

SALINE COUNTY QUORUM COURT
AGENDA

SALINE COUNTY QUORUM COURT-----MONDAY, MARCH 16, 2020

AT----- THE SALINE COUNTY COURTHOUSE IN COURTROOM #1

6:30 PM-----CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CLERK: Call the Roll

APPROVAL OF MINUTES

REPORTS:

Kris Boulton, Saline County Cooperative Extension Agent

OLD BUSINESS:

NEW BUSINESS:

Exhibit A. Ordinance Adding Roads to County Road System (First Reading) *Pat Jim*

Exhibit B. Ordinance Flood Plain Ordinance *JR Clint*

Exhibit C. Appointment Turtle Creek Fire Department Appointment

Exhibit D. Appointment Turtle Creek Fire Department Appointment

ADD-ON:

Exhibit E. Ordinance Sheriff Department

Exhibit F. Ordinance Leave Policy

COMMENTS:

Problem with mirror file.

Josh suspend Steve Title Only

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

First Reading

EMERGENCY ORDINANCE NO. 2020-08

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A FLOOD DAMAGE PREVENTION PROGRAM FOR SALINE COUNTY AND FOR OTHER PURPOSES."

SECTION 1. STATUTORY AUTHORITY

The Legislature of the State of Arkansas has in Ark. Code Ann. § 14-268-101 et seq., delegated the responsibility of local governmental units to adopt regulations to minimize flood losses. Therefore, the Quorum Court of Saline County, Arkansas, does hereby ordain as follows:

SECTION 2. FINDINGS OF FACT

- A. The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Saline County in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Saline County, Arkansas," dated June 5, 2020, with an effective Flood Insurance Rate Map (FIRM) dated June 5, 2020.
- B. These Special Flood Hazard Areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- C. These periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately floodproofed or otherwise unprotected structures or uses vulnerable to floods into Special Flood Hazard Areas. Such structures or uses are inherently hazardous to other lands because of their adverse impact on flooding events.

SECTION 3. STATEMENT OF PURPOSE

The purpose of this ordinance is to promote the public health, safety and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flooding events in identified Special Flood Hazard Areas. This ordinance advances the stated purpose through provisions designed to:

- A. Protect human life and health;
- B. Protect natural floodplains against unwise development;
- C. Eliminate adverse impacts of necessary floodplain development;
- D. Minimize expenditure of public monies on flood control projects;
- E. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- F. Minimize prolonged business interruptions due to flooding events;

- G. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in Special Flood Hazard Areas;
- H. Minimize future flood blight areas to help maintain a stable tax base; and
- I. Provide for notice to potential buyers when property is in a Special Flood Hazard Area.

SECTION 4. LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of Saline County, Arkansas.

SECTION 5. METHODS OF REDUCING FLOOD LOSSES

This ordinance uses the following methods to accomplish the stated purpose:

- A. This ordinance restricts or prohibits structures or uses in Special Flood Hazard Areas that adversely impact health, safety or property during flooding events;
- B. This ordinance requires protection against flood damage for structures or uses vulnerable to floods at the time of initial construction, or after substantial improvement of the structure, or after substantial damage has occurred;
- C. This ordinance controls the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation and transport of flood waters;
- D. This ordinance controls floodplain development (structural development, placement of manufactured structures, clearing, grading, mining, drilling, dredging, placement of fill, excavating, watercourse alteration, drainage improvements, roadway or bridge construction, individual water or sewer installations and other activities) which may increase flood damage by increasing flood elevations, flood water velocities, or flood discharge patterns;
- E. This ordinance regulates the construction of flood barriers which unnaturally divert floodwaters or which may adversely impact other lands.

SECTION 6. FLOOD DAMAGE PREVENTION CODE ADOPTED BY REFERENCE.

There is hereby adopted by reference a "Flood Damage Prevention Code for Saline County, Arkansas," dated June 5, 2020. The code shall include:

ARTICLE 1 DEFINITIONS
ARTICLE 2 ADMINISTRATION
ARTICLE 3 PROVISIONS FOR FLOOD HAZARD REDUCTION

A copy of the referenced code shall be filed in the office of the GIS Administrator/Flood Plain Manager and shall be available for inspection and copying by any person during normal office hours.

SECTION 7. ABROGATION AND GREATER RESTRICTIONS

This ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Whenever there is a conflict or overlap between this ordinance and another ordinance, easement, covenant, or deed restriction, the instrument with the more stringent restrictions applies.

