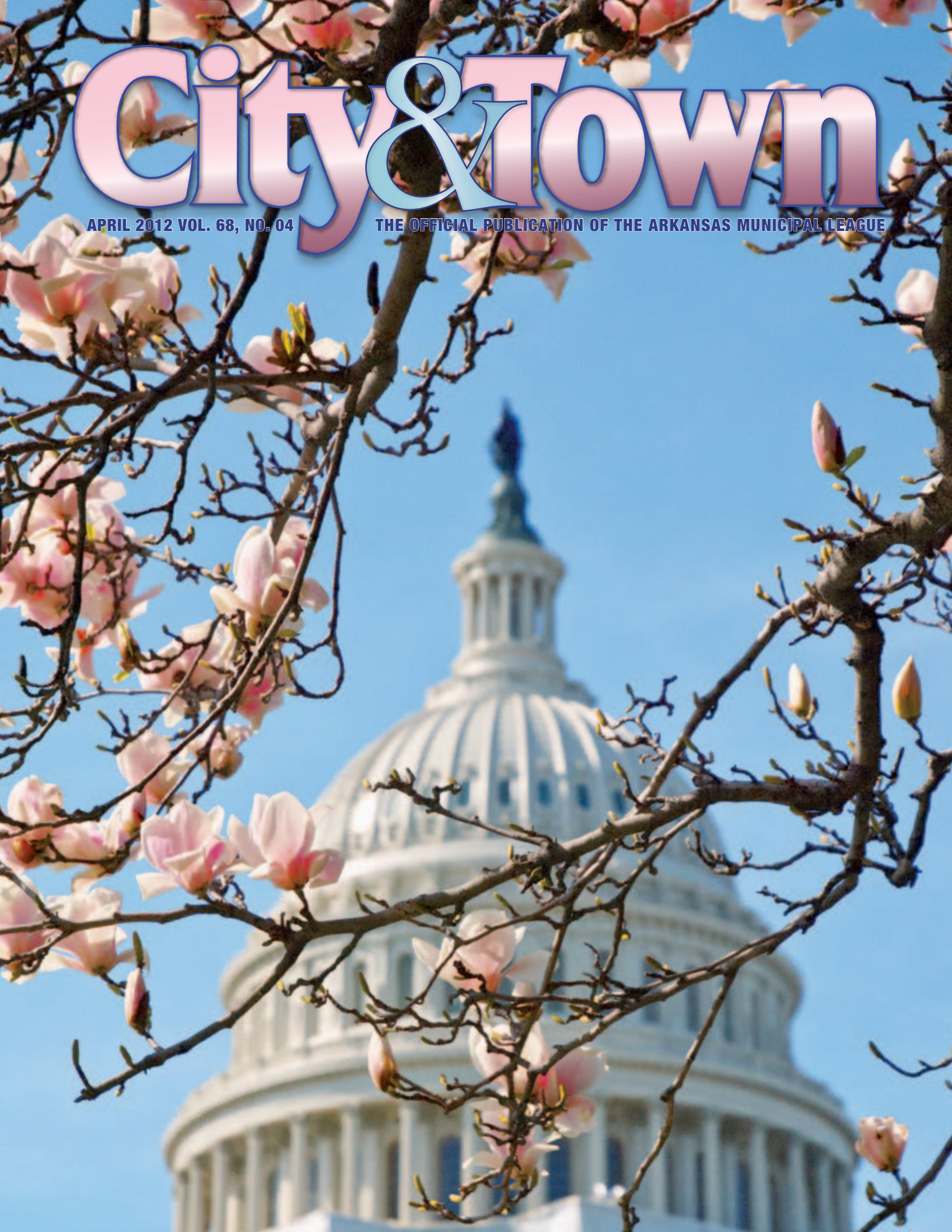


City & Town

APRIL 2012 VOL. 68, NO. 04

THE OFFICIAL PUBLICATION OF THE ARKANSAS MUNICIPAL LEAGUE





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ON THE COVER—The famous cherry blossoms weren't quite ready to emerge, but the Saucer Magnolias around our nation's capitol were in full effect when Arkansas's delegation visited Washington, D.C., for the 2012 NLC Congressional City Conference, March 10-14. Read inside about the conference beginning on page 6. Read also in this issue about the results of the Legislature's recently completed fiscal session, suggestions for improving local sales tax information reporting, the 150th anniversary observance of the Battle of Pea Ridge, and much more.—atm

