

MARION COUNTY QUORUM COURT MINUTES

July 9, 2019

The Marion County Quorum Court held its regular meeting on July 9, 2019 at 6 p.m.

Justice Shipman offered the prayer and Justice Vancuren led the pledge.

County Judge John Massey presided. All Justices were present.

The regular meeting minutes were approved. The special meeting minutes were approved with a small correction.

All reports and committee reports were received and passed unanimously.

During the Planning Commission report, Paul Ray Hudson, asked for the ratification of Michael Haynes to the Commission. The Quorum Court passed this request unanimously.

Old Business: During the special meeting on June 25, a motion was made and passed that County Attorney Sam Pasting would look into remedies for the charges brought forth in the 2017 Legislative Audit regarding former Judge Terry Ott, using county road funds to pay for his legal fees for an ethics violation. Mr. Pasting updated the Quorum Court stating that Jason Owens, an attorney with Rick Management had asked for documentation of said fees and payments to be sent to him, so that he could review them and then advise the county on what options they would have to move forward.

Ordinance 2019-36 – Clerk’s Office – Renumbering Ordinance – Sponsored by Justice Mayo. This ordinance simply allows the clerk to re-number Ordinance 2019-24 that was passed in May to 2019-24-A. This was a result of the Clerk had numbered the last ordinance passed in April as 2019-24. The motion to adopt was made by Justice Mayo and seconded by Justice Scrima. The motion passed unanimously.

Ordinance 2019-37 – Election – Appropriation – Sponsored by Justice Mayo. This ordinance appropriates \$3204.38 received by the City of Flippin for payment of the expenses incurred by the County for the special election that was held in May. The motion to adopt was made by Justice McCalla and seconded by Justice Mayo. The motion passed unanimously.

Ordinance 2019-38 – Clerk’s Office – Phone Bill – Sponsored by Justice Mayo. This ordinance transfers the money in the Recorder’s Fund telephone line item to the County and Circuit Clerk’s telephone line item in County General. The motion to adopt was made by Justice McCalla and seconded by Justice White. The motion passed unanimously.

Ordinance 2019-39 – Judge Layton’s Office – Phone Bill – Sponsored by Justice Mayo. This ordinance is in response to Judge Layton’s letter to the budget committee, stating that since the new phone system was put in, and the offices no longer no how much the actual bills are, she had run out of money in the line item. This ordinance raises anticipated revenue at \$1400.00 and appropriated to the telephone/internet line item. The motion to adopt was made by Justice Mayo and seconded by Justice Nickels. The motion passed unanimously.

FILED FOR RECORD
at 12:32 o'clock P.M.

AUG 16 2019

Dawn Moffet
Marion County Clerk
D.C.

Ordinance 2019-40 – Various Offices – Worker’s Compensation – Sponsored by Justice Mayo. This ordinance cleans up the discrepancies in budging for the Worker’s Compensation line items, for various offices. The motion to adopt was made by Justice Mayo and seconded by Justice White. The motion passed unanimously.

Ordinance 2019-41 – Assessor’s Offices – Numbers and Compensation – Sponsored by Justice McCalla. This ordinance allows for the maximum hourly wage to be raised for the deputy assessors. The motion to adopt was made by Justice Madden and seconded by Justice McCalla. The motion passed with Justices Mayo and Brigham voting against it.

Ordinance 2019-42 – Assessor’s Office – Appropriation – Sponsored by Justice McCalla. This ordinance appropriates the money for the wage increases. The motion to adopt was made by Justice McCalla and seconded by Justice Madden. The motion passed with Justices Mayo and Brigham voting against it.

Ordinance 2019-43 – Jury – Appropriation – Sponsored by Justice Mayo. This ordinance appropriates the jury reimbursement from the state for the second quarter of 2019. The motion to adopt was made by Justice Mayo and seconded by Justice White. The motion passed unanimously.