SECTION 8. INTERPRETATION

In the interpretation and application of this ordinance, all provisions must:

- A. Be considered as minimum requirements;
- B. Be liberally construed in favor of the governing body; and
- C. Be deemed to neither limit nor repeal any other powers granted under State statutes.

SECTION 9. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes. Documented scientific and engineering data form the basis for these requirements. On rare occasions, flooding events greater than those considered for this ordinance will occur. In addition, flood heights may increase over time due to man-made or natural causes. This ordinance does not imply that land outside Special Flood Hazard Areas will be free from flooding, nor that strict adherence to this ordinance protects uses permitted within Special Flood Hazard Areas from all flood damages. This ordinance specifically does not create liability on the part of the community, nor any official or employee of the community, for any flood damages that result while strictly following this ordinance, or from any lawful administrative decision made under the provisions of this ordinance.

SECTION 10. COMPLIANCE

Constructing, locating, substantially altering or changing the use of any structure or land after the effective date of this ordinance requires full compliance with the provisions of this ordinance and all other applicable regulations.

SECTION 11. PENALTY FOR NON-COMPLIANCE

Flood hazards are reduced by compliance with the provisions of this code. Accordingly, enforcement of this ordinance discourages non-compliance and is a recognized mechanism for flood hazard reduction.

The Floodplain Administrator must enforce the provisions of this ordinance and is authorized to

- A. Issue cease and desist orders on non-compliant floodplain development projects;
- B. Issue citations for non-compliance;
- C. Request that FEMA file a 1316 Action (Denial of Flood Insurance) against non-compliant properties; and
- D. Take any other lawful action necessary to prevent or remedy any instance of non-compliance with the provisions of this ordinance.
 - (1) It is a misdemeanor to violate or fail to comply with any provision of this ordinance.
 - (2) Any person found, in a court of competent jurisdiction, guilty of violating this ordinance is subject to fines of not more than \$500 per day for each violation; in addition, the defendant is subject to payment of all associated court costs and costs involved in the case.

SECTION 12. SEVERABILITY

If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this ordinance.

SECTION 13. EMERGENCY CLAUSE

It is hereby found and declared by Saline County, Arkansas that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately.

Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

DATE: MARCH 16, 2020

APPROVED: _____
JEFF AREY
SALINE COUNTY JUDGE

ATTEST: _____
DOUG CURTIS
SALINE COUNTY CLERK

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

OTD together

JR David

EXHIBIT "C"

APPOINTMENT

**IN THE MATTER OF AN APPOINTMENT
TO THE TURTLE CREEK SUBORDINATE
FIRE IMPROVEMENT DISTRICT BOARD**

WHEREAS, the term of Danny Penn to the Board for the Turtle Creek Subordinate Fire Improvement District expires April 30, 2020. It is considered to be in the best interest of the Turtle Creek Fire Improvement District Board and the people of said District that **Jane Saunders** be appointed to serve on the Board.

THEREFORE, in accordance with A.C.A. § 14-14-705 and Act 742 of 1977, **Jane Saunders** is hereby appointed to the Board from May 1, 2020 to April 30, 2025.

JEFF AREY
SALINE COUNTY JUDGE

DATE: MARCH 16, 2020

APPOINTMENT

**IN THE MATTER OF AN APPOINTMENT
TO THE TURTLE CREEK SUBORDINATE
FIRE IMPROVEMENT DISTRICT BOARD**

WHEREAS, Board member Mike Treasitti has resigned from the Board for the Turtle Creek Subordinate Fire Improvement District. It is considered to be in the best interest of the Turtle Creek Fire Improvement District Board and the people of said District that **Terry Hastings** be appointed to serve on the Board for the remainder of the term.

THEREFORE, in accordance with A.C.A. § 14-14-705 and Act 742 of 1977, **Terry Hastings** is hereby appointed to the Board for the term that expires April 30, 2021.

JEFF AREY
SALINE COUNTY JUDGE

DATE: MARCH 16, 2020

APPROPRIATION ORDINANCE NO. 2020-09

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

Article 1. Funds are hereby appropriated as follows:

Fund 1000 - County General	
Dept 0400 - Sheriff	
Line Item 1006 - Social Security Match	\$ 1,150.00
Line Item 1008 - Noncontrib Retirement	2,300.00
Line Item 1055 - Reimbursed Overtime	<u>16,550.00</u>
Total Appropriation	\$20,000.00

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

DATE: MARCH 16, 2020

APPROVED _____
JEFF AREY
SALINE COUNTY JUDGE

ATTEST: _____
DOUG CURTIS
SALINE COUNTY CLERK

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

Suspend Post Addon
JR

JR Tammy

EMERGENCY ORDINANCE NO. 2020 - 10

BE IT ORDAINED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: AN EMERGENCY ORDINANCE TO ADDRESS LEAVE POLICIES IN TIMES OF A PUBLIC-HEALTH EMERGENCY DECLARED BY THE GOVERNOR OF THE STATE OF ARKANSAS.

