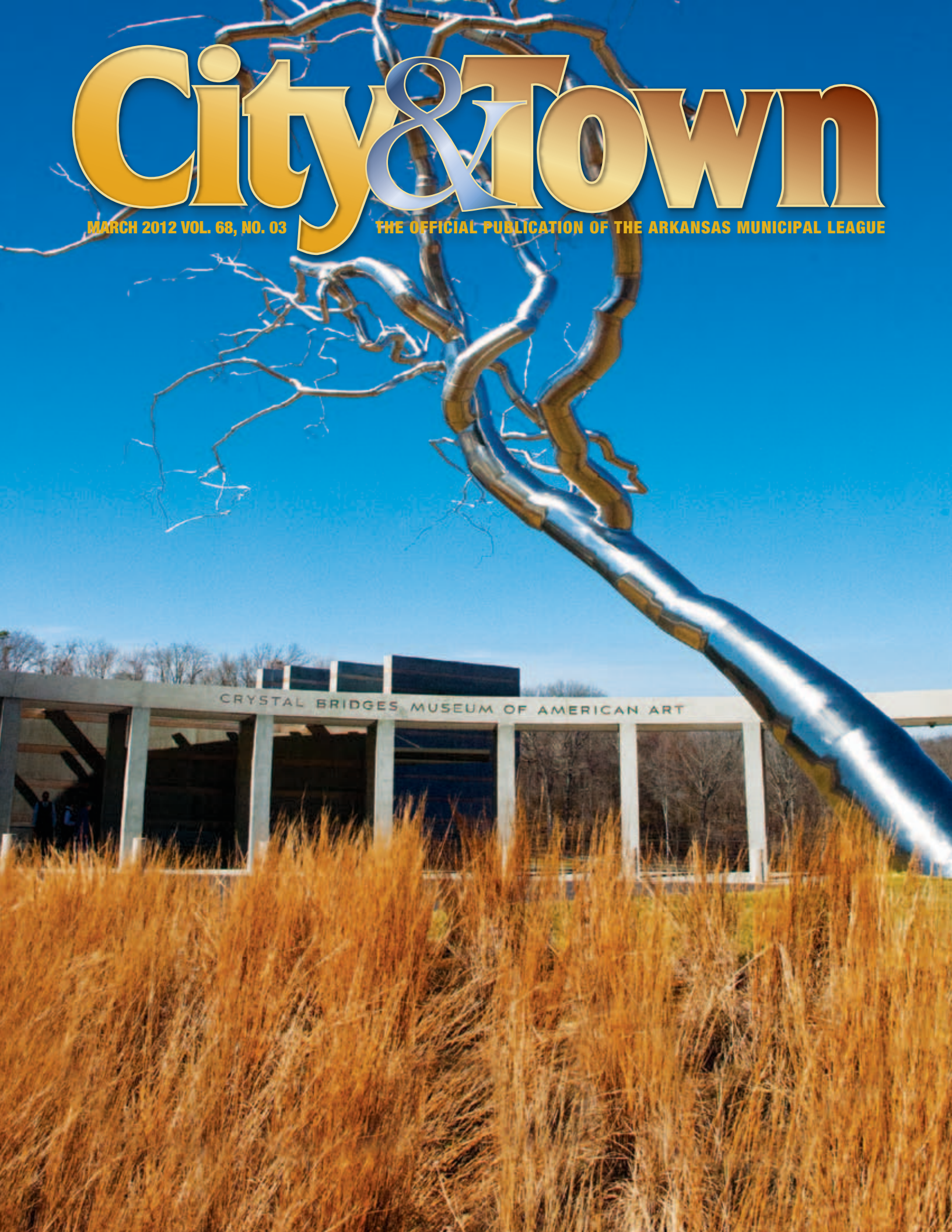


City & Town

MARCH 2012 VOL. 68, NO. 03

THE OFFICIAL PUBLICATION OF THE ARKANSAS MUNICIPAL LEAGUE





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FEATURES

6 Crystal Bridges draws art world to Bentonville

With the opening in November 2011 of the Crystal Bridges Museum of American Art, Bentonville is now home to one of the premier collections of American art in the world, and the potential for continued increases in local revenue is a nice side effect.

12 Register now for 78th Convention

June and the 78th League Convention will be here soon. Save money and register before June 8.

16 Russellville's city hall restoration complete

The restoration of Russellville's historic Masonic Lodge building is complete, and it makes a beautiful home for the city's leaders.

CLARIFICATION: regarding the severance tax by state comparison that appears in the February issue of *City & Town*. See page 19



ON THE COVER—Artist Roxy Paine's *Yield* greets visitors at the main entrance to Crystal Bridges Museum of American Art in Bentonville. The 45-foot, stainless steel, *dendroid* (a Greek term meaning essentially "tree form") makes a striking statement at the front door of a world-class museum. If you haven't yet visited, we can't recommend it enough. In the meantime, read inside about Crystal Bridges and what it's meant for the city of Bentonville. Read also in this issue about Russellville's restored city hall, tornado preparedness tips and more. Also, the League's 78th Convention will be here before we know it. Save money by registering early. See pages 12-14 for registration and hotel information, instructions for submitting resolutions for consideration and more.—atm

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City & Town

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Cover photo by Andrew Morgan

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Dear Friends:

Congratulations to all of the nominees and the winners of the Delta Byways Awards. On Feb. 17 Jonesboro hosted their annual banquet where winners in the various categories were announced. This is a tourism recognition event, and as usual there were great nominees in all categories. See page 34 for the winners and nominees.

The National League of Cities Congressional Cities Conference is fast approaching. For those of you who plan to attend, I trust you have made all the necessary arrangements and are preparing to be in Washington, D.C., March 10-14. I plan to attend and there will be information in the next issue of *City & Town* on things of interest at the conference.

This issue has information about our 78th Convention, which will be held June 20-22 in Hot Springs. This is a good opportunity to meet your counterparts from around the state and exchange ideas and solutions on problems that are common to all cities and town. There are also great exhibitors, informational and educational opportunities, plus opportunities to renew old friendships and create new ones. Check the information about the Convention beginning on page 12. Please make plans to join us in June.

In April, Arkansas will host the Southern Municipal Conference at Bentonville's Crystal Bridges Museum of American Art. This is the museum that was endowed by Alice Walton, and I understand it houses some world-class art. See the feature in this issue about Crystal Bridges.

Also in April, the Advisory Councils will meet between April 10 and 18. These are important meetings where League policy and positions are developed. If you are a member of an Advisory Council, please make every effort to attend the meeting.

The *2012 Directory of Arkansas Municipal Officials* is now available, and directory updates are included each month's *City & Town*. As this has names and contact information concerning local elected officials from around the state, this is a great resource for all of us. Check with the League to purchase a copy.

Finally, I would like to remind you of the upcoming certification course, "Procedural Rules/ Conducting City Council Meetings/Who Does What at City Hall." This is a five-hour certification course and will be offered on Wednesday, April 4 or Thursday, April 5. Both classes will begin at 9 a.m. at League headquarters in North Little Rock. Box lunches will be provided. Information should have been sent to you. If not, check with the League for registration information or visit the "Calendar of Events" page at arml.org. Even if you aren't working on becoming a certified municipal official, this is a good source of basic information about conducting council meetings and who is responsible for what at city hall. All of us can benefit from brushing up on our procedural skills. Check your schedule and plan to attend one of these classes.

By now, we've got two months of city budgets under our belts. I hope that everyone has been blessed with fewer expenses and more income than anticipated when your budgets were created.



Frank Fogleman
Mayor, Marion
President, Arkansas Municipal League

Arkansas Municipal League Officers

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A Crystal Bridges patron views Jasper Francis Cropsey's 1853 painting *The Backwoods of America* while listening to details about the work. A free Crystal Bridges app for smart phones and iPads features an audio tour, museum maps and other information.

Crystal Bridges makes Bentonville American art mecca

By Andrew Morgan, League staff

When Walmart heiress Alice Walton in 2005 first announced her intention to build a museum in Bentonville, few doubted her ability to pull it off. The astonishing expanse and distinctiveness of the completed Crystal Bridges Museum of American Art has probably surprised even the truest of believers. The museum, which opened in November 2011, is an overwhelming success by almost any measure, and not just for Bentonville, Northwest Arkansas, or the state. It promises to make a global cultural impact. It's a gorgeous museum boasting a world-class collection of American art in a world that is just beginning to pay attention to America's increasingly rich art tradition.

The pleasures of the museum don't start at the door. The landscape itself is part of the experience. The museum, designed by Israeli-born Boston architect Moshie Safdie, is nestled in a leafy ravine, its reflecting pools fed by the museum's namesake Crystal Spring. A network of trails crisscross the woods surrounding the museum, connecting it directly to downtown Bentonville

and, ultimately, to the Razorback Greenway, the master trail system that connects the entire Northwest Arkansas corridor from Bella Vista in the north to Fayetteville in the south. It's a marvel of integrated design.

The museum itself follows the curvature of the valley. Composed of several units resembling pavilions, its connecting halls, restaurant and meeting spaces are flooded with natural light, the woods and water just feet away through the high, curved glass.

Crystal Bridges' inaugural presentation from its permanent collection features more than 400 works throughout its six galleries by American masters like Charles Wilson Peale, John Singer Sargent, Georgia O'Keefe, Joseph Stella and Norman Rockwell, covering a broad swath of the American experience from the Colonial period to today.

Walton, who calls Texas home, doesn't often grant interviews, but she has discussed her vision for the museum, most recently in Bentonville with a group of Northwest Arkansas Community College business students in late February. Her goal is not simply to spur

the local economy. She wants the museum, with its focus on American art, to make the world take notice.

“American art has not historically been viewed as important worldwide,” she told the students. “One of the things we hope is that we bring more recognition and help bring more scholarship to American art worldwide.”

Mere months in, Crystal Bridges is already making a global impact, at Paris’ Musée du Louvre no less. The Louvre in January debuted one of its first major exhibitions of American art, “New Frontier: American Art Enters the Louvre.” It includes several works on loan from Crystal Bridges.

Perhaps her primary goal wasn’t to transform the city best known until now as the home base of her father’s Walmart empire, but the revenue boost the museum appears to be giving Bentonville is certainly a nice side-effect.

The city’s Convention and Visitors Bureau reported an immediate boost in restaurant and hotel receipts starting in November 2011, the month of the museum’s opening. Both hotel receipts and restaurant taxes were up double digits from the year before. The increase has continued into the new year.

Continued on page 8



PHOTOS BY ANDREW MORGAN

Charles Wilson Peale’s portrait of George Washington, circa 1870-1872, is one of the first pieces you’ll see upon entering the Colonial to early 19th Century gallery. Peale had been an officer in the Continental Army under Washington.



Approaching from the south on Crystal Bridges Trail—which connects to downtown Bentonville, Compton Gardens and, ultimately, the Razorback Greenway—you can catch glimpses through the post oaks and black walnuts of the museum’s copper roof glinting in the sun.



The fantastic detail of light glowing through the breakers makes William Trost Richards' 1903 landscape *Along the Shore* a favorite.

The city's sales tax revenue, like in many other cities and towns during this slow economic recovery, had been stagnant at best. The latest report from the state Department of Finance and Administration shows a relative explosion in sales tax revenue for the end of 2011 and the first part of 2012. The city collected \$2,019,808 in sales tax in January. That's a 39 percent increase over the same time last year. It's also a city record.

The museum has in its first four months welcomed more than 160,000 visitors. They were expecting between 150,000 and 300,000 over the course of the first year, so they're on a pace to surpass expectations.

Crystal Bridges' in-museum restaurant, Eleven, and its coffee shop and catering business can take some direct credit for boosting city revenue. They've generated \$250,000 in sales tax revenue for November and December.

Even with all these positive signs, it's difficult to accurately trace the increased sales, restaurant and hotel taxes directly back to the museum (see League Finance Director Paul Young's coverage of the vagaries of sales tax information gathering in the January and February issues of *City & Town*). Most city leaders, however, feel safe in giving Crystal Bridges much of the credit.

Bentonville Finance Director Denise Land finds the sudden tax revenue increase stunning, she told the *Rogers Morning News*.

"It's probably too early to tell," she told the paper, "but this could be some trickle down from the opening of Crystal Bridges. I've heard from the Advertising and Promotion Commission that hotel occupancy and restaurant sales are up. I'm not going to question good fortune."

One month of good results does not a trend make, Bentonville Mayor Bob McCaslin says, but he too is excited about the positive effects the museum is having on the city.

"We are seeing a difference in town," he says.

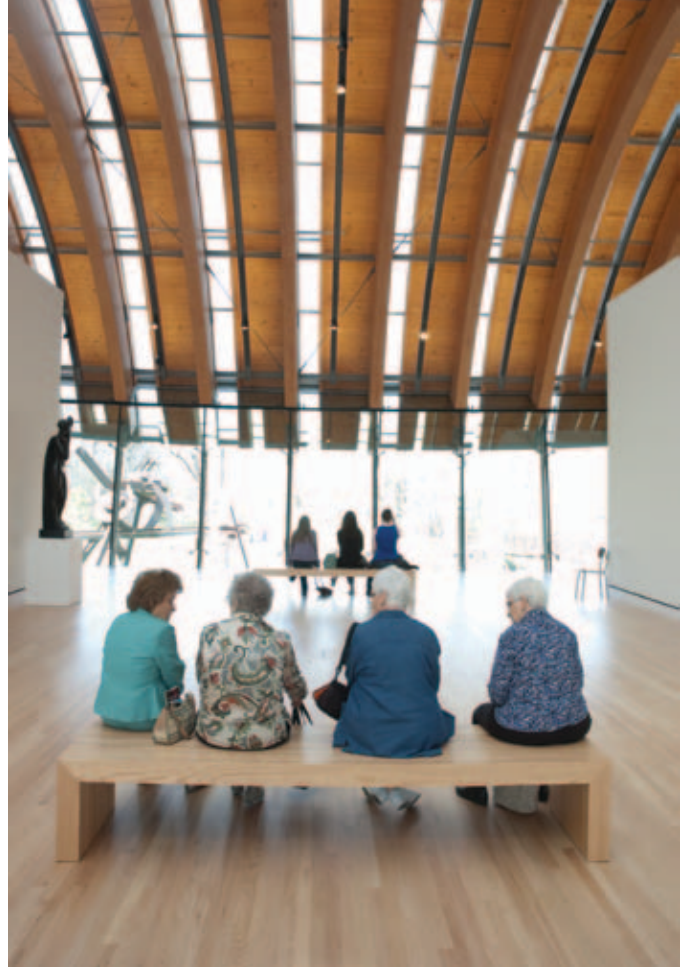


Crystal Bridges is home to Norman Rockwell's famous 1943 painting *Rosie the Riveter*.

