



**PUBLIC WORKS AND SAFETY COMMITTEE MEEETING
AND
FINANCE COMMITTEE MEETING
AGENDA**

DATE-----July 6, 2020

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

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

PUBLIC WORKS AND SAFETY COMMITTEE MEETING:

Exhibit "A" Ordinance Adding Roads to the County Road System (3rd reading)

Exhibit "B" Ordinance Adding Roads to the County Road System (1st reading)

FINANCE COMMITTEE MEETING:

APPROVAL OF MINUTES

Exhibit "C" Emergency Ordinance – Johnson Controls Performance Contract

Exhibit "D" Ordinance Providing for the Limited Use of Fireworks within Saline Co.

Exhibit "E" Ordinance Appropriating Jail Funds for 2020

Exhibit "F" Resolution – TAP Funds

COMMENTS:

EXHIBIT "A"

ORDINANCE NO. 2020-_____

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 have 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.

Saddle Ridge Road	2,397 Feet
Greenstone Drive	1,073 Feet
Berkshire Drive	846 Feet of Extension, Total of 985 Feet
Hampton Drive	932 Feet of Extension, Total of 2,915 Feet
Wingate Drive	790 Feet of Extension, Total of 2,425 Feet

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

DATED: _____

APPROVED: _____

JEFF AREY
SALINE COUNTY JUDGE

ATTEST _____
DOUG CURTIS
SALINE COUNTY CLERK

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

Third Reading

ORDINANCE NO. 2020-____

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 have 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.

Heritage Way	123 Feet of Extension, Total of 467 Feet
Heritage Valley Drive	763 Feet of Extension, Total of 1,533 Feet
Meadow Acres Drive	1,110 Feet of Extension, Total of 4,781.79 Feet
Brody Crossing	100 Feet of Extension, Total of 4,500 Feet
Eagle Valley Drive	1,154 Feet
Navajo Way	1,403 Feet

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

DATED: JULY 20, 2020

APPROVED _____
JEFF AREY
SALINE COUNTY JUDGE

ATTEST _____
DOUG CURTIS
SALINE COUNTY CLERK

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

1st reading

**PUBLIC WORKS & SAFETY COMMITTEE MEETING
And FINANCE COMMITTEE MEETING
MINUTES FOR JUNE 1, 2020**

Committee Members:

Pat Bisbee	ZOOM	District 1
Everette Hatcher		District 2
Steve Gladden	ZOOM	District 3
Barbara Howell	ZOOM	District 4
Mark Grimmatt	ZOOM	District 5
Tammy Schmidt	ZOOM	District 6
Josh Curtis		District 7
Ed Albares		District 8
David Gibson		District 9
Jim Whitley		District 10
Clint Chism		District 11
J. R. Walters		District 12
Keith Keck	ZOOM	District 13

PUBLIC WORKS AND SAFETY COMMITTEE MEETING

Josh Curtis called the meeting to order. Motion made by J. R. Walters to approve the second reading of Ordinance Adding Roads to the County Road System (2nd reading), Exhibit A, seconded by Everette Hatcher. Motion carried. Motion to adjourn made by J.R. Walters, seconded by Jim Whitley, motion carried, meeting adjourned.

FINANCE COMMITTEE MEETING

Josh Curtis called the meeting to order. Motion to approve Minutes from May meeting made by J. R. Walters, second by Davie Gibson. Motion carried.

Motion made by J. R. Walters, second by Jim Whitley to approve Exhibit A - Ordinance Appropriating 911 Emergency Funds. No discussion, motion carried.

Motion made by J. R. Walters, second by Jim Whitley, to approve Exhibit B - Ordinance Appropriating Saline County General Funds – 2020. No discussion, motion carried.

Motion made by J. R. Walters, second by Jim Whitley to approve Exhibit C – Resolution Declaring a Vacancy in the Office of the Collection. Discussion concerning how the meeting would proceed, also instructions to County Judge's staff to notify the four candidates that they will be interviewed in Executive Session during the June 15, 2020, Quorum Court Meeting. Meeting to be held in the Vote Here Building to ensure everyone could practice "Social Distancing." Also asked for all Q.C. members to attend in person. Motion passed.