Ordinance 2019-44 – Treasurer’s Office – Numbers and Compensation – Sponsored by Justice Vancuren. This ordinance allows for the maximum hourly wage to be raised for the deputy treasurer. The motion to adopt was made by Justice Vancuren and seconded by Justice Madden. The motion passed with Justice Brigham voting against it.

Ordinance 2019-45 – Treasurer’s Office – Appropriation – Sponsored by Justice Vancuren, This ordinance appropriates the money for the wage increase. The motion to adopt was made by Justice Mayo and seconded by Justice McCalla. The motion passed unanimously.

Ordinance 2019-46 – Judge’s Officer – Selling Permit – Sponsored by Justices Brigham, Nickels, and Scrima. This ordinance pertains to setting up and selling products around the Marion County Courthouse during working hours. The passage of this ordinance will allow a fine of \$100 for each offense of this ordinance. The permit obtained by the Judge’s Office. Judge Massey remarked that this is a safety issue. It is very difficult to see around the vendors on the square pulling onto 62/412. And it hinders the parking around the square on court days. Justice McCalla stated that she had gotten several calls regarding this ordinance from people who were upset. Mostly about the vendors who had been selling there for years and years. She stated that Mayor Lane, Lyn Baker and Sheriff Evans. They would like to see a farmer’s market put up at the train depot. She also stated that signs would be provided. However, Justice McCalla stated that even if she was for the ordinance, her constituents were not in favor of it. She also wanted to know who would be enforcing the fine. Attorney Sam Pasting stated that since this is an ordinance with a penalty, the Yellville Metro officers would be issuing any citations. Justice Madden agreed with Justice McCalla, but stated he too recognized the safety issue. In fact, all the Justices agreed that the safety issue was a big concern. The motion to adopt was made by Justice Mayo and seconded by Justice Nickels. The motion passed with Justice Shipman voting against it and Justice Madden abstaining.

Ordinance 2019-47 – Road Department – Redistribution – Sponsored by Justice Mayo. This ordinance moves money around in order to purchase some equipment and building equity in the county. And secondly, to make some improvements in the Judge’s office. The motion to adopt was made by Justice Madden and seconded by Justice Mayo. The motion passed unanimously.

Ordinance 2019-48 – Road Department – Tractor Purchase – Sponsored by Justice Vancuren. This ordinance allows to raise anticipated revenue by \$40,000 and appropriate into Machinery and Equipment for the purpose of purchasing a new tractor. The motion to adopt was made by Justice Vancuren and seconded by Justice Nickels. The motion passed unanimously.

The motion to suspend the rules and place the next two ordinances and one resolution on the agenda was made by Justice Mayo and seconded by Justice McCalla. The motion was passed unanimously.

Ordinance 2019-50 – Sheriff’s Department – Vehicles – Sponsored by the Budget Committee. This ordinance appropriates \$6000.00 to the Vehicles line item. The motion to adopt was made by Justice Mayo and seconded by Justice Madden. The motion passed unanimously.

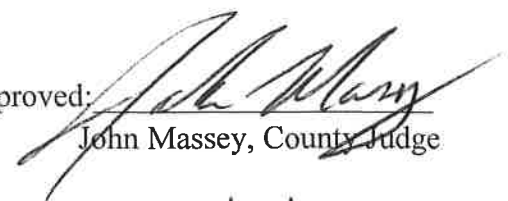
Ordinance 2019-51 – Road Department – Graders – Sponsored by Justices Nickels, Madden and McCalla. This ordinance is amending Ordinance 2019-31 which was for the purchase of three 2019 Catapilliar 140 M3 graders. This ordinance changes the vendor from Catapilliar to John Deere. The motion to adopt was made by Justice Mayo and seconded by Justice Madden. The motion passed unanimously.

Resolution 2019-4 – Marion County Airport – Grant. This resolution allows the County Judge to execute a grant agreement for a runway rehabilitation in the amount of \$876,955.00. The motion to adopt was made by Justice Mayo and seconded by Justice McCalla. The motion passed unanimously.

