

VAN BUREN COUNTY QUORUM COURT

ORDINANCE NO. 2011-23

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 #2010-20, THE ANNUAL OPERATING BUDGET FOR 2011, TO APPROPRIATE \$25,000.00 INTO THE VAN BUREN COUNTY RESERVE BUDGET FUND #3.

WHEREAS: As per the attached document, Van Buren County has the responsibility to pay for the cost of damages for trees cut from the property of Ms. Vicki Jones, as well as the alleged damage to the aesthetic value of her property; and

WHEREAS: There is now a need and necessity to appropriate \$25,000.00 from the County Reserve Fund in order to satisfy this obligation.

THEREFORE BE IT ORDAINED

Section 1. That Ordinance No. 2010-20, the annual operating budget for 2011 is hereby amended; and

Section 2. That the sum of \$25,000.00 is hereby appropriated into the Van Buren County Reserve Budget Fund #3.

TOTAL APPROPRIATION

\$25,000.00

Dated Aug. 18 2011

APPROVED:

Roger W. Hooper
Roger Hooper, County Judge

ATTEST:

Ester Bass
Ester Bass, County Clerk

RAINWATER, HOLT & SEXTON, P.A.

ATTORNEYS AT LAW

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August 11, 2011

The Honorable Roger Hooper
Van Buren County Judge
451 Main Street
Clinton, AR 72031

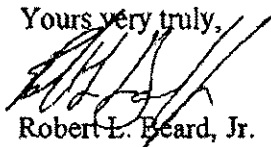
Dear Judge Hooper:

I have been in contact with Mr. Joe Don Winningham, attorney for Ms. Vicki Jones. After several conversations with Mr. Winningham attempting to find a resolution that all parties could live with, he has made the following firm offer on behalf of his client, and I do not think she will resolve the matter for any less than this offer.

- (A) Van Buren County would pay Ms. Jones \$25,000 for the trees that were cut from her property and for the alleged damage to the aesthetic value of her property;
- (B) Van Buren County will replant the affected area in fast growing pine trees;
- (C) Van Buren County would put up a five wire fence on the property line between Ms. Jones' property and the County's property; and
- (D) Van Buren County will clear off the property including removing the logs and stumps from the cut trees.

It will be the responsibility of Van Buren County to pay for the costs of all of these items. In exchange for the above, Ms. Jones has agreed to settle any claims that arise from the incident, to sign our settlement and release agreement, and that she will be responsible for any taxes that are incurred as a result of the settlement. Please let me know if you have questions.

Yours very truly,



Robert L. Beard, Jr.

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