

**TENTATIVE AGENDA
INDEPENDENCE COUNTY QUORUM COURT
REGULAR MEETING
Jess B. Carpenter Building
Juvenile Courtroom
March 8, 2010
6:00 P.M.**

- I. CALL TO ORDER**
A. Pledge of Allegiance (Mrs. Boothby)
B. Invocation (Mr. Carter)
C. Roll call
- II. APPROVAL OF MINUTES**
A. February 19, 2010 Regular Meeting
B. February 09, 2010 Hydro Committee Meeting
- III. SPECIAL REPORT/PRESENTATIONS**
A. Sheriff's Report (Sheriff Keith Bowers)
B. Treasurer's Report (Treasurer Linda Foreman)
C. Juvenile Detention Report (Jim Starzy)
D. Economic Development Report (Ed Mabry)
E. ACA Hydro Report
- IV. CITIZENS COMMENTS**
- V. NEW BUSINESS**
Independence County Regional Library – Debra Sutterfield
2009 County Recap

(Mr. Thompson)

RESOLUTION NO 2010-05 A RESOLUTION SUPPORTING THE OZARK GATEWAY TOURIST COUNCIL SCENIC BYWAYS INITIATIVE

(Mr. Long)

RESOLUTION NO 2010-06 A RESOLUTION AUTHORIZING THE COUNTY JUDGE AND COUNTY CLERK OF INDEPENDENCE COUNTY, ARKASAS, TO ENTER INTO CONTRACTS FROM RAIL SUPR EXPANSION TO BENEFIT FUTUREFUEL CHEMICAL COMPANY.

(Mr. Cash)

RESOLUTION NO 2010-07 A RESOLUTION AUTHORIZING THE COUNY JUDGE AND COUNTY CLERK OF INDEPENDENCE COUNTY, ARKANSAS, TO ENTER INTO AN ADMINISTRATIVE AGREEMENT WITH THE WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC.

(Mrs. Wyatt)

RESOLUTION NO 2010-08 A RESOLUTION AUTORIZING THE COUNTY JUDGE OF INDEPENDENCE COUNTY TO SUBMIT AN APPLICATION TO THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION FOR A DISASTER PROJECT.

(Mrs. Moore)

RESOLUTION NO 2010-09 A RESOULATION AUTHORIZING THE COUNTY JUDGE AND THE COUNTY CLERK TO ENTER INTO AN ENGINEERING AGREEMENT WITH MILLER NEWWELL ENGINEERS FROM NEWPORT, ARKANSAS, FOR A BRIDGE PROJECT

(Mr. Weaver)

RESOLUTION NO 2010-10 A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY TO THE DELTA REGIONAL AUTHORITY FOR 2010 FUNDING.

(Mr. Bridgman)

RESOLUTION NO 2010-11 A RESOLUTION RECOGNIZING SCOTT WOOD OWNER OF SCOTT WOOD CHRYSLER, JEEP, DODGE IN BATESVILLE, ARKANSAS BEING NAMED THE 2010 TIME MAGAZINE AUTOMOTIVE DEALER OF THE YEAR.

(Mr. Stewart)

RESOLUTION NO 2010-12 A RESOLUTION AUTHORIZING THE FINANCING OF CERTAIN EQUIPMENT TO BE USED BY INDEPENDENCE COUNTY AUTHORIZING THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE BETWEEN INDEPENDENCE COUNTY, ARKANSAS AND WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC., AUTHORIZING AND PRESCRIBING OTHER MATTERS RELATING TO THE EQUIPMENT AND THE PURCHASE THEREOF.

(Mr. Nelson)

ORDIANCE NO. 2010-03 AN ORDIANCE AMENDING ORDIANCE 2009-65, FOR THE PURPOSE OF ESTABLISHING A NEW FUND IN THE BOOKS OF THE COUNTY ENTITLED "SOLID WASTE CONTINGENCY FUND", FOR THE PURPOSE OF TRANSFERRING COUNTY GENERAL FUNDS TO THE SOLID WASTE CONTINGENCY FUND AND DESIGNATED PURPOSE, AND FOR OTHER PURPOSES FOR THE CALENDAR YEAR 2010.

