

AGENDA
INDEPENDENCE COUNTY QUORUM COURT
REGULAR MEETING
Jess B. Carpenter Building
Juvenile Courtroom
February 11, 2008

I. CALL TO ORDER

- A. Pledge of Allegiance (Mr. Arms)
B. Invocation (Mr. Phillips)

II. APPROVAL OF MINUTES

- A. January 14, 2008 Regular Meeting

III. SPECIAL REPORT/PRESENTATIONS

- A. Sheriff's Report (Sheriff Keith Bowers)
B. Treasurer's Report (Treasurer Linda Foreman)

IV. NEW BUSINESS

(Mr. Cuzzort)

ORDINANCE NO. 2008-02 AN ORDINANCE AMENDING ORDINANCE NO. 2007-56 AND THE ANNUAL BUDGET FOR 2008 FOR THE PURPOSE OF APPROPRIATING SUPPLEMENTAL FUNDS TO THE COUNTY GENERAL FUND, OES BUDGET DIVISION, AND ESTABLISHING A NEW LINE-ITEM, WITH SAID FUNDS TO BE DERIVED FROM A REIMBURSABLE HOMELAND SECURITY GRANT AND REVENUE RECEIVED FROM BILLING OF HAZMAT RESPONSES, AMENDING THE ANNUAL BUDGET FOR 2008, AMENDING ANTICIPATED REVENUES; AND FOR OTHER PURPOSES FOR THE CALENDAR YEAR 2008.

(Mr. Cash)

ORDINANCE NO. 2008-03 AN ORDINANCE TO ESTABLISH THE RATE OF PAY AND REIMBURSEMENT FOR JURY SERVICES; TO ASSIGN RESPONSIBILITY FOR APPLYING FOR REIMBURSEMENT FROM THE STATE; AND DECLARING AN EMERGENCY.

(Mr. Stewart)

ORDINANCE NO. 2008-04 AN ORDINANCE PURSUANT TO A.C.A. 16-10-209; AUTHORIZING DISTRICT COURT ALLOCATION OF TIME PAYMENTS FOR FINES AND COSTS; AND DECLARING AN EMERGENCY.

V. BUDGET MATTERS

VI. CITIZENS COMMENTS

VII. ADJOURNMENT

INDEX
HEADINGINDEPENDENCE COUNTY QUORUM COURT
JOURNAL OF PROCEEDINGS

January 15, 2008

The Independence County Quorum Court meets in its regular session on Monday, January 14, 2008 at 6:00 P.M. in the Jess B. Carpenter Building. Judge Bill Hicks presided. County Treasurer Linda Foreman and County Clerk Karen Wooldridge were present. Members present:

| | |
|--------------------|-----------------|
| Tim Stewart | Robert Cuzzort |
| Deborah Wyatt | Mike Hatfield |
| David McIntosh | Bill Cash |
| Orville Arms | Charles Barnett |
| James Darmstaedter | James McLean |

Darmstaedter made a motion to approve the minutes of the previous meetings with a correction being made to the December 17, 2007 meeting. Barnett seconded. Motion carried.

The treasurer's report was handed out with Foreman stating that sales tax was up 5.9%.

In old business, James Starzy spoke to the Court about the proposed extension construction. He stated that he sees this as an opportunity for the County to get more revenue. Barnett asked if we had received any encouragement from the State. Starzy stated that the State will not talk about it right now. Barnett made a motion to authorize the project and go to bids with bids coming back to Court for approval. Hatfield seconded. Motion carried. Darmstaedter then made a motion for financing bids to come back to Court for approval. Stewart seconded. Motion carried.

David Powell, Attorney for Hydro Project spoke to the Court regarding the lawsuits filed over Mobley's claims. He stated one was filed in Batesville and one in Conway and it was still to be decided which Court would hear the case. He stated that the ACA may have revised their position and may be able to assist the County with the lawsuit. Mike Hughes was also introduced as well as Rita Potts.

In new business, Darmstaedter introduced Ordinance 2008-01, an ordinance amending ordinance 2006-48 and the annual budget for 2007, as amended, for the purpose of transferring funds between line-items, categories, and budgets, within the County General Fund, Senior Citizens Fund, County Recorder Cost Fund, and DHS/Health Office Complex Fund; appropriating funds therefore; and, for other purposes for the calendar year 2007. The Clerk read the ordinance in its entirety. Arms seconded. Motion carried.