The rise in hotel/motel receipts is especially heartening, McCaslin says, because last year the city lost two of its larger, revenue-generating hotels. The museum's presence seems to have more than offset that loss, he says. The increased sales tax in town is also a good indicator. Businesses and people want to be near downtown and near the museum, McCaslin believes.

From the increase in revenues to increasing Bentonville's quality of life, the museum deserves some credit, he says.

"There's no one thing; it's a combination of things. Was Crystal Bridges the catalyst for a lot of that? Probably so. I think we all sat back and said we're going to have a lot of visitors to our city, most of them for the first time. We'll get one chance for a first impression. Let's make it a great one."



Spots to reflect on the art and the scenery are numerous throughout the museum.



Behind a Roy Lichtenstein sculpture, a visitor views Andy Warhol's *Dolly Parton* screen print in a section featuring 20th Century Pop Art.



Devorah Sperber's *After the Last Supper*, 2005, is a popular installation. Composed of 20,736 spools of thread, it depicts Leonardo da Vinci's 1498 mural upside down. Viewed through the glass sphere, the image rights itself.

Let League help establish wellness program in your community

By David Baxter, League staff

Although the United States is the most affluent country, it is also one of the unhealthiest in the world. As we have attained status, our health has deteriorated over the last few decades. To make matters worse, we have successfully designed daily, physical activity right out of our everyday lives. Further, we have learned how to produce massive amounts of food that is low in quality, low in price, and high in sugar, fat and calories.

As advances in technology and changes in our social landscape have evolved, it is not surprising that obesity has skyrocketed to unprecedented levels. In addition, as obesity has increased so has the frequency of diabetes, cardiovascular diseases and cancer. Studies have shown that an unhealthy lifestyle, such as lack of physical activity, tobacco use, and over consumption of calories, greatly influences the prevalence of lifestyle related diseases.

According to *America's Health Ranking* (2011), Arkansas ranks 47 out of 50 states in overall health. The rankings are based on a variety of factors, such as individual behaviors, environment and community, availability of clinical care, and health policies and practices. As leaders in your communities, each of you should be concerned about the health and well being of your little slice of Arkansas and America. While it is true that citizens cannot be forced to eat healthier, increase their daily activity, or even visit the doctor regularly, municipal leaders can take a vested interest in helping promote and create social change in their communities.

Employee wellness program

Successful change can begin right in your own backyard by implementing an employee wellness program. The benefits are many and include increased employee morale and productivity, reduced use of sick days, and a decrease in overall health care claims. To begin, bring city department heads together and plan a course of action to determine your available resources. Another idea is to kick off the program with a healthy lunch and wellness seminar for your city employees.

As the League's health and safety coordinator I can present just such a program in your city or town. My presentation, "Making Wellness Your Own," is about two hours long and can be delivered directly to your city employees. Additionally, city leaders can encourage employees to take advantage of the Municipal Health



League Health and Safety Coordinator David Baxter, at a March 1 wellness seminar at League headquarters, encourages cities and towns to get creative with their resources, such as transforming railroad corridors that are no longer in use into walking and cycling paths.

Benefit Fund's Preventative Care Program/Wellness Program.

This program offers many 100 percent reimbursed preventative exams and immunizations (See the 2012 Municipal Health Benefit Fund Book for complete details).

Community wellness planning

What is wellness planning for your community? It involves creating a healthier, safer environment for your citizens. For instance, look at the streets and roadways within your community. How safe are they for a child to walk to school, for a teenager to jog, or even an adult to walk or ride a bike? Lack of a safe sidewalk or roadway for pedestrians to move to and from places of worship, schools or grocery stores can dramatically reduce physical activity and increase reliance on vehicles for transportation. The potential of existing infrastructure is often overlooked. For example, utilizing an old, abandoned railroad right-of-way and developing it into an aesthetically pleasing, functional, community walking trail is just one idea.

The League is interested in helping you begin an employee wellness program and create opportunities within your municipality for increasing physical activity, reducing obesity, and making healthier lifestyle choices. Training opportunities will be available throughout the year at League headquarters and I will be available to bring training on-site to your community to provide additional community wellness ideas.



David Baxter is the League Health and Safety Coordinator. Contact David at 501-374-3484 Ext. 110, or email dbaxter@arml.org.



It's Convention time again.

June 20-22—Hot Springs, Ark.

See next page for more information.

Register online at www.arml.org.

Exhibitors, contact the League immediately to reserve space for your display.

Contact Whitnee Bullerwell
at 501-978-6105.

Cost for the exhibit space is \$500.



78th CONVENTION

Hot Springs Convention Center
June 20-22, 2012

REGISTRATION

Registration and payment must be received in League office by Friday, June 8, 2012, to qualify for advance registration.

Advance registration for municipal officials	\$150
Registration fee after June 8, 2012 , and on-site registration for municipal officials	\$175
Spouse/guest registration	\$75
Child registration	\$75
Other registrants	\$200

- Registration will be processed **ONLY** with accompanying payment in full. Make checks payable to the Arkansas Municipal League.
- Registration includes meals, activities and a copy of the **2011-'12 Handbook for Arkansas Municipal Officials** and the **2011 General Acts Affecting Arkansas Municipalities**.
- No daily registration is available.
- Registration must come through the League office. No telephone registrations will be accepted.
- **No refunds after June 8, 2012.**
- Cancellation letters must be postmarked by **June 8, 2012**.

HOTEL RESERVATION

Hotel Room Rates

EMBASSY SUITES HOTEL (headquarters hotel)

Single\$140 Double..... \$150 Check-in 3 p.m.

AUSTIN HOTEL

Single/Double \$85 Check-in 3 p.m.

ARLINGTON HOTEL

Single \$88 Double..... \$98 Check-in 3 p.m.

- Cut-off date for hotel reservations is **June 8, 2012**.
- Rooms in Hot Springs are subject to a 13 percent tax.
- Rooms will be held until 6 p.m. and then released unless guaranteed by credit card.
- Contact the hotel directly to make changes or cancellations in hotel accommodations.
- Hotel confirmation number will come directly from the hotel.
- Please check on cancellation policy for your hotel.

TWO WAYS TO REGISTER

2

Complete the steps and **mail with payment to:**
ARKANSAS MUNICIPAL LEAGUE
Attn: 78th Convention
P.O. Box 38
North Little Rock, AR 72115-0038

1 Register online at www.arml.org
and pay by credit card.

OR

Step 1: Delegate Information

Name:
Title: City of:
Address:
City: State: Zip: Telephone:
Spouse/Guest will attend: Yes No Name:
Children will attend: Yes No Name(s):

Step 2: Payment Information

• **WHAT IS YOUR TOTAL?** (see opposite page for fees)

Advance Registration Regular Registration Spouse/Guest Child Other Registrants Total
\$150 \$175 \$75 \$75 \$200 \$

• **HOW ARE YOU PAYING?**

Check Mail payment and form to:
Arkansas Municipal League
78th Convention
P.O. Box 38
North Little Rock, AR 72115

Credit Card Complete information below and send to address above.

Credit Card: Visa MasterCard
Card Number: _____ Exp. Date: __/20__
Card Holder Name (as it appears on card):
Billing address (as it appears on statement):
City: State: Zip:
E-mail address (required for credit card payment):

Step 3: Hotel Reservations

To obtain hotel reservations, registered delegates must directly contact participating hotels listed below:

Arlington Hotel Reservations _____ 800-643-1502 or 501-609-2533
Austin Hotel Reservations _____ 877-623-6697
Embassy Suites Hotel Reservations _____ 501-321-4430 Emily Parker, Lead Reservationist

Step 4: Hotel Payment

Payment Options: Credit Card or Direct Bill Note: only two payment options.

To obtain direct billing as a payment option, registered delegates must directly contact hotel accounting offices listed below:

Arlington Hotel Accounting _____ 800-643-1502 or 501-609-2533
Austin Hotel Accounting _____ 800-844-7275
Embassy Suites Hotel Accounting _____ 501-321-4413 Melody Fruen

TENTATIVE PROGRAM IN BRIEF To see an expanded tentative schedule, visit www.arml.org.

WEDNESDAY JUNE 20	2:00 p.m.-7:00 p.m. 2:30 p.m.-5:00 p.m. 5:30 p.m. 7:00 p.m.	REGISTRATION AND EXHIBIT HALL OPEN CERTIFICATION CLASSES RESOLUTIONS COMMITTEE MEETING OPENING NIGHT BANQUET
THURSDAY JUNE 21	7:30 a.m.-4:00 p.m. 7:30 a.m.-4:30 p.m. 7:30 a.m.-8:45 a.m. 9:00 a.m.-12:30 p.m. 12:30 p.m.-1:30 p.m. 1:30 p.m.-5:30 p.m. 5:30 p.m.-9:00 p.m.	REGISTRATION OPEN EXHIBITS OPEN HOT CITY BREAKFAST GENERAL SESSIONS LUNCHEON CONCURRENT WORKSHOPS EVENING OPEN—ENTERTAINMENT OPTIONS
FRIDAY JUNE 22	7:30 a.m.-1:00 p.m. 7:30 a.m.-8:45 a.m. 9:00 a.m.-10:00 a.m. 10:15 a.m.-11:30 a.m. Noon -1:30 p.m. 2:00 p.m.- 4:00 p.m.	REGISTRATION OPEN BREAKFAST OFFICIALS' EXCHANGE ANNUAL BUSINESS MEETINGS AWARDS AND NEW OFFICERS' LUNCHEON CERTIFICATION CLASSES

RESOLUTIONS

Suggested Convention Resolutions for consideration at the 78th Annual Convention should be mailed to:
 78th Convention Resolutions
 Arkansas Municipal League
 P.O. Box 38
 North Little Rock, AR 72115-0038

The deadline for Resolution submission is May 16.

Resolutions may be drafted by an official of any member city or town and can relate to any matter of municipal concern. See your **2011-2012 Policies and Goals** for resolutions adopted at the 77th Convention.

WANTED: Elected City officials with 25 years of service

Were you elected and begin serving your city or town in 1987? The League would like to know!

The League will give special recognition to elected city and town officials who are in their 25th year of municipal service at the 78th League Convention, June 20-22, in Hot Springs.

Names must be submitted to the League by May 16.

Call Ken Wasson at 501-374-3484, ext. 211; Sheila Boyd, ext. 218; or write to P.O. Box 38, North Little Rock, AR 72115-0038.

NOTICE TO EXHIBITORS

At the 78th Convention, a special Exhibit Hall is available for businesses, companies and manufacturers to display their products and services that are available to Arkansas municipalities.

To guarantee your firm's exhibit area, contact the League immediately to reserve space for your display. Your name will be added to the list of exhibitors, and we will reserve a space for your exhibit when you arrive.

The cost this year for exhibit space is \$500. We cannot guarantee space for companies that do not register before June 8.

Call Whitnee Bullerwell at 501-978-6105, or write to Arkansas Municipal League, P.O. Box 38, North Little Rock, AR 72115-0038.



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PHOTOS BY JOSHUA MASHON, THE COURIER.

Russellville moves into restored city hall

By Sherman Banks

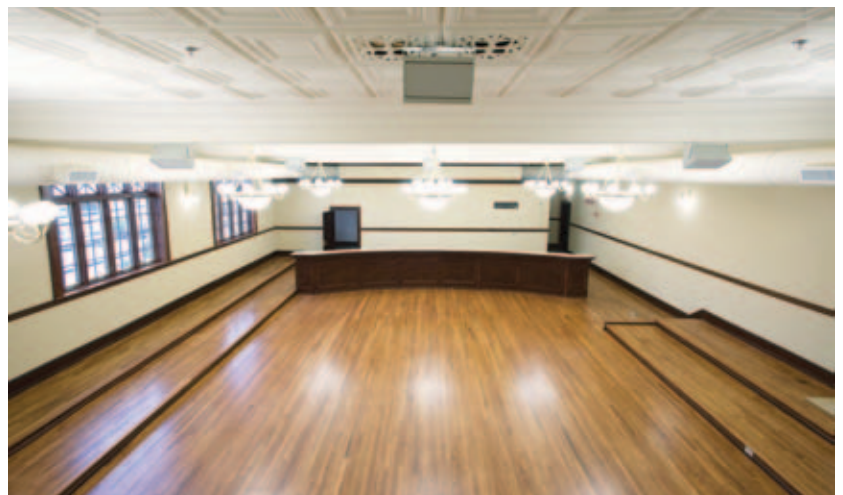
Russellville is a city with sound solutions that continue to move the community into the 21st century. Twenty years ago the citizens of Russellville had the vision to create a committee called Main Street Russellville (MSR) to promote economic development in the city. The committee members are proposed and confirmed by the city council. MSR is a separate nonprofit entity that promotes annual festivals and raises funds to maintain the upward mobility of the city.

The city council and MSR mounted an improvement campaign to renovate the downtown area. Included in the improvement campaign were streets and drainage, parks and recreation and the restoration of city hall. For several years the city had a one-cent sales tax with a sunset clause to fund various city projects, but it became clear that in order to fund these much needed improvements the sales tax had to be extended beyond the sunset date of 2007. The public agreed with the council, MSR and Mayor Bill Eaton, and the one-cent sales tax was continued with a sunset year of 2013.

Beginning in 2008 money was collected and set aside from the sales tax until \$1,897,000 had been collected for the renovation expenses for city hall. In early 2009 the city offices moved to temporary

quarters and bids were taken for an architectural firm and contractor.

Lodge No. 274 built the structure in 1926-1927 as Russellville's Masonic Temple. It historically housed city hall and other businesses on the first floor and the Masonic Temple on the second floor. It was named to the Arkansas Register of Historic Places in 2001 and to the National Register of Historic Places in 2005.



In addition to its historically accurate details, the city council's chamber features modern amenities like a state-of-the-art audio-visual system.



The interior details of the Masonic Lodge-turned city hall now reflects its original design and construction, right down to the color of the paint.

Because of the building's age, they had to determine if it was sound enough to withstand the restoration. To test it, the contractor placed explosives in strategic locations within the building to shock the structure to determine its soundness.

The interior of the building was restored to its original design and color. State-of-the-art audio-visual equipment was installed to televise city council meetings. A digital recording system was also installed with broadband Internet capabilities. In addition to housing the

city's executive offices, city hall is home to the fire marshal, community development, city attorney, city clerk and human resources. The renovation plans provided for the main fire station to be housed adjacent to city hall.

The city tenants began moving into the building in June of 2011, but the formal dedication of the structure did not take place until December 2011. Mayor Eaton said they wanted to coordinate the grand opening with MSR's annual Art Walk Festival that included local artists and musicians. This festival gave more community members the opportunity to see the results of their tax dollars.

