

# SALINE COUNTY QUORUM COURT AGENDA

DATE	August 21, 2023
PLACE	Saline County Courthouse, Courtroom #3
6:30 P.M	Call Meeting to Order
INVOCATION	İ
PLEDGE OF	ALLEGIANCE
CLERK: Call	the Roll
APPROVAL (	OF MINUTES
REPORTS/PF	ROCLAMATIONS:
OLD BUSINE	SS:
Exhibit A:	Ordinance Amending Ordinance 1978 – 1, to Revise the Obligations, Duties and Powers of the Administrative Saline County Library Board (3 <sup>rd</sup> Reading)
Exhibit B:	Ordinance Amending Ordinance 2004 – 34, the Litter Control Ordinance (2 <sup>nd</sup> Reading)
NEW BUSINE	ESS:
Exhibit C:	Resolution in Support of Fiscal Year 2023 JAG Program
Exhibit D:	Appointment to Saline County, Arkansas Waterworks & Sanitary Sewer Public Facilities Board (Woodland Hills)
Exhibit E:	Appointment to the Saline County Library Board to Replace Vacancy Expiring June 30, 2027 due to Resignation of Current Board Member
Exhibit F:	Ordinance Appropriating Funds for Professional Development Recognition Payments for Qualifying County Assessors & Full-Time Employees of the County Assessor's Office
Exhibit G:	Ordinance Amending 2023 Saline County Budget Ordinance 2022-36
ADD ON:	
DISCUSSION	:
COMMENTS:	

#### SALINE COUNTY QUORUM COURT MINUTES JULY 17, 2023

The Saline County Quorum Court met on Monday, July 17, 2023 at 6:30 p.m. in Courtroom #3 in the Saline County Courthouse. County Judge Matt Brumley called the meeting to order. Justice of the Peace Clint Chism gave the invocation and Justice of the Peace C. J. Engel led the Pledge of Allegiance.

Roll call was taken with all members present.

Motion by Barbara Howell and seconded by Rick Bellinger to approve the Minutes from the June 19, 2023 Quorum Court Meeting. Motion passed unanimously by voice vote.

#### REPORTS/PROCLAMATIONS:

NONE.

#### **OLD BUSINESS:**

Motion by Rick Bellinger and seconded by C. J. Engel to suspend the rules and read title only of Exhibit "A". Motion passed unanimously by voice vote.

Exhibit "A": Motion by Josh Curtis and seconded by C. J. Engel to approve Second Reading of Ordinance Amending Ord. 1978-1, to Revise the Obligations, Duties and Powers of the Administrative County Library Board for Saline County.

Keith Keck voiced his concern some of the language being removed from the original concept of the ordinance. He wanted to amend the Ordinance before approving the <u>Second Reading</u>. Judge Brumley explained that if it were decided by the members to amend the ordinance, they would have to then go back and approve the <u>First Reading</u>.

A voice vote to Amend <u>Exhibit "A"</u> was taken by Judge Brumley. Motion to amend failed; <u>Exhibit "A"</u> passed by majority voice vote.

#### **NEW BUSINESS:**

Motion by Rick Bellinger and seconded by C. J. Engel to suspend the rules and read title only of Exhibits "B" through "F". Motion passed unanimously.

Exhibit "B": Motion by Rick Bellinger and seconded by C. J. Engel for approval of First Reading of Ordinance Amending Ord. 2004-34; The Litter Control Ordinance. Motion passed unanimously by voice vote.

Exhibit "C": Motion by Keith Keck and seconded by Pat Bisbee to approve Resolution Expressing Willingness of Saline County to Utilize Federal Aid Funds for Highway 5 & Desoto Boulevard Roundabout.

Rick Bellinger questioned whether the roundabout was necessary and voiced concern about the cost from the county and whether we should commit to the project at this time, prompting discussion.

Judge Brumley stated that the Resolution is asking to be considered with the option to pass if the amount of the project is found to be too costly and that it will have to be brought before the members for appropriation before any monies are committed. He also said both he and Mr. Keck will work on getting updates brought before the members of the Quorum Court by the Arkansas Department of Transportation.