- VI. BUDGET MATTERS**
- VII. ANNOUNCEMENTS**
Letter of Appreciation from the Newark Area Chamber of Commerce
- VIII. ADJOURNMENT**

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HEADING

INDEPENDENCE COUNTY QUORUM COURT
JOURNAL OF PROCEEDINGS

February 19, 2010

The Independence County Quorum Court met in a regular rescheduled session on Tuesday, February 16, 2010 at 6:00 p.m. in the Jess B. Carpenter Building. The prior week's meeting was postponed due to weather conditions. Judge Bill Hicks presided. Independence County Chief Deputy Sheriff Steve Jeffery, Treasurer Linda Foreman, Assessor Odus Fulmer, Circuit Clerk Debbie Finley and Deputy County Clerk Tracey Wyatt were present. Members of the court present were:

Tim Stewart	Gary Bridgman
Deborah Wyatt	Anne Moore
Bobby Weaver	Margaret Boothby
Larry Nelson	Danny Carter
Bill Cash	Waymon Long
Tony Thompson	

Stewart made a motion to approve the minutes of the January 13, 2010 regular quorum court meeting. Anne Moore seconded. Motion carried.

The sheriff's report was handed out. Long questioned the comp time totals. Jeffery explained that the comp totals in the report were for December. All 2009 comp time has been taken care of. This year, the sheriff's office plans to have deputies use the comp time within a month of when it's earned.

The treasurer's report was also handed out. Bridgman noticed that sales tax collection was down \$6,000. Treasurer Foreman explained the \$6,000 figure is based on November's collection.

Mr. Ed Mabry gave the economic development report. He first discussed why he feels he should look at other companies to produce the Independence County promotional video. The company first considered may not be what would work best for the county, because the video would have unfavorable air times and be very costly. He still feels a video would be beneficial and asked for the court's support of his research on the video. He did not know how much such a video would cost, but that is one of the things he will research. Stewart made a motion to support this video research. Nelson seconded. Motion carried. Mabry then asked the court to help fund a part-time employee to help him. This person is currently a Batesville Chamber of Commerce employee who has been helping Mabry. Long made a motion to reimburse the chamber up to \$10,000 a year for this employee, who will work approximately 20 hours a week. Bridgman seconded. Motion carried.

Peggy Kendrick of the Independence County Juvenile Detention Facility asked the court for funds for updates to part of the security system. Kendrick explained that the control panel used to operate electronic door locks within the facility is worn out. Kendrick said that it is not a good idea for guards to have or be seen with actual keys.

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JOURNAL OF PROCEEDINGS

motion to amend Thompson's motion to exclude all elected officials including justices of the peace. Weaver seconded Stewart's motion. Stewart's motion carried. Thompson's amended motion passed 7 to 3. Those voting nay were Moore, Weaver and Nelson. Those voting yea were Stewart, Bridgman, Wyatt, Boothby, Carter, Cash, Long and Thompson. Judge Hicks then vetoed the court's decision, urging them to consider different bonus options. He suggested a seniority based bonus. There was much discussion on the issue. Cash explained that the first proposal was based on 2009 job performance. Since there has not been a cost of living allowance for the past few years, Thompson's bonus plan could be viewed as a thank you to employees for helping control and improve the county's budget. Most of the justices felt that a seniority based bonus plan would be more fair. They also felt the employees would feel it was the more fair option. Stewart made a motion to approve Hicks' seniority based bonus plan. The plan will award a bonus of \$100 to employees with 0-1 year of continuous service (based on the employee's most recent hire date), \$200 for those with 2-5 years, \$300 for those with 6-10 years, \$400 for those with 11-15 years, \$500 for those with 16-20 years and \$600 for those with over 20 years. Part-time employees' time will be rated at half scale. Nelson seconded. The motion passed 10 to 1. Thompson voted nay.

A letter of appreciation was presented to the court from the Batesville Area Arts Council.

Thompson introduced Resolution 2010-4, a resolution requesting an Arkansas Highway & Transportation Department Study of the Ramsey Mountain section of U.S. Highway 167 south of Batesville, Arkansas to determine the feasibility and possible funding sources for the relocation of this section of highway. The deputy clerk read the resolution in its entirety. Moore seconded. Motion carried.

Moore introduced Ordinance 2010-2, an ordinance providing for the establishment of a flood damage prevention program for Independence County and for other purposes. The deputy clerk read the ordinance in its entirety. Boothby seconded. Motion carried.

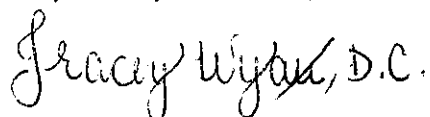
Budget matters were then discussed. Treasurer Foreman reported that the county has \$6,773.94 in Game & Fish Act 799 money. This is about half of what we usually get. Stewart made a motion to divide this money equally among the applying school districts. Moore seconded. Motion carried.

Bridgman then discussed the \$350,000 unappropriated County General funds. Bridgman feels \$100,000 of this should be set aside for Solid Waste. An ordinance will be prepared for the next quorum court meeting concerning this.

Wyatt requested Ms. Sutterfield from the Library attend the next meeting.