Change is necessary in a city to maintain continued growth and upward mobility. Mayor Eaton and the city council of Russellville found the formula through its one-cent sales tax along with the Main Street Russellville Committee to help administer the changes provided by the tax for the 21st century solutions.



For more information, contact Sherman Banks at 501-374-8493; email sbanks@aristotle.net; or write to P.O. Box 165920 Little Rock, AR 72216.

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Municipalities must publish annual financial statement

The time is rapidly arriving for the annual reporting of each city and town's financial statement. Refer to the *Handbook for Arkansas Municipal Officials*, 2011-12 ed., section 14-59-116 and section 14-237-113. Although these statements were required semiannually in the past, Acts 620 § 11 and 621 § 10 of 2011 amended the law to provide for annual publication instead.

Ark. Code Ann. § 14-59-116 now provides that the governing body of each municipality shall publish annually in a newspaper published in the municipality a FINANCIAL STATEMENT OF THE MUNICIPALITY by April 1 covering the previous calendar year (January through the end of December).

The financial statements should include the receipts and expenditures for the year. In addition, they should contain "a statement of the indebtedness and financial condition of the municipality."

Section 14-237-113 provides similar publication requirements for the operating authority of the WATER and SEWER DEPARTMENTS. Water and sewer departments administered by one or two commissions must comply with the law. If the water and sewer departments are administered by the city council, then it is the responsibility of the city council to comply with the statute.

What if no newspaper is published in the city or town? In that case, the statements may be posted in two public places in the municipality. Note that this is a change from the previous law, which only allowed incorporated towns to post and required that the postings appear in five public places.

Suggested Forms A and B follow. For additional information, call the League at 501-374-3484.

The suggested FORM A is for use by cities of the first class, second class, and incorporated towns to comply with 14-59-116.

Form A		
City or Town of _____		
(Cities of the first class, second class, and incorporated towns)		
Financial Statement January 1, 2011-Dec. 31, 2011		
GENERAL FUND		
Balance January 1, 2011	\$ _____	
Cash Receipts		
State Revenues	\$ _____	
Property Taxes	\$ _____	
Sales Taxes	\$ _____	
Fines, Forfeitures, and Costs	\$ _____	
Franchise Fees	\$ _____	
Transfers In	\$ _____	
Other	\$ _____	
Total Receipts	\$ _____	
Total General Fund Available	\$ _____	
Expenditures		
*Administrative Department:		
Personal Services	\$ _____	
Supplies	\$ _____	
Other services and charges	\$ _____	
Capital Outlay	\$ _____	
Debt Service	\$ _____	
Transfers Out	\$ _____	
Total Expenditures	\$ _____	
Balance General Fund Dec. 31, 2011	\$ _____	
STREET FUND		
Balance January 1, 2011	\$ _____	
Cash Receipts		
State Revenues	\$ _____	
Property Taxes	\$ _____	
Sales Taxes	\$ _____	
Franchise Fees	\$ _____	
Transfers In	\$ _____	
Other	\$ _____	
Total Street Receipts	\$ _____	
Total Street Fund Available	\$ _____	
Expenditures		
Personal Services	\$ _____	
Supplies	\$ _____	
Other services and charges	\$ _____	
Capital Outlay	\$ _____	
Debt service	\$ _____	
Transfers out	\$ _____	
Total Expenditures	\$ _____	
Balance Street Fund Dec. 31, 2011	\$ _____	
The classification of expenditures shall be by department, i.e., administrative, police department, fire department, parks department, etc.		
INDEBTEDNESS		
Type of Debt	Amount	Date Last Payment Due
Property Tax Bonds	\$ _____	_____
Short term financing obligations	\$ _____	_____
Sales & Use Tax Bonds	\$ _____	_____
Revenue Bonds	\$ _____	_____
Lease Purchase Agreements	\$ _____	_____
		Date Free of Debt
Total	\$ _____	_____
All financial records for the City of _____ are public records and are open for public inspection during regular business hours of ____ A.M. to ____ P.M., Monday through Friday, at City Hall in _____, Arkansas.		
If the record is in active use or in storage and, therefore, not available at the time a citizen asks to examine it, the custodian shall certify this fact in writing to the applicant and set a date and hour within three (3) days at which time the record will be available for inspection and copying.		

Notice!

Revised

Annual

Statements

CLARIFICATION: regarding the severance tax by state comparison that appears in the February issue of City & Town

Louisiana—Louisiana provides that all horizontal wells have a two-year exemption from the natural gas severance tax or until the cost of the well is recovered, whichever comes first. Additionally, Louisiana has a reduced severance tax for low-production wells.

Oklahoma—Oklahoma provides a reduced natural gas severance tax for horizontal wells. Additionally, for operational wells prior to July 1, 2011, the rate is one percent for 48 months or until payback is achieved. For operational wells after July 1, 2011, the tax is a flat one percent for 48 months from date of initial production.

Oklahoma and Texas—These states also allow for a marketing cost deduction, similar to Arkansas, before applying their severance tax to natural gas production.

Sources: Louisiana Revised Statutes—47:633; Oklahoma statutes—68 OS 1001.E; Oklahoma Tax Commission 710:45-9-101 and 102; Texas Tax Code Title 2, Subtitle 1, Chapter 201, Subchapter C, Section 201.101 (a) and (b)

The suggested **FORM B** is for use by Water and Sewer Departments to comply with 14-237-113.

Form B		
City or Town of _____		
Financial Statement January 1, 2011-Dec. 31, 2011		
WATER AND SEWER DEPARTMENTS		
Balance January 1, 2011	\$ _____	
Cash Receipts		
Water Payments	\$ _____	
Sewer Payments	\$ _____	
Sanitation Funds	\$ _____	
Other	\$ _____	
Transfers In	\$ _____	
Total Receipts	\$ _____	
Total Funds Available	\$ _____	
Expenditures		
Personal Services	\$ _____	
Supplies	\$ _____	
Other services and charges	\$ _____	
Capital Outlay	\$ _____	
Debt Service	\$ _____	
Transfers Out	\$ _____	
Total Expenditures	\$ _____	
Balance Water and Sewer Fund Dec. 31, 2011	\$ _____	
INDEBTEDNESS		
Type of Debt	Amount	Date Last Payment Due
Short term financing obligations	\$ _____	_____
Water Revenue Bonds	\$ _____	_____
Sewer Revenue Bonds	\$ _____	_____
		Date Free of Debt
Total	\$ _____	_____
All financial records of the Water and Sewer Department of (City or Town) of _____ are public records and are open for public inspection during regular business hours of _____ A.M. to _____ P.M., Monday through Friday, at the Water Department in _____, Arkansas.		
If the record is in active use or in storage and, therefore, not available at the time a citizen asks to examine it, the custodian shall certify this fact in writing to the applicant and set a date and hour within three (3) days at which time the record will be available for inspection and copying.		

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Specialized care focuses on relief from suffering

For patients dealing with serious illnesses, it's important to know there is specialized medical care focused on relief from symptoms, pain and the stress that comes with having to deal with it all.

By Sarah Beth Harrington, M.D.

Whether it's a curable illness, a chronic disease or end-of-life issues, this specialized care—known as palliative (pronounced pal-lee-uh-tiv) care—aims to improve quality of life for both the patient and the family.

The distinction between palliative care and hospice is often blurred, but don't misconstrue the two.

Most people are familiar with the scope of hospice, which deals strictly with end-of-life care, planning and comfort for patients generally in their last six months of life. Palliative care is the medical specialty focused on improving the quality of life of people facing serious illness. It can be offered at any stage of any illness no matter how long a patient is expected to live.

In the last half-decade, palliative care programs in Arkansas and nationwide have more than doubled. More than 50 percent of hospitals with more than 50 beds have a palliative care program. As more people become aware of the benefits, statistics show a positive effect on the quality of care.

What is palliative care?

Patients can benefit most from palliative care when suffering from hard-to-treat symptoms like pain, fatigue, depression, anxiety and nausea.

A palliative care specialist also is helpful to patients facing tough treatment options and coordinating those efforts.

The swiftly expanding palliative care program at UAMS, like in many hospitals, works closely with patients' doctors and treatment teams in all phases of the disease. By aggressively treating symptoms, patients are better able to function and tolerate their cancer treatments. For example, take a breast cancer patient who has undergone a mastectomy and is dealing with the accompanying pain related to radiation or chemotherapy. It often lingers, sometimes for years. That patient can go straight to a palliative care specialist and can explore pain management options.

On the other end of the continuum, a patient with advanced stage 4 cancer with a limited life expectancy might initially be seen for pain and symptom

management. But the conversation can also be started with the patient and family about goals of care and transition into hospice when the time is right. Once that transition takes place, a palliative care specialist would continue to serve as primary hospice physician once the patient goes home in order to provide good continuity of care.

Complete care

Since 2008, the number of patient visits in the palliative care clinic at UAMS has more than doubled. That's on par with a trend nationally that has seen the field grow to being recognized as a key player in health care delivery.

Though it's still a relatively new and emerging subspecialty and research is limited, the few studies that have been completed have shown positive results. One in particular deals with advanced lung cancer patients given less than one year to live. The 2010 study caught many oncologists by surprise. Some of the patients selected at random were given palliative care treatments. The palliative group had usual oncologic care plus pain and symptom management and advanced care planning with a palliative specialist.

The palliative care group lived almost three months longer and its quality of life was much stronger. The theory is that if pain and symptoms are better controlled, patients will be more functional, may tolerate chemotherapy and other treatments better and might live longer. And those who discuss goals of care early may choose not to pursue particularly aggressive treatments in the last months of life in order to focus on quality of life and comfort. Such patients just might live longer and better.

To learn more about palliative care, visit www.uamshealth.com/palliative-care.

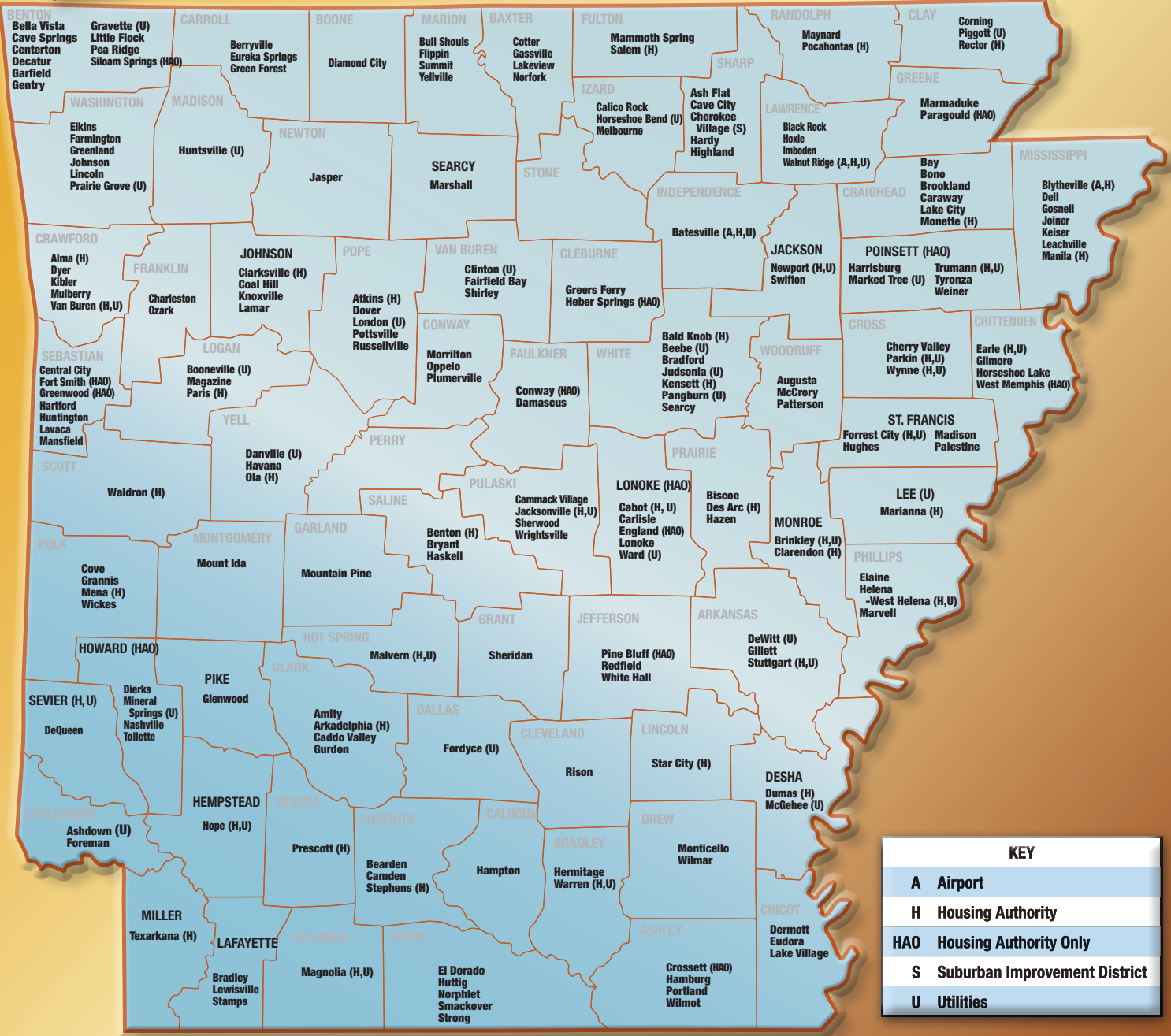


Sarah Beth Harrington M.D. is Medical Director of Palliative Care, University of Arkansas for Medical Sciences (UAMS).



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For further information, call (501) 374-3484, ext. 111.



KEY	
A	Airport
H	Housing Authority
HAO	Housing Authority Only
S	Suburban Improvement District
U	Utilities

Other Municipal Entities Covered by MHBF

Argenta Community Development Corp. North Little Rock
 Barton-Lexa Water..... Phillips County
 Central Arkansas Planning & Development District..... Lonoke
 Eighth Judicial Drug Task Force DeQueen
 Fifth Judicial District Prosecuting Attorney Russellville
 Fifth Judicial District Russellville
 Grand Prairie/Bayou Two Water.....Lonoke and Prairie Counties
 Holiday Island Suburban Improvement District.....Carroll County

Ladd Water Users Association Pine Bluff
 Lakeview Midway Public Water..... Lakeview
 Lee County Water Association Marianna
 Local Police & Fire Retirement System..... Little Rock
 Montgomery County Nursing Home Mount Ida
 NE AR Region Solid Waste Management District Paragould
 North Little Rock - Library..... North Little Rock
 North Little Rock - Sewer/Waste Water..... North Little Rock
 Northwest AR Conservation AuthorityRogers

Northwest AR Economic Development District..... Harrison
 Ozark Regional Transit Ozark
 SE AR Economic Development District.....Pine Bluff
 Sevier County Water Association DeQueen
 Thirteenth Judicial District Drug Task Force.....Camden
 Upper SW Regional Solid Waste Management District..Nashville
 Western AR Planning & Development District.....Fort Smith
 Yorktown Water Association Star City

Downtown revitalization grants are available

By Chad Gallagher

There are many reasons cities and towns should revive their downtowns and preserve their historic buildings, which serve as a catalyst for renewal. Downtowns with historic buildings showcase craftsmanship that is rarely duplicated today. In a time when buildings are built with supplies from the big box home improvement store at the lowest possible cost, we find a lot of newer buildings simply are not that impressive. Historic buildings, however, were built by true craftsmen, experts in their trade. From town to town across Arkansas you can find unique buildings, all a bit different—sometimes in subtle ways, sometimes dramatic.