Hicks then introduced Mr. Don Bice to the Court to speak about the Trash issue. Bice stated that he wanted to give the Court a heads-up on what the private sector was doing about the problem. He handed out information on an In-Vessel Composting Solution system that they had looked into that could save up to \$5.00 to \$6.00 per ton. The unit has no emissions, leakage or sound. He stated that the 1st year start up could be around 1.6 million. After several questions from the Court, Judge Hicks thanked Mr. Bice for his presentation.

INDEX
HEADING

INDEPENDENCE COUNTY QUORUM COURT
JOURNAL OF PROCEEDINGS

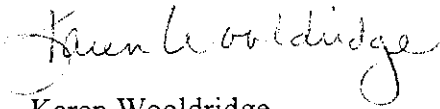
Bill Hoskins gave the Bethesda Fire Departments report on the Sales Tax Funds received from the County and stated his appreciation.

Hicks asked if there were any citizen's comments.

James Darmstaedter told the Court that Thanks should go to the Treasurer for the good job that she had done on earning more interest for the County.

Cash made a motion to adjourn. Meeting was adjourned.

Respectfully Submitted,



Karen Wooldridge
Independence County Clerk

Independence County Sheriff's Department Departmental Activity & Status Report

DECEMBER, 2007

Patrol Division

| <u>Activity</u> | <u>Metro Total</u> | <u>County Total</u> | <u>Total</u> | <u>2007 Year to Date</u> | <u>2006 Year To Date</u> |
|-----------------------|--------------------|---------------------|--------------|------------------------------|------------------------------|
| Accidents | 42 | 60 | 102 | 1,153 | 1,098 |
| Calls for Service | 574 | 593 | 1,167 | 16,410 | 16,378 |
| Traffic Warnings | 23 | 27 | 50 | 1,818 | 2,494 |
| Traffic Citations | 80 | 97 | 177 | 3,853 | 4,540 |
| Arrests | 28 | 27 | 55 | 1,144 | 1,212 |
| Property Inspections | 6,783 | 1,221 | 8,004 | 102,425 | 91,555 |
| Motorist Assists | 55 | 36 | 91 | 1,222 | 1,275 |
| *Comp Time for Patrol | 223.63 | 108.63 | 332.26 | 332.26 | 325.41 |
| Miles Driven | 18,514 | 16,967 | 35,481 | 491,934 | 508,561 |

Criminal Investigation Division

| <u>Activity</u> | <u>Total</u> | | |
|--------------------------|--------------|-------------|-------------|
| Crimes Reported | 408 | 5485 | 5394 |
| Crimes Cleared | 244 | 4895 | 4579 |
| County Reports Filed | 164 | 2240 | 2250 |
| City Reports Filed | 130 | 1633 | 1680 |
| Cases Filed on Adults | 118 | 1795 | 1434 |
| Cases Filed on Juveniles | 0 | 224 | 99 |
| *Comp Time for CID | 325.88 | 325.88 | 302.51 |
| Property Stolen | \$78,021 | \$1,499,504 | \$1,134,132 |
| Property Recovered | \$6,844 | \$767,596 | \$581,090 |

Warrants/Civil Process

| <u>Activity</u> | <u>Total</u> | | |
|--------------------------|--------------|-------------|-------------|
| Warrants Served | 241 | 3,692 | 4,014 |
| Civil Process Served | 239 | 4,282 | 4,138 |
| Execution Amounts | \$3,526.45 | \$31,913.02 | \$89,086.67 |
| Amount paid to Treasurer | \$2,375.80 | \$30,205.80 | \$34,380.00 |
| *Comp Time | 53.05 | 53.05 | 39 |
| Miles Driven | 7,773 | 97,905 | 112,127 |

Domestic Violence Unit

| | | | |
|----------------------------|-------|--------|--------|
| Call Taken | 106 | 1,244 | 1,216 |
| Call Investigated | 47 | 428 | 316 |
| Arrests or Warrants Issued | 29 | 299 | 219 |
| *Comp Time | 18.75 | 18.75 | 9.00 |
| Miles Driven | 1,345 | 13,172 | 13,595 |

