

entered

**VAN BUREN COUNTY QUORUM COURT
APPROPRIATION ORDINANCE NO. 2004-7**

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN,
STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:**

**AN APPROPRIATION ORDINANCE TO AMEND THE APPROPRIATION
ORDINANCE NO. 2003-74 TO INCREASE THE PROJECTED REVENUE FOR
THE SHERIFF'S DEPARTMENT BUDGET (#01-500) AND APPROPRIATE
\$1,631.80 TO LINE ITEM 66 – REPAIRS AND MAINTENANCE; AND TO
APPROPRIATE \$1,150.50 TO LINE ITEM 94 – VEHICLES; AND TO
TRANSFER \$5,000.00 FROM LINE ITEM 31 – REPAIR PARTS TO LINE
ITEM 66 – REPAIRS AND MAINTENANCE; AND TO TRANSFER \$5,000.00
FROM LINE ITEM 93 – PURCHASES:MACHINERY AND EQUIPMENT TO
LINE ITEM 94 – PURCHASES:VEHICLES.**

WHEREAS: monies have been received from the St. Paul's Insurance Co. in the sum of \$2,782.30 for claims on two Sheriff's Department vehicles, one that was totaled in an accident: and one that was repaired; and

WHEREAS: there is a critical need to purchase a replacement vehicle for the Sheriff's Department: and

WHEREAS: there is a critical need to appropriate the cost of repairs on the Sheriff's Department vehicle.

THEREFORE BE IT ORDAINED AND ENACTED

Section 1. That this ordinance increase the projected revenue to the Sheriff's Department Budget by \$2,782.30.

Section 2. That the sum of \$1,150.50 be appropriated to the Sheriff's Department Budget, 01-500, Line Item 94-Vehicles.

Section 3. That the sum of \$1,631.80 be appropriated to the Sheriff's Department Budget, 01-500, Line Item 66 – Repairs: Machinery and Equipment.

Section 4. That the sum of \$5,000.00 be transferred from Line Item 31 – Repair Parts, to Line Item 66 – Repairs: Machinery and Equipment.

Section 5. That the sum of \$5,000.00 be transferred from Line Item 93 – Purchases:Machinery and Equipment to Line Item 94 – Purchases: Vehicles.

TOTAL AMOUNT OF APPROPRIATION	\$2,782.30 ✓
TOTAL AMOUNT OF TRANSFERS	\$10,000.00

DATED: Feb 19, 2004

APPROVED: Robert Bramlett
Robert Bramlett, County Judge

ATTEST: Ester Bass
Ester Bass, County Clerk

VAN BUREN COUNTY QUORUM COURT
APPROPRIATION ORDINANCE NO. 2004-8

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

**AN APPROPRIATION ORDINANCE TO AMEND THE ORIGINAL
APPROPRIATION ORDINANCE #2003-74, THE ANNUAL OPERATING
BUDGET FOR 2004, AND TO APPROPRIATE \$500.00 FROM THE
COUNTY PROJECTS FUND 01 DEPARTMENT 3700 LINE ITEM 86-
SPECIAL PROJECTS TO THE SHIRLEY FIRE DEPARTMENT.**

WHEREAS, these monies are needed for improvements to a brush truck.

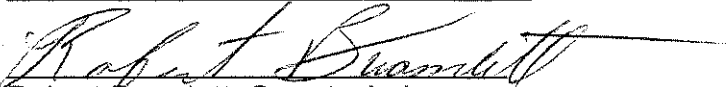
THEREFORE BE IT ORDAINED

Section 1. That Ordinance Number 2003-74, the Annual Operating Budget 2004
is hereby amended, and;

Section 2. That the sum of \$500.00 is hereby appropriated from the County Projects
Fund 01 Department 3700 Line Item 86- Special Projects to the Shirley Fire Department.