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Publisher
Don Zimmerman

Communications Director
Whitnee V. Bullerwell

Advertising Assistant
Tricia Zello

Editor
Andrew T. Morgan

Graphic/Layout Designer
Mark Potter

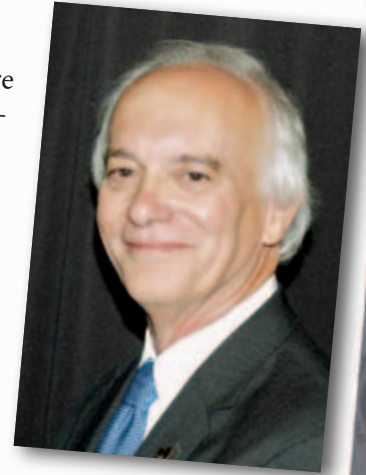
Here's where to reach us:
501-374-3484 • FAX 501-374-0541
citytown@arml.org • www.arml.org

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Dear Friends:

As usual, the certified city official seminars held earlier this month were informative and went well. We had good attendance at these two meetings. If you have not had time to work any of these seminars into your schedule, you might consider attending the Convention in Hot Springs and providing time while at the Convention to pick up four hours of certification credit offered there. The seminar subjects will be "Best Practice Ideas for Municipal Procurement" and "The Role of Elected Officials in Economic Development." Not only will these seminars give you insight to help you better provide for your community, but you will also have an opportunity to exchange ideas with other elected officials on common problems.



It is not too early to commit to attend the 78th Annual Convention, which will be June 20-22 in Hot Springs. NLC President Ted Ellis will be our featured speaker. I have met President Ellis and found him to be very down to earth and focused on his responsibilities as mayor of Bluffton, Ind., and president of NLC. I think you will find his presentation to be both entertaining and thought provoking. If you are not familiar with the League's Annual Convention, there will be informative workshops, many exhibitors that provide services for cities, and the League's *Policies and Goals* will be reviewed and updated in anticipation of the 2013 legislative session. I have always found the League Conventions to be informative and to provide helpful ideas that can be used in a city of any size and trust that you will also. Please register and remember that you need to arrange your hotel reservations.

The recent National League of Cities (NLC) Congressional City Conference in Washington, D.C., was attended by approximately 20 Arkansans from nearly a dozen cities of different sizes. Guest speakers and workshops provided useful information for the attendees. Information was available on such NLC programs as the Prescription Discount Card Program and the Service Line Warranty Program that offer valuable services available to your citizens. Some of these programs have been adopted by cities in Arkansas. Many NLC policies and goals were highlighted during the Conference. Of particular interest to me were the community and economic development goals for the upcoming year. The NLC will keep all members informed on this subject throughout the year. Senators Boozman and Pryor attended our luncheon and told us of their recent votes on the Senate version of the Federal Highway Bill, which was approved by the Senate. During the luncheon, Don Zimmerman reviewed several concerns of the Arkansas Municipal League and both Senators Boozman and Pryor were receptive to working with us to help resolve those concerns. As the House of Representatives was in recess, our members of that body did not attend our luncheon but did have staff representatives at the luncheon. See the accompanying article in this issue of *City & Town* for more details on the Conference.

The Advisory Councils will meet in April and, among other things, will consider proposed additions or updates to the League's *Policies and Goals*. Many of the recommendations of the Advisory Councils will ultimately be considered at the June Convention. Look for more details on these recommendations in future issues of *City & Town*.

Frank Fogleman
Mayor, Marion
President, Arkansas Municipal League

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NLC takes message of bipartisanship to D.C.

By Andrew Morgan, League staff

Our Congressional leaders, on almost every issue, are “yelling across a chasm,” National League of Cities President and Bluffton, Ind., Mayor Ted Ellis told the municipal leaders gathered from across the country for the NLC’s 2012 Congressional City Conference, March 10-14 in Washington, D.C. If a bridge does get built, he said, the smallest disagreement is often enough to bring the whole thing tumbling down.