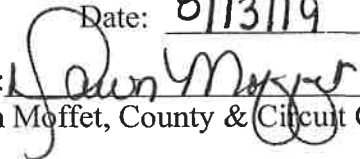
Linda Vincent gave a mid year report on Have a Heart Pet Shelter. The numbers for the first six months are way up over past years. She stated that the Shelter has several puppies being transported to other places. The Spay and Neuter clinics are very well received and the one in July is fully booked. There will be another one in November.

The Court ratified the appointment of Michael Haynes to the Planning commission unanimously.

The meeting was adjourned.

Approved: 
John Massey, County Judge

Date: 8/13/19

Attest: 
Dawn Moffet, County & Circuit Clerk

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Ordinance 2019- 52

Be it enacted by the Quorum Court of Marion County, Arkansas; an Ordinance to be entitled:

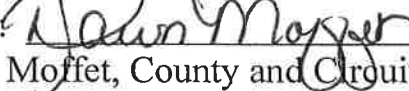
An ordinance repealing Ordinance 2019-46.

Article 1. The Quorum Court passed Ordinance 2019-46 on July 9, 2019. This ordinance pertained to the setting up and selling products around the Marion County Courthouse during regular working hours.

After consideration the County Judge has asked for Ordinance 2019-46 to be repealed effective immediately following the passage of this ordinance.

Passed and approved by the Quorum Court of Marion County, Arkansas, on this 13 day of August, 2019.

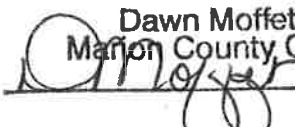
Approved: 
John Massey, Marion County Judge

Attest: 
Dawn Moffet, County and Circuit Clerk

Sponsored by: Justice Vanceuren
Justice Mayo
Justice White
Justice Shipman
Justice McCalla
Justice Madden

FILED FOR RECORD
at 250 o'clock P M

AUG 16 2019


Dawn Moffet
Marion County Clerk
D.C.

Ordinance 2019-53

Be it enacted by the Quorum Court of Marion County, Arkansas; an Ordinance to be entitled:

An ordinance amending the annual operating budget, Ordinance 2018-72 for the calendar year 2019 for Marion County, Arkansas.

Article 1. Whereas when the final budget ordinance for 2019 was approved the fund 3506-0600 Library Austis Technology Grant not included. There was a balance of \$103.31 at the end of 2018 which needs to be appropriated into this fund, after the fund is created.

3560-0600-3102 Computer Software/Support \$103.31 add

This is an appropriation ordinance and therefore is effective immediately.

Passed and approved by the Quorum Court of Marion County, Arkansas, on this 13 day of August, 2019.

Approved: [Signature]
John Massey, Marion County Judge

Attest: [Signature]
Dawn Moffet, County and Circuit Clerk

Sponsored by: Justice White

FILED FOR RECORD
at 253 o'clock P M

AUG 16 2019

Dawn Moffet
Marion County Clerk
[Signature] D.C.

ORDINANCE 2019- 54

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF MARION, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET FOR THE CALENDAR YEAR 2019 FOR MARION COUNTY, ARKANSAS.

WHEREAS, funds in certain line items within the Marion County Road Budget require redistribution in order to be in accordance with actual spending for 2019, therefore,

ARTICLE 1. Amend and transfer the following line items within the 2019 Marion County Road Budget as follows:

2000-0200 County Road

2000-0200-3073	Lease Mach/Equip	\$27,640.60	subtract
2000-0200-5003	Note Principal	\$17,098.24	add
2000-0200-5004	Note Interest	\$10,542.36	add

ARTICLE 2. This Ordinance herein enacted is an appropriation ordinance and therefore, it is effective immediately.

PASSED AND APPROVED BY THE QUORUM COURT OF Marion County, AR on this 13 day of August, 2019.

APPROVED: [Signature]
John Massey, Marion County Judge

ATTEST: [Signature]
Dawn Moffet, Marion County & Circuit Clerk

FILED FOR RECORD
at 2:54 o'clock P.M

AUG 16 2019

[Signature]
Dawn Moffet
Marion County Clerk
D.C.