TOTAL APPROPRIATION AMOUNT

\$ 500.00



Robert Bramlett, County Judge

DATE: Feb 19 2004

ATTEST: 

Ester Bass, County Clerk

VAN BUREN COUNTY QUORUM COURT
ORDINANCE NO. 2004-9

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

“OVERTIME LIABILITY CONTROL PROCEDURES”

WHEREAS, It is the employer who has the duty under 11 (c) of the Fair Labor Standards Act to keep proper records of wages, hours and other conditions and practices of employment and who is in position to know and to produce the most probative facts concerning the nature and amount of work performed. {Fair Labor Standards Act of 1938, 11 (c), 16 (b) as amended. 29 U.S.C.A. 211 (c), 216 (b).}

WHEREAS, “An employer who has not kept the records required by Section 11 (c) of the Act cannot be heard to complain that there is no evidence of the precise amount of time worked in interstate commerce, including overtime so worked, and it is sufficient if the plaintiff produces evidence to show the amount and extent of that work as a matter of fact and reasonable inference. {“Hearnsberger v. Gillespie, 435 F.2d 926 (8th Cir. 1970)}

WHEREAS, “The fiscal affairs of counties... should be conducted on a sound financial basis, and no county... shall make or authorize any contract or make any allowances for any purposes whatsoever in excess of the revenue from all sources of the fiscal year in which said contract or allowance is made; nor shall any county judge, county clerk or other county officer, sign or issue any scrip, warrant or make any allowance in excess of the revenue from all sources for the current fiscal year.” {Ark. Constitution, Art. 14, 2.}

WHEREAS, It is the job of the Quorum Court to guard the public treasury by “adopt[ing], amend[ing], or repeal[ing] an appropriation ordinance which incorporates by reference the provisions of any county budget or portion of a county budget...” in order that the fiscal affairs of the County are conducted on a sound financial basis. {A.C.A. 14-14-907(b). Ark. AG Op. 91-398.}

WHEREAS, It is ordained by the Quorum Court that the following procedures shall be followed by the officials and employees of the County in order that the County Quorum Court can conform its conduct to the requirements of the law and control its potential overtime liability:

- 1. Non-Exempt Employees Required to Personally Sign and Certify Timesheets:** Each non-exempt county employee shall *personally* sign his or her employee time sheet, stating: “My signature certifies that the above recorded hours worked and leave taken are correct.”
- 2. County Clerk To Keep Employee Time Sheets As Permanent Record:** The signed/certified employee time sheets shall be timely provided to the County Clerk’s Office at the end of each pay period to be kept as a permanent record (for 5 years).

3. **County Clerk Will Figure Payroll From Employee Time Sheets:** The County Clerk will figure the payroll, including overtime, directly from the signed/certified time sheets, relying upon the employee's signed certification that the hours worked and the leave time taken are correct.
4. **County Clerk Not to Issue Check Without Signed/Certified Timesheet:** The County Clerk shall NOT issue paychecks if the required signed/certified employee time sheets are not signed/certified *by the employee* (personally) or are not timely delivered to the County Clerk.
5. **Log Book of the County's Total Overtime Liability:** The County Clerk shall keep a record in a separate log book of accumulated compensatory time, showing all compensatory time earned and all compensatory time-off taken by the employees who have earned it.
6. **Report Total County Overtime Liability Monthly:** The County Clerk shall inform the County Treasurer, the County Judge and the Quorum Court on a monthly basis as to the amount of the County's accrued compensatory time debt.
7. **Pay Overtime in Cash When Required by Policy:** The County Clerk shall issue an overtime check to the employee whenever the total hours of overtime worked exceeds the compensatory time limit set by the Quorum Court in the County's Employment Policy.
8. **Accumulated Comp Time Debt to be Paid in Full By End of Year:** Since the Arkansas Constitution prohibits deficit spending, multi-year contracts, and lending the credit of the county, the comp `time debt accumulated by the County throughout the year shall be paid in full at the end of each year.
9. **Quorum Court to Manage the County's Comp Time Debt from Month to Month:** The Quorum Court shall use its appropriation (which includes re-appropriation) power to modify the County's budget throughout the year so that the County has the money in the County Budget to pay at the end of the year the comp time debt that has accumulated throughout the year.

