

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 2007-1

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH BANCORP SOUTH EQUIPMENT FINANCE, A DIVISION OF BANCORPSOUTH BANK FOR THE PURPOSE OF LEASE-PURCHASING CERTAIN EQUIPMENT.

WHEREAS: The Quorum Court, the Governing Body (the "Governing Body") of Van Buren County, Arkansas (the "Lessee"), acting for and on behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with BancorpSouth Equipment Finance, a division of BancorpSouth Bank (the "Lessor") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval;
2. The Lessee is authorized pursuant to the "The City and County Government Development Bond and Short-Term Financing Amendment" to the Constitution of the State of Arkansas to acquire tangible personal property with an expected useful life of more than one (1) year by Lease-Purchase agreement and pay interest thereon by contract for a term not to exceed five (5) years;
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and
4. It is necessary for the Lessee to approve and authorize the Agreement.
5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265 (b)(3) of the Internal Revenue Code of 1986 (the "Code").

THEREFORE, BE IT RESOLVED BY THIS GOVERNING BODY FOR AND ON BEHALF OF THE LESSEE AS FOLLOWS:

Section 1. The agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and the Van Buren County Judge (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 2007.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265 (b) of the Code.

Section 7. In calendar year 2007, Lessee has designated \$374,560.00 of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement herein so designated, Lessee will not designate more than \$10,000,000.00 of obligations issued during calendar year 2007 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 2007 will not exceed \$10,000,000.00.

Section 9. For purposes of this resolution, the amount of Tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, as provided in Section 265 (b)(3)(E) of the Code.

Section 10. The assessed value of taxable property located within the municipality or county is \$159,791,795.00 as determined by the last completed tax assessment.

Section 11. The aggregate principal amount of short-term financing obligations incurred by Lessee, including the obligations under the Agreement, does not exceed five percent (5%), if Lessee is a municipality, or two and one-half percent (2-1/2%), if Lessee is a county, of the assessed value of taxable property located within the municipality or county, as determined by the last completed tax assessment.

Section 12. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

Following the reading of the foregoing resolution James Kirkendoll moved that the foregoing resolution be adopted, Johnny Harmon seconded the motion for its adoption. The Clerk put the question to a roll call vote and the results was as follows:

<u>Robert R. Allen</u>	Voted: <u>yes</u>
<u>Allen D. Gray</u>	Voted: <u>yes</u>
<u>James Kirkendoll</u>	Voted: <u>YES</u>
<u>Johnny Harmon</u>	Voted: <u>yes</u>
<u>Tommy Kirkendoll</u>	Voted: <u>YES</u>
<u>Quintus Brant</u>	Voted: <u>yes</u>
<u>Shannon Deckard</u>	Voted: <u>yes</u>
<u>Joseph M. Bower</u>	Voted: <u>yes</u>
<u>Kenneth W. Laminger</u>	Voted: <u>yes</u>

The motion having received the affirmative vote of all members present, the clerk declared the motion carried and the resolution adopted this the 18th day of January, 2007.

(SEAL)

APPROVED: _____
Robert Bramlett, County Judge

ATTEST: Ester Bass
Ester Bass, County Clerk

SPECIAL STIPULATIONS

LESSOR: BancorpSouth Equipment Finance,
a division of BancorpSouth Bank
P.O. Box 15097
302 Second Avenue
Hattiesburg, MS 39404-5097

By: _____

Title: _____

Date: _____

LESSEE: Van Buren County, Arkansas
P. O. Box 60
Clinton, AR 72031

By: Robert Burnett

Title: County Judge

Date: 1-3-07

--NONE--

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 2007-2

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE COUNTY JUDGE OF VAN BUREN COUNTY TO APPLY FOR A GRANT ON BEHALF OF THE SCOTLAND COMMUNITY.