Sponsored by Justice McCalla

ORDINANCE 2019- 55

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF MARION, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET FOR THE CALENDAR YEAR 2019 FOR MARION COUNTY, ARKANSAS.

WHEREAS, funds in certain line items within the Marion County Extension Office Budget require redistribution in order to be in accordance with actual spending for 2019, therefore,


ARTICLE 1. Amend and transfer the following line items within the 2019 Marion County Extension Office Budget as follows:

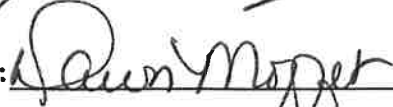
1000-0801 County Extension Office

1000-0801-3100	Other Misc.	\$1000.00	subtract
1000-0801-3009	Other Professional SVCS	\$ 500.00	subtract
1000-0801-2020	Building Maint	\$1500.00.	add

ARTICLE 2. This Ordinance herein enacted is an appropriation Ordinance and therefore, it is effective immediately.

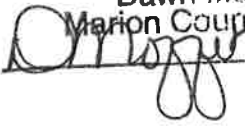
PASSED AND APPROVED BY THE QUORUM COURT OF Marion County, AR on this 13 day of August, 2019.

APPROVED: 
John Massey, County Judge

ATTEST: 
Dawn Moffet, Marion County & Circuit Clerk

FILED FOR RECORD
at 2:55 o'clock P M

AUG 16 2019


Dawn Moffet
Marion County Clerk
D.C.

Ordinance 2019- 56

Be it enacted by the Quorum Court of Marion County, Arkansas; an Ordinance to be entitled:

An ordinance amending the annual operating budget, Ordinance 2018-72 for the calendar year 2019 for Marion County, Arkansas.

Whereas, funds in certain line items within the Marion County Courthouse budget require redistribution in order to be in accordance with actual spending for 2019, therefore.

Article 1. Amend and transfer the following line items within the 2019 Marion County Courthouse Maintenance budget as follows:

1000-0108 Courthouse Maintenance

1000-0108-3051 Boiler Insurance \$2000.00 Subtract

1000-0108-2020 Building Materials & Supplies \$2000.00 Add

Article 2. This is an appropriation ordinance and therefore is effective immediately.

Passed and approved by the Quorum Court of Marion County, Arkansas, on this 13 day of August, 2019.

Approved: _____

John Massey, Marion County Judge

Attest: _____

Dawn Moffet, County and Circuit Clerk

Sponsored by: Justice McCalla

FILED FOR RECORD
at 2:50 o'clock P.M

AUG 16 2019

Dawn Moffet
Marion County Clerk
D. Moffet D.C.

Ordinance 2019- 57

Be it enacted by the Quorum Court of Marion County, Arkansas; an Ordinance to be entitled:

Whereas, fund 3556 Fair Board Commercial Building Grant 2017 shows \$0 in the fund, which is correct. These funds were completely spent in 2018, (check number 27502 for \$1531.91 and check number 29645 for \$2468.09).

The actual budget shows that there has been \$4000 appropriated to 3556-0603-3100. Apparently this was a carryover from the 2018 budget.

Therefore, these monies need to be transferred back into County General fund as unappropriated money. The clerk's office is therefore ordered to make this transfer.

Passed and approved by the Quorum Court of Marion County, Arkansas, on this 13 day of August, 2019.

Approved: [Signature]
John Massey, Marion County Judge

Attest: [Signature]
Dawn Moffet, County and Circuit Clerk

Sponsored by: Justice Mayo

FILED FOR RECORD
at 5:00 o'clock P.M.
AUG 16 2019
Dawn Moffet
Marion County Clerk
[Signature] D.C.