Motion to approve Exhibit D - Appointment to the Saline County Equalization Board – made by J. R. Walters, second by Tammy Schmidt. Motion carried.

Keith Keck shared about the letter from the HSV Animal Welfare League thanking Saline County for the \$15,000.00 grant given them for their animal control programs. The HSV Animal Welfare League has established a partnership with Petco to work with the veterinarians there to provide spay and neuter services for cats and dogs. The HSV Animal Welfare League will also be in Crows and Paron to offer those services in the late summer or early fall. Motion to adjourn the meeting made by J. R. Walters, seconded by Davie Gibson. Motion carried.

Meeting adjourned.

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF SALINE, STATE OF
ARKANSAS, AN EMERGENCY ORDINANCE TO BE ENTITLED:**

EMERGENCY ORDINANCE NO. 2020 - _____

AN ORDINANCE PROVIDING FOR THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE PURCHASE AGREEMENT BETWEEN SALINE COUNTY, ARKANSAS, AND _____; PROVIDING FOR THE PAYMENT OF LEASE PAYMENTS PURSUANT TO SUCH AGREEMENT; PROVIDING FOR THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AMONG SALINE COUNTY, ARKANSAS, _____, AS LESSOR, AND _____, AS ESCROW AGENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A PERFORMANCE CONTRACT BETWEEN SALINE COUNTY ARKANSAS AND JOHNSON CONTROLS, INC.; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

RECITALS

WHEREAS, Saline County, Arkansas (the "County") has acknowledged the need for acquiring and installing certain energy equipment and other related energy facilities (the "Facilities") in various facilities owned by the County for the use and benefit of the citizens of the County; and

WHEREAS, the County is authorized and empowered under the laws of the State of Arkansas, including particularly Amendment 89 to the Constitution of the State of Arkansas and Arkansas Code Annotated Title 14, Chapter 164, Subchapter 8, as amended (the "Act"), to issue its tax exempt lease obligations for the purpose of financing the Facilities; and

WHEREAS, in order to provide for the acquisition and installation of the Facilities, the County has negotiated the terms of a Performance Contract between the County and Johnson Controls, Inc. (the "Performance Contract"); and

WHEREAS, in order to finance the acquisition and installation of the Facilities, the County intends to execute and deliver an Equipment Lease Purchase Agreement (together with the Exhibits attached thereto and made a part thereof, the "Lease Agreement") between the County, as Lessee, and _____, as Lessor (the "Lessor") substantially in the form presented to and before this meeting of the Quorum Court pursuant to the provisions of the Act; and

WHEREAS, in connection with the acquisition and installation of the Facilities, the County intends to execute and deliver an Escrow Agreement among the County, the Lessor, and _____, as Escrow Agent, substantially in the form presented to and before this meeting of the Quorum Court (the "Escrow Agreement"):

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF SALINE, STATE OF ARKANSAS:

Section 1. Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 89 to the Constitution of the State of Arkansas and Arkansas Code Annotated Title 14, Chapter 164, Subchapter 8, as amended, the obligations to be evidenced by the Lease Agreement (the "Obligations") are hereby approved and authorized in the total principal amount of not to exceed \$7,000,000, for a term not exceeding twenty (20) years from the date of execution and delivery thereof, and bearing interest at a rate not to exceed 4.00%. The Obligations are not and shall not be general obligations of the County, but shall be special obligations payable solely from revenues in the form of savings received by the County pursuant to the Performance Contract. Notwithstanding the foregoing, the County is authorized, but not required, to make payments under the Lease Agreement from any lawful revenues of the County.

Section 2. Pursuant to the provisions of Arkansas Code Annotated Sections 14-164-805 and 14-164-806, the County has solicited and evaluated the proposal of Johnson Controls, Inc. with respect to the acquisition and installation of the Facilities, and has determined that the Performance Contract meets the requirements of Arkansas Code Annotated Section 14-164-807. Accordingly, the acquisition and installation of the Facilities pursuant to the Performance Contract is hereby authorized and approved.