Our state boasts of many towns worthy of commendation for their efforts to revive and restore their downtowns. From Van Buren to Magnolia and El Dorado, over to Batesville, Walnut Ridge and Rector, you can find large and small towns that know a treasure when they see one and have become models for historic preservation and renewal. It takes strong alliances between the private and public sector to renew and preserve a community's historic district and the buildings in it. Cities are leaders and must lead the effort on this front.

Historic buildings are unique, and once they are gone they are gone forever. Restoring your historic buildings and encouraging downtown renewal is beneficial in many ways. Beyond preserving unique architecture and character, restoring downtown also preserves and protects a community's heritage. Downtown is typically the place where it all began, where town founders served as visionaries and built the community you now call home. Restoring these buildings honors the beginnings of the great cities that make Arkansas... well...Arkansas!

In addition, these restorations are the ultimate form of recycling. The infrastructure is there, the utilities are there, the streets are paved—it's just a matter of being green and reusing what already exists.

How your downtown looks matters. I've worked on countless economic development projects with cities across the state. Prospective businesses, potential professionals and residents all take note of how the town looks, and downtown makes a big impact. It can either be an eyesore or a jewel. I've seen both and both leave an impression.

The decision to act often comes down to finances. Here are some common myths repeated by the uninformed:

- It's always cost-prohibitive to restore an old building;
- If you put it on the historic register you lose control; and
- There is no real grant money to help.

First, remodel projects can be expensive, as can new construction. Both depend on the scope of the project. However, when planned wisely and managed well, restoring a historic building can be much cheaper than attempting to build something brand new of similar size and features. Typically the purchase price per square foot is cheaper than new buildings, and with the current construction slump it's a good time to negotiate remodeling prices.

Secondly, to put it simply, placing your home (as mine is) or a commercial building on the Arkansas or National Register of Historic Places does not take away control or rights from property owners to do with the property as they please.

Lastly, there are funds available to help with downtown revitalization and the preservation of historic buildings. It is the responsibility of leaders to lead, do the hard things, take on the impossible, overcome the odds and find creative solutions to challenges. Historic preservation requires creativity, vision and effort, but the renewal it brings is well worth it.

Fortunately, there are many great programs that can help fund these projects. The Arkansas Department of Heritage has a grant program for renewing nonprofit and government owned buildings. This particular grant has a minimum request of \$10,000 with no maximum request. The same agency also has a certified local government grant program that assists cities in these efforts. Other municipalities have garnered hundreds of thousands of dollars for single renewal projects from the Arkansas Energy Office, the Arkansas Natural Resources and Cultural Council, EPA Brownfields grants, USDA Community Facility funds and business enterprise grants, transportation enhancement funds, CDBG and HUD grants, along with others.

This summer take a drive to Lake Village and see for yourself how good leadership, public-private partnerships, vision, creativity and hard work can pull together

resources to turn a beautiful but neglected historic building into a community treasure, ready to serve generations of citizens again. Under Mayor JoAnne Bush's leadership, Lake Village did just this with the beautiful restoration of the historic Tusheck building. You could drive to Redfield where Mayor Tony Lawhon led the effort to restore the historic Lone Star Baptist Church building, an icon of African American history this side of the Mississippi. These landmarks join the hundreds of others across the state that visionary, hard-working community leaders have brought back to life and repurposed.

Countless other projects wait to join them. Call or email me today to learn more about revitalizing your community's downtown, and let us help you explore your options for funding assistance.



Chad Gallagher is principal of Legacy Consulting and a former mayor of DeQueen. Contact him in DeQueen at 870-642-8937, 501-246-8842 in Little Rock, or email chad.gallagher@legacyincorporated.com.

Announcing...

The 2012 Voluntary Certified Continuing Education Program

The League's new Voluntary Certified Continuing Education Program continues in 2012 with a series of seminars covering topics helpful to municipal leaders. The first round of seminars were a great success and drew capacity crowds to cover issues such as municipal finance and budgeting, personnel matters and municipal operations.

- Who?** For Arkansas mayors, city managers, city directors and aldermen.
- What?** The certification plan is voluntary, approved by the Executive Committee, and consists of 21 credit hours of topics.
- Why?** To increase the knowledge of local officials on how cities and towns function and equip them with the leadership skills needed to meet the challenges of the 21st Century.
- When?** The next seminar is focused on Municipal Government Structure/Conducting Council Meetings/Who Does What at City Hall. The seminar will be held April 4 or 5, 2012, at League headquarters in North Little Rock.
- Where?** Arkansas Municipal League headquarters in North Little Rock.

Schedule and topics to be covered:

- Understanding the Basics/Conducting Council Meetings/Who Does What at City Hall—April 4 or 5, 2012

*For those city officials who have completed the 21 hours of core curriculum, you must obtain 6 hours of continuing education to maintain your certification status. The required 6 hours may be gained by attending any combination of certification seminars offered at League headquarters, or the Annual Convention and Winter Conference through the 2012 year.

For more information on the Certification Program, contact Ken Wasson at 501-374-3484 Ext. 211, or email kwasson@arml.org.

Taking private property: an unpleasant but sometimes necessary task

By Jim von Tungeln

Few aspects of public administration lend themselves to confusion and frustration as much as the taking of private property for a public use. Mention the concept to a libertarian and expect an earful of fury, after he has exited a public street, entered a building protected by a nearby fire station, gotten a drink of water provided by the city and availed himself of the public wastewater system.

I trust that the reader gets the picture.

In my 40-plus years around municipal government, I have never known a public official who enjoyed the process of eminent domain. It is a distasteful but essential process if we are to have utilities, public safety services, and other essential governmental functions. At the same time, it can be a painful process for property owners who feel an emotional attachment to their land. For these reasons, it is useful, from time to time, to step back and take a calm view of this idea of taking of private property for public use. Otherwise, we might fall prey to the demagoguery that can accompany the topic.

The idea for this column sprang from a two-part segment presented by my friend, Jacqueline Froelich, who covers northwest Arkansas for public radio. It seems that some property owners are upset because they are receiving a percentage of appraised value as just compensation for utility easements. Others have received less than they feel they deserve for things like right-of-way acquisition for street and road expansions. Finally, some feel that there should be some state-mandated, uniform, formula for determining just compensation in such cases.

As I am in the habit of pointing out, it just isn't that easy. Understanding a few concepts might explain why.

First, terms themselves are slippery. Appraised value means just that. It is the value that an appraiser determines and places in a report. The value of such value depends on the ability of the appraiser. Some are better than others. The most respected are those with the title Member of the Appraisal Institute of America, or MAI. These elites have pursued an exhaustive program of education, training, experience and testing.

Market value refers to what a willing buyer will pay a willing seller at a given moment. It may shift due to the marketing period and motivations involved. A buyer who must sell property within a month may accept a lower price than one who has a year or more to market the property.

Just compensation should refer to what a person receives for a taking. That is where things get more complicated. When we "own real property," it isn't the same as owning a dime. We can't stick it in our pocket, deposit it in the bank, plug it in a parking meter, or put it on the track and watch the train flatten it. With real property, what we own is a "bundle of rights" associated with a describable parcel of land. Sara Stephens, MIA, current national president of the aforementioned Appraisal Institute, suggests that we "... imagine a 'bundle of sticks,' each representing a right."

What are those rights? They include the right to use, sell, enter, give away, or rent that property.

Stephens adds further, "The just compensation, or the percentage of appraised value due the owner, depends upon what rights, and how much of those rights, have been taken."

Stephens continues, "Taking an easement on a ten foot strip of a property bordering a street affects that bundle of rights less than taking a ten foot diagonal strip from corner to corner of the same property. It is quite common to pay the owner a portion (percentage) of appraised value, if only a portion of the bundle of rights is affected."

Taking a bundle or a portion of it may or may not affect other aspects of property ownership. In a familiar example, many people do not own mineral rights to their property. If there are no minerals, including oil or natural gas, underneath the surface, there may have been little effect on the other property rights in the bundle.

Further, the taking of an easement may allow a continued, but restricted, use of the property by the owner.

The process of valuing takings becomes counter-intuitive when the taking ends up increasing the overall



PHOTO BY JIM VON TUNGELN

In order to provide fire protection and water service, cities must sometimes use their power of eminent domain.

value of the property in question. This can occur, for example, when an easement allows a sanitary sewer line that will increase the value of the property beyond the consideration of the easement.

One owner in the state had several acres of a much larger parcel taken for the construction of a new freeway exit. The public agency decided—and the court agreed—that the use associated with the taking would increase the remainder portion of the property so dramatically that it would far exceed the value of the taking. Just imagine an increase in value from \$5,000 per acre to four dollars per square foot (an acre being 43,560 square feet). This process of comparing the “before the taking” value of the entire property with the “after the taking” value is a bedrock principle of property valuation.

Finally, remember that elected officials have a dual responsibility. They should be anxious to ensure that

property owners are justly compensated for the taking of their property. At the same time, those officials bear a responsibility to all citizens to see that public funds are expended wisely. In my experience, governmental entities tend more often than not to pay owners in excess of just compensation, usually to avoid costly litigation, sometimes simply to avoid ill will.

Now that I have stirred things up, I will quit with this advice. When someone tells you that maintaining social equity is easy, offer that person a job acquiring utility easements.



Jim von Tungeln is staff planning consultant and available for consultation as a service of the Arkansas Municipal League. He is a member of the American Institute of Certified Planners. Contact him at 501-944-3649. His website is www.planyourcity.com.

Massive statewide spay/neuter effort only way to reduce stray population

By Billy Grace

On Feb. 27, 2012, the *Arkansas Democrat-Gazette* published an article entitled “Spay Neuter Clinic Bearing Fruit.” This article alluded to the fact that Pulaski County’s new mobile spay/neuter clinic had performed 514 sterilization surgeries during the clinic’s inaugural year. Upon reading, I wondered what was meant by the term “bearing fruit.”

Please do not misunderstand my intentions. I appreciate what Pulaski County did, and I am 100 percent for anything that prevents a dog or cat from reproducing. It’s just that I think what they are trying to do will not be enough. It’s like trying to bail out the ocean with a thimble.

During the same time period, North Little Rock Friends of Animals sterilized 993 dogs and cats—many of whom, maybe as many as half, were Pulaski County Animals—by way of our low cost, or free, spay/neuter program. This does not include the thousand or so that we sterilized at adoption, many of whom were also county animals. We have been doing this for years, and frankly, we have noticed no decrease in county animals whatsoever. The dogs and cats just keep on coming.

During the same time period, Sebastian County’s three low cost spay/neuter clinics, all of which operate within the Fort Smith metro area, sterilized over 6,000 animals. They’ve been doing this for several years. Since 2009 they have sterilized 19,119 dogs and cats, and they are still overwhelmed by strays. According to Joann Barton, executive director of Sebastian County Humane Society, “We have not noticed a significant reduction in the number of animals coming into our shelter. We are still bringing in seven to eight thousand animals per year.”

Given Sebastian County’s experience, I’m not sure we should describe 514 sterilized animals as “bearing fruit.” This is especially disturbing when we consider that there are probably three times as many dogs and cats in Pulaski County as there are in Sebastian County, according to a formula provided by the Humane Society.

There are several reasons why voluntary sterilization simply will not achieve the desired results. First and foremost is the reproductive capability of dogs and cats. They are the champs at this. We sterilize them one at a time, while they reproduce 10 at a time, two and sometimes three times a year. If we attempt to clean out a pack of 10 feral dogs and we capture nine of them, we think we have done very well. In reality, we have not even come close to taking care of the problem. If we leave one mid-sized female dog out there, within just a couple of months, she will have enough puppies to more than make up for the dogs that we captured. When you stop to consider that all of these puppies will be reproducing within one year, you start to see what we are up against. We call this the “family tree effect.” If we leave a male dog out there, we can multiply that number many times over because males will breed any time the opportunity arises. We have witnessed this first hand. Sad but true! Sterilizing some, or even most of them, just will not work.

We also have to consider the “back yard breeder.” Some people just seem to think it is their god given right to allow their dogs or cats to have unwanted litters of puppies and kittens. All of the spay/neuter money in the world won’t convince these people to be responsible.

I have been in this business for over 16 years. To my knowledge, the only program anywhere that has ever had any significant impact on reducing the unwanted animal population is a strictly enforced, differential animal license. It applies a higher price to a license for a dog or cat that has not been sterilized and gives everyone (including the backyard breeders) a reason to spay or neuter. Proceeds from this license are often used to fund a low cost spay/neuter program, which relieves responsible taxpayers of this burden. In short, those who cause the problem are paying for it.

There was a three-year time period when our shelter did not house animals for Pulaski County. During those three years, we sealed off our borders and accepted only those animals from inside our city. During this time, we did not euthanize a single adoptable dog or cat. We

were able to accomplish this because we have a strictly enforced, differential dog and cat license ordinance. Violators can avoid a court appearance only if they have the animal spayed or neutered. Our volunteer organization, North Little Rock Friends of Animals, facilitates the spay/neuter for us. We did not dream up this idea. This type of ordinance has been used throughout the United States with great success. In fact, we copied from other cities and counties because of the success they had enjoyed with similar legislation. This should be a state law in Arkansas.

We eventually went back to housing animals for the county because we knew that somebody had to do it. We are the only shelter that houses animals for Pulaski County and, subsequently, the only shelter that performs the very unpopular but necessary euthanasia. Shelters that turn away animals are actually contributing to the unwanted animal population. Every refused animal will continue to reproduce in multitudes.

Again, please allow me to emphasize that I am for spay/neuter of any magnitude, and I am sorry if I've rained on somebody's parade. I appreciate the fact that the Pulaski County Quorum Court took some "ground breaking" action with this clinic. The truth is the truth, however. While 514 animals is a start, it is going to take a whole lot more. Just ask Sebastian County. Voluntary sterilization programs will not work unless you sterilize in great numbers and you have a lot of time on your hands. How much time do we have? Just ask the dogs and cats in your local animal shelter.



Billy Grace is the director of North Little Rock Animal Control. He can be reached at 501-791-8577, or email bgrace@aristotle.net.