Warrant Fees/Booking Fees

| | | | |
|----------------------------|--------------------|---------------------|---------------------|
| Booking Fees | \$1,260.00 | \$23,195.00 | \$26,330.00 |
| In County Warrant Fees | \$4,425.00 | \$86,875.00 | \$86,546.00 |
| Out of County Warrant Fees | \$275.00 | \$3,525.00 | \$4,799.00 |
| Citation Fee DC | \$15,067.25 | \$141,245.66 | \$153,691.32 |
| Total | \$21,027.25 | \$254,840.66 | \$271,366.32 |

Comp time totals are year-to-date, not monthly totals

INDEPENDENCE COUNTY SHERIFF'S DEPARTMENT
Departmental Activity & Status Report

Independence County Detention Facility

DECEMBER, 2007

| <u>Revenue Generated</u> | <u>Monthly Total</u> | <u>2007 Year to Date Total</u> | <u>2006 Year to Date Total</u> |
|--|-----------------------------|---------------------------------------|---------------------------------------|
| Housing Out of County Prisoners | \$0.00 | \$180.00 | \$450.00 |
| Housing State Prisoners (309) | \$4,080.00 | \$24,087.00 | \$43,235.00 |
| Housing State Prisoners | \$13,776.00 | \$97,090.00 | \$116,816.00 |
| Inmate Phone System | \$411.09 | \$6,165.46 | \$9,090.87 |
| Vending | \$62.25 | \$743.40 | \$715.12 |
| Social Security | \$800.00 | \$4,000.00 | \$3,400.00 |
| Med/Profit Commissary Acct. | \$0.00 | \$11,782.48 | \$13,990.39 |
| Fingerprint/Copies | \$685.00 | \$2,117.00 | \$1,398.00 |
| | | | |
| Persons Booked Into Detention Facility | 173 | 2,404 | 2,651 |
| | | | |
| Comp Time Year to Date | 449.98 | 449.98 | 496.15 |

Independence County Sheriff's Department Departmental Activity & Status Report

DECEMBER, 2007

Patrol Division

| Activity | Metro Total | County Total | Total | 2007 | 2006 |
|-----------------------|-------------|--------------|--------|--------------|--------------|
| | | | | Year to Date | Year To Date |
| Accidents | 42 | 60 | 102 | 1,153 | 1,098 |
| Calls for Service | 574 | 593 | 1,167 | 16,410 | 16,378 |
| Traffic Warnings | 23 | 27 | 50 | 1,818 | 2,494 |
| Traffic Citations | 80 | 97 | 177 | 3,853 | 4,540 |
| Arrests | 28 | 27 | 55 | 1,144 | 1,212 |
| Property Inspections | 6,783 | 1,221 | 8,004 | 102,425 | 91,555 |
| Motorist Assists | 55 | 36 | 91 | 1,222 | 1,275 |
| *Comp Time for Patrol | 223.63 | 108.63 | 332.26 | 332.26 | 325.41 |
| Miles Driven | 18,514 | 16,967 | 35,481 | 491,934 | 508,561 |

Criminal Investigation Division

| Activity | Total | 2007 | 2006 |
|--------------------------|----------|-------------|-------------|
| Crimes Reported | 408 | 5485 | 5394 |
| Crimes Cleared | 244 | 4895 | 4579 |
| County Reports Filed | 164 | 2240 | 2250 |
| City Reports Filed | 130 | 1633 | 1680 |
| Cases Filed on Adults | 118 | 1795 | 1434 |
| Cases Filed on Juveniles | 0 | 224 | 99 |
| *Comp Time for CID | 325.88 | 325.88 | 302.51 |
| Property Stolen | \$78,021 | \$1,499,504 | \$1,134,132 |
| Property Recovered | \$6,844 | \$767,596 | \$581,090 |

Warrants/Civil Process

| Activity | Total | 2007 | 2006 |
|--------------------------|------------|-------------|-------------|
| Warrants Served | 241 | 3,692 | 4,014 |
| Civil Process Served | 239 | 4,282 | 4,138 |
| Execution Amounts | \$3,526.45 | \$31,913.02 | \$89,086.67 |
| Amount paid to Treasurer | \$2,375.80 | \$30,205.80 | \$34,380.00 |
| *Comp Time | 53.05 | 53.05 | 39 |
| Miles Driven | 7,773 | 97,905 | 112,127 |

Domestic Violence Unit

| | | | |
|----------------------------|-------|--------|--------|
| Call Taken | 106 | 1,244 | 1,216 |
| Call Investigated | 47 | 428 | 316 |
| Arrests or Warrants Issued | 29 | 299 | 219 |
| *Comp Time | 18.75 | 18.75 | 9.00 |
| Miles Driven | 1,345 | 13,172 | 13,595 |

