment however, an individual shall not have more than three (3) minutes to speak on any one issue. If a member of the quorum court asks a question of an individual who has been recognized for comment, that individual shall have not more than one (1) minute to respond. A two-thirds vote of the total membership of the quorum court shall be required to override this rule.

**Article 4. Rules of Procedure – Adoption and Interpretation**

- (a) Adopted. The rules of procedure for transacting business at quorum court meetings shall be those contained in the latest edition of the "Procedural Guide for Arkansas County Quorum

Court Meetings” as prepared by the University of Arkansas and the Association of Arkansas Counties, except as otherwise provided by ordinance or where such guide is in conflict with the general laws of the State of Arkansas.

- (b) Use. In any event where the “Procedural Guide for Arkansas County Quorum Court Meetings” is inadequate, the quorum court shall abide by “Robert’s Rules of Order.”
- (c) Interpretation. Any question as to the interpretation or application of the procedural guide or Robert’s Rules will be referred to the parliamentarian of the quorum court, who will then make his or her interpretation to the presiding officer of the meeting. The county attorney will serve as the parliamentarian of the quorum court. The application of the procedural guide or Robert’s Rules will then be resolved by the presiding officer.

#### **Article 5. Agenda**

- (a) All proposed items to be considered by the Quorum Court at the regular monthly meeting may be submitted in writing to the Quorum Court Administrator. Once the proposed items have been submitted, the county judge or his/her designee shall assign them to an appropriate committee of the Quorum Court for consideration.
  - 1. Each request shall have at least one (1) quorum court member listed as a sponsor;
  - 2. Requests to have proposed items considered may require supporting documents that clearly state the reason(s) or justification(s) for the proposed item; and
- (b) An agenda including all ordinances, resolutions and appointments to be introduced to the Quorum Court shall be mailed to the quorum court members and postmarked by the United States Postal Service a minimum of seven (7) days prior to the introduction at a Quorum Court meeting. However, this restriction may be suspended by a two-thirds (2/3) vote of the whole number of the quorum court in times of an emergency or dire need. All ordinances, resolutions and appointments shall be filed in the Saline County Clerk’s office. In lieu of receiving the agenda by U.S. mail, a quorum court member may request that the information be sent by electronic mail (e-mail) by signing and filing out a form in the office of the Quorum Court Administrator. The agenda for each quorum court meeting shall be set by the Saline County Quorum Court Administrator.

#### **Article 6. Handling of Motions**

A motion is a formal statement or proposition presented to the Quorum Court for consideration and action. Presenting and disposing of a motion follows this pattern:

- 1. Addressing the presiding officer and stating their reason for requesting recognition (e.g question, statement or motion);
- 2. Recognition by the presiding officer;
- 3. Statement of the motion by the member;
- 4. Seconding the motion;
- 5. Statement of the motion by presiding officer or chairperson;
- 6. Reading of Ordinance or Resolution by County Clerk;
- 7. Discussing the motion if applicable as not all motions are debatable; and
- 8. Voting on the motion.

#### **Article 7. Passing Ordinances or Amendments to Ordinances**

A concurrence by a majority of the whole number of the quorum court shall be required to pass any ordinance or amendment. All ordinances or amendments to existing ordinances of a general or permanent nature shall be fully and distinctly read on three (3) different days, unless two-thirds (2/3) of the members comprising the whole quorum court shall dispense with the rule.

This rule does not serve to:

1. Require a vote after each individual reading, but vote only after the third and final reading;
2. Require the ordinance or amendment to be read in its entirety on the first, second, or third reading; or
3. Restrict the passage of emergency, appropriation, initiative, or referendum measures in a single meeting as provide by law.

**Article 8. Voting on Ordinances and Resolutions**

- (a) Ordinance. To effect adoption of each ordinance, a roll call vote of each quorum court member shall be made as follows:

The first roll call vote taken at any meeting will be made in order according to the alphabetically listed names of the quorum court members. Subsequent roll call votes shall be made by moving the first name listed alphabetically and called first on the preceding roll call vote to the last roll call position, and beginning the roll call with the next person's name listed alphabetically. Each subsequent roll call vote will follow this procedure.