Support a family on \$20 a week?

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Succession planning preps for future success

Prepping future leaders and creating a succession plan will help keep your agency running smoothly as experienced veterans retire and new talent rises through the ranks.

By Teresa Penbrooke, CPRE, MAOM

Estimates indicate that roughly 30 to 50 percent of seasoned parks and recreation professionals will reach retirement age in the next five to 10 years. This mass exodus of experience and institutional knowledge will present unforeseen challenges for our field. Strong focus should be placed on succession planning.

Part of the challenge is related to the economic recession. Many older professionals have held off retiring as the economy affected their retirement savings. As the economy improves, there will be an increase in retirees. Budget woes can also impact the ability to fill positions. Universities are also seeing a reduced number of undergraduates in parks and recreation programs, producing fewer qualified entry-level professionals. The good news for younger parks and recreation professionals is that soon there will probably be a wide variety of open positions, but are they ready for them? Agencies can either be reactive to these challenges or proactive in planning for them.

Basic questions to ask when contemplating succession planning are:

- How do you develop leaders?
- How do you prepare for succession planning for key leadership positions?
- How do you handle poor performers?

Necessary steps involve:

- Leadership identification
- Employee development
- Leadership training
- Knowledge transfer and legacy creation
- Possible reorganization
- Creation and communication of the succession plan

Recognizing the diversity of employees

Every organization has a unique population of employees. Retiring employees are often in leadership positions, possessing institutional knowledge critical to organizational sustainability. An agency should be aware of the age demographics of the employee workforce, their qualifications and their plan for departure. Agency demographic needs change depending on agency life-cycle, community profile and maturity.

Change can be scary

Employees are humans, and as such they may be “risk adverse” (they don’t like change) or “risk takers” (they don’t mind change). It is important to recognize which employees have which characteristics, and to develop a culture that supports innovation through recruitment, appraisal and recognition. One way to help avoid negative impacts of change is to involve employees in the process. It helps to remember that good employees like working for a forward thinking agency.

Developing leaders

Although gaining experience takes time, leadership is a craft that can be continuously developed.

Methods include:

- Having personal and agency support for continuing education—Many parks and recreation professionals feel that if their agency won’t pay for it, they won’t pursue it. While it is important for agencies to support employees’ in their career growth, it is also important for individuals to invest in their own growth.
- Mentoring or executive coaching—This can be provided at minimal cost through formal mentoring programs or professional groups. Executive coaching can help too, especially if an individual is recognized to have specific limitations.

- Job rotations—Having employees periodically gain experience in other areas helps ready them for more responsibility.
- Feedback on the job—Provide feedback in between scheduled appraisals.
- Building on strengths, not weaknesses—This includes developing a culture of personal accountability, innovation, and supporting continuous habits for building knowledge.

Developing core competencies in future leaders

Most parks and recreation staff start their careers in entry-level positions. As they move up in the ranks, it is important that they gain experience not only in supervision, but also the five major areas of executive competencies: communication, financial analysis, human resources, operations and planning. Many of these competencies are not focus areas for undergraduate education, and they must either be learned on the job or through continuing education.

Everyone will “retire”

Many long-time professionals who qualify for retirement are choosing to continue working, at least part-time, as consultants or independently contracted staff. There can be challenges for organizations or associations in handling them that is different than “traditional” employees, but they can offer experience at an overall lower cost.

Writing the succession plan

Many agencies have addressed parts of a plan, but have not pulled elements together into a cohesive, written succession plan. Each section requires some work, but the basic outline for a five- to 10-year succession plan can be as follows:

- Introduction
- History of the agency
- Agency demographics and upcoming anticipated retirements
- Leadership development support opportunities
- Recruitment and training strategies
- Plans for organizational change and adaptation
- Strategic implementation steps

It typically works best if someone is assigned the lead planning role and is charged with working with staff to gather the information and then compiling them into a formal written document. The process should be announced to all staff to promote involvement at all levels and to encourage a culture of openness. Some areas require finesse, sensitivity to personnel issues, and maybe even an objective third party to garner consensus. Once outlined, the plan should be shared with all staff. Communication will foster awareness and create adherence and buy-in to the plan so it is successful.



Teresa Penbrooke is CEO and founder of Green-Play, LLC, a national management consulting and planning firm for parks, recreation, open space and related agencies. Contact Teresa at teresap@greenplayllc.com.



Fairs & Festivals

March 17, **EUREKA SPRINGS**, 19th St. Paddy's Parade, 479-981-9551, StPaddy.Ureeka.org; **HOT SPRINGS**, First Ever 9th Annual World's Shortest Saint Patrick's Day Parade, 501-321-2277, www.hotsprings.org

April 6, **BENTONVILLE**, First Friday International Festival, 479-254-0254, www.downtownbentonville.org

April 12-15, **LITTLE ROCK and NORTH LITTLE ROCK**, 9th Arkansas Literary Festival, 501-918-3098, www.arkansasliteraryfestival.org

April 14, **FORT SMITH**, 4th Heritage Festival, 479-782-5074, sue.robinson@csclearinghouse.org; **MCNEIL**, 5th Festival on the Rails and Pork Chop Cook-off, 870-695-3641, www.mcneil-ar.com

April 20, **ALMA**, 26th Spinach Festival, 479-632-4127, www.almaspinachfestival.com; **MOUNTAIN VIEW**, 50th Arkansas Folk Festival, 870-269-8068, mvchamber@mvtel.net

April 20-21, **STAR CITY**, 9th StarDaze Festival, 870-370-1903, stardazefestival.com

April 23-28, **FORDYCE**, 32nd Fordyce on the Cotton Belt Festival, 870-352-2055, dandgran@yahoo.com

April 27-28, **PERRYVILLE**, 8th Fourche River Days, 501-889-1571, www.fourcheriverdays.com

April 27-29, **CHARLESTON**, 2nd Springfest, 479-965-2269, www.aboutcharleston.com; **HEBER SPRINGS**, Springfest, 501-362-2444, www.heber-springs.com; **MCNAB**, 11th Twin Rivers Festival, 870-896-2281, conway@swat.coop; **SILOAM SPRINGS**, 38th Dogwood Festival, 479-524-6466, www.siloamchamber.com

April 28, **CABOT**, 10th Strawberry Festival, 501-628-4044, jacabot@gmail.com; **DEVALLS BLUFF**, 2nd Fort Lincoln Fest, 870-659-5652, vester7272@yahoo.com

CALENDAR

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Severe weather and tornados: Stay informed and take action

By Neil Foreman, League staff

With spring rapidly approaching, Gov. Mike Beebe proclaimed Feb. 20-24 Severe Weather Awareness Week in Arkansas. Statewide in 2011 we recorded 75 tornados making it the fourth most active year for tornados in Arkansas weather history. Last year 12 people lost their lives to tornados in the state, and 97 people were injured. Tornados have already been reported in the state since Jan. 1. Even as I complete this article, storms are crossing the state and severe weather is expected later in the week.

Be informed

The National Weather Service (NWS) and its Little Rock office provide weather related storm watches and warnings. The NWS-Little Rock's website provides a wide variety of weather information at www.srh.noaa.gov/lzk.

Working in conjunction with the NWS, our local TV stations are a valuable source of severe weather information providing watch and/or warning information in advance of a storm. Many stations offer websites with detailed weather information, animated radar maps, along with Twitter feeds from broadcasters and storm spotters. The Weather Channel, a popular TV station highlighting current national and local weather events, also provides an informative website at www.weather.com.

Hint: Save weather related web pages on your smart phone or other mobile device for use while traveling or if power is lost in your structure.

I have noted TV monitors in city halls, public safety offices, and public works departments used for weather monitoring. With the use of smart phones on the rise, our access to information is greatly expanded.

"What is a Severe Thunderstorm or Tornado Watch?"

A Severe Thunderstorm Watch outlines an area where an organized episode of hail one-inch in diameter or larger and/or damaging winds are expected during a three to eight-hour period. A Tornado Watch includes the large hail and damaging wind threats, as well as the possibility of multiple tornados.

"What's the difference between a watch and a warning?"

A watch means severe weather is possible during the next few hours, while a warning means that severe weather has been observed, or is expected soon. Timeframes are generally given and extended when needed.

At the onset of severe thunderstorms, especially those with potential of tornados, local broadcasters monitor a wide range of weather sources including the NWS, law enforcement, trained storm spotters in the

field, and advanced Doppler weather radar to provide specific area warnings including cities in the path of tornados and often street-level warnings. Real time warnings are allowing us to be prepared and practice our tornado precautions.

Hint: A battery powered NOAA Weather radio will provide storm related information for your area should you lose power. I travel with a handheld model capable of receiving weather information from the many NOAA broadcast stations. Remember to change batteries periodically.

A tornado packing 135-mph winds ripped through Fordyce in January. No one was hurt or killed, but two months later the city and its residents are still picking up the pieces.



PHOTOS COURTESY CITY OF FORDYCE.



Debris and downed power lines are two major sources of danger after a destructive storm. Wait for emergency personnel before venturing out and risking injury.

Be prepared to take action

Do not wait for a storm to reach your area. Do not go outside to observe an approaching storm—stay away from windows. Do initiate your tornado precautions and go to your “safe” area.

Hint: A storm 30 miles from your location moving 60 miles per hour could arrive at your location in 30 minutes and perhaps less if the forward speed increases.

Absent a storm shelter designed to withstand tornadoes and the associated flying debris, the following is a guide for selecting a safe area:

- An interior room.
- Lowest floor of the structure.
- Place as many walls as possible between you and the exterior walls of the structure.
- Cover yourself with pillows, bed covers and the like.
- Turn up the volume on your TV to hear further information from your “safe” area, and take your weather radio.

If your area is struck by a damaging storm, await assistance from emergency personnel as structures may be unstable, downed power lines may be energized, and storm debris can cause cuts and puncture injuries. If possible, call local emergency personnel and report your location and situation advising of injuries if any.

Hint: If storms interrupt cell phone voice service, try using text messages.

Other situations

For drivers, if at all possible, leave your vehicle and seek shelter in a structure. Several years ago while in northwest Arkansas I left my vehicle and sheltered in a convenience store storage room. While traveling, use broadcast warnings and a state map to plot a storm’s direction and stop short of a storm’s path and shelter if needed.

Current advice is not to seek shelter under highway overpasses due to a wind tunnel effect that channels flying debris through the bridge structure.

Mobile homes and recreational vehicles, even if tied down, offer little protection during a tornado and the NWS advises to abandon these structures. A storm shelter should be considered.

With group gatherings such as stadium events, picnics or reunions, someone should be designated to monitor weather events for watches and warnings. Take immediate action as moving and sheltering a large group of people will take time.

Don’t rely solely on outdoor warning sirens found in many towns and cities as they have limitations. They can be damaged by a passing storm and may not function. They may not be heard by persons sleeping, persons in vehicles, or those in noisy environments.

Consider purchasing and using a weather radio to stay informed and know when to take action.

Stay informed when traveling. Know the direction of travel of a storm or storms in relation to your location. Avoid driving into a storm.



Neil Foreman is the League’s Loss Control specialist. Contact Neil at 501-374-3484 Ext. 122, or email nforeman@arml.org.

Delta Awards honor tourism achievement



From left: John Ruskey, Connie Lutrell, JoAnne Bush, Ruth Hawkins, Sammie Owens, Kim Williams, Pat Audirsch, Gene DePriest, Linda Lambert, Deborah Horn, Paula Miles, Leslie Hester, Montine McNulty and Eric Golde at the 12th Arkansas Delta Byways Awards.

The 12th annual Delta Awards recognizing tourism achievements in Eastern Arkansas were presented during festivities Friday, Feb. 17, at Arkansas State University's Cooper Alumni Center in Jonesboro.

The event was sponsored by Arkansas Delta Byways, the nonprofit association recognized by the Arkansas Department of Parks and Tourism as the official tourism promotion association for 15 counties in Eastern Arkansas. Counties include Arkansas, Chicot, Clay, Craighead, Crittenden, Cross, Desha, Drew, Greene, Lee, Mississippi, Monroe, Phillips, Poinsett and St. Francis. The Greater Jonesboro Chamber of Commerce and the Jonesboro Advertising and Promotion Commission also supported the event.

For more information, contact Arkansas Delta Byways at 870-972-2803 or email pmiles@astate.edu.

Finalists for the awards were as follows, with the winner in bold:

Media Support Award—**SEA Life Magazine, Arkansas, Desha, Drew and Chicot Counties**; Cross County Historical Society, Wynne; *Dumas Clarion*, Dumas

Hospitality Award—**Osceola-SMC Chamber of Commerce, Osceola**; Gene's BBQ, Brinkley; Woody's BBQ, Waldenburg

Entrepreneur Award—**Quapaw Canoe Company, Helena**; Annette's Antiques and Treasures, Stuttgart; The Marketplace, Monticello

Tourism Support Award—**Miller's Mud Mill, Dumas**; Paragould Community Center, Paragould; Southern Bancorp, Helena

Festival/Event of the Year—**Arkansas River Revival Flotilla, Chicot and Desha Counties**; Dermott Crawfish Festival, Dermott; Johnny Cash Music Festival, Jonesboro and Dyess

Boot Strap Award—**Delta Gateway Museum, Blytheville**; Scarecrow Festival and Contest, Marion; ASU Museum, Jonesboro

Promotional Award—**Gladlands, Lee and St. Francis Counties**; Corning Harvest Festival, Corning; Midsouth Marathon, Wynne

Outstanding Member Award—**Paula Miles, All Counties**; Pat Audirsch, Marianna; Sara Beth Christian, West Memphis

Cultural Heritage Award—**Parker Pioneer Homestead, Whitehall**; Desha County Museum, Dumas; Museum of the Arkansas Grand Prairie, Stuttgart

Tourism Person of the Year Award—**Kim Williams, All Counties**; Lisa O'Neal, Marion; Ann McClendon, Marianna



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NEWSLETTER

MARCH 2012

The Newsletter, provided by a'TEST consultants, is included in *City & Town* as a service of the Arkansas Municipal League Legal Defense Program.

Pipeline and Hazardous Materials Safety Administration news

PHMSA has added new components to their website that will make searching much easier for users, including:

- Historic State Waivers: Includes the incoming requests and PHMSA responses to State issued waivers of the pipeline safety. It includes both PHMSA concurrence and objections to State issued waivers from 1970 to now.
- Standards Incorporated by Reference: Includes all standards currently incorporated and source contact information.
- Historic Pipeline Rulemaking: Is a resource area to search past pipeline rulemakings by year, docket or topic.
- Special Permit Listing: A listing of permits that are expired, terminated, or denied.
- Technical Advisory Committee: Provides information on a single page.

How does a consortium work?