With no further business, Long made a motion to adjourn. Thompson seconded. Meeting adjourned.

Respectfully Submitted,



Tracey Wyatt, Deputy Clerk

Hydro Committee Meeting
February 09, 2010 2:00p.m.
Jess B. Carpenter Building

Member of committee present: Chairman Waymon Long, Gary Bridgman, Danny Carter, Tim Stewart

Others present: Judge Bill Hicks, Treasurer Linda Foreman, Steve Fletcher, John Stacey, Ron Sweet, Gary Tucker, Rita Potts, Claudette Jones, Tracey Wyatt

The meeting was called to order at 2:15 p.m.

Long stated that Mr. Sweet and Mr. Tucker are concerned about flooding issues if the dams are raised.

Mr. Fletcher discussed a hand-out from Kleinschmidt. Kleinschmidt conducted a study concerning the addition of flashboards to Lock and Dam nos. 1 & 2.

Mr. Stacey explained the alarm notification system activated when pumps are not functioning correctly. Recently, a runner blade was damaged. It took 5 months to repair and put the blade back in place. Bridgman asked about purchasing a spare blade. Stacey advised a spare blade would cost the county about ¼ of a million dollars.

Fletcher then spoke of a contract dispute with Gerace. He explained that Gerace feels they were not given adequate information about road conditions and the tops of the dams. North American Hydro supplied this information to the county. The county then supplied the information to Gerace.

Fletcher also stated that when the machines are down 1,000 pounds of output a day is lost.

Stewart asked if the county could sell to anyone but Clarksville. Fletcher and Potts explained that Clarksville is legally bound to purchase all that we produce.

Fletcher then spoke about paying Hydro's debts. Any profit will be applied to what is owed on the bonds. Eventually, some of the profit will go back to Clarksville. He also pointed out that \$631,000 is still owed to ACA.

Long then asked about the Operations and Maintenance Agreement. Fletcher reported all financial records concerning the project are available at the County Judge's office. He also added that his firm does not directly handle the cash flow. Citizens Bank handles and distributes all money with the approval of ACA and the judge.

Bridgman questioned employee travel fees on a recent invoice. Fletcher explained that the travel part of the fees was deducted. He then asked Fletcher to detail Section 9.3 of the manual

concerning the \$375 hourly rate. Fletcher explained this amount covers the whole month. He plans to spend 2-3 days in Batesville every month. He will also plan for those days to coincide with the quorum court meetings. Long asked Fletcher if he would be willing to set up a time to answer citizen questions. Fletcher agreed.

Fletcher then added that January's accounting fees were higher, because Steven Mitchell has had several meetings with Accountant John Ed Welch.

Stewart made a motion to adjourn. Bridgman seconded. Meeting adjourned.

DATE	02/02/2010 INCOME	MONTH OF	January
County Income			\$26,065.00
Dys Income			\$71,775.00
TRANSPORT			\$6,582.50
FOOD			\$6,299.74
SOCIAL SECURITY REWARD			\$2,600.00
VENDING/SYSCO REWARD			\$164.00
OTHER (EVERCOM)			\$1,197.39
		TOTAL:	\$114,683.63

EXPENDITURES Total: 55907.58

Inmate Days: 1398

1-81-01	SALARIES	\$23,051.85	
1-81-02	SALARIES	\$9,968.35	
1-81-04	CONTRACT LABOR	\$300.00	
1-81-06	FICA MATCH	\$2,504.17	
1-81-08	RETIREMENT	\$3,540.82	
1-81-09	HEALTH INSURANCE	\$3,335.35	
1-81-10	WORKMEN'S COMP	\$0.00	
1-81-12	UNIFORM ALLOWANCE	\$519.39	\$43,239.93
1-81-17	OFFICE SUPPLIES	\$116.04	
1-81-18	SMALL EQUIPMENT	\$0.00	
1-81-20	JANITOR SUPPLIES	\$44.65	
1-81-23	FOOD	\$11,712.84	
1-81-24	CLOTHING	\$558.70	
1-81-27	OPERATING SUPPLIES	\$946.28	
1-81-28	MIS, TRANSPORTATION	\$1,744.70	\$15,123.21
1-81-48	PROFESSIONAL SERVICES	\$86.37	
1-81-49	TELEPHONE	\$88.00	
1-81-50	POSTAGE	\$0.00	
1-81-52-0	TRAVEL	\$0.00	
1-81-52-7	JUVENILE TRANSPORT	\$0.00	
1-81-55	ADVERTISING	\$0.00	
1-81-58	FIRE INSURANCE	\$0.00	
1-81-59	INSURANCE FLEET LIABILITY	\$0.00	
1-81-60	RISK MANAGEMENT	\$0.00	
-81-61	ELECTRICITY	\$0.00	grant
-81-62	GAS	\$0.00	grant
-81-63	WATER	\$0.00	grant
-81-65	MAINTENANCE	\$217.41	
-81-66	REPAIRS EQUIPMENT	\$0.00	
-81-79	MEALS & LODGING	\$21.13	\$412.91
-81-93	MACHINERY & EQUIPMENT	\$0.00	
-81-94	VEHICLE PURCHASE	\$0.00	
-81-99-2	COUNTY GENERAL PAYMENT	\$0.00	
-81-99-8	DEPRECIATION FUND	\$0.00	\$0.00