At home in our cities it’s different, Ellis said.



Ellis

“As local officials we have a different perspective. As city and town officials who must deal with people with whom we disagree, we must compromise our positions without compromising our principles. We must cut through the bluster and the blather and the blarney to balance our budgets. You and I are not afraid to look a constituent in the eye and say if you want this level of service, you’re going to have to pay for it. If we can do it, Washington can do it.”

During the conference, President Barack Obama invited Ellis and several other NLC leaders to visit with him in the White House to discuss our legislative priorities, such as passing a long-term transportation bill, Internet sales tax legislation, maintaining CDBG funding, investing in workforce education, reforming No Child Left Behind and more. Obama asked what was working in cities and how the federal government could help or get out of the way, Ellis said.

“He was very attentive,” he said. Many of our goals are in line “almost 100 percent” with the President’s, which is a good thing, he said, but “hammering” our message in Congress is still most important.

Philadelphia Mayor Michael Nutter, who serves as first vice president of the U.S. Conference of Mayors,



PHOTOS BY ANDREW MORGAN

told NLC delegates the problems municipalities face today require collective action, especially when it comes to defending essential programs like CDBG, which, he said, seems to be suffering a slow death by a thousand cuts.

“I question whether many members of Congress even know what CDBG is and what it does and how it supports affordable housing and senior citizens.”

A transportation bill and infrastructure spending will put Americans back to work, Nutter said.

“Building bridges and roads and tunnels and supporting infrastructure is not a Democratic issue. It’s not



Nutter

a Republican issue. It's an American issue about putting Americans back to work."

Cities are where things get done, Nutter said. Ninety percent of the GDP is generated in cities and 80 percent of the population lives in municipalities.

"We need our federal partners to step up" and work for constituents rather than score political points, Nutter said.

Administration members weigh in

Secretary of Transportation Ray LaHood is urging Congress to "take politics out of transportation," he told NLC delegates March 13.

City leaders know the value of a strong transportation program, LaHood said.

"I don't have to tell any of you: America is one big pothole. We need a transportation bill."

He praised the bipartisan effort in the Senate to put together a transportation bill.

"That's the way that you really get something done," he said. "You know this in your communities. You set aside politics, you figure out what's good for the community, and then you get it done."

In addition to improving the infrastructure and making significant investments in public transportation projects, the transportation bill puts people to work, he said.

"Congress passes a transportation bill, America goes to work. We've seen it happen year in and year out."

LaHood urged the House to follow the Senate's lead.

"The House needs to get its act together when it comes to a transportation bill."



LaHood

LaHood said he expected the Senate to pass a transportation bill within the next few days, which they did, overwhelmingly passing a \$109 billion measure and forcing the House to act before the current program expired on March 31. As of this writing, the House is expected to introduce a three-month extension rather than take up the two-year authorization passed in the Senate.



Marion Mayor and 2011-2012 League President Frank Fogleman discusses an issue with a fellow NLC delegate.

LaHood urged city and town leaders to communicate to their members of Congress the importance of the transportation program in the communities they represent.

In a Q&A session, LaHood pledged to continue to be a strong community partner through popular funding initiatives like the TIGER program, to try to lessen regulatory burdens on local projects and to continue fighting distracted driving—such as encouraging legislation barring texting while driving—to make our roads safer.

Speaking to NLC delegates the same day, U.S. Secretary of Labor Hilda Solis said the administration knows that the best way it can help local communities is with policies that promote the economy and job growth, and a focus is on workforce training. Local workforce boards, who work hard to recruit business and train local workers for those jobs, are a big part of that, she said.

"We want to help you in that effort."

She cited the successes of the Trade Adjustment Assistance Program and the new Dislocated Worker Program. Employees who lose jobs to overseas workers, because of a failed business or other reasons beyond their control should have help available for retraining, job placement and other assistance, Solis said.

"We believe it's time to turn our unemployment system into a re-employment system."



Solis

PHOTO BY LANEY HARRIS.