According to the Department of Transportation, “a Consortium/CTPA is defined as a service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers. CTPAs typically perform administrative tasks concerning the operation of the employer’s drug and alcohol testing programs. This term includes, but is not limited to, groups of employees who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members. CTPAs are not ‘employers’ for purposes of this part.”

This service is especially helpful to small employers that find it difficult to handle compliance issues and audits. CTPAs generally will assist in finding collection sites, laboratories, after-hour services, tracking data, random management, training, and other items necessary to keep a program legally sound. As one should expect, CTPA’s charge administrative fees for handling the client’s testing program.

Service agents should be involved in national training associations so that they may be on top of regulations and, also, advise their client’s appropriately about changes that might impact their drivers in a timely manner. The CTPA is the conduit to help busy employers with task.

Consortium members have responsibilities too. They must have one hour of drug and one hour of alcohol training, provide quarterly updates of driver’s eligible for testing (and note why some did not test), must conduct post-accident testing as required, use qualified specimen collectors and collection sites, and retain their files properly for audit purposes. The CTPA will also assist with audits; however, if the employer has tested “outside of the CTPA program” and not provided information to the CTPA to update the company files, then these items would not be verified. The percentage of testing required by DOT FMCSA is 50 percent for drug and 10 percent for alcohol. If any consortium member fails to do their testing, it impacts the entire pool. Failure to test or to remain DOT compliant to regulations in any quarter can result in being terminated from membership.



a'TEST CONSULTANTS, Inc., provides drug and alcohol testing as a service of the Arkansas Municipal League Legal Defense Program.

The program helps cities and towns comply with the U. S. Department of Transportation required drug testing for all holders of commercial drivers' licenses.



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Great American Cleanup in Arkansas under way

Each year, thousands of Arkansans improve the appearance of their communities by volunteering in the national Keep America Beautiful Great American Cleanup in Arkansas. This year's spring cleanup campaign begins March 1 and runs through May 31. It is once again being coordinated and promoted by Keep Arkansas Beautiful (KAB), a Keep America Beautiful certified state affiliate.

All communities across the state are encouraged to become involved in this annual community cleanup effort. Those interested in learning more about organizing a Great American Cleanup event in your community or volunteering with a local event can visit KeepArkansasBeautiful.com, e-mail sarah.wruck@arkansas.gov or call 888-742-8701 toll-free.

Once a community signs on to host a Great American Cleanup in Arkansas event, KAB will work with that community to organize and publicize the effort. KAB will provide volunteers with trash bags, gloves, safety vests and T-shirts. Great American Cleanup volunteers will also be registered to win prizes. Promotional materials available to communities include banners, posters, volunteer stickers and brochures. KAB will also post local events on its Facebook page and website.

Goodwill Industries of Arkansas is this year's preferred reduce/reuse/recycle partner.

During last year's Great American Cleanup in Arkansas, more than 17,000 individuals volunteered more than 45,000 hours in communities across the state. The community improvement effort involved

207 events, with volunteers picking up 1.2 million pounds of litter from 1,686 miles of roadway, trails and shorelines, and 631 acres of parks and public areas; cleaning 74 playgrounds; closing 22 illegal dumping sites; and removing 16 junk cars. In addition to picking up litter, volunteers recycled 192,213 pounds of newspapers, as well as 1,820 car batteries, 9,849 tires and 325,857 pounds of electronics. More than 23,000 pounds of clothing were collected for reuse.

The total economic value of the 2010 Great American Cleanup to Arkansas communities was more than \$740,000.

Established in 1953, Keep America Beautiful Inc. is the nation's largest volunteer-based community action and education organization. Nationally, this year's Great American Cleanup is expected to involve an estimated 3 million people volunteering more than 5.7 million hours to clean, beautify and improve 33,000 communities during 30,000 events from coast to coast.

Keep Arkansas Beautiful is a certified state affiliate of Keep America Beautiful Inc., and works to inspire and educate individuals to reduce litter, recycle and keep Arkansas beautiful. It operates as a division of the Arkansas Department of Parks and Tourism and is advised by a nine-member commission appointed by the governor. KAB is funded by one percent of the eighth-cent conservation tax and, by utilizing volunteers, returns to the state a cost benefit of \$15.34 in community service for each program dollar spent.



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Little Rock's University District studies walkability

By John Slater

The University of Arkansas at Little Rock recently hosted Dan Burden, executive director and co-founder of Walkable Livable Communities Institute, Inc. He is considered the nation's expert on "walkability," and he's credited with coining the term. He held a workshop and did a walking audit of the University District. The workshop highlighted links between economic vitality, public health and transportation. It was sponsored by the University District Partnership, the Arkansas Coalition for Obesity Prevention (ArCOP), and the Walkable and Livable Communities Institute.

The goal of the District is to create an environment in which people feel comfortable moving around, whether on foot, riding a bike or driving a vehicle. The University District community includes homes, workplaces and schools for thousands of families, workers, business-owners, teachers and students.

The goal is to make travel safer and more pleasant through the District. Walking or biking should not be something we dread or fear. We should rather look forward to doing these things.

"With obesity rates on the rise and the epidemic being most dramatic in the south, it is time to make a change," ArCOP co-chair Joy Rockenbach said. "Nine of the 10 states with the highest adult obesity rates are southern states. Studies have shown that people are more likely to exercise if they can fit activity into their daily lives because time and schedule are the primary reasons most of us put off exercising."

She said one in three adults and one in five children in Arkansas are obese.

"In many parts of the country, we have engineered activity out of our daily lives by building streets that accommodate only cars, not people," Burden said. "Unfortunately, this has negatively affected the health and economic vitality of our communities. We can do a better job."

During the walking audit we walked down Asher Avenue to University Avenue and up University to the entrance of the campus. I can tell you it was not a pleasant experience walking on the sidewalk. Even though it had a narrow grassy strip between the sidewalk and the road, it felt like there was no protection from traffic. The only reason you would want to use the sidewalk is if your car was broken down or you had no other mode of transportation. And it would be suicidal to ride a bike on these streets. Of course I see these places everywhere



Walkability was clearly an afterthought along this busy Hot Springs street. Your photographer did not enjoy standing this close to traffic while taking this shot.

I travel. It's no wonder you don't see anyone using the sidewalks in high traffic areas like that and just a few brave souls trying to bike on those type of roads.

Dan has focused nearly his entire career on helping the world get back on its feet. Dan has consulted to over 3,400 communities and 400 campuses around the country. He was at the Municipal League's 2012 Winter Conference in Little Rock and somehow I missed his presentation.

Below are just some of the cities, counties and agencies and the assistance he provided to them.

- Traffic-calming master plans: Savannah, Ga.; Honolulu (43 neighborhoods); Hartford and Stamford, Conn.; Mt. Pleasant, Mich.

- Improving connectivity, mobility plans and studies: Alma, Mich.; Juneau, Alaska; La Mesa, Calif.; Plattsburgh, N.Y.
- Main streets, corridor plans and economic development: Oregon Department of Transportation; Long Island, N.Y.; San Diego; West Ossipee, N.H.
- Trails, open space and active community environment plans: Kansas Department of Health and Environment; Miami; Weld County, Colo.
- Safe Routes to School programs and master plans: Missoula and Bozeman, Mont.; city and county of Honolulu; Hartford and Stamford, Conn.

What's urban forestry's role in these designs?

Trees play an important role in Dan's designs: They create safer walking environments, reduce traffic speeds, increase security, improve business and much more. Dan Burden has created a list of 22 "Benefits of Urban Street Trees," on which I will devote one of my future articles.

Check out the Model Design Manual for Living Streets at www.modelstreetdesignmanual.com. It's free to download. If you plan on implementing it, you just need to give credit to the folks who put it together. It has many ideas on how to make your community more walkable and livable.

I want to thank the University District Partnership, ArCOP and the Walkable and Livable Communities Institute for most of the information I used in this article and the invitation to attend the workshop, which I found very interesting and informative.



PHOTOS BY JOHN SLATER.

The landscaping between the busy street and sidewalk in this Florida community not only limits the risk of walking but actually encourages it.

Make a Memory...Plant a Tree



John Slater is urban forestry partnership coordinator with the Arkansas Forestry Commission. Contact him at 501-984-5867, or at john.slater@arkansas.gov.

Unemployment measurements seek “true” rate

By Michael Pakko, Ph.D.

With the economic recovery approaching its three-year anniversary this summer, unemployment rates remain uncomfortably high. And although unemployment has been declining in recent months, critics point to high rates of long-term joblessness and underemployment to suggest that even the depressingly high reported rates of unemployment understate the severity of the problem. As a matter of fact, one of the most common questions I hear when I speak to business and community groups around the state is “How high is the ‘true’ unemployment rate?”

Indeed, there is much to criticize about the way the official unemployment rate is measured and reported by the U.S. Bureau of Labor Statistics. The main problem is its treatment of “discouraged workers” who drop out of the labor force. To see this, consider the definition of the unemployment rate: $Unemployment\ Rate = \frac{Unemployed}{Labor\ Force}$, where the Labor force is equal to the sum of the employed and unemployed.

These classifications are based on survey questions that ask about employment status and job search activity. If a survey respondent did not work during the survey week and has not worked or actively sought work in the previous four weeks, he is considered to be out of the labor force and dropped from the unemployment rate calculation.

As a result, the measured unemployment rate can register some perverse readings. In times when jobs are scarce and many people become discouraged and stop looking for work, they are no longer considered to be “unemployed” (or even a member of the labor force) so the unemployment rate falls. Conversely, as jobs become more plentiful, discouraged workers can re-enter the labor force, usually experiencing a period of unemployment before finding a job. Hence an improving labor market can be associated with a rising unemployment rate.

There is also the issue of chronic bias in the unemployment statistics. If discouraged workers,

Fig. 1

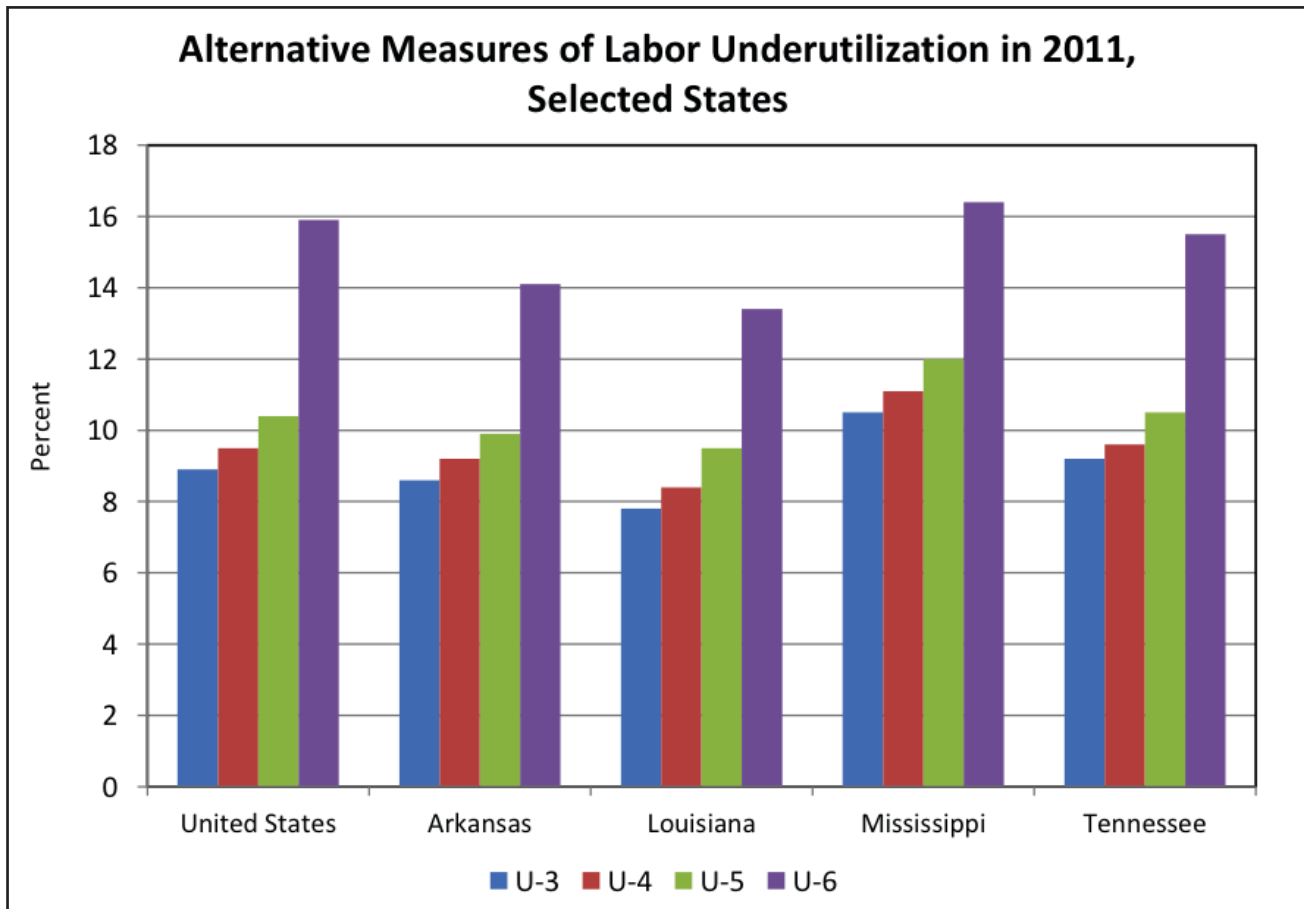
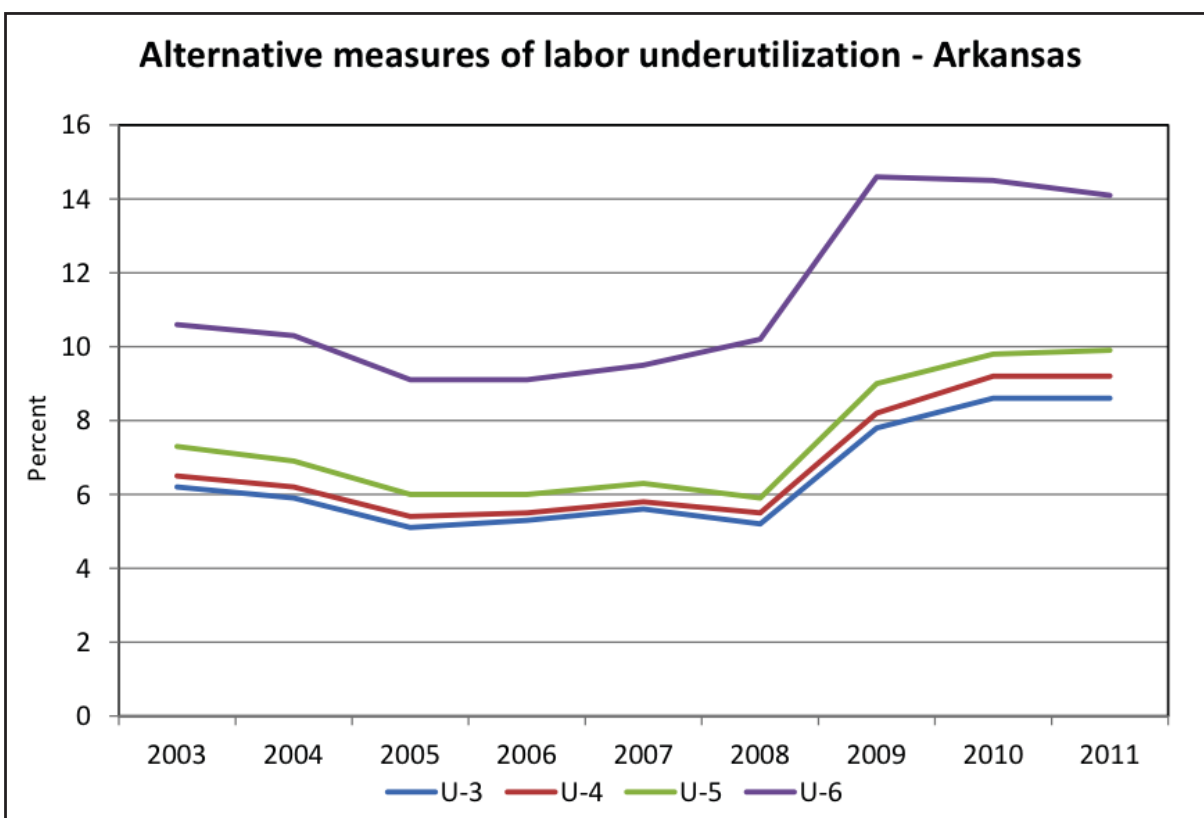


Fig. 2



underemployed workers and those who can only find part-time work are not properly categorized, the official unemployment rate might very well understate the degree of labor underutilization in the economy.