- (b) Resolution. The County Clerk shall read Resolutions by title only unless the presiding officer requests that it be read in its entirety. To effect passage of each resolution, a voice vote of the whole quorum court shall be made that allows the presiding officer to determine the results by the volume of the votes for and against the resolution. If the presiding officer is uncertain of the result, he or she may call for a roll call vote of each quorum court member.

- (c) Motion to read by title only. In certain circumstances it may be desired for the County Clerk to read a proposed ordinance by title only. In those instances, before there is a motion to approve the ordinance, there must be a separate and distinct motion to suspend the rule to read by title only. Once there is a motion and a second to suspend the rule and read by title only, the presiding officer will then ask for a voice vote on the motion to suspend the rule. If there are any votes against the suspension of the rule and the outcome of the vote is uncertain, the presiding officer may ask that a roll call vote be taken of each quorum court member. If the motion to suspend the rule passes there may then be a motion and second to approve the ordinance.

**Article 9. Procedure to adopt an Ordinance in less than three different days**

In order to adopt an ordinance in one meeting the procedure would be:

1. First reading.
2. Motion to suspend the rule and put the ordinance on second reading, roll call vote on suspension, approval by two-thirds of the whole number of the quorum court.
3. Second reading. Can be by title only.
4. Motion to suspend the rule and put the ordinance on third reading, roll call vote on suspension, approval by two-thirds of the whole number of the quorum court.
5. Third reading (can be by title only), roll call vote on the ordinance, approval by a majority of the whole number of the quorum court.

**Article 10. Appropriation and Emergency Ordinances**

- (a) Appropriation Ordinance. An appropriation ordinance or amendments enacted without separate readings shall require a two-thirds (2/3) vote of the whole number of the quorum court.

- (b) Emergency Ordinance. An emergency ordinance or an emergency amendment does not require separate readings. The passage of an emergency measure shall require a two-thirds (2/3) vote of the whole number of the quorum court.

**Article 11. Standing Committees of the Quorum Court**

- (a) Purpose. This division is intended to facilitate the orderly conduct of county business through quorum court standing committees, procedural guidelines and rules of membership for such committees, and the subject matter to be considered by each of the various committees.
- (b) Establishment. There are three (3) standing committees of the quorum court: (1) the Finance Committee, (2) the Public Works & Safety Committee and (3) the Human Resources (HR) Committee. Each quorum court member may serve on both the Finance Committee and the Public Works & Safety Committee. The HR Committee membership is appointed by the County Judge and may consist of seven (7) members or of another number as decided by the County Judge.
- (c) Duties – Finance Committee
1. The Finance Committee shall have the responsibility of hearing and making recommendations on resolutions and ordinances concerning budget items and appropriations of the quorum court. The duties of the Finance Committee shall include, but not be limited to the following:
    - (i) To develop and recommend to the full quorum court policies related to financing Saline County government;
    - (ii) Maintain an inventory of Saline County policies that pertain to budget and finance and periodically assess the effectiveness of those policies and determine need for policy changes;
    - (iii) Receive orientation and training on county government finance in Arkansas and specifically Saline County;
    - (iv) Maintain knowledge and understanding of Saline County's fiscal condition on an ongoing basis (monthly, quarterly and annual reports);
    - (v) Maintain knowledge and understanding of state laws and regulations pertaining to county government finance;
    - (vi) Review long-term revenue and expenditure projections prepared by the County Treasurer and other financial advisers employed by the county and anticipate budgetary issues beyond the current operating year;
    - (vii) Work with other quorum court standing committees to determine or assign priorities to county government programs and operations and develop sustainable financing arrangements for high priority needs; and
    - (viii) Review quarterly budget amendment ordinances being considered by the other standing committee of the quorum court.
  2. The Finance Committee shall also have responsibility of hearing and making recommendations on all resolutions and ordinances that do not require an appropriation concerning the following: administrative services, county assessor, board of equalization, circuit clerk, county clerk, county collector, county coroner, county attorney, county judge, all circuit courts, economic development, election commission, general services, grants, health department, juvenile justice, district courts, personnel, prosecuting attorney, public defender, quorum court and county treasurer.