Independence County Economic Development

To: Independence County Quorum Court

Date: 26 February 2010

Subject: **ICEDC Monthly Report**

Following is a highlight of activities of the ICEDC:

- 1) We are working on a strategy for marketing Independence County and our Economic Development efforts on a National and International level. We are working with three production companies and they will be providing bids to make a video for us. We need a high quality video because we want to present the high quality of our region. We plan to do the film work this spring with flowers out and leaves on the trees, and focus on Quality of Life, attraction of business to move here, and to highlight some of the local products that we can ship out of the area.
- 2) We are working on the ICEDC members that terms expire in April. We will have a ~~recommendation for you next month. Commission members are for three year~~ terms.
- 3) The DHS project is moving slowly right now, but will pick up speed shortly. They plan to advertise to positions available, do a mass interview, and hire 100 people over just a few days time. I have not been told the exact date yet. The utility companies have all been in contact with the building engineers to coordinate details.
- 4) I will be attending an Economic Development Course in Little Rock this month.
- 5) Thanks for your support.

Ed Mabry

Executive Director, ICEDC

Independence County Sheriff's Department

Departmental Activity & Status Report

JANUARY 2010

Patrol Division

<u>Activity</u>	<u>Metro Total</u>	<u>County Total</u>	<u>Total</u>	2010 <u>Year to Date</u>	2009 <u>Year To Date</u>
Accidents	42	33	75	75	79
Calls for Service	693	776	1,469	1,469	1,350
Traffic Warnings	68	90	159	159	151
Traffic Citations	231	160	391	391	319
Arrests	46	29	75	75	98
Property Inspections	10,548	7,913	18,461	18,461	14,887
Motorist Assists	72	173	245	245	131
*Comp Time for Patrol	0.00	2.00	2.00	2.00	530.13
Miles Driven	30,657	31,235	61,892	61,892	44,457

Criminal Investigation Division

<u>Activity</u>	<u>Total</u>		
Crimes Reported	530	530	470
Crimes Cleared	381	381	354
County Reports Filed	175	175	181
City Reports Filed	145	145	131
Cases Filed on Adults	112	112	100
Cases Filed on Juveniles	0	0	9
*Comp Time for CID	11.00	11.00	698.39
Property Stolen	\$160,535	\$160,535	\$106,383
Property Recovered	\$9,897	\$9,897	\$16,306

Warrants/Civil Process

<u>Activity</u>	<u>Total</u>		
Warrants Served	98	98	124
Civil Process Served	230	230	238
Execution Amounts	\$1,278.93	\$1,278.93	\$2,381.97
Amount paid to Treasurer	\$1,640.00	\$1,640.00	\$2,560.00
*Comp Time	0	0	21.38
Miles Driven	5,635	5,635	4,938

Domestic Violence Unit

Call Taken	79	79	72
Call Investigated	45	45	43
Arrests or Warrants issued	21	21	21
*Comp Time	0.00	0.00	40.00

Warrant Fees/Booking Fees

Booking Fees	\$1,820.00	\$1,820.00	\$1,200.00
In County Warrant Fees	\$2,614.25	\$2,614.25	\$1,500.00
Out of County Warrant Fees	\$0.00	\$0.00	\$0.00
Total	\$4,434.25	\$4,434.25	\$2,700.00

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

INDEPENDENCE COUNTY SHERIFF'S DEPARTMENT
Departmental Activity & Status Report

Independence County Detention Facility

JANUARY 2010

<u>Revenue Generated</u>	<u>Monthly Total</u>	<u>2010 Year to Date Total</u>	<u>2009 Year to Date Total</u>
Housing Out of County Prisoners	\$0.00	\$0.00	\$0.00
Housing State Prisoners (309)	\$2,865.00	\$2,865.00	\$0.00
Housing State Prisoners	\$0.00	\$0.00	\$0.00
Inmate Phone System	\$918.41	\$918.41	\$605.91
Vending	\$77.72	\$77.72	\$77.22
Social Security	\$0.00	\$0.00	\$0.00
Med/Profit Commissary Acct.	\$0.00	\$0.00	\$0.00
Fingerprint/Copies	\$0.00	\$0.00	\$0.00
Persons Booked Into Detention Facility	350	350	391
Comp Time Year to Date	36.75	36.75	470.15

RESOLUTION NO. 2010-06

A RESOLUTION AUTHORIZING THE COUNTY JUDGE AND COUNTY CLERK OF INDEPENDENCE COUNTY, ARKANSAS, TO ENTER INTO CONTRACTS FOR RAIL SPUR EXPANSION TO BENEFIT FUTUREFUEL CHEMICAL COMPANY.