The U.S. Bureau of Labor statistics publishes alternative measures of the unemployment rate in order to provide information on these issues. The official measure described above is known as “U-3.” Broader definitions include “U-4” that includes discouraged workers in the unemployment totals, and “U-5” adds a category of “marginally attached workers” to the tally of the unemployed. Marginally attached workers are those who haven’t been looking for a job in the past four weeks, but have at some time over the past year. Discouraged workers—those who are not actively looking for a job because they believe that there are no jobs available or none for which they would qualify—are a subset of the marginally attached. Finally, “U-6” incorporates those who have part-time employment “for economic reasons.”

As shown in Figure 1, the alternative measures show higher rates of unemployment than the conventional U-3. But in comparisons across states, relative unemployment rankings are the same regardless of the specific measure used. Moreover, the various measures of unemployment tend to move together over time. As shown in Figure 2, unemployment rates in Arkansas followed similar patterns before and during the recession, with one exception: In 2008 (the first year of the recession), U-6 increased slightly while the other measures declined.

Some may be surprised to find that the inclusion of discouraged workers (U-4) and marginally attached workers (U-5) does not substantially increase the measurement of unemployment. For Arkansas in 2011, U-4 exceeded U-3 by only 0.6%, while U-5 was an additional 0.7% higher. The much higher measure of labor underutilization is U-6, which includes part-time workers who would prefer full-time jobs. This is an important measure of underemployment, but expands the definition beyond a literal definition of unemployment.

Using U-4 or U-5 as alternatives, we can conclude that the “true” rate of unemployment is as much as one to two percentage points higher than conventionally measured. Claims that the correct rate is several percentage points higher require the inclusion of those who—literally speaking—are employed.

When it comes to making comparisons across regions or over time, the various measures of labor underutilization all provide similar information. Although the standard measure of unemployment might not be perfect, it provides a useful, consistent summary of labor market conditions.



Dr. Michael Pakko is chief economist and state economic forecaster at UALR’s Institute for Economic Advancement. He will present his forecasts for 2012 at the Arkansas Economic Forecast Conference, Nov. 2 in Little Rock. For information visit www.arkansaseconomist.com.

43rd annual Municipal Clerks Week starts April 29

The International Institute of Municipal Clerks (IIMC) has announced its 43rd Municipal Clerks Week—April 29-May 5. This event features a weeklong series of activities aimed at increasing the public's awareness of municipal clerks and the vital services they provide for local government and the community.

IIMC has sponsored Municipal Clerks Week since 1969. In 1984 and in 1994, Presidents Ronald Reagan and Bill Clinton, respectively, signed a proclamation officially declaring Municipal Clerks Week the first full week of May and recognizing the essential role municipal clerks play in local government. During this week, municipal clerks across the world will host open houses and tours of the clerk's office, visit local schools and participate in other various events.

"The true worth of the municipal and deputy clerk is often not realized," said IIMC President and Riverside, Calif., Clerk Colleen J. Nicol, MMC. "But clerks perform some of the principal functions of the democratic process."

Duties of municipal and deputy clerks include, but are not limited to, preparing agendas, taking minutes, maintaining ordinance and resolution files, maintaining historical records, processing permits, and serving as the clearinghouse for information about local government.

Founded in 1947, IIMC is a professional non-profit association with 9,500 members throughout North America and 15 other countries, representing municipalities with populations of 1,000 to more than eight million. IIMC prepares its membership to meet the challenge of the diverse role of the municipal clerk by providing services and continuing educational development opportunities in 46 permanent college- and university-based learning centers. IIMC offers Municipal and Deputy Clerks a Certified Municipal Clerk program (CMC), a Master Municipal Clerk (MMC) program and other opportunities to benefit members and the government entities they serve.

Have insight on sales tax information gathering? We need your input.

If you have worked with the NAICS business code information provided by the Arkansas Department of Finance and Administration, please email comments about your experiences to League Finance Director Paul Young at pyoung@arml.org. Paul is developing suggestions for improvement to the system, to make it a more reliable way to facilitate budgeting for future collections. He will present his suggestions in an upcoming issue of *City & Town* in the conclusion of his three-part series of articles on local sales tax collection information.

Historic downtowns make National Register

The DeQueen and Perryville Commercial Historic Districts are among six Arkansas properties recently added to the National Register of Historic Places, the Arkansas Historic Preservation Program announced Feb. 10. The Gillham City Jail, a single-room, reinforced-concrete structure built in 1914 also made the list.

Other properties named to the Register include the Crenshaw-Burleigh House in Dermott, Latimore Tourist Home in Russellville, and Callahan House in Hot Springs.

Obituaries

LLOYD GEORGE, 85, former mayor of Danville, and a state legislator for 28 years, died Feb. 25.

WOODY ALLEN HARRIS, 89, Russellville mayor from 1991-1995, died Feb. 18. Harris also served as mayor of Norristown from 1977-1978 before its annexation by Russellville.

BILL JENNINGS, 85, a former alderman and two-term mayor of Cotter, died Feb. 9.

MYRA LEE JONES, 75, former Little Rock city director and state legislator, died Feb. 20. Jones was the first woman elected to a full term on the Little Rock Board of Directors, where she served from 1977 to 1984 including four years as vice mayor. She served seven terms in the Arkansas House of Representatives from 1985 to 1998 and was the first woman to chair the City, County and Local Government Committee.

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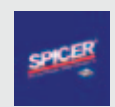
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The must-have reference for every city hall in Arkansas

The new 2011-2012 edition of the *Handbook for Arkansas Municipal Officials* has arrived. The *Handbook* compiles state laws affecting Arkansas municipalities, including the newest laws from the 2011 legislative session.

This is the most complete publication on municipal law and city government in Arkansas. You may order and pay for your copy online via Visa or MasterCard by visiting the Publications page at www.arml.org, or use the order form below.



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Submit changes to Whitnee Bullerwell, wvb@arml.org.



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Delete AL J.D. Shrum
Add AL Jerry Snow

Bull Shoals

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Add E-Mail bullshoalscityhall@suddenlinkmail.com

Black Oak

Delete R/T Dale Armstrong
Add R/T (Vacant)

Cave Springs

Delete R (Vacant)
Add R Tonia Cook

Central City

Delete R/T April Wilson
Add R/T (Vacant)
Delete PC Paul Rivaldo
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Add TEL 479-452-6680

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Add AL Richard McMullen

Oak Grove Heights

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ACCRTA seeks nominations for Clerk of the Year

The Municipal Clerk of the Year Award each year recognizes a member of the Arkansas City Clerks, Recorders and Treasurers Association (ACCRTA) who has made significant contributions to the objectives of the municipal clerks' profession and to the improvement of municipal government in Arkansas and the clerk's own community.

Qualities are length of service, good relationship with other clerks, interest in education, furthering of the association, attendance at national and regional conferences, community service and furthering the municipal clerks' association.

Any municipal official or ACCRTA member may nominate a candidate for Municipal Clerk of the Year for 2012. **The deadline for nominations is May 1, 2012.** The finalist will be honored at the 78th Arkansas Municipal League Convention, June 20-22, in Hot Springs.

Requirements for nominees:

- Has been an active ACCRTA member at least five years
- Holds a city clerk/recorder/treasurer or deputy position
- Is a Certified Municipal Clerk or Certified Arkansas Municipal Clerk
- Provides service to other municipal clerks in the state as the opportunity exists
- Exhibits leadership

Complete the nomination form below and mail to:

City Clerk Johnny Brigham, CMC
P.O. Box 157
Dumas, AR 71639

Municipal Clerk of the Year 2012

Nominee's Full Name _____

Number of Years as Municipal Clerk _____

Date of Certification _____ Date of Recertification _____

Number of Years as ACCRTA Member _____ Date of Membership _____

Municipal Clerk of what city _____ Appointed/Elected Yr. _____

Address _____ City _____ Zip _____

Business Phone _____

ACCRTA Offices held _____

Committee service _____

Other activities IIMC participation _____

Education program participation (instructor, panel member, moderator): _____

Individual submitting nomination _____

Name _____

Address _____

Signature _____ Phone _____ Date _____

Nominator: Please briefly summarize the reasons why you believe your nominee should be selected as the 2012 Municipal Clerk of the Year. (Attach separate pages as needed.)

ACCRTA scholarships available

The executive board of the Arkansas City Clerks, Recorders and Treasurers Association (ACCRTA) awards scholarships for tuition to attend the Municipal Clerks' Training Institute, the Academy for Advanced Education and the International Institute of Municipal Clerks' annual conference, all of which will enable Arkansas clerks to further educational training.

A scholarship honoring the memory of Bill S. Bonner will be awarded to a first-year attendee in the certification program at the Municipal Clerks' Institute in September 2012.

Scholarships include: four local \$400 scholarships to attend the Municipal Clerks' Institute, Sept. 16-21, 2012, in Fayetteville; one \$400 scholarship for the Academy for Advanced Education, Sept. 19-20, 2012, in Fayetteville;

and one \$400 scholarship to attend the International Institute of Municipal Clerks (IIMC) annual conference, May 20-24, 2012, in Portland, OR.

These scholarships are in addition to the 11 regional scholarships awarded by the IIMC.

Fill out the scholarship application below and return it to:

Barbie Curtis, CMC, CAMC
 City Clerk / Treasurer
 City of Van Buren
 1003 Broadway
 Van Buren, AR 72596

For more information, contact Scholarship Chairman Barbie Curtis at 479-474-8936, or email bcurtis@vanburencity.org.

2012 APPLICATION FOR SCHOLARSHIP ASSISTANCE

I, _____, am a member of the Arkansas City Clerks, Recorders and Treasurers Association and the International Institute of Municipal Clerks, and do hereby apply for assistance from ACCRTA. (Applicant must be a City Clerk, Deputy City Clerk, Recorder, Treasurer or related title at the time of application.)

Name _____ Title _____
 Street Address or P.O. Box _____
 City, State, Zip _____
 Telephone _____ Date assumed present position _____

Other related experience:

Title	Municipality	Years
_____	_____	_____
_____	_____	_____
_____	_____	_____

Education: H.S. ___ Graduate College (years) ___ Degree _____

Check one: This application is for a ___ First ___ Second ___ Third year Institute

What are the approximate costs of the institute you plan to attend?

Travel/Transportation _____ Registration Fee/Tuition _____
 Lodging and Meal _____ Total Amount _____

How much does your municipality budget your department yearly for education? _____

What is your reason(s) for applying for this scholarship? _____

I understand that if a scholarship is awarded to me, it must be used between Jan. 1, 2012, and Dec. 31, 2012, and that I must attend all sessions. Yes. _____

Have you attached written evidence that your Chief Executive or legislative body supports your attendance at the institute and that in the event that a scholarship is awarded, you will be given the time to attend the institute? Yes ___ No ___

I do hereby attest that the information submitted with this application is true and correct to my best knowledge.

Signature: _____ Date: _____

CHECK THE SCHOLARSHIP FOR WHICH YOU ARE APPLYING:

- ___ Municipal Clerks' Institute, Fayetteville—Sept. 16-21, 2012
- ___ Academy for Advanced Education, Fayetteville—Sept. 19-20, 2012
- ___ IIMC Conference, Portland, OR—May 20-24, 2012

DEADLINE: April 2, 2012
DEADLINE: April 2, 2012
DEADLINE: March 2, 2012

DISCLAIMER: ACCRTA will not be responsible for applications that do not reach the chairman by the deadline. Please feel free to call after a few days to be sure your application was received.