(d) Duties – Public Works & Safety Committee

1. The Public Works & Safety Committee shall have the responsibility of hearing and making recommendations on all resolutions and ordinances that do not require an appropriation concerning the following: animal services, communications, community services, county extension, detention facility, emergency services, Metroplan, planning, road and bridge, recycling, sanitation and county sheriff.

(e) Duties – HR Committee

1. The HR Committee shall have the responsibility of hearing and making recommendations on resolutions and ordinances concerning the following: personnel policies, Personnel Policy Manual, County benefit package, official and employee payroll, and human resource issues.

(f) Any items not concerning the above departments or services or any items that are of question as to their assignment shall be assigned to the appropriate standing committee by the presiding officer of the quorum court.

**Article 12. Membership**

(a) The Finance Committee may consist of thirteen (13) members as decided by the County Judge.

(b) The Public Works & Safety Committee may consist of thirteen (13) members as decided by the County Judge.

(c) The HR Committee membership is appointed by the County Judge and may consist of seven (7) members as decided by the County Judge.

(d) The members and chairmen of each committee shall be appointed by the presiding officer of the quorum court, subject to any procedural rules adopted by the quorum court as required by Ark. Code Ann. § 14-14-904(d).

**Article 13. Subcommittees**

Subcommittees may be formed by any of the standing committees. The standing committee chairman shall appoint members to each subcommittee; with the exception of the JESAP subcommittee whose membership is appointed by the County Judge. It is the intent of this section that every effort shall be made to prevent the proliferation of such committees and that any such subcommittee shall automatically cease to exist once it has completed its assigned task or on the first day of the next quorum court term.

**Article 14. Committee review of Agenda Items**

All quorum court agenda items will be considered by at least one (1) of the standing committees. Any items not approved by at least one (1) of the committees will not appear on the full quorum court agenda, unless it is added to the agenda by a two-thirds (2/3) vote of the whole number of the quorum court.

**Article 15. Staff**

(a) The County Judge shall provide staff to the quorum court and its committees who shall attend each meeting and may be responsible for research as requested by the quorum court or its committees.

(b) The Quorum Court Administrator shall attend each meeting of the quorum court and its committees and may be responsible for research as required by the quorum court and its committees. If unable to attend, the presiding officer shall designate a replacement to attend.

**Article 16. Modification**

The Quorum Court may at any regular meeting revise or modify these rules or adopt new rules by a majority vote of the full membership.

**Article 17. Repealer**

Saline County Ordinance No. 2015-71 and all ordinances in conflict with this ordinance are hereby repealed.

DATE: JANUARY 17, 2017

APPROVED: \_\_\_\_\_  
JEFF AREY  
SALINE COUNTY JUDGE

ATTEST: \_\_\_\_\_  
DOUG CURTIS  
SALINE COUNTY CLERK

SPONSOR: JOSH CURTIS, JP DISTRICT #7



EXHIBIT "C"

EMERGENCY ORDINANCE NO. 2017-

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING EMERGENCY ORDINANCE NO. 2007-94, AS AMENDED BY EMERGENCY ORDINANCE 2013-29, TO AMEND THE POLICY REGARDING THE RATE OF PAY AND REIMBURSEMENT FOR JURY SERVICE."

**Article 1.** Currently, Section 2 of Emergency Ordinance No. 2007-94, as amended by Emergency Ordinance 2013-29, entitled "Rates of Compensation" states:

The following rates of compensation are established for jury service in Saline County, Arkansas:

1. Persons who are selected and seated as a member of the jury including alternates shall be compensated at the rate of \$50.00 per day;
2. Persons who are summoned and appear but who are not selected and seated as a member of the jury shall be compensated at the rate of \$25.00 per day;
3. Persons summoned for jury service but who fail, for any reason, to attend court shall not be entitled to receive compensation; and
4. Any person who is eligible for per diem compensation and whose primary place of residence is outside the city limits of the city where the court that summoned the juror or prospective juror is located shall receive a mileage reimbursement payment for mileage from and to his or her home by the most direct route at the same rate as the rate of mileage reimbursement for use of privately-owned motor vehicles authorized by the State of Arkansas.