After a voice vote was taken, Judge Brumley asked for a roll call vote; 8 for and 5 against. Motion passed with majority vote. Resolution 2023-10.

Exhibit "D": Motion by Josh Curtis and seconded by C. J. Engel to approve Ordinance Appropriating Funds for District Court Related Technology Purposes. Roll call vote; motion approved unanimously. Roll call vote; motion approved unanimously. Ordinance 2023-15.

Exhibit "E": Motion by Carlton Billingsley and seconded by Barbara Howell to approve Resolution Appointing Steve Cox to Solemnize the Marriage of Jeremy Cox and Brandi Burton in Saline County. Motion passed unanimously by voice vote. Resolution 2023-11.

Exhibit "F": Motion by Keith Keck and seconded by Rick Bellinger to approve Ordinance Adopting certain Rules and Regulation concerning External Noise Attenuation of Data Centers and to Prevent Noise Disturbance. Roll call vote; motion approved unanimously. Ordinance 2023-16.

#### **COMMENTS:**

Judge Brumley instructed those in attendance that had signed in for public comment that they would each have 3 minutes with a 30 second warning.

The following spoke in this order:

Carol Perry
Tom Hanson
Betty Van Bibber
Bailey Morgan
Zach Agnew
Keith Moore
Cindy Bowden
Rena Almond
Scott Gray
Robin Robinson
Regina Beck
Gary Beck

Motion made by Rick Bellinger and seconded by J. R. Walters to adjourn. Motion passed by voice vote.

Meeting adjourned at 7:50 p.m.

#### **ORDINANCE NO. 2023 -**

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING ORDINANCE NO. 1978-1, TO REVISE THE OBLIGATIONS, DUTIES AND POWERS OF THE ADMINISTRATIVE COUNTY LIBRARY BOARD FOR SALINE COUNTY."

#### BE IT ORDAINED BY THE QUORUM COURT OF SALINE COUNTY

WHEREAS, Saline County Ordinance No. 1978-1 ("Library Ordinance") established an administrative county library board for Saline County ("Saline County Library Board");

**WHEREAS**, Arkansas Code Annotated § <del>14-15-705</del> 14-14-705 authorizes a county administrative board to exercise administrative powers granted by county ordinance; and,

**WHEREAS**, the Quorum Court of Saline County ("Quorum Court") has determined that it is in the best interest of Saline County residents that the administrative powers granted to the Saline County Library Board be amended.

### NOW THEREFORE BE IT ORDAINED BY THE QUORUM COURT OF SALINE COUNTY, ARKANSAS:

Article 1. The Library Ordinance, Saline County Ordinance No. 1978-1, is hereby amended and revised by this Ordinance as set forth below.

Article 5. The Saline County Library Board created by this Ordinance shall have full and complete authority, subject to oversight by the Saline County Judge, to manage, operate, maintain and keep in a good state of repair any and all buildings, equipment or installations of any kind used and devoted to the purpose of the Saline County Public Library as the same exists at the time the said Board receives them or as may be added or changed hereafter. The Saline County Library Board shall have the power and duty to employ or remove all employees of the Saline County Public Library and to fix, regulate and pay their salaries. The Board shall have the exclusive-right and power, subject to the Saline County Judge's oversight, to make purchases of all supplies and equipment and other property and things requisite and necessary for the operation and management of the Saline County Public Library. This power includes contracting for or purchasing including new construction and equipment as needed it being the intention of this Ordinance to vest in said Board the authority to operate, manage, maintain equipment and control the Saline County Public Library all subject to county purchasing all statutory and constitutional laws of Arkansas.

Article 6. The Saline County Library Board shall have authority to enter into contracts, other than for the purposes of employment, with persons, firms, corporations or organizations including all levels of government and municipal corporations for any legitimate purpose in furtherance of the operation of the Saline County Public Library, subject to all applicable state and local laws.