Passed by the County Quorum Court on the 19 day of Feb, 2004

APPROVED: 
Robert Bramlett, County Judge

ATTEST: 
Ester Bass, County Clerk

entered

Sponsored by: James Kirkendoll

VAN BUREN COUNTY QUORUM COURT
APPROPRIATION ORDINANCE NO. 2004-11

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

AN APPROPRIATION ORDINANCE TO AMEND APPROPRIATION ORDINANCE #2003-74, THE ANNUAL OPERATING BUDGET FOR 2004, AND TO INCREASE THE ANTICIPATED REVENUE FOR THE CORPS OF ENGINEERS FUND #3900 IN THE AMOUNT OF \$34,090.00 AND TO TRANSFER AND APPROPRIATE THE SUM OF \$34,090.00 FROM COUNTY GENERAL TO THE CORPS OF ENGINEERS FUND #3900

WHEREAS, the Department of Army Corp of Engineers has entered into a contract with the Van Buren County Sheriff's Office to pay said County the sum of \$34,090.00 for the purpose of providing funds for salaries and expenses incurred by the Van Buren County Sheriff's Office in patrolling the Federal Parks in said County; and

WHEREAS, there is a critical need and necessity for the appropriation of monies to pay incurred expenses to patrol the Federal Parks in said County,

THEREFORE BE IT ORDAINED

1. That this Quorum Court hereby amends Ordinance #2003-74, the Annual Operating Budget for 2004, and ;
2. That the anticipated revenue for the Corps of Engineers Fund #3900 is hereby increased in the amount of \$34,090.00, and
3. That the sum of \$34,090.00 is hereby transferred and appropriated from County General to the Corps of Engineers Fund #3900 in the line items as follows:

Personal Services

Line Item 01	Part-Time Salaries	\$15,552.00
Line Item 06	FICA	\$1,189.72
Line Item 10	Worker's Compensation	\$447.90
Line Item 11	Unemployment Compensation	\$400.00

Total Personal Services **\$17,589.62**

Operating Supplies

Line Item 24	Clothing	\$600.00
Line Item 25	Fuel, Oil, & Lubricants	\$5,000.00
Line Item 26	Tires and Tubes	\$2,000.00
Line Item 31	Repair Parts	\$2,000.00

Total Operating Supplies \$9,600.00

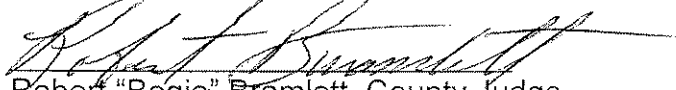
Capital Outlays

Line Item 94 Vehicles \$6,900.38

Total Capital Outlays \$6,900.38

TOTAL APPROPRIATION AMOUNT

\$ 34,090.00 *na*



Robert "Bogie" Bramlett, County Judge

DATE: Feb. 19, 2004

ATTEST:



Ester Bass, County Clerk

ORDINANCE NO. 2004-12

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

AN ORDINANCE APPROVING THE DESIGN AND PLANS OF A
MEDICAL OFFICE BUILDING TO BE CONSTRUCTED BY
BURNT RIDGE ENTERPRISES, LLC
AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the Quorum Court of Van Buren County, Arkansas, by Ordinance No. 2003-60 approved the Ground Lease Agreement between Van Buren County, as Lessor and Burnt Ridge Enterprises, LLC, as Lessee; and

WHEREAS, the Ground Lease Agreement requires the design and plans for the medical office building to be constructed on Lessor's property to be approved both by the Van Buren County Hospital Board of Governors and by the Van Buren County Quorum Court; and

WHEREAS, the Van Buren County Hospital Board of Governors approved the design and plans for such medical office building; and

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF VAN BUREN COUNTY, ARKANSAS:

Article 1. The Ground designs and plans for the medical office building to be known as the "Doctors Building" dated January 8, 2004, from Steelman, Connell and Moseley, as presented to the Quorum Court are hereby approved.

Article 2. All ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Article 3. The County Clerk is hereby instructed to publish this Ordinance within seven days after its adoption and approval.