Section 3. The County Judge and County Clerk, for and on behalf of the County, are authorized and directed to do any and all things necessary to effect the preparation, execution and delivery of the Lease Agreement, the Performance Contract, and the Escrow Agreement, and the performance of all obligations of the County under the Lease Agreement, the Performance Contract, and the Escrow Agreement. The Lease Agreement, the Performance Contract, and the Escrow Agreement are hereby approved in substantially the forms submitted to this meeting, with such changes, omissions, insertions and revisions as the County Judge, with the advice of counsel, shall deem advisable, the execution and delivery by the County Judge and County

Clerk of such Lease Agreement, Performance Contract, and Escrow Agreement to constitute conclusive evidence of the County's acceptance and approval thereof.

Section 4. The County Judge and County Clerk, for and on behalf of the County, are authorized and directed to do any and all things necessary to effect the preparation, execution and delivery of the Lease Agreement, the Performance Contract, and the Escrow Agreement, the performance of all obligations of the County under the Lease Agreement, the Performance Contract, and the Escrow Agreement, the use of a portion of the proceeds from the Obligations to commence acquisition and installation of the Facilities and the performance of all acts enumerated in this Ordinance and all other acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance. The County Judge and County Clerk are further authorized and directed, for and on behalf of the County, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

Section 5. The Quorum Court of the County hereby authorizes and directs the County Judge and County Clerk, and the officers and employees of the County, to carry out or cause to be carried out, and to perform such obligations of the County and to execute such other certificates or documents, among other things, to evidence authority as authorized herein and to take such other actions as they, in consultation with counsel, shall consider necessary or advisable in connection with this Ordinance, the Lease Agreement, the Performance Contract, and the Escrow Agreement.

Section 6. If any one or more provisions of this Ordinance shall be determined by a court of competent jurisdiction to be contrary to law, any such provision shall be deemed separable from the remaining provisions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance.

Section 7. Emergency. It is hereby found and declared that an immediate need exists for the acquisition, installation, and financing of the Facilities in order to obtain the most cost effective energy for the County. It is, therefore, declared that an emergency exists. This Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall take effect and be in force from and after its passage.

INTRODUCED BY:

JOSH CURTIS
JP DISTRICT #7
JUSTICE OF THE PEACE
SALINE COUNTY, ARKANSAS

APPROVED BY:

CLAY FORD
COUNTY ATTORNEY
SALINE COUNTY, ARKANSAS

APPROVED:

JEFF AREY
SALINE COUNTY JUDGE
SALINE COUNTY, ARKANSAS

ATTEST:

DOUG CURTIS
SALINE COUNTY CLERK
SALINE COUNTY, ARKANSAS

DATED: July 20, 2020

DATED: July 20, 2020

EMERGENCY ORDINANCE NO. 2020-

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE PROVIDING FOR THE LIMITED USE OF FIREWORKS WITHIN SALINE COUNTY, ARKANSAS; PRESCRIBING PENALTIES FOR VIOLATION OF THE SAME; AND FOR OTHER PURPOSES."

WHEREAS, Saline County, Arkansas desires to regulate the use of fireworks within the jurisdiction of Saline County, Arkansas; and

WHEREAS, Arkansas Code Annotated § 14-14-801, as provided by Arkansas Constitution, Amendment 55, § 1, Part (a), states that a county government, acting through its county quorum court, may exercise local legislative authority, which includes the power to preserve peace and order and secure freedom from dangerous or noxious activities.

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

Article 1. Definitions

A. **Fireworks** – The term "fireworks" means and includes any combustible composition or any substance, combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion deflagration, or detonation and includes, but is not limited to sky rockets, roman candles, daygo bombs blank cartridges, toy cannons, toy canes, or toy guns in which explosives other than toy paper caps are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, sparklers, or other fireworks of like construction, any fireworks containing any explosive substance. This definition includes items which contain even small amounts of silver fulminate, potassium nitrate, ammonium perchlorate, or other chemical or pyrotechnical composition intended to produce a pyrotechnic event or effect, even if not classified as a "hazard material" under federal regulation.

Article 2. Authorized Period for Use of Fireworks - Permissible items of fireworks may be used within Saline County, between 12:00 p.m. – 10:00 p.m., from June 20 through July 10 and December 10 through January 5 of each year only so long as no other provisions of this Ordinance are violated.

Nothing in this Ordinance shall be interpreted to repeal, replace, or nullify laws, ordinances, or covenants of property owners' associations with a population of five thousand or more or a city or town that regulate the sale and use of fireworks within their jurisdiction.