Warrant Fees/Booking Fees

| | | | |
|----------------------------|-------------|--------------|--------------|
| Booking Fees | \$1,260.00 | \$23,195.00 | \$26,330.00 |
| In County Warrant Fees | \$4,425.00 | \$86,875.00 | \$86,546.00 |
| Out of County Warrant Fees | \$275.00 | \$3,525.00 | \$4,799.00 |
| Citation Fee DC | \$15,067.25 | \$141,245.66 | \$153,691.32 |
| Total | \$21,027.25 | \$254,840.66 | \$271,366.32 |

Comp time totals are year-to-date, not monthly totals

INDEPENDENCE COUNTY SHERIFF'S DEPARTMENT
Departmental Activity & Status Report

Independence County Detention Facility

DECEMBER, 2007

| <u>Revenue Generated</u> | <u>Monthly Total</u> | <u>2007 Year to Date Total</u> | <u>2006 Year to Date Total</u> |
|--|-----------------------------|---------------------------------------|---------------------------------------|
| Housing Out of County Prisoners | \$0.00 | \$180.00 | \$450.00 |
| Housing State Prisoners (309) | \$4,080.00 | \$24,087.00 | \$43,235.00 |
| Housing State Prisoners | \$13,776.00 | \$97,090.00 | \$116,816.00 |
| Inmate Phone System | \$411.09 | \$6,165.46 | \$9,090.87 |
| Vending | \$62.25 | \$743.40 | \$715.12 |
| Social Security | \$800.00 | \$4,000.00 | \$3,400.00 |
| Med/Profit Commissary Acct. | \$0.00 | \$11,782.48 | \$13,990.39 |
| Fingerprint/Copies | \$685.00 | \$2,117.00 | \$1,398.00 |
| | | | |
| Persons Booked Into Detention Facility | 173 | 2,404 | 2,651 |
| | | | |
| Comp Time Year to Date | 449.98 | 449.98 | 496.15 |

**James Starzy
Jail Administrator
Independence County
Batesville, AR**

January 9, 2008

Sheriff Keith Bowers
1750 Myers St.
Batesville, AR 72501

Sheriff Bowers:

Request you accept my resignation as Independence County Jail Administrator. This resignation will be effective January 18, 2008, and allow me to devote attention to my other position as White River Regional Juvenile Detention Facility Administrator.

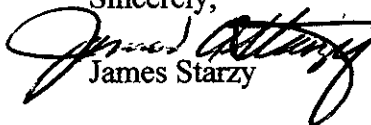
I assumed the position of Jail Administrator in April 2005. The reason for me accepting this position was to oversee the budget and ensure the facility met state and federal standards. I believe I have done that and can depart knowing that the changes implemented moved the jail in the right direction.

I am very proud of the many accomplishments made during the past three years. It has sometimes been a struggle but the team pulled together to make the jail a more efficient operation. More importantly, during a time of fiscal concerns, rising gas prices and medical costs, we were able to stay within prescribed budgets. Some of the more significant accomplishments include:

- Wrote and implemented budget for 2006 and 2007
- Wrote budget for 2008
- Contracted with White River Medical Center to reduce medical costs
- Contracted with the Radiology Clinic to reduce costs.
- Law suits against the jail have drastically diminished as a result of training for personnel
- Ensured all systems were repaired and functioned properly
- Facility has been completely repainted
- Implemented a new Commissary system
- Purchased tasers and trained employees on their use
- Purchased new 'Man Down' system
- Reduced complaints by visitors and relatives
- Implemented inventory control for keys and assets

I appreciate your support and the professionals I have had the opportunity with which to work.

Sincerely,


James Starzy

Cc: County Judge Bill Hicks
Independence County Quorum Court

Milestones accomplished from 2005-2007

Wrote Budget 2006, 2007, 2008

Assets inventory of facility

Key inventory of county jail

Boiler inspection by State Inspector (had not been inspected for many years)

Established Purchase Order (P.O.) Log

- Revenue Log
- Established file system for purchase orders.