Article 7. The Board shall adopt such rules, <u>policies</u>, <u>procedures</u>, and regulations as it may deem necessary and expedient for the proper operation and management of The Saline County Public Library, not inconsistent with this Ordinance or the laws of the State of Arkansas, and shall have authority to alter, change or amend such rules and regulations at its discretion. <u>Prior to adoption of any rules</u>, <u>policies</u>, <u>procedures</u>, <u>or regulations under this Article</u>, <u>the Board shall submit the proposals to the Saline County Judge for review</u>. <u>The Board shall have the final authority to adopt or amend any rules</u>, <u>policies</u>, <u>procedures</u>, <u>or regulations subject to all applicable state and local laws</u>.

Article 8. The Board shall submit quarterly reports beginning three months after its organization, and each three months thereafter, reporting in full on the operations, including an accounting of receipts and disbursements, to the County Judge and the Quorum Court, and shall furnish such other and further reports data and information as may be requested by the County Judge and the Quorum Court. The quarterly report to the County Judge and the Quorum Court with respect to receipts and disbursements shall be certified as correct by said Board. Said Board shall also submit to the County Judge and the Quorum Court an annual third-party audit by a non-governmental accounting firm of the operations of said Saline County Public Library. The Board shall submit a detailed line-by-line library budget during the county's annual budget process, for review and approval by the Quorum Court, and subject to appropriation by the Quorum Court.

Article 9. All sums collected by said Board shall become County funds and be deposited in the County Treasury in a separate fund to be called the Saline County Public Library Fund. All county monies for the operation of the Saline County Public Library shall be provided by Quorum Court appropriation. The Board members shall each furnish to the County a \$2,500.00 property bond, which shall be filed with the County Clerk, which will insure the County against any misappropriation or mishandling of funds. The Board members shall receive no salary, nor other form of monetary compensation for their services. Board members shall cause to be furnished to the County, for filing with the County Clerk, subject to any statutory requirements, sufficient security, through bonding or insurance, to insure the County against any misappropriation or mishandling of funds. The Library Board shall cause to be obtained a primary payer or first payer insurance policy or policies to provide adequate security against claims that may be made due to actions or inactions of the Library Board or Saline County Public Library, against the Library Board or Saline County Public Library, with the County as an additional insured.

<u>Article 2</u>. Strikethroughs are words or phrases to be deleted while underlined words or phrases are to be added to Library Ordinance 1978-1. All strikethroughs or underlined additions in this ordinance are to be deemed applied upon passage but prior to publication and application of the terms set forth herein.

<u>Article 3</u>. A copy of the amended Library Ordinance, incorporating the additions and deletions set forth in this ordinance, and this ordinance shall be on file in the Office of the County Clerk and available for public inspection during normal business hours.

<u>Article 4</u>. SEVERABILITY: If any part of this ordinance is held invalid, such invalidity shall not affect any other portion of this ordinance.

<u>Article 5.</u> REPEALER: Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

DATE: August 21, 2023	APPROVED:
,	MATT BRUMLEY
	SALINE COUNTY JUDGE
ATTEST:	SPONSOR: JOSH CURTIS, JP DISTRICT #7
DOUG CURTIS	EVERETTE HATCHER, JP #2
SALINE COUNTY CLERK	C J ENGEL, JP #9
	BARBARA HOWELL, JP #4
	ED ALBARES, JP #8
	JUSTIN RUE, JP #5
	CLINT CHISM, JP #11
	J R WALTERS, JP #12
	JIM WHITLEY, JP #10
3rd Reading	CARLTON BILLINGSLEY JP #3

#### ORDINANCE NO. 2023 - \_\_

BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING ORDINANCE NO. 2004-34, THE LITTER CONTROL ORDINANCE."

WHEREAS, Saline County is a beautiful county, with many natural assets, that has its natural splendor marred by litter; and

WHEREAS, Ordinance No. 2004-34 ("Litter Control Act") has been effective for almost 20 years, but amendments are needed to ensure that the public is properly aware of the Litter Control Ordinance and to help create sufficient disincentives to littering; and

WHEREAS, the Quorum Court of Saline County is committed to the goal of the Litter Control Act, which is to improve the quality of life for all citizens of the State of Arkansas and County of Saline.

# NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF SALINE COUNTY

**Article 1.** Section 3 of the Litter Control Act entitled "ENFORCEMENT OF THE ACT" is hereby amended to add the following underlined language:

The County Judge of Saline County shall, to the extent there are funds available, cause signage to be placed on County roads referencing the Litter Control Act and possible monetary penalties for violating the Act.

**Article 2.** Section 8 of the Litter Control Act entitled "VIOLATIONS-PENALTIES" is hereby amended to add the following underlined and delete the following struck-through language:

Every person convicted of a violation of Section 4, 5, or 6 of this Act shall be fined not less than \$500.00 \$250.00 nor more than \$1,000.00 \$500.00 except:

- (2) That those persons who violate Section 4, 5, or 6 of this Act and who are found to have committed the prohibited acts in furtherance of or as part of a commercial enterprise, whether or not that enterprise is the disposal of wastes, shall be guilty of "commercial littering" and as such shall be fined not less than \$700.00 \$350.00 nor more than \$1,000.00 \$500.00. Additionally, those convicted may be required to remove any litter disposed of in violation of this Act.
- **Article 3.** Section 10 of the Litter Control Act entitled "PENALTY" is hereby amended to add the following underlined and delete the following struck-through language:

Any person who violates any provision of Section 9 of this Act shall be fined not less than \$500.00 \$250.00 nor more than \$1,000.00 \$500.00.

**Article 4.** Section 14 of the Litter Control Act entitled "PROCEEDS FROM SALE OF JUNK MOTOR VEHICLES, OLD VEHICLE TIRES AND INOPERATIVE OR DISCARDED HOUSEHOLD APPLIANCES" is hereby amended to add the following underlined and delete the following struck-through language:

PROCEEDS FROM SALE OF JUNK MOTOR VEHICLES, OLD VEHICLE TIRES, AND INOPERATIVE OR DISCARDED HOUSEHOLD APPLIANCES. OR FINES RECEIVED PURSUANT TO THIS ACT.

Any fines received pursuant to the "Litter Control Act" shall be deposited into the "Litter Control Account" and used solely to pay for: (1) signage in Saline County informing the public of the Litter Control Act; and, (2) other educational awareness opportunities for the public associated with the Litter Control Act as deemed appropriate by the County Judge of Saline County.

**Article 5**. Any strikethroughs or underlined additions in Articles 1-4 above are to be deemed applied subsequent to passage but prior to publication and application of the terms set forth herein.

**Article 6**. The provisions of this Ordinance are to be liberally construed to accomplish the objectives and purposes hereof.

**Article 7.** If any section of this Ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

Article 8. Any parts of Saline County Quorum Court Emergency Ordinance 2004-34, or any other, or part of, any ordinance, resolution, rule, regulation now in effect that are in conflict with this Ordinance are herewith and hereby repealed to the extent of such conflict.

Article 9. A copy of the amended Litter Control Act, incorporating the additions and deletions set forth in this ordinance, and this ordinance shall be on file in the Office of the County Clerk and available for public inspection during normal business hours.

DATE: August 21, 2023	APPROVED:
-	MATT BRUMLEY
	SALINE COUNTY JUDGE
ATTEST:	SPONSOR: RICK BELLINGER, JP DISTRICT # 6
DOUG CURTIS	<del>-</del>
SALINE COUNTY CLERK	

RESOLUTION	NO.	2023	-

#### SALINE COUNTY QUORUM COURT

A RESOLUTION authorizing the grant application process for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program – FY 2023 Local Solicitation, and providing other assurances.

WHEREAS, the need for additional small equipment, such as radios and tasers, and for Saline County Sheriff's Office Patrol Deputies is an ongoing need; and

WHEREAS, the need for radios, tasers, and other small equipment to assist Saline County Sheriff's Office is compliant with the National Preparedness Goal, and

WHEREAS, the funding requested through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program – FY 2023 Local Solicitation will provide \$14,657 to address these needs, and matching funds are not required; and

WHEREAS, the members of the Saline County Quorum Court have had an opportunity to review and comment on the contents of the 2023 Edward Byrne Memorial Justice Assistance Program grant application; and

WHEREAS, the Saline County Quorum Court assures the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance that the application or any future amendments have been or will be made public and an opportunity to comment has been or will be provided to citizens.