WHEREAS, Governor Asa Hutchinson has declared a public-health emergency due to the COVID-19 virus entering Arkansas;

WHEREAS, quarantine is one of the recommended management tools by the CDC to prevent the spread of COVID-19;

WHEREAS, the quarantine period recommended by the CDC is fourteen days from the date of exposure;

WHEREAS, it is in the best interest of the County, its employees, and the public, that persons who have been exposed to COVID-19 or who have been diagnosed with COVID-19 be able to remain in quarantine for the full fourteen-day period;

WHEREAS, the County is attempting to ensure employees are able to remain in quarantine for the full fourteen-day period, or are able to remain in quarantine after having a confirmed case of COVID-19, without suffering undue hardship which may be created by limited availability of leave;

NOW THEREFORE:

- 1) During the state of public health emergency declared by the Governor due to COVID-19, the following rules will be in place:
- 2) Employees who are placed on a quarantine, or self-isolation, period of fourteen days or less, either by their physician or by their elected official, shall be paid for the quarantine period, up to fourteen days. This paid time shall not be taken out of any leave bank of the employee. For physician-imposed quarantine, the employee must provide documentation from the doctor's office.
 - a. The elected official may use their discretion to identify an employee subject to quarantine, or self-isolation, based on identified risk factors as explained by the CDC, or based on fact specific information related to travel locations, or high-risk transmission settings, or personal contact with a presumptive case of COVID-19. The elected official shall notify the Human Resources Department of the identification of the employee subject to quarantine, or self-isolation.
- 3) Employees who are diagnosed with COVID-19 shall not return to work for up to fourteen days from initial diagnosis. A medical release shall be required from the physician or physician's office who originally diagnosed the employee. An employee who has been diagnosed with COVID-19 shall be paid for up to fourteen days, from the date of diagnosis, or until they are released to return to work. This paid time shall not be taken out of any leave bank of the employee.

- 4) Employees who do not qualify for sections 2, 3, ~~or 4~~ of this Ordinance, but who have a school-aged child, who has experienced a school closing or mandatory quarantine, or self-isolation, may choose to stay home with their child without being subject to discipline for attendance.
- a. Employees who choose to stay home under this option are required to use any accrued paid time off, including sick leave, vacation leave, comp time, and personal time off.
 - b. Once all paid time off (sick leave, vacation leave, comp time, and personal time off) has been exhausted, the employee may accrue a deficit balance to the extent necessary to accommodate the school closing.
- 5) Employees who choose to take time off during this declared public-health emergency for any reason other than those listed above, are still subject to the regular leave provisions as outlined in the County Personnel Policy.
- 6) Essential personnel, as deemed by the elected official, are expected at work and can only be released from their duties by prior approval from the elected official.
- 7) EMERGENCY CLAUSE. There is significant risk to public health and safety posed by the spread of COVID-19. The Saline County Quorum Court has determined that this Ordinance is necessary to help prevent the spread of the illness within the County and to members of the general public who may visit county offices. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the preservation of public health, safety and welfare, shall be effective from and after its date of passage.

DATE: MARCH 16, 2020

APPROVED: _____

JEFF AREY
SALINE COUNTY JUDGE

ATTEST: _____

DOUG CURTIS
SALINE COUNTY CLERK

CO-SPONSORS:

PAT BISBEE, JP DISTRICT #1
EVERETTE HATCHER, JP DISTRICT #2
STEVE GLADDEN, JP DISTRICT #3
BARBARA HOWELL, JP DISTRICT #4
MARK GRIMMETT, JP DISTRICT #5
TAMMY SCHMIDT, JP DISTRICT #6
JOSH CURTIS, JP DISTRICT #7
ED ALBARES, JP DISTRICT #8
DAVID GIBSON, JP DISTRICT #9
JIM WHITLEY, JP DISTRICT #10
CLINT CHISM, JP DISTRICT #11
J. R. WALTERS, JP DISTRICT #12
KEITH KECK, JP DISTRICT #13