Daily activity records for eight (8), hour shifts and shift logs

Fire evacuation plan

Fire Drill system

Appointed Facility Fire Marshall

Fixed fire alarm system that was inoperative

Purchased gun safe for rifles and shot guns to be used by law enforcement entering facility

Painted facility

Fixed broken locks through out facility

Repaired broken security flaps on cell doors

Replaced light bulbs in all upper ceiling fixtures

Sent security person to school

Sent 2 officers to EMT school

Established Bailiff Position for court

- Secretary position
- Sergeant position
- Corporal's position

Sent officers to Jailer School

Chemical agent training for all officers

Contracted with White River Medical Center to reduce medical cost

Change pharmacy system

Contracted with Radiology clinic to reduce medical cost

Reduced Law Suits

Brought professionalism to facility

Fixed security padded cell, which had broken fire nozzle that had a four inch pipe and repaired rubber interior

Put software virus protection on all facility computers

Replaced broken equipment

- Intake Printer
- Copy machine
- Fax machine
- Other printers
- Phones inside and out

Food Service Equipment

- Fixed dishwasher
- Freezer Lighting

Personal Property storage

Redone inmate personal property storage areas

- Intake housing
- Felony housing
- Female housing

Safe for inmate personal valuables

New Commissary System

Security Bench in Booking Area

New Security Restraint Chair

Storage Building for Lawn Equipment

Storage Shelves for Facility Records

Two New Boilers for Facility

Security Plates on cell doors installed in Male Housing

Two part time officers' positions

Purchased Taser's and trained employee's

Taser Policy written

Established Emergency Response Team for Facility

Schedule Training for all team members through local and state agencies

Purchase of New Inmate Transport Van for Facility

Purchase of new mattress for inmates and bedding

Purchased new inmate uniforms and shoes

Constructed Security Cage for Male Housing

Purchased New Man Down Systems for facility

Established two (2) New Bailiff positions for Circuit Court

Established recycling program for county jail

Purchased new centralized copy/printer for better cost management of resources

Purchased five new office chairs for central control

INDEPENDENCE COUNTY RECYCLING CENTER
SALES ANALYSIS

| YEAR | ESTIMATED WEIGHT | # BALES | AMOUNT DUE | AMOUNT COLLECTED |
|-------------------------|---------------------|---------------------|-------------------|------------------|
| 2006 | 7,208,396 | 2,347 | \$303,499.33 | \$174,079.70 |
| 2007 | 5,167,721 | 3,451 | \$298,438.41 | \$267,724.99 |
| 2008 | 128,430 | 73 | | |
| | 2006 | 2007 | 2008 | |
| Alum. Cans | \$11,137.00 | \$11,368.00 | | |
| Cardboard | \$207,747.11 | \$195,095.00 | \$4,217.00 | |
| Magazines | \$4,416.60 | \$5,199.00 | | |
| Newspaper | \$19,764.25 | \$26,206.03 | \$2,204.00 | |
| Office Pak-sow | \$8,266.90 | \$8,679.80 | | |
| Plastic Bags | \$0 | \$810.00 | | |
| Plastic #1 PET | \$4,593.88 | \$5,073.33 | | |
| Plastic #2-Natural-Milk | \$5,904.14 | \$4,433.88 | | |
| Plastic #2-Colored | \$4,438.20 | \$3,152.70 | | |
| Poly. Boxes | \$6,899.80 | \$7,224.30 | | |
| Printer Mix | \$17,991.70 | \$18,622.13 | | |
| Steel | \$3,826.15 | \$1,969.50 | | |
| Textile | \$10,810.80 | \$11,081.40 | | |
| Totals | \$306,499.33 | \$298,438.41 | \$6,421.00 | |

INDEPENDENCE COUNTY RECYCLING CENTER
SALES ANALYSIS

PERCENTAGES OF HOUSEHOLDS RECYCLING

| | 2007 | 2008 | |
|-------------------------|------|------|--|
| INCORPORATED | | | |
| | | | |
| CITY OF BATESVILLE | 18% | | |
| CITY OF MOOREFIELD | 24% | | |
| CITY OF CUSHMAN | 11% | | |
| CITY OF SULPHUR ROCK | 48% | | |
| CITY OF PLEASANT PLAINS | 6% | | |
| CITY OF OIL TROUGH | 2% | | |
| CITY OF NEWARK | 15% | | |
| | | | |
| | | | |
| NON-INCORPORATED | | | |
| | | | |
| COUNTY RESIDENTS | 16% | | |
| | | | |
| | | | |

AN OVER ALL PERCENTAGE OF HOUSEHOLDS RECYCLING IN INDEPENDENCE COUNTY IS APPROXIMATELY 17%.