**NOW, THEREFORE, BE IT RESOLVED** that the Saline County Quorum Court hereby authorizes and directs the Saline County Grants Administrator to submit the Edward Byrne Memorial Justice Assistance Grant (JAG) Program - FY 2023 Local Solicitation grant application.

DATE:	: AUGUST 21, 2023	APPROVED:_		
			MATT BRUMLEY	_
			SALINE COUNTY JUDGE	
Attest:				
	DOUG CURTIS	_		
	SALINE COUNTY CLERK			

#### **APPOINTMENT**

IN THE MATTER OF AN APPOINTMENT TO THE SALINE COUNTY, ARKANSAS WATERWORKS & SANITARY SEWER PUBLIC FACILITIES BOARD (WOODLAND HILLS)

**WHEREAS,** Steve Dawson resigned as a member of the Saline County, Arkansas Waterworks & Sanitary Sewer Public Facilities Board (Woodland Hills) (the "Board") for a term set to expire on December 1, 2027, thus creating a vacancy.

**WHEREAS**, it is considered to be in the best interest of the Board and the citizens of Saline County that **Guilmar Juarez** be appointed to serve on said Board and was approved by the Board at the May 20, 2023 meeting.

**THEREFORE**, in accordance with A.C.A. 14-137-108 **Guilmar Juarez** is hereby appointed to said Board for the term to expire on December 1, 2027.

MATT BRUMLEY SALINE COUNTY JUDGE

DATE: August 21, 2023

#### **APPOINTMENT**

# IN THE MATTER OF AN APPOINTMENT TO THE SALINE COUNTY PUBLIC LIBRARY BOARD

**WHEREAS**, Laine Holleran resigned as a member of the Saline County Public Library Board for a term set to expire on June 30, 2027, thus creating a vacancy. It is considered to be in the best interest of the Library Board and the citizens of Saline County that **Dr. Darnell Bell** be appointed to fill this vacancy.

**THEREFORE**, in accordance with Ordinance No. 78-1, **Dr. Darnell Bell** is hereby appointed to fill the remainder of the five (5) year term on said Board to expire on June 30, 2027.

MATT BRUMLEY
SALINE COUNTY JUDGE

**DATE: AUGUST 21, 2023** 

Appropriation Ordinance No. 2023
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BE IT ENACTED BY THE QUORUM COURT OF SALINE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

"AN ORDINANCE TO AMEND THE 2023 SALINE COUNTY BUDGET ORDINANCE NO. 2022-36 AND AMENDMENTS THERETO; TO APPROPRIATE PROFESSIONAL DEVELOPMENT RECOGNITION PAYMENTS; AND, FOR OTHER PURPOSES."

**Article 1.** <u>Affirmation</u>. This court acknowledges and affirms that it is the responsibility of the county to disburse, through the county payroll system, the Professional Development Recognition Payments funded by the State of Arkansas to qualifying personnel who actively work with property taxes.

Article 2. <u>Professional Development Recognition Payments</u>. In accordance with Act 357 of 2023 the professional development recognition payments authorized by §14-15-205 for qualifying county assessors and full-time employees of a county assessor's office shall be paid through county payroll as soon as practicable after the funds are received. The lump sum payment of a professional development recognition payment shall not be incorporated into the county base pay of a constitutional officer or a county employee for future salary adjustments. This lump sum payment is subject to withholding of all applicable state and federal taxes but shall not be subject to retirement benefits in accordance with §14-15-205(e)(1). The professional development recognition payments shall not be construed to be part of a county officer's compensation as defined in Amendment 55, §5 of the Arkansas Constitution or Arkansas Code Annotated §14-14-1203(d).