From left, Pine Bluff Mayor Carl Redus, Jacksonville Mayor Gary Fletcher, and North Little Rock Alderman Murry Witcher take in a meeting.

The newly proposed Displaced Worker Program aims to be a universal, one-stop source for help, access to training, job-search help, family assistance and more. Centers exist across the country for these services, but they're often poorly coordinated and it can be confusing, she said. The goal is to simplify the process from the top down for everyone.

"Currently, names for these centers vary from state to state and from city to city, and it can be both confusing for businesses as well as people seeking employment."

Businesses and job seekers need one-stop access, whether physically or online, Solis said.

"It shouldn't be this complicated to help people."

The new website will be at www.jobcenter.usa.gov. (As of April 4 the site proclaims "Coming soon." Submit your email on the front page to be alerted when the site is live.)

Job training for low-income seniors through the Senior Community Service Employment Program (SCSEP) is also a priority and the Department of Labor has grants available to fund the program. See www.doleta.gov/grants or www.grants.gov for funding information.

Mayors across the country played a major part last year in the administration's initiative to create summer youth employment opportunities, Solis said. She asked that they do it again, as it was mayors who initially inspired the program. Local governments working with businesses in their communities helped create 80,000 summer youth jobs last year. The administration is making it an even bigger priority this year, calling it the Summer Jobs Plus initiative. They already have 180,000 job commitments lined up, she said.

See the job bank at www.dol.gov/summerjobs. This online search tool lets young people see who's hiring locally. Solis encouraged city leaders to post their summer jobs and to encourage local businesses to do the same so that youth can log in and see what's available.

League meets with Congressional delegation

At a March 14 luncheon meeting with Arkansas Senators John Boozman and Mark Pryor, League President and Mayor of Marion Frank Fogleman and League Executive Director Don Zimmerman presented issues important to Arkansas municipalities, including Internet sales tax legislation, protecting funding for important programs and more. The House of Representatives was not in session during the NLC meeting, and Arkansas's delegates were visiting their home districts, but members of their staffs met with League delegates and discussed their concerns.



Members of the League's delegation met March 14 with Arkansas's senators in the Russell Senate Building. Tight flight schedules prevented some of the League's 24 delegates to the conference from attending the final lunch meeting.

Requiring sales tax on Internet purchases is an idea whose time has come, Zimmerman said, and he thanked Pryor and Boozman for their support. Both are co-sponsors of the Senate's Marketplace Fairness Act. In the House, Rep. Steve Womack is lead sponsor of its companion legislation, the Marketplace Equity Act. Both bills have strong bipartisan support.

"This should be the year" for passage, Zimmerman said, with retailers large and small supporting the idea, and even Internet shopping giant Amazon has come on board. Another positive is that it "makes it easy for people to be law abiders," he said. As it stands, individuals are expected to volunteer sales tax from Internet purchases. Shoppers are often unaware of the requirement and enforcement is practically nonexistent.

He urged that they continue to support CDBG funding, which is very important to our communities.

As we wait to see how the Affordable Care Act plays out in the Supreme Court, he asked them to look at HB3072, which allows pools like the League's Municipal Health Benefit Fund to continue under the new law should it withstand constitutional challenges.

Pryor said he expects a transportation bill to pass in the Senate, and that he's been looking at the Internet sales tax issue for a long time, at least since his days in the late 1990s as Arkansas's Attorney General. In those



Pryor

days, when the Internet and shopping online was still new, the tax policy allowed it to get a foothold, but it's no longer needed, he said.

"I'm hoping we can get that done," Pryor said, "and certainly Congressman Womack has really been a leader on that in the House."

The closing of rural post offices is another issue he's watching, Pryor said. He expects the Senate will consider some form of postal reform bill in the near future, but he said it would not be able to prevent all closings.

"For those of you who are going to be negatively impacted by post office closings or mail processing centers, I'm not saying this bill's going to fix everything for you, because there's a harsh reality with the Postal Service, and that is they've got strong competitors in UPS and FedEx in the most profitable things they do," Pryor said.

Email and online bill paying also cut into USPS profits, and that's not going to change, he said.



Boozman

Boozman agreed with Pryor on the Marketplace Fairness Act.