WHEREAS: The Van Buren County Quorum Court has determined that the Scotland Community meets eligibility requirements necessary to apply for a grant under the Arkansas Rural Community Grant Programs; and

WHEREAS: The Scotland Community has presented plans to replace the roof on the Scotland Community Center; and

WHEREAS: The Quorum Court of Van Buren County recognizes the need for the project, concurs its importance, and supports the Scotland Community in its efforts to proceed with the same; and

WHEREAS: The Scotland Community has furnished proof that they have raised \$2,135.00 through community cash and /or in-kind donations to be applied to the project as a local match (if applicable):

WHEREAS: The Quorum Court of Van Buren County recognizes that the Scotland Community has raised \$2,135.00 to complete the local match requirement for the project described herein (if applicable):

NOW THEREFORE, BE IT RESOLVED BY THIS QUORUM COURT OF VAN BUREN COUNTY; That the Van Buren County Judge is hereby authorized to submit an application of formal request to the Arkansas Rural Development Commission for purposes of securing state grant funds in the amount of \$2,135.00 to aid and assist the Scotland Community in executing the proposed project described herein and that the County Judge or Treasurer of Van Buren County is further authorized to administer the grant funds for the same project..

THIS RESOLUTION ADOPTED IN REGULAR SESSION FEBRUARY 15, 2007.

DATED: Feb 15, 2007

APPROVED: 
Robert Bramlett, County Judge

ATTEST: 
Ester Bass, County Clerk

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 2007-3

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION TO AMEND RESOLUTION 2002-12 AND ADOPT THE RECOMMENDATIONS MADE BY THE VAN BUREN COUNTY INTERGOVERNMENTAL COOPERATION COUNCIL THAT THE FUNDS MADE AVAILABLE THROUGH THE AUTHORITY OF A.C.A. 14-284-401 ET SEQ. AND A.C.A. 26-57-614 BE MADE AVAILABLE TO THE FIRE DEPARTMENTS IN THE COUNTY FOR THE YEAR 2007 AND THEREAFTER ON THE FOLLOWING BASIS:

CITY OF CLINTON	15.80%
CITY OF FAIRFIELD BAY	13.98%

BALANCE TO BE DISTRIBUTED
AMONG THE 16 VAN BUREN COUNTY
FIRE DEPARTMENTS

WHEREAS: Pursuant to A.C.A. 14-284-401 et seq and A.C.A. 26-57-614 certain monies will be made available to the Fire Departments of Van Buren County, and shall be apportioned by each Quorum Court to the districts and municipalities within the County based upon population unless the County intergovernmental Cooperation Council notified the Quorum Court of the fire protection needs of the districts and municipalities, in which case the funds shall be apportioned by the Quorum Court based on those needs; and

WHEREAS: The Van Buren County Intergovernmental Cooperation Council has approved the distribution of funds listed above based on the recommendations of the Fire Chiefs Association.

THEREFORE BE IT RESOLVED BY THE QUORUM COURT OF VAN BUREN COUNTY THAT:

The funds that will be distributed to the Van Buren County for use by the rural and municipal fire departments of Van Buren County, are to be distributed to the following Departments:

Clinton, Fairfield Bay, Alread, Bee Branch, Botkinburg; Burnt Ridge, Chimes, Choctaw, Culpepper, Damascus, Dennard, Gravesville, Holley Mountain, Hwy 110, Morganton, Scotland, Shirley, Walnut Grove.

DATED: Feb. 13, 2007

APPROVED: Robert Bramlett
Robert Bramlett, County Judge

ATTEST: Ester Bass
Ester Bass, County Clerk

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 2007-5

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO EMPLOY PRIVATE ATTORNEYS FOR THE PURPOSE OF INSTITUTING LITIGATION AGAINST THE MANUFACTURERS OF EPHEDRINE TO ENABLE THE COUNTY TO RECOVER PORTIONS OF ITS COST OVER THE YEARS RELATED TO METHAMPHETAMINE PRODUCTION AND USE, INCLUDING BUT NOT LIMITED TO LAW ENFORCEMENT, HEALTH CARE, HEALTH AND HUMAN SERVICES COST, ETC., AND FOR OTHER MATTERS PERTAINING THERETO.

WHEREAS: Methamphetamine production, sales and use have been a problem in Van Buren County, Arkansas, since the 1980's; and

WHEREAS: The impact of methamphetamine use has been devastating on Van Buren County, Arkansas and its citizens both as to the cost in terms of law enforcement and social and health services; and

WHEREAS: Methamphetamine is produced illicitly by chemical processes that must include ephedrine or pseudo-ephedrine; and

WHEREAS: Ephedrine and pseudo-ephedrine have been produced by companies in quantities far in excess necessary to supply the legitimate medical needs; and

WHEREAS: These companies have been aware that the excess production of ephedrine and pseudo-ephedrine has been used to make methamphetamine and they have continued their production in excess of the amount needed for legal medical means in reckless disregard of the consequences; and

WHEREAS: These companies should be held responsible and accountable for knowingly producing an over abundance of ephedrine and pseudo-ephedrine when they have known that it was being used for illegal purposes in order to continue to increase their profits.

THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF VAN BUREN COUNTY, ARKANSAS, THAT THE:

Section 1. The Van Buren County Judge is authorized to enter into a contract with private attorneys to prepare and file litigation to recover the cost to Van Buren County in dealing with the methamphetamine problem.

Section 2. That this Resolution authorizes the Van Buren County Judge to enter into a contingency fee agreement with private attorneys, as long as it is agreed and understood by the private attorneys that there will be no cost of litigation incurred by Van Buren County, Arkansas.

Section 3. That the Van Buren County Judge is to keep the Quorum Court updated on the litigation as it progresses.

PASSED AND APPROVED this 17th day of May, 2007.

(SEAL)

APPROVED:



Robert Bramlett, County Judge

ATTEST:



Ester Bass, County Clerk

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 2007-6

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION OF THE VAN BUREN COUNTY QUORUM COURT REQUESTING ASSISTANCE FROM STATE LEGISLATORS WITH THE POTENTIAL ECONOMIC GROWTH AND POSSIBLE PROBLEMS ASSOCIATED WITH THE DISCOVERY OF OIL AND GAS DEPOSITS IN THE COUNTY; AND FOR OTHER PURPOSES.

WHEREAS: The discovery of large oil and gas deposits throughout north central Arkansas has prompted the Van Buren County Quorum Court to realize the scale of the exploration and drilling that such finds will bring in terms of new business and potential economic growth, as well as, the scale and problems associated with the infrastructure necessary to conduct such exploration and drilling; and

WHEREAS: Van Buren County is in need of assistance from State Legislators to aid in the protection of the integrity of the County, its citizens and resources from the problems associated with the exploration, drilling and related activities of the oil and gas industry; and

WHEREAS: Van Buren County desires to protect and enhance the property values of all property within the County through the continued enforcement of ordinances, as well as, to protect the infrastructure of the County from any unnecessary wear and tear; and

WHEREAS: Van Buren County will in all probability be faced with a surge of problems it is not prepared to handle.

THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF VAN BUREN COUNTY, ARKANSAS, THAT THE:


Section 1. Van Buren County is in dire need of financial assistance from the State to protect it from the damages from the oil and gas industry.

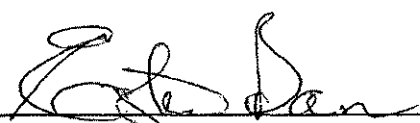
Section 2. Van Buren County's financial resources are insufficient to deal with the situation and further lack the means from which to derive the resources.

Section 3. Van Buren County Quorum Court calls on the Arkansas General Assembly to provide the necessary resources to accomplish the above mentioned needs, in addition to, protecting its citizens and other valuable resources.

PASSED AND APPROVED this 17th day of May, 2007.

(SEAL)

APPROVED: 
Robert Bramlett, County Judge

ATTEST: 
Ester Bass, County Clerk

APPROVED AS TO LEGAL FORM:


Marcus Vaden, County Attorney

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 20077

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE VAN BUREN COUNTY JUDGE TO SIGN A "CONTRACT TO SELL OFFERING" IN ORDER FOR THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT TO PURCHASE THE FEE SIMPLE TITLE FOR PROPERTY NEEDED FOR THE "HIGHWAY 65 EXPANSION".

WHEREAS: The Arkansas State Highway and transportation Department has determined the easement needed for the widening of U.S. Highway 65 through the City of Clinton, Arkansas; and

WHEREAS: It has been determined that the area of acquisition of County property is 5,790 s.f. at a rate of \$3.25 s.f. is \$18,817.50 (rounded up to \$18,850.00).

WHEREAS: The amount for sign relocation is determined to be \$4,950.00 (County owned signs - \$3,650.00; other owners - \$1,300.00)

WHEREAS: The offer of \$23,800.00 is based on the opinion of a qualified real estate appraiser, based on the market value concept and is down as follows: \$22,500 as just compensation for the realty to be acquired and \$1,300.00 for temporary construction easements and \$0 for damage to the remaining lands.

THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF VAN BUREN COUNTY, ARKANSAS, THAT THE:

Section 1. The Van Buren County Judge is hereby authorized to sign a Contract to Sell Offering with the Arkansas State Highway and Transportation Department for easements needed for the widening of U.S. Highway 65.

PASSED AND APPROVED this 21st day of June, 2007.

(SEAL)

APPROVED: 
Robert Bramlett, County Judge

ATTEST: 
Ester Bass, County Clerk

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

Job: 080283 Project F.A.P. County: Van Buren

Area of Acquisition: 5,790 s.f.

Estate Appraised: Fee Simple

HIGHEST AND BEST USE: Highest and Best Use is defined as “that reasonable and probable use that will support the highest present value, as defined, as of the effective date of the appraisal. Alternatively that use, from among reasonable, probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible and which results in highest land value.”

PURPOSE OF APPRAISAL: To estimate the Fair Market Value of described property, including all damages and/or benefits that are allowed under State law to the remaining property, as just compensation for the property acquired.

MARKET VALUE CONCEPT: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.

**COMPENSATION BREAKDOWN: VAN BUREN COUNTY CLERK = \$22,500.00;
OTHER SIGN OWNERS = \$1,300.00.**

ALLOCATION OF COMPENSATION

Land: 5,790 s.f @ \$3.25 s.f. = \$18,817.50 (rounded to)	\$ 18,850.00
Sign Relocation/Purchase: Total cost to move signs	\$ 3,650.00
Temporary Easements	\$ 1,300.00
TOTAL COMPENSATION AS OF May 24, 2007	\$ 23,800.00

This job (080283) consists of a continuance of the widening of U.S. Highway 65 through the City of Clinton, Arkansas and will extend from the “T” intersection of AR Hwy 336 West/U.S. Hwy 65 in a northerly direction to the “Y” intersection of U.S. Highway 65/U.S. Highway 65-B. The roadway will have five lanes that will include four travel lanes and a continuous turn lane. There will be five-foot wide concrete walks that are offset three feet from the curb on both sides of the road. Also, included in this project is construction of a new bridge over the South Fork of the Little Red Rive and improved drainage along the left of the project.

VAN BUREN COUNTY QUORUM COURT

RESOLUTION NO. 2007-8

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION LISTING THE INCREASE IN RECORDING FEES CHARGED BY THE VAN BUREN COUNTY RECORDER AND HOW THESE FEES ARE TO BE DEPOSITED.

WHEREAS: Act 815 of the regular session of the 86th General Assembly of 2007 was enacted. This Act to be entitled;

AN ACT TO INCREASE THE RECORDING FEES CHARGED BY COUNTY RECORDERS FOR CERTAIN WRITTEN INSTRUMENTS: AND FOR OTHER PURPOSES

WHEREAS: On August 1, 2007, the uniform fees to be charged by the recorder shall be as follows:

For recording deeds, mortgages, powers of attorney, plats, survey plats, notary bonds, foreign judgments, writs of execution, writs of garnishment, materialman's liens, and other recordable instruments the fee is \$15.00 for one page (one side only) and \$5.00 for each additional page. (Previously the fee was \$8.00 for one page and \$3.00 for each additional page)

All fees collected shall be paid into the County treasury with \$10.00 of each document credited to the Van Buren County Recorder's Cost Fund. The remainder shall be credited to the County General Fund. (This is at the discretion of the recorder, previously \$3.00 of each fee had been credited to the Recorder's Cost Fund)

Moneys deposited in the Recorder's Cost Fund shall be appropriated and expended by the Quorum Court at the direction of the recorder.

Appropriated moneys shall be placed into line items within the recorder's budget as approved by the quorum court, and shall be used by the recorder's office to offset administrative costs.

At least 25% of the Recorder's Cost Fund shall be used to purchase, maintain and operate an automated records system. The acquisition and update of software for the automated records system shall be a permitted use of these funds.

THEREFORE BE IT RESOLVED THAT THE VAN BUREN COUNTY QUORUM COURT DOES HEREBY APPROVE THE DISTRIBUTION OF THESE FEES AS SET OUT IN THE FOREGOING STATEMENTS.

Dated: July 19, 2007

APPROVED: Robert Bramlett
Robert Bramlett, County Judge

ATTEST: Ester Bass
Ester Bass, County Clerk