**Article 3.** <u>Amendment/Appropriation</u>. The following is an amendment to the 2023 Saline County Budget Ordinance No. 2022 - 36 as amended:

Fund/Department/Line Item	Description	Amount
1000.0105.1032	Salaries/Bonus, Other	\$2,750.00
1000.0105.1006	Social Security Match	\$210.38
1000.7013	Other State Aid	\$2,750.00

**Article 4.** <u>Legislative Intent</u>. It is the intent of the Saline County Quorum Court that the appropriations contained herein are to be used only for Professional Development Recognition Payments and associated payroll expenses; and this ordinance is only an amendment to the 2023 county operating budget as established by Ordinance No. 2022 - 36 and other amendments thereto. All other appropriations and policy statements of Ordinance No. 2022 - 36 shall remain in full force.

**Article 5.** <u>Effective Date.</u> This appropriation ordinance shall be effective immediately upon its passage by the quorum court and approval by the county judge in accordance with Arkansas Code Annotated §14-14-907(f).

**Article 6.** It is deemed necessary for the smooth operation of Saline County Government that this ordinance be approved. It has been approved by Saline County Finance Committee on August 7, 2023 and recorded in the minutes.

DATE: AUGUST 21, 2023	APPROVED
,	MATT BRUMLEY
	SALINE COUNTY JUDGE
ATTEST:	SPONSOR: J. R. WALTERS, JP DISTRICT #12
DOUG CURTIS	

SALINE COUNTY CLERK

#### APPROPRIATION ORDINANCE NO. 2023 - \_\_\_\_\_

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

"AN ORDINANCE TO AMEND THE 2023 SALINE COUNTY BUDGET ORDINANCE NO. 2022-36; TO APPROPRIATE/TRANSFER FUNDS THEREFORE TO THE VARIOUS BUDGETS; AND, FOR OTHER PURPOSES."

**WHEREAS**, the Sheriff received insurance proceeds of \$2,212.92 as a result of a patrol vehicle accident and requests those funds be appropriated into the Fund 1000 – Sheriff's Department (0400) Repairs & Maintenance budget (Article 1);

WHEREAS, the 911 office has been short-handed and has had more compensatory time paid out for employees in the early part of 2023, the 911 Director requests to transfer funds from in Fund 3020 – 911 Fund from Telephone Line Item to Over-Time and Part-time Help (Article 2);

WHEREAS, the Election Coordinator received reimbursement from elections from the State in the amount of \$464.00 and requests to appropriate these funds into Fund 1000 – Election Worker (0109) budget (Article 3);

WHEREAS, the Finance Committee previously met and approved this request.

# NOW THEREFORE BE IT ORDAINED BY THE QUOURM COURT OF SALINE COUNTY, ARKANSAS:

<u>Article 1</u>. That the sum of \$2,212.92 is hereby appropriated in Fund 1000 – Sheriff Department (0400) budget and anticipated revenues be increased for Insurance Proceeds as follows:

Line Item	Description	Amount
1000.0400.2023	Parts & Repairs	\$2,212.92
1000.8718	Ins. Proceeds (Damages & Loss)	\$2,212.92

<u>Article 2</u>. That the sum of \$40,000.00 is hereby transferred in Fund 3020 – 911 Emergency Fund, 911 Department (0501) budget as follows:

Transfer From	Description	Transfer To	Description	Amount
3020.0501.3020	Telephone	3020.0501.1005	Over-Time	\$20,000.00
3020.0501.0127	Deputy Team Lead	3020.0501.1002	Part-Time Help	\$20,000.00

<u>Article 3</u>. That the sum of \$464.00 is hereby appropriated in Fund 1000 – Election Worker Department (0109) budget and anticipated revenues be increased for Reimbursement-Elections as follows:

Line Item	Description	Amount
1000.0109.3100	Other Miscellaneous	\$464.00
1000.8719	Reimbursement-Elections	\$464.00

and recorded in the minutes.

DATE: AUGUST 21, 2023

APPROVED

MATT BRUMLEY
SALINE COUNTY JUDGE

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

DOUG CURTIS
SALINE COUNTY CLERK

<u>Article 4.</u> It is deemed necessary for the smooth operation of Saline County Government that this ordinance be approved. It has been approved by Saline County Finance Committee on August 7, 2023

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