AMENDING APPROPRIATION ORDINANCE

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF INDEPENDENCE, STATE OF ARKANSAS;

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING ORDINANCE NO. 2007-56 AND THE ANNUAL BUDGET FOR 2008 FOR THE PURPOSE OF APPROPRIATING SUPPLEMENTAL FUNDS TO THE COUNTY GENERAL FUND, OES BUDGET DIVISION, AND ESTABLISHING A NEW LINE-ITEM, WITH SAID FUNDS TO BE DERIVED FROM A REIMBURSABLE HOMELAND SECURITY GRANT AND REVENUE RECEIVED FROM BILLING OF HAZMAT RESPONSES, AMENDING THE ANNUAL BUDGET FOR 2008, AMENDING ANTICIPATED REVENUES; AND FOR OTHER PURPOSES FOR THE CALENDAR YEAR 2008.

SECTION 1. Ordinance No. 2007-56, Section A., COUNTY GENERAL FUND, and the Annual Budget for 2008, as amended, are hereby amended for the purpose of the following: (1) Appropriating \$8,500.00 to the O.E.S. Budget with said funds derived from the remainder of a reimbursable 2006 Homeland Security Grant; (2) Appropriating \$10,000.00 to a new line-item entitled "Hazmat Special Needs", with the stipulation that no funds over or above the balance in the Treasurer's OES account books at any one time can be expended or obligated. Hazmat Special Needs revenue will be derived from billing for OEM response to hazmat incidents and will be used to replace any materials and equipment damaged at a hazmat incident. OEM will maintain a hazmat log book along with billing statements.

SECTION 2. The appropriation contained in this section, shall be reflected in the Annual Budget for 2008, as follows:

| <u>FUND/BUDGET</u> <u>Line-Item</u> | <u>Original</u> <u>Appropriation</u> | <u>Appropriation</u> | <u>Amended</u> <u>Appropriation</u> |
|--|---|-----------------------------|--|
| <u>COUNTY GENERAL FUND</u> | | | |
| O.E.S. Budget | | | |
| Other Services | | | |
| (01-3085-1) H.S.E.E.P. 2006 | \$ 2,500.00 | \$ 8,500.00 | \$ 11,000.00 |
| | | | |
| O.E.S. Budget | | | |
| Other Services | | | |
| *(01-3085-0) Hazmat Special Needs | \$ -0- | \$10,000.00 | \$ 10,000.00 |

* New line-item

SECTION 3. The appropriation contained herein increases the O.E.S. Budget to \$176,247.76. The County General Budget increases to \$7,777,624.12. Anticipated revenues in County General is increased to \$7,777,624.12.

SECTION 4. Severability. If any part of this ordinance shall be held void, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this ordinance.

SECTION 5. All Ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

DATED: _____

APPROVED: _____

Judge Bill Hicks

ATTEST: _____

County Clerk

AN APPROPRIATION ORDINANCE

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF INDEPENDENCE, STATE OF ARKANSAS;

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO ESTABLISH THE RATE OF PAY AND REIMBURSEMENT FOR JURY SERVICES; TO ASSIGN RESPONSIBILITY FOR APPLYING FOR REIMBURSEMENT FROM THE STATE; AND DECLARING AN EMERGENCY.

SECTION 1. Legislative Intent.

Pursuant to the requirements of Act 1033 of 2007, codified as Arkansas Code Annotated (ACA) 16-34-101 et seq, and in order to qualify for reimbursement from the State of Arkansas for a portion of said jury costs, the Independence County Quorum Court hereby establishes the following minimum requirements necessary for compensation as jurors and corresponding rates of compensation for services as jurors or prospective jurors in Independence County, Arkansas.

- (1) The person must have received official notice that he or she has been selected as a prospective juror and summoned to appear;
- (2) The person must actually appear at the location to which they were summoned; and
- (3) Their attendance must be noted in writing by the circuit clerk.

SECTION 2 Rates of Compensation.

The following rates of compensation are established for jury service in Independence 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 \$20.00 per day.
- (3) Persons summoned for jury service but who fail, for any reason, to attend court shall not be entitled to receive compensation

SECTION 3 State Reimbursement Procedures and Responsibility Assignment.