"I think we've got a good chance of getting this done," he said.

The fact that so many states support the issue is making it easier to fight for it in Washington, he said.

Like Pryor, he's also looking at what can be done to help post offices survive, he said. It's a particularly tough issue because the business has changed so dramatically in just the last decade or so.

"Stacey McClure [Boozman staff member] said to always remind people when we're talking about this that 85 to 90 percent of the people that contact us about the post office are either calling us or emailing us—nobody's writing us a letter," he said.

The post office is still very important in rural communities where Internet service is lacking, he said.

"I would argue that, just like rural electricity and other things, there are areas of the country that we need to service whether or not they're making a profit,"

Boozman said.

Regarding the preservation of CDBG funding,

"We're with you on that," Boozman said.

He urged municipal leaders to "let us know" the issues facing our communities.

Their ability to act, he warned, may be limited.

"Right now, with the deficit the way it is and the economy the way it is, things are pretty full."

From the Desk of the Executive Director

Legislature completes 2012 fiscal session



Don Zimmerman,
Executive Director,
Arkansas Municipal League

The second of Arkansas's fiscal sessions required under Constitutional Amendment No. 86 was held Feb. 13 through March 9.

Governor Beebe's budget recommendations were pretty well approved as presented. Municipal turnback was maintained at the same level for the general turnback. There will be a slight reduction on the street turnback since only 21 of the necessary 24 Senators wanted to repeal the truck sales tax exemption, which will now go into effect on July 1. It was anticipated that the exemption would be repealed because of an agreement by the trucker's group to accept a 5-cent diesel tax increase as part of the GARVEE bond proposal last November. The 5-cent tax was not submitted to the voters after a poll showed it lacked sufficient popular support and the truckers withdrew their support for its enactment. Failing to repeal the truck sales tax exemption will reduce overall highway revenue approximately \$4 million with the municipal street turnback share being reduced by \$600,000 or 32 cents per capita.

The Highway Commission is now studying ways to absorb the reduction in revenue or somehow make up for it. A study was recently commissioned to consider adding tolls to Interstate 40 between North Little Rock and Memphis. The trucker's group has vowed to oppose those tolls.

Another issue resolved more favorably for the time being was the decline in revenue produced by the Administration of Justice Fund (AOJ). There was discussion of reducing the city and county share, but Attorney General Dustin McDaniel allocated the settlement proceeds from the Eli Lilly litigation for the current year needs and budget modifications were made for the following year. The Legislative Audit staff prepared a report which determined that "the decline in revenue in the Administration of Justice Fund can be attributed primarily to the decrease in the number of tickets issued and warrants served as well as the national economic recession."

The decline in revenue could be alleviated by stricter law enforcement and better collections going forward as the economy improves. If that should happen the Governor and General Assembly will not feel the need to reduce court revenue to cities and counties in the 2013 legislative session. A large number of state and local services are dependent upon the AOJ fund, so this situation will continue to be closely monitored.

Thanks to all who conveyed their local needs to their Representatives and Senators. Thanks also to the Governor and legislators who took into consideration those needs when dealing with the budgetary issues that had to be addressed in this fiscal session.





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

• **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 HOST 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. A large equipment space is \$1,050. 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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Local Sales Tax Collection Information: Part 3

Some information is made available by the state, but it is simply not satisfactory to serve the legitimate interests of local governments. Good management of city revenues requires that city officials be able to monitor local sales tax collections and understand trends. This article—the third in a three-part series—makes recommendations for improvement.

By Paul Young, League staff

Cities have expressed for many years a need for detailed, historic sales tax collection information as a basis for budgeting future revenues. Also, many have experienced great frustration when they are faced with significant fluctuations in monthly collections without satisfactory explanation or a means of understanding the cause. Since local sales tax collections are “piggy backed” on the state sales tax system, cities have no part in the collection process and therefore have no access to taxpayer information. For the cost of administration, the state withholds 3 percent of total collections before the funds are remitted to cities and counties. The total amounted to almost \$28 million for 2011.