WHEREAS, Independence county has received bids for the construction of a rail spur expansion project to benefit Future Fuel Chemical Company. Funding for the project is being provided by grants from the Arkansas Economic Development Commission and the Economic Development Administration. All bids have been review and a recommendation for award has been made by the project's engineer; and

WHEREAS, It is necessary for the County Judge and County Clerk to sign the construction contracts prior to execution of the work;

NOW, THEREFORE, IT IS RESOLVED, that the Quorum Court of Batesville, Arkansas, hereby declares that the County Judge and County clerk be authorize to execute a contract with Prewett Enterprises, Inc., doing business as B & P Enterprises, of Walls, Mississippi, for Section 1 (site work), for the sum of Eight Hundred Thirty-two Thousand Seven Hundred Forty-one and 60/100 Dollars (\$832,741.60) and a contract with Trac-Work, Inc., of Ennis, Texas, for Section 2, (rail) for the sum of Two Million Nine Hundred Sixty-Seven Thousand Three Hundred Seventeen and 43/100 Dollars (\$2,967,317.43). Said contract amounts not to be increased without properly executed change orders.

ENTERED this _____ day of March, 2010.

County Judge

County Clerk

RESOLUTION 2010-05

Be it resolved by the Quorum Court of Independence County, State of Arkansas a resolution that enthusiastically supports the Ozark Gateway Tourist Council Scenic Byways initiative. The initiative will help showcase the many historic sites, natural wonders, and cultural attractions in our region.

WHEREAS, the Ozark Gateway has established a trio of scenic drives built around our many historic assets, including museums, downtown historic districts, state parks, and numerous churches, schools, farms and historic homes. By linking these sites and attractions, our region will be better equipped to develop and nurture our tourism economy. The broadly based eight-county coalition that is championing this effort is committed to achieving both state and federal Scenic Byway recognition. WE applaud this initiative and are confident that the entire region will embrace the Scenic Byway designation as they learn about its potential to “facilitate recognition” of the region and create much-needed jobs in the tourism economy.

WHEREAS, the Quorum Court of Independence County urges state and federal officials to facilitate and support our region’s efforts at conservation, preservation, and economic development, all three of which will benefit enormously from Scenic Byways recognition for our scenic drives.

RESOLVED this ____ day of March, 2010

Signature of County Judge

ATTEST:

County Clerk

RESOLUTION NO. 2010-07

A RESOLUTION AUTHORIZING THE COUNTY JUDGE AND COUNTY CLERK OF INDEPENDENCE COUNTY, ARKANSAS, TO ENTER INTO AN ADMINISTRATIVE AGREEMENT WITH THE WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC.

WHEREAS, Independence County, Arkansas, intends to apply to the Arkansas Economic Development Commission (AEDC) for an Arkansas Community and Economic Development Program grant. The funds will be used to construct a bridge, and;

WHEREAS, Independence County requires assistance to identify and implement the regulations pertaining to said grant, and;

WHEREAS, it will be necessary for the County Judge and County Clerk to act in connection with the Administrative Agreement;

NOW, THEREFORE, IT IS RESOLVED, that the Quorum Court of Independence County hereby declares the County Judge and County Clerk be authorized to execute an agreement with the white River Planning and Development District, Inc., to provide administrative services to the County. Such costs and contract formats to be pre-approved by AEDC and all such costs to be paid by AEDC from the grant.

ENTERED this _____ day of March, 2010.

County Judge

County Clerk

RESOLUTION NO. 2010-08

A RESOLUTION AUTHORIZING THE COUNTY JUDGE OF INDEPENDENCE COUNTY TO SUBMIT AN APPLICATION TO THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION FOR A DISASTER PROJECT.

WHEREAS, Independence County is applying to the State of Arkansas for an Arkansas Community and Economic Development grant for a disaster project to construct a bridge on Union Hill Road; and

WHEREAS, it is necessary that certain conditions be met as part of the application requirements; and

WHEREAS, Independence County has conducted the required public hearing as part of the application process to receive and consider comments on community development and housing needs, and proposed activities; and

WHEREAS, as a result of the first public hearing, Independence County has identified and prioritized the community development and housing needs;

THEREFORE, be it resolved that the County Judge is authorized to submit an application to the State of Arkansas to expend funds for the disaster project, if the grant is awarded.