Pursuant to ACA 16-34-105 the Circuit Court Clerk of Independence County, Arkansas shall be responsible for remitting, in a timely matter, all documentation required by the Administrative Office of the Courts in order to receive reimbursement for the jury cost incurred under ACA 16-34-103 (b) and Section 2(1) of this ordinance.

SECTION 4 Repeal and Severability

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable,

SECTION 5 Emergency Clause.

This ordinance, being necessary for the protection and preservation of public health and safety, an emergency is hereby declared to exist and this ordinance, upon passage and publication, shall be effective as of February 12, 2008.

SECTION 6 All Ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

DATED: _____

APPROVED: _____
Judge Bill Hicks

ATTEST: _____
County Clerk

ORDINANCE NO. 2008-04

AN APPROPRIATION ORDINANCE

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF INDEPENDENCE, STATE OF ARKANSAS;

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE PURSUANT TO A.C.A. 16-10-209; AUTHORIZING DISTRICT COURT ALLOCATION OF TIME PAYMENTS FOR FINES AND COSTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Independence County District Court, formerly organized and operated as the Independence County Municipal Court, and presently having dockets for Independence County, Arkansas and for the City of Batesville, Arkansas, may allocate time payment of fines and costs in a manner set fourth in A.C.A. 16-10-209; and

WHEREAS, it is in the best interests of Independence County, Arkansas, to utilize the provisions of A.C.A. 16-10-209(5)(F)(ii)(a)(b).

Now, Therefore, premises considered, it shall be and hereby is ordained, to-wit:

1. That pursuant to A.C.A. 16-10-209(5)(F)(ii)(a), all court-ordered time payments in the Independence County division of district court for traffic and criminal cases, receipted by the Independence County District Court, shall be allocated fifty percent (50%) to court costs and fifty percent (50%) to fines. Whenever either court costs or fines are fully paid, all remaining time payments shall be allocated to remaining amounts due, except in those instances where a specific court order has authorized victim restitution having priority over all other payments, fines, and costs.
2. That the Independence County District Court Clerk shall comply with all other provisions of A.C.A. 16-10-209.
3. That in the event any section, subsection, sentence, clause, or phrase of this ordinance is for any reason declared to be unconstitutional or legally invalid, the remainder of this ordinance shall be valid and in full force and effect.
4. That is further hereby found and determined the allocation of said time payments is necessary and essential to protect revenue for Independence County; therefore, an emergency is declared to exist and this ordinance shall be in full force and effect on February 11, 2008.

Repeal and Severability Clause All ordinance and parts of ordinances in conflict with this ordinance are hereby repealed. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable,

Emergency Clause

This ordinance, being necessary for the protection and preservation of public health and safety, an emergency is hereby declared to exist and this ordinance, upon passage and publication, shall be effective as of February 12, 2008.

All Ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

DATED: _____

**APPROVED: _____
Judge Bill Hicks**

**ATTEST: _____
County Clerk**



DISTRICT COURT OF INDEPENDENCE COUNTY

549 WEST MAIN

BATESVILLE ARKANSAS 72501

PH. (870) 783-8817 • FAX (870) 793-8875

Chaney Taylor
DISTRICT JUDGE

Donna Gay
DISTRICT CLERK

February 4, 2008

Independence County Judge Bill Hicks
Independence County Courthouse
192 E. Main
Batesville, AR 72501

Re: Allocation of time payments for fines/costs; A.C.A. 16-10-209(5)(F)(ii)(a)

Dear Judge Hicks:

Attached please find a proposed ordinance in regard to allocation of time payments for fines and costs. It is my understanding that pursuant to A.C.A. § 16-10-209(5)(F)(ii)(a), all court-ordered time payments in the Independence County division of district court for traffic and criminal cases may be allocated fifty percent (50%) to court costs and fifty percent (50%) to fines. If my information is correct, time payments are currently allocated 100% to costs first, then fines; we believe this change will allow Independence County (and respective incorporated cities therein) to collect fine monies quicker. As you can see, under the ordinance, in the event that either court costs or fines are fully paid, all remaining time payments would be allocated to remaining amounts due, except in cases where a specific order has authorized restitution as having priority over other payments.

We would appreciate the Quorum Court enacting this ordinance as soon as possible. Your cooperation is most appreciated.

Should you have any questions, please contact my office.

With all best regards,

Sincerely,

A handwritten signature in black ink, appearing to be "CT" or similar initials, written over the word "Sincerely,".

Chaney Taylor

Independence County District Judge