Summaries of attorney general opinions

Recent opinions that affect municipal government in Arkansas

From the Office of Attorney General Dustin McDaniel

Law covers funding of regional authorities

Opinion: 2011-126

Requestor: Lindsey, Uvalde—State Representative

Assuming two or more counties have properly formed a regional mobility authority, does ACA 27-76-203(b) sufficiently authorize the member counties to make the approval of a county sales tax in their county subject to the approval of an identical tax in each of the other member counties? Q2) Assuming one or more member counties properly pass a sales tax to finance the regional mobility authority, does state law require the separation of sales tax revenues by county for use only in the county in which the revenues were raised, or prohibit combining those funds for general use by the regional mobility authority? Q3) May a county, under ACA 27-74-201 et seq., or a city, under ACA 26-75-301 et seq., enter into an agreement with a regional mobility authority to construct a regional transportation project, located in the member counties, using the financing powers of counties and cities as stated in the referenced chapters? Does it make a difference if the regional transportation project is located in some but not all of the member counties, assuming the project is either in or near each member county? Q4) Are there any other constitutional or statutory provisions that would impede a regional mobility authority from referring a sales tax, or other tax authorized under ACA 27-76-601, directly to the voters in each county within the boundaries of the regional mobility authority? Q5) Assuming the ballot measure or ordinance passed establishing a county sales tax contained no restriction limiting the use of the revenues to a specific purpose, may transportation projects of a regional mobility authority be funded by sales tax revenue from some but not all of the member counties? Q6) For the following questions, please assume that the

regional mobility statutes permit a regional mobility authority to issue bonds to fund transportation projects and repay the bonds using revenue generated by a sales tax approved in one or more member counties. What law, if any, might prohibit or limit such a financing and funding arrangement? Specifically, are provisions of Ark. Const. art 16, sec. 1 applicable to such regional authorities? 6a) Do provisions of ACA 27-76-602, -604 and -607 authorize a regional mobility authority to issue bonds to fund transportation projects of a regional mobility authority to be repaid by sales tax revenue from some but not all of the member counties? 6b) May a regional mobility authority repay the bonds with sales tax revenue generated under ACA 27-76-601, assuming voters property approve the sales tax and the bond issue? Q7) May a regional mobility authority use sales tax revenues generated under ACA 27-76-601 to fund a transportation project that benefits the region as a whole but does not directly benefit each member county? **RESPONSE:** 1) Yes. 2) No. 3) A county or city may enter into an agreement with a regional mobility authority (RMA) to construct a regional transportation project that constitutes a capital improvement of a public nature, and may finance project costs pursuant to the applicable sales tax statute, provided that the project is located within the boundaries of, or near, the county or city. 4) An RMA has no authority under the RMA Act or otherwise to refer any tax listed in ACA § 27-76-601 directly to the voters of a taxing jurisdiction. 5) Revenues from a county sales tax levied without designating an RMA as a beneficiary may not be used to fund RMA projects. 6, 6a, 6b) I decline to answer these questions, for the reasons stated in the opinion. 7) Possibly not, but this conclusion is highly speculative, as further explained in the opinion.

Term limit trumps board reappointment

Opinion: 2011-142

Requestor: Lindsey, Uvalde—State Representative

Are the mayors of two cities, which are part of the Boston Mountain Regional Solid Waste Management Board, authorized to reappoint members to the Board whose terms have exceeded their term limitations under ACA 8-6-703? Q2)

If these Board members can be reappointed, is there any required waiting time between their official resignations and their reappointments?

RESPONSE: Q1) In my opinion, the express 2-term limitation under 8-6-703 prevents the reappointment of the former members you describe, given that they reportedly have already served more than two terms. See Attorney General Opinion 2010-122. I believe any suggestion that appointed member might be eligible to serve multiple terms must be rejected based on the statute's plain language.

County sheriff usually obliged to accept prisoners from within county

Opinion: 2011-164

Requestor: Ratliff, James—State Representative

Can a county sheriff refuse to house prisoners for an incorporated town, located within the same county, with a marshal? Q2) Can the same county refuse communications to the town marshal?

RESPONSE: Q1) The general rule is that the county sheriff has an affirmative obligation to accept prisoners from within the county. See ACA § 12-41-503(b); Op. Att'y Gen. Nos. 2009-043; 2005-278. Circumstances plainly exist, however, under which a sheriff may lawfully decline to further detain a prisoner or prisoners. See Ark. R. Crim. Proc. 5.2(b) (authorizing the sheriff, as the "ranking officer" at the jail, to release a suspected misdemeanant upon the issuance of a citation in lieu of continued custody; 12-41-503(a) and 12-41-509 (regarding

jail at maximum capacity). The sheriff's obligation in this respect is not impacted by the fact that an incorporated town within the county has a marshal. Q2) I am uncertain as to the exact focus of this question, but will note that the duties of a sheriff likely include the implied duty to respond to a fellow peace officer's reasonable requests for assistance where the request pertains to matters within the sheriff's jurisdiction and general duties.

City ordinance must comply with fire, building codes

Opinion: 2011-140

Requestor: Wardlaw, Jeffrey R.—State Representative

In light of the provisions of the attached Hampton City Ordinance 2011-07, enacted to establish building permit fees, is the city following State Codes—especially pursuant to Section 8? Q2) Is it the duty of the city attorney to write municipal ordinances? Q3) Does the city have to own their own Code books for fire codes? **RESPONSE:** Q1) I cannot opine whether the city is "following Codes" in light of the Ordinance, which mentions only the "1999 State Fire Code" and bears no direct relation to any other codes that might be binding on the city. The question of whether city practices, including those prescribed in Section 8 of the Ordinance, comply with applicable codes is properly addressed by local counsel acquainted with all of the attendant circumstances. Q2) No. Q3) A city wishing to adopt by ordinance any technical code must provide notice of its intention to do so and make available three copies of the code for inspection prior to enactment of the ordinance. I am unaware of any provision of law that requires a city to "own" copies of codes that apply by operation of state law or that have been enacted by ordinance.

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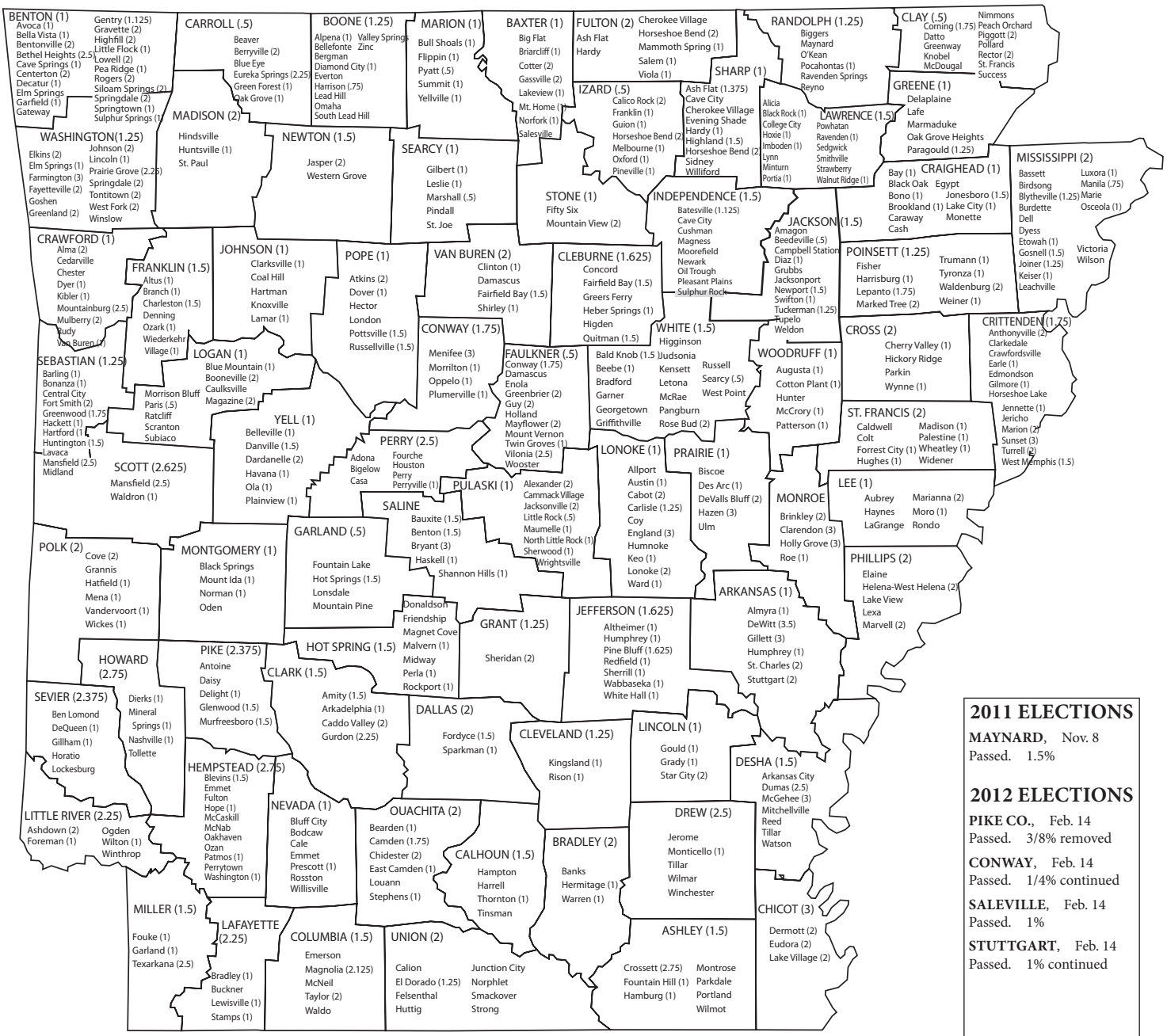
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FIRE CLASS VIII	—	.0028	X	covered value	=	Premium
FIRE CLASS IX	—	.0029	X	covered value	=	Premium
FIRE CLASS X	—	.003	X	covered value	=	Premium
FIRE CLASS Unincorporated	—	.003	X	covered value	=	Premium

For more information, call Linda Montgomery at League headquarters, 501-978-6123 or 501-374-3484, Ext. 233.

Local Option Sales and Use Tax in Arkansas



Source: Debbie Rogers, Office of State Treasurer See also: www.dfa.arkansas.gov

Sales and Use Tax Year-to-Date 2012 with 2011 Comparison (shaded gray)								
Month	Municipal Tax		County Tax		Total Tax		Interest	
January	\$37,846,866	\$35,123,247	\$37,289,267	\$35,666,555	\$75,136,134	\$70,789,802	\$12,533	\$27,640
February	\$46,523,853	\$42,235,810	\$44,592,756	\$42,753,266	\$91,116,609	\$84,989,076	\$22,619	\$34,351
Total	\$84,370,719	\$77,359,057	\$81,882,023	\$78,419,821	\$166,252,743	\$155,778,878	\$35,152	\$61,991
Averages	\$42,185,360	\$38,679,529	\$40,941,012	\$39,209,911	\$83,126,372	\$77,889,439	\$17,576	\$30,996

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COORDINATOR OF VOLUNTEERS—Maumelle is accepting applications for the position of Coordinator of Volunteers in the Senior Services Department. Essential duties and responsibilities: recruit, train, schedule, reroute volunteers to use in the various programs the Center provides, and complete other duties and tasks as needed or assigned. Education and experience: qualifications include high school diploma or GED and specialized courses; and two years related experience and/or training or equivalent combination and experience. Volunteer management training or certification is a plus. Preference will be given to individuals who have previous experience working with senior citizens. Beginning salary is \$23,413. Applications will be accepted until the position is filled. NOTE: Online applications and resumes will not be accepted by themselves. A City of Maumelle Employment Application must be completed.

Please go to our website (www.maumelle.org) and click on the Human Resources Department to print an application. Mail completed applications to: City of Maumelle Human Resources Department, 550 Edgewood Drive, Suite 555, Maumelle, AR 72113. For questions, contact the Human Resources office at 501-851-2784 ext. 242 between 7 a.m. and 5 p.m. Monday-Friday. EOE. Minority, women, and disabled individuals are encouraged to apply. This ad is available from the Title VI Coordinator in large print, on audio, and in Braille at 501-851-2785 ext. 233, or email vernon@maumelle.org.

FOR SALE—City of Centerton has for sale a 2005 Chevrolet Impala police car fully equipped with a light bar and cage and is ready for use as a patrol car. Asking \$3,000. Please contact Mayor Bill Edwards PO Box 208 Centerton, AR 72719; or call 479-795-2750

FOR SALE—The City of Gentry has for sale a 2002 Ford Crown Victoria Police Interceptor, white, 117,400 miles, K-9 cage installed (rear seat included), full-size spare tire and wheel, tinted windows and all power accessories in working order. All lighting and interior police components have been removed. Asking \$3,200. Contact Mayor Kevin Johnston, 479-212-0839.

FOR SALE—Marmaduke has for sale two 1997 Ford Crown Victoria police cars. One has 69K miles, asking \$10,500. The other has 39.5K miles, asking \$12,500. Both slick top, equipped with full light bar in front and back windshield, console with siren box and light control box. Both have bush bumpers and strobe lights in front and rear. Both run and drive well. Call Chief Steve Franks at 870-597-2020 or 870-597-2753.

FINANCE DIRECTOR—Harrison is seeking qualified candidates for the position of Finance Director. Under the direction of the mayor, this position is responsible for managing and directing the financial affairs of the city, including the functions of accounting, payroll, accounts payable, utility billing and collection, and treasury management. This position is further responsible for the preparation and administration of the municipal budget and annual audit process. This position requires a minimum of a Bachelor's Degree in Accounting from a four-year college or university, and five years related experience and/or training or equivalent combination of education and experience, and four years of managerial experience-governmental accounting experience preferred. Salary range: \$50,000-\$65,000, depending on experience and qualifications. Benefits include vacation, sick leave, paid holidays, APERS retirement, health insurance as well as dental, vision, and life insurance. For a complete list of duties, visit website at www.cityofharrison.com. Apply in person at the City of Harrison, Mayor's Office, 116 S. Spring, Harrison, AR 72601; submit resume and cover letter to City of Harrison, Attn: Human Resources, P.O. Box 1715, Harrison, AR 72602; or email admin@cityofharrison.com.

LIBRARY MANAGER—The City of Siloam Springs is accepting applications for a Library Manager. Under the direction of the Community Services Director, the Library Manager performs professional level librarian work, is responsible for implementing and promoting library programs and special events, oversees the selection of library materials, coordinates library development and fundraising, provides managerial supervision over the staff and support workers. This position is responsible for the preparation and administration of the department budget.

This position requires a Master's Degree in Library and Information Science (preferred) or four-year undergraduate degree; five years of increasingly responsible related experience in supervisory library operations. Any equivalent combination of education and experience will be considered. Knowledge of the Polaris library software program is beneficial.

The City of Siloam Springs requests that only qualified applicants meeting the above requirements apply for this position. The city requires a completed application be submitted for all positions. Applications are available at City Hall, 400 N. Broadway, Siloam Springs; or can be accessed on our website, www.siloamsprings.com.

Salary range: \$41,864-\$65,092. The city offers a generous benefit package including, but not limited to medical, dental, vision, LTD, 457 Deferred Compensation, vacation and sick leave.

For further information, including a copy of the complete job description, please call 479-524-5136 or email humanresources@siloamsprings.com. EOE.

MOSQUITO CONTROL DIRECTOR—The City of Stuttgart is accepting applications for the position of Mosquito Control Director. For job description and application, contact Personnel Director Carol Ables at Stuttgart City Hall, 304 South Maple, Stuttgart, AR 72160; call 870-673-8817; or email personnel@cebridge.net. Position open until filled.

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Standing from left: Bobbie Nichols, Jack Truemper, Chris Angulo, Mark McBryde (Executive Vice President and Director of Public Finance), Kevin Faught & Michael McBryde

Seated from left: Lindsey Ollar, Carey Smith, Dennis Hunt & Michele Casavechia

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