ENTERED this _____ day of March, 2010.

County Judge

County Clerk

RESOLUTION NO. 2010-09

A RESOLUTION AUTHORIZING THE COUNTY JUDGE AND THE COUNTY CLERK TO ENTER INTO AN ENGINEERING AGREEMENT WITH MILLER NEWWELL ENGINEERS FROM NEWPORT FOR A BRIDGE PROJECT.

WHEREAS, Independence County, Arkansas, has received notice of tentative funding approval from the Arkansas Economic Development Commission (AEDC) for an Arkansas Community and Economic Development Program grant to construct a bridge; and

WHEREAS, Independence County has followed the AEDC procurement procedure for selection of an engineer to provide plans and specifications, and to provide construction inspection of the project; and

WHEREAS, it will be necessary for the County Judge and County Clerk to act in connection with the Engineering Agreement;

THEREFORE, be it resolved that the Quorum Court of Independence County, Arkansas, hereby declares that the County Judge and County Clerk be authorize to execute an agreement with Miller Newell Engineers of Newport, Arkansas, to provide engineering services to the County for the proposed project. Such costs and contract format to be pre-approved by AEDC and all such coasts to be paid from the grant.

ENTERED this _____ day of March, 2010.

County Judge

County Clerk

RESOLUTION NO. 2010-10

A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY TO THE DELTA REGIONAL AUTHORITY FOR 2010 FUNDING.

WHEREAS, Independence County is applying to the Delta Regional Authority (DRA) for Delta Regional Authority 2010 Federal Grant: and

WHEREAS, It is necessary that certain conditions be met as part of the application requirements; and

THEREFORE, be it resolved that Bill Hicks, County Judge, is authorizes to submit a grand application to the Delta Regional Authority, on behalf of the County. Judge Hicks is also authorizes to sign any DRA grant documents necessary to bind the County and to expend such grand funds to benefit the citizens of Independence County.

Resolved this 8th day of March 2010.

Bill Hicks
County Judge

Attested: _____
County Clerk

RESOLUTION 2010-11

BE IT RESOLVED BY THE QUORUM COURT OF INDEPENDENCE COUNTY, STATE OF ARKANSAS, A RESOLUTION RECOGNIZING SCOTT WOOD OWNER OF SCOTT WOOD CHRYSLER, JEEP, DODGE IN BATESVILLE, ARKANSAS BEING NAMED THE 2010 TIME MAGAZINE AUTOMOTIVE DEALER OF THE YEAR.

Whereas, the Independence County Quorum Court wishes to make it known that on February 13, 2010, in Orlando, Florida, TIME Magazine named Scott Wood owner of Scott Wood Chrysler, Jeep, Dodge in Batesville, Arkansas the automotive industry of the year.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF INDEPENDENCE, STATE OF ARKANSAS, THAT:

SECTION 1. In appreciation for Mr. Wood's demonstration of public service and support of Independence County and it's people, the Independence County Quorum Court hereby extends its thanks and gratitude to Mr. Scott Wood, TIME Magazine 2010 Dealer of the Year.

SECTION 2. The County Clerk is hereby directed to furnish a copy of this Resolution to Mr. Scott Wood, owner of Scott Wood Chrysler, Jeep, Dodge of Batesville, Arkansas.

SECTION 3. This Resolution shall be in full force and effect from and after its approval.

DATED: _____

APPROVED: _____
County Judge

ATTEST:

County Clerk

RESOLUTION NO. 2010-12

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF INDEPENDENCE, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE FINANCING OF CERTAIN EQUIPMENT TO BE USED BY INDEPENDENCE COUNTY, AUTHORIZING THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE BETWEEN INDEPENDENCE COUNTY, ARKANSAS AND WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC., AUTHORIZING AND PRESCRIBING OTHER MATTERS RELATING TO THE EQUIPMENT AND THE PURCHASE THEREOF.

WHEREAS, there has been presented to the Quorum Court of Independence County, Arkansas, the proposal of a Loan Agreement (Promissory Note) between Independence County, Arkansas (the "County") and White River Planning and Development District, Inc. , under Chapter 22 of Title 14 of the Arkansas Code of 1987 Annotated and the recently enacted Amendment One on the year 2000 ballot (the "Acts"), for the purpose of purchasing Automobiles for use in the operations of the Sheriffs Department, and providing for other matters pertaining thereto.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Quorum Court of Independence County, Arkansas:

Article 1. The execution and delivery of the Promissory Note, providing for an obligation in the principal amount not to exceed \$75,000 for a term of no more than five (5) years, secured by a pledge of the County's general revenues is hereby authorized.