**Article 2.** Section 2 of Emergency Ordinance No. 2007-94, as amended by Emergency Ordinance 2013-29, entitled "Rates of Compensation" is hereby amended to state:

The following rates of compensation are established for jury service in Saline County, Arkansas:

1. Persons who are selected and seated as a member of the jury including alternates shall be compensated at the rate of \$50.00 per day;
2. Persons who are summoned and appear but who are not selected and seated as a member of the jury shall be compensated at the rate of \$30.00 per day; and
3. Persons summoned for jury service but who fail, for any reason, to attend court shall not be entitled to receive compensation.

**Article 3. EMERGENCY CLAUSE:** Because the operation of the jury system is important to the public welfare and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon its date of passage.

DATE: JANUARY 17, 2017

APPROVED: \_\_\_\_\_  
JEFF AREY  
SALINE COUNTY JUDGE

ATTEST: \_\_\_\_\_  
DOUG CURTIS  
SALINE COUNTY CLERK

SPONSOR: JAMES ZAHND, JP DISTRICT #13  
PAT BISBEE, JP DISTRICT #1

## RESOLUTION NO. 2017-

**BE IT RESOLVED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, THAT THE MONEYS BEING HELD BY THE CIRCUIT CLERK IN THE JUVENILE REPRESENTATION FUND BE USED BY AGREEMENT OF THE JUDGE OF THE CIRCUIT COURT DESIGNATED TO HEAR JUVENILE CASES AND THE QUORUM COURT TO PROVIDE SERVICES AND SUPPLIES TO JUVENILES AND SUPPORT COURT PROGRAMS AT THE DISCRETION OF THE JUVENILE DIVISION OF CIRCUIT COURT.**

**WHEREAS**, Ark. Code Ann. § 9-27-316(b)(2) and (3) state that "...the court may order financially able juveniles, parents, guardians or custodians to pay all or part of reasonable attorney's fees and expenses for representation of a juvenile;" and that "[a]ll moneys collected by the circuit clerk under this subsection shall be retained by the clerk and deposited into a special fund to be known as the "juvenile representation fund."

**WHEREAS**, in approximately November of 1991, the Circuit Clerk started retaining \$5.00 of each court cost payment made in juvenile cases and placed the retained \$5.00 into the "juvenile representation fund." The money in this fund was to be used to pay the reasonable attorney's fees and expenses for the representation of a juvenile if the court had to appoint an attorney to represent a juvenile.

**WHEREAS**, because of the establishment of the State Public Defender System, the money in the juvenile representation fund has not had to be used to pay the attorney's fees and expenses for juvenile representation. And as a result, the juvenile representation fund has an approximate balance of \$29,000.00.

**WHEREAS**, it is the desire of the Quorum Court that the funds in the juvenile representation fund be treated like court costs that are assessed by the juvenile division of circuit court, in accordance with A.C.A. § 16-13-326, and are used to support the juveniles and juvenile division of court services and programs in Saline County.

**NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF SALINE COUNTY, ARKANSAS, THAT THE FUNDS IN THE JUVENILE REPRESENTATION FUND HELD BY THE CIRCUIT CLERK BE TREATED AS COURT COSTS, IN ACCORDANCE WITH A.C.A. § 16-13-326, AND USED BY AGREEMENT OF THE JUDGE OF THE CIRCUIT COURT DESIGNATED TO HEAR JUVENILE CASES AND THE QUORUM COURT TO PROVIDE SERVICES AND SUPPLIES TO JUVENILES AND SUPPORT COURT PROGRAMS AT THE DISCRETION OF THE JUVENILE DIVISION OF CIRCUIT COURT.**

DATE: JANUARY 17, 2017

APPROVED: \_\_\_\_\_  
JEFF AREY  
SALINE COUNTY JUDGE

ATTEST: \_\_\_\_\_  
DOUG CURTIS  
SALINE COUNTY CLERK

SPONSOR: J. R. WALTERS, JP DISTRICT #12