Article 3. Regulating the Use of Fireworks

A. Citizens Responsibility

- i. **Adult Supervision** – No parent, guardian, or custodian of any child under the age of 18 shall knowingly permit or consent to the possession or discharge of fireworks by any child under the age of 18 without adult supervision.
- ii. **Safe and sane manner** – During the approved dates and time frames fireworks may be discharged within the county limits only on private property of the owner, or with the owner's permission when such a discharge is in a safe and sane manner. As used in the part, "safe and sane manner" refers to actions which do not endanger life, limb, or property of those in the area of discharge. Fireworks discharged on private property shall be maintained on same private property.
- iii. Any individual, firm, partnership, corporation, or association discharging fireworks under this ordinance shall, upon such discharge, be responsible for clean-up of the discharge site or other property that the discharged fireworks land on.

B. Public Display – Public display is permitted when performed in accordance with A.C.A. § 20-22-701 et seq.

Article 4. Violation-Penalty - Any individual, firm, partnership, corporation, or association violating any section of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$100 or more than \$500 for a first offense, a fine of not less than \$200 or more than \$500 for a second offense, and a fine of not less than \$300 or more than \$500 for a third or subsequent offense. Each day of a violation constitutes a separate offense. In the case of a violation by a firm, partnership, corporation, or association, the manager or members of the partnership or responsible officers or agents shall be deemed to be prima facie responsible, individually, and subject to the penalty as provided.

Any damages caused or injuries sustained as a result of any violation of this ordinance shall be ordered paid as restitution as a part of any conviction for any violation.

Nothing in allowing the discharge of fireworks within the jurisdiction of Saline County relieves the individual, firm, partnership, corporation, or association of its responsibility for any injury or damage caused to individuals or property by the discharge of the fireworks.

Article 5. Severability – Should any word, phrase, or section of this ordinance be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the force and validity of the remaining portion of sections of this ordinance.

Article 6. EMERGENCY CLAUSE - An emergency is hereby declared to exist, and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

DATE: JULY 20, 2020

APPROVED: _____

JEFF AREY
SALINE COUNTY JUDGE

ATTEST: _____

DOUG CURTIS
SALINE COUNTY CLERK

SPONSOR: EVERETTE HATCHER, JP DISTRICT #2

APPROPRIATION ORDINANCE NO. 2020-____

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE APPROPRIATING SALINE COUNTY JAIL FUNDS FOR THE YEAR 2020".

Article 1. Funds are hereby appropriated as follows:

Fund 3017 – Saline County Jail O&M Fund
Dept 0463 – Jail Maintenance
Line Item 3009 – Other Professional Services \$2,396.22

Article 2. These funds were received from Association of Arkansas Counties Risk Management Fund/Claims Account as a settlement for an insurance claim due to storm damage to a fire alarm panel, cameras and security equipment at the Saline County Jail. The funds shall be used to replace security equipment and repair the fire alarm panel at the Jail facility. The anticipated revenues for the Jail Operation & Maintenance Fund shall be increased by \$2,396.22.

Article 3. It is deemed necessary for the smooth operation of Saline County Government that this ordinance be approved.

DATE: JULY 20, 2020

APPROVED _____
JEFF AREY
SALINE COUNTY JUDGE

ATTEST: _____
DOUG CURTIS
SALINE COUNTY CLERK

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

RESOLUTION NO. 2020-_____

A RESOLUTION EXPRESSING THE WILLINGNESS OF SALINE COUNTY TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS.

WHEREAS, Saline County understands the Federal-aid Transportation Alternative Funds are available at 80% federal participation and 20% local match to develop or improve the Southwest Trail – Saline Crossing Trailhead; and

WHEREAS, Saline County understands the Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual money reimbursement; and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

NOW, THEREFORE BE IT RESOLVED THAT:

SECTION I: Saline County will participate in accordance with its designated responsibility, including maintenance of this project.

SECTION II: Saline County Judge Jeff Arey is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

SECTION II: Saline County pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project

THIS RESOLUTION adopted this 20th day of July 2020

APPROVED: _____

JEFF AREY
SALINE COUNTY JUDGE

ATTEST: _____

DOUG CURTIS
SALINE COUNTY CLERK