Article 2. The County Judge is hereby authorized and directed to negotiate the terms of the Promissory Note in compliance with the terms approved herein, and to execute and acknowledge such Promissory Note. Execution shall constitute conclusive evidence of approval.

Article 3. The County Judge, County Treasurer and County Clerk, for and on behalf of the County, are authorized and directed, all in accordance with the powers of their respective offices, to do any and all things necessary to effect the execution and delivery of the Promissory Note, the performance of all obligations of the County thereunder, and the performance of all acts of whatever nature necessary to effect and carry out the authority conferred hereby. The County Judge, County Treasurer and County Clerk are further authorized 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.

Article 4. The County hereby designates the Promissory Note as a “qualified tax-exempt obligation” within the meaning of Section 265(b) of the Internal Revenue Code of 1986, as amended. It is reasonably expected that all obligations issued by the County during the current calendar year, the interest on which is exempt from federal income tax, will not exceed \$10,000,000 in principal amount (excluding “private activity bonds” within the meaning of Section 265).

Article 5. A copy of the Promissory Note shall remain on file in the Office of the County Clerk, where it shall be available for inspection by any person.

Article 6. The provisions of this resolution are declared to be severable. In the event any section, provision or part thereof shall be held to be invalid, such invalidity shall not affect the validity of the remainder of this Ordinance.

Article 7. It has been found that the Equipment is needed to continue to provide appropriate protection for the inhabitants of the County. Therefore, an emergency is declared to exist and this resolution, being necessary to meet a public emergency affecting life, health, safety and property, shall be in effect upon its adoption.

CERTIFICATE

I, THE UNDERSIGNED, County Clerk of Independence County, Arkansas, hereby certify that the foregoing is a true, correct and compared copy of a Resolution adopted by the Independence County Quorum Court on the ___ day of _____, 2001, which now appears of record in the Quorum Court records.

IN WITNESS THEREOF, I have hereunto set my hand and seal this ____ day of _____, 2010.

County Clerk of Independence County, Arkansas

(SEAL)

ORDINANCE NO. 2010-03

APPROPRIATION ORDINANCE

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

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING ORDINANCE 2009-65, FOR THE PURPOSE OF ESTABLISHING A NEW FUND IN THE BOOKS OF THE COUNTY ENTITLED "SOLID WASTE CONTINGENCY FUND", FOR THE PURPOSE OF TRANSFERRING COUNTY GENERAL FUNDS TO THE SOLID WASTE CONTINGENCY FUND AND DESIGNATED PURPOSES, AND FOR OTHER PURPOSES FOR THE CALENDAR YEAR 2010.

SECTION 1. Section 7, Subsection A. GENERAL FUND, of Ordinance No.2009-65, is hereby amended for the purpose of amending the Total Projected County General Beginning Balance at January 1, 2010, from \$634,942.18 to \$734,942.18. It shall be noted this amendment increases Total Projected Revenues for 2010 to a sum if \$8,277,437.13.

SECTION 2. For the purpose of setting aside a portion of the increase in actual over anticipated Beginning Balance at January 1, 2010, set out in Section 1 above, and to designate said set aside funds for Solid Waste purposes, the County Treasurer is hereby directed to establish a New Fund in the books entitled "Solid Waste Contingency Fund".

SECTION 3. There is hereby transfer from the County General Fund the sum of \$100,000.00, with said funds to be transferred by the County Treasurer to the Solid Waste Contingency Fund.

SECTION 4. It is the intent of the Quorum Court that expenditures from the Solid Waste Contingency Fund be made for solid waste purposes, an appropriated by the Independence County Quorum Court as needs may arise.

SECTION 5. 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 6. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Dated: _____

APPROVED: _____

County Judge

ATTEST: _____

County Clerk

NEWARK AREA CHAMBER OF COMMERCE
P. O. BOX 222
NEWARK, ARKANSAS 72562

February 1, 2010

The Honorable Bill Hicks
Independence County Judge
Independence County Courthouse
Batesville, AR 72501

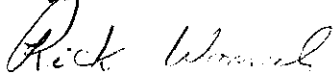
Dear Judge Hicks:

Please express our appreciation to the Quorum Court for the 2010 grant received by the Newark Area Chamber of Commerce. The proceeds will be used in our effort to rehab a historical ~~downtown Newark building for the purpose of housing an office plus a large community room~~ and facilities to assist with emergency needs during floods, tornadoes, fires, etc.

We ~~have~~ a long way to go but ~~the~~ funds provided by the grant will allow us to go forward on this project.

Again, we appreciate the consideration.