Ordinance 2019-58

Be it enacted by the Quorum Court of Marion County, Arkansas; an Ordinance to be entitled:

An ordinance amending Ordinance 2019-48 for Marion County, Arkansas

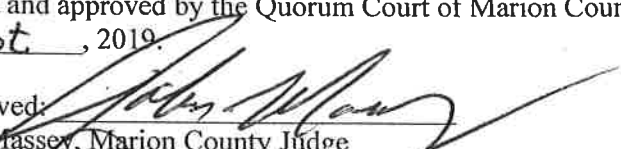
Article 1. Redistribute money in the amount of \$4213.26 in 1000-0100 County Judge as follow, due to clerical errors.

1000-0100 County Judge

1000-0100-1001	Full Time	\$2669.01 Add
1000-0100-1006	FICA	\$ 115.64 Subtract
1000-0100-1007	Retirement	\$ 247.16 Subtract
1000-0100-1009	Insurance	\$1437.44 Subtract
1000-0100-2001	General Office	\$ 800.00 Add
1000-0100-2007	Fuel	\$ 500.00 Add
1000-0100-3009	Other Prof. Services	\$ 1838.00 Subtract
1000-0100-3021	Postage	\$ 330.77 Subtract

Article 2. This Ordinance herein enacted is an appropriation Ordinance, and therefore, it is effective immediately.

Passed and approved by the Quorum Court of Marion County, Arkansas on this 13 day of August, 2019.

Approved: 
John Massey, Marion County Judge


Attest: 
Dawn Moffet, Marion County & Circuit Clerk

Date: 8/13/19

Sponsored by: Justices Brigham and McCalla

FILED FOR RECORD
at 257 o'clock P M

AUG 16 2019


Dawn Moffet
Marion County Clerk
D.C.

RESOLUTION OF MARION COUNTY QUORUM COURT

Resolution # 2019-5

Be it resolved by the Quorum Court of Marion County, State of Arkansas a resolution entitled Automated Records System Fund.

A Resolution authorizing the Circuit/County Clerk of Marion County to apply for a grant on behalf of the Office of the Circuit/County Clerk.

Whereas, the Marion County Quorum Court has determined that the Circuit/County Clerk's Office of Marion County meets eligibility requirements necessary to apply for a grant under the Association of Arkansas Counties; and

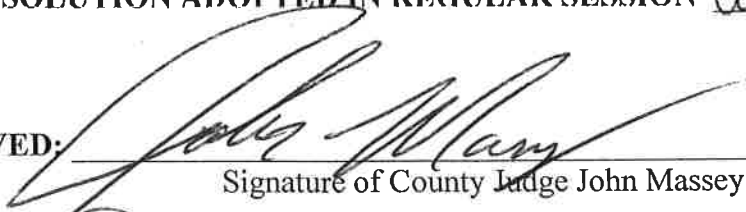
Whereas, the Circuit/County Clerk has presented plans to purchase image archival services for the purpose of indexing and imaging land record books and Grantor/Grantee index books electronically; and

Whereas, the Quorum Court of Marion recognizes the need for the project, concurs its importance, and supports the Circuit/County Clerk's Office in its efforts to proceed with the same; and

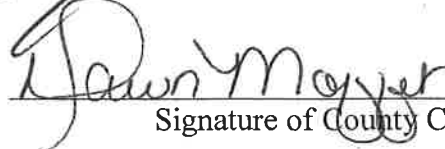
Therefore, be it resolved, that the Circuit/County Clerk of Marion is hereby authorized to submit an application of formal request to the Association of Arkansas Counties for purposes of securing grant funds in the amount of \$98,923.45 to aid and assist the Office of the Circuit/County Clerk in executing the proposed project described herein and that the County Judge or Treasurer of Marion County is further authorized to administer the grant funds for the same project.

THIS RESOLUTION ADOPTED IN REGULAR SESSION August 13, 2019
DATE

APPROVED: _____


Signature of County Judge John Massey

ATTEST: _____


Signature of County Clerk Dawn Moffet

SPONSOR: Marty Nickels, Justice of the Peace, District 2

Date Adopted: 8/13/19

Votes for: 9

Votes Against: _____

Abstain: _____

Present: 9

Absent: _____