PASSED March 18, 2004

APPROVED:


County Judge

Date 3-17-04

ATTEST


County Clerk

(SEAL)

entered

Sponsored by J.P. Glenn Griggs

VAN BUREN COUNTY QUORUM COURT

ORDINANCE NO. 2004-13

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

AN ORDINANCE TO AMEND THE ORIGINAL APPROPRIATION ORDINANCE #2003-74, THE ANNUAL OPERATING BUDGET FOR 2004 AND TO INCREASE THE PROJECTED REVENUE BY \$5,000.00 AND APPROPRIATE \$5,000.00 INTO THE CHIMES COMMUNITY CENTER GRANT FUND, #093, LINE ITEM 86 – SPECIAL PROJECTS.

WHEREAS: The State of Arkansas has awarded the Chimes Community Center a Grant in the amount of \$5,000.00 for the renovation of the Community Building.

WHEREAS; There is a critical need and necessity that these monies be appropriated to the Chimes Community Center Grant Fund #093.

THEREFORE, BE IT ORDAINED:

Section 1. That Ordinance No. 2003-74, the annual operation budget for 2004 is hereby amended; and

Section 2. That the sum of \$5,000.00 is hereby appropriated to the Chimes Community Center Grant Fund #093, as follows:

Line Item 86 – Special Projects \$5,000.00

TOTAL APPROPRIATION AMOUNT \$5,000.00

Dated: March 18, 2004

APPROVED: Robert Bramlett
Robert Bramlett, County Judge

ATTEST: Ester Bass
Ester Bass, County Clerk

entered

Sponsored by J.P. James Kirkendoll

VAN BUREN COUNTY QUORUM COURT

ORDINANCE NO. 2004-14

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

AN ORDINANCE TO AMEND THE ORIGINAL APPROPRIATION ORDINANCE #2003-74, THE ANNUAL OPERATING BUDGET FOR 2004 TO TRANSFER THE SUM OF \$20,000.00 FROM COUNTY GENERAL FUND 01 AND APPROPRIATE SAID AMOUNT TO THE SOLID WASTE MANAGEMENT BUDGET FUND #028, DEPARTMENT 3300.

WHEREAS: The County of Van Buren has supported the Recycling Center with financial appropriations as of the beginning of taking control of the fiscal responsibilities of the Center; and

WHEREAS; The Recycling Center was combined with the Transfer Station to form the Van Buren County Solid Waste Management Fund, there is still a need for assistance to the program.

THEREFORE, BE IT ORDAINED:

Section 1. That Ordinance No. 2003-74, the annual operation budget for 2004 is hereby amended; and

Section 2. The the sum of \$20,000.00 is hereby transferred and appropriated from the County General Fund No. 01 to the Solid Waste Management Budget Fund No. 028; Department 3300.

Dated: March 18, 2004

APPROVED: *Robert Bramlett*
Robert Bramlett, County Judge

ATTEST: *Ester Bass*
Ester Bass, County Clerk

entered

Sponsored by J.P. Randy C hurches

VAN BUREN COUNTY QUORUM COURT

ORDINANCE NO. 2004-15

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

AN ORDINANCE TO AMEND THE ORIGINAL APPROPRIATION ORDINANCE #2003-74, THE ANNUAL OPERATING BUDGET FOR 2004 TO TRANSFER THE SUM OF \$500.00 FROM COUNTY PROJECTS BUDGET FUND 01; DEPARTMENT 3700; LINE ITEM 86 – SPECIAL PROJECTS TO THE HIGHWAY 110 FIRE DEPARTMENT.

WHEREAS: There is a need to purchase a new tanker for the Highway 110 Fire Department and these monies are needed toward the purchase of said vehicle.

THEREFORE, BE IT ORDAINED:

That \$500.00 be transferred from the County Projects Budget Fund 01, Department 3700, Line Item 86 – Special Projects to the Highway 110 Fire Department.

Dated: 3-18-04, 2004

APPROVED: Robert Bramlett
Robert Bramlett, County Judge

ATTEST: Ester Bass
Ester Bass, County Clerk