Sincerely,



Rick Womack, President

NACC Board of Directors:

Rick Womack
Donna Smith
Pastor Ken Light
Ernie Pectol

Bill Austin
Pastor Brian Pruett
Jimmie McDoniel
Carol Slater

Peggy Warren
Linda Holcombe
Bettie Smith
Russell Tosh

**TENTATIVE AGENDA
INDEPENDENCE COUNTY QUORUM COURT
REGULAR MEETING
Jess B. Carpenter Building
Juvenile Courtroom
March 8, 2010
6:00 P.M.**

- I. CALL TO ORDER**
A. Pledge of Allegiance (Mrs. Boothby)
B. Invocation (Mr. Carter)
C. Roll call
- II. APPROVAL OF MINUTES**
A. February 19, 2010 Regular Meeting
B. February 09, 2010 Hydro Committee Meeting
- III. SPECIAL REPORT/PRESENTATIONS**
A. Sheriff's Report (Sheriff Keith Bowers)
B. Treasurer's Report (Treasurer Linda Foreman)
C. Juvenile Detention Report (Jim Starzy)
D. Economic Development Report (Ed Mabry)
E. ACA Hydro Report
- IV. CITIZENS COMMENTS**
- V. NEW BUSINESS**
Independence County Regional Library – Debra Sutterfield
2009 County Recap

(Mr. Thompson)

RESOLUTION NO 2010-05 A RESOLUTION SUPPORTING THE OZARK GATEWAY TOURIST COUNCIL SCENIC BYWAYS INITIATIVE

(Mr. Long)

RESOLUTION NO 2010-06 A RESOLUTION AUTHORIZING THE COUNTY JUDGE AND COUNTY CLERK OF INDEPENDENCE COUNTY, ARKASAS, TO ENTER INTO CONTRACTS FROM RAIL SUPR EXPANSION TO BENEFIT FUTUREFUEL CHEMICAL COMPANY.

(Mr. Cash)

RESOLUTION NO 2010-07 A RESOLUTION AUTHORIZING THE COUNY JUDGE AND COUNTY CLERK OF INDEPENDENCE COUNTY, ARKANSAS, TO ENTER INTO AN ADMINISTRATIVE AGREEMENT WITH THE WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC.

(Mrs. Wyatt)

RESOLUTION NO 2010-08 A RESOULTION AUTORIZING THE COUNTY JUDGE OF INDEPENDENCE COUNTY TO SUBMIT AN APPLICATION TO THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION FOR A DISASTER PROJECT.

(Mrs. Moore)

RESOLUTION NO 2010-09 A RESOULTION AUTHORIZING THE COUNTY JUDGE AND THE COUNTY CLERK TO ENTER INTO AN ENGINEERING AGREEMENT WITH MILLER NEWWELL ENGINEERS FROM NEWPORT, ARKANSAS, FOR A BRIDGE PROJECT

(Mr. Weaver)

RESOLUTION NO 2010-10 A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO APPLY TO THE DELTA REGIONAL AUTHORITY FOR 2010 FUNDING.

(Mr. Bridgman)

RESOLUTION NO 2010-11 A RESOLUTION RECOGNIZING SCOTT WOOD OWNER OF SCOTT WOOD CHRYSLER, JEEP, DODGE IN BATESVILLE, ARKANSAS BEING NAMED THE 2010 TIME MAGAZINE AUTOMOTIVE DEALER OF THE YEAR.

(Mr. Stewart)

RESOLUTION NO 2010-12 A RESOLUTION AUTHORIZING THE FINANCING OF CERTAIN EQUIPMENT TO BE USED BY INDEPENDENCE COUNTY AUTHORIZING THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE BETWEEN INDEPENDENCE COUNTY, ARKANSAS AND WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC., AUTHORIZING AND PRESCRIBING OTHER MATTERS RELATING TO THE EQUIPMENT AND THE PURCHASE THEREOF.

(Mr. Nelson)

ORDIANCE NO. 2010-03 AN ORDIANCE AMENDING ORDIANCE 2009-65, FOR THE PURPOSE OF ESTABLISHING A NEW FUND IN THE BOOKS OF THE COUNTY ENTITLED "SOLID WASTE CONTINGENCY FUND", FOR THE PURPOSE OF TRANSFERRING COUNTY GENERAL FUNDS TO THE SOLID WASTE CONTINGENCY FUND AND DESIGNATED PURPOSE, AND FOR OTHER PURPOSES FOR THE CALENDAR YEAR 2010.

VI. BUDGET MATTERS

VII. ANNOUNCEMENTS

Letter of Appreciation from the Newark Area Chamber of Commerce

VIII. ADJOURNMENT