When I was previously working in public finance and handling sales tax bond issues for cities, I would often be asked by a rating agency for a list of the top 10 sources of sales tax receipts for a city. The question was intended to identify the overall economic stability of the tax and any risk inherent in the pledged revenue stream associated with concentration in a few sources. Cities have a similar interest in evaluating the reliability of tax revenues to support ongoing operations, but unfortunately no such information is currently available.

In the January and February issues of *City & Town*, we provided an overview of information available to cities (and counties) from the Department of Finance and Administration (DF&A) about local sales tax collections. The January issue provided a listing of specific information that cities can access online or by request, as well as specific staff contacts who are available to provide assistance. In the February issue, we provided an overview of information available from DF&A on a quarterly basis that provides a listing of local sales tax collections by business code according to the North American Industry Classification System (NAICS). This information has been provided as an accommodation by DF&A for the past 10 years but is not governed by written policy or procedures.

Sales tax revenues currently produce a significant portion of city revenues. As such, we believe that cities

levying local sales taxes are entitled to satisfactory information about their tax collections. That goal is currently not possible due to unnecessarily restrictive statutory provisions that prevent anyone outside DF&A from receiving tax information that can be specifically identified with a particular taxpayer. Additionally, DF&A does not currently have dedicated staff or information resources necessary to do the job. Staff members that currently assist cities with the business code listing do so on the basis of time available. In fact, individuals other than those previously provided by DF&A and mentioned in the January article have responded to inquiries since that time. Without specific procedures for the preparation of the listing of business code information, it tends to be prepared in an inconsistent manner. And a taxpayer’s business code is not required for the state collection system and therefore not subject to procedures to ensure accuracy. The impact of these problems is compounded by the lack of dedicated staffing and resources for this activity.

The solution to this problem will require statutory changes to modify the existing confidentiality restrictions while protecting the legitimate business interests of confidentiality. We recommend the following guidelines for specific information that should be available monthly in electronic worksheet or other suitable format to the chief executive officer or designee of a county, city or town that levies a local sales and use tax:

1. A schedule of net sales and use tax collections with totals for each taxpaying or collecting entity identified by account identification number, accurate NAICS code, legal name, business name and reporting address;
2. A schedule of sales and use tax rebates and refunds with totals for each taxpaying entity identified by account identification number, accurate NAICS code, legal name, business name and reporting address;
3. A schedule of tax collected related to automobiles and other personal property when the tax is paid by the purchaser when registered with the state in

- one amount for each separate category of personal property;
4. The combined totals of tax collections per the schedules above plus totals for any other collection source or expense for any month should agree or reconcile to—and provide supporting details for—the related total tax collections distributed by the State Treasurer to the particular county, city or town for that particular month;
 5. A schedule of total collections grouped by an accurate NAICS code category that agrees with the total reflected on the schedule described in item 4;
 6. Taxpayers with no tax due may be excluded from the report; and
 7. The above schedules will be updated as required by subsequent adjustments due to refunds, rebates, additional tax payments and any other adjustments to the tax collected for a particular period.

As illustrated by the accompanying table, authority exists in neighboring states (Missouri, Oklahoma and Texas) that would satisfy most of the goals and objectives listed above. We believe the Oklahoma model best serves our needs with two levels of information available. The initial level of information is similar to what is currently in place in Arkansas but more accurate and reliable. The higher level fully supports the goals listed above, including the ability to support and reconcile with actual

receipts as described in item 4, and is available if taxpayer specific information is kept confidential. The Oklahoma state tax structure is also similar to Arkansas's, which will likely make implementation easier. And their system is governed by an ongoing cooperative effort between the Oklahoma Tax Commission and the Oklahoma Municipal League. A similar arrangement in Arkansas should help the system work more successfully over time.

As stated in our previous articles, the ultimate goal would be to produce information that is reliable and informative, permitting the user to understand what generates tax revenues and monitor trends, as well as facilitate a sound basis for budgeting future collections. Also, it should be consistently prepared in a useful format.

Thanks to Cindy Frizzell of our staff whose experience in multi-state tax administration was invaluable in obtaining information about how neighboring states deal successfully with this issue. We welcome your comments and suggestions, as well as indication of your support for the legislative changes that will be required.



Paul Young is the League's Finance Director. Contact Paul at 501-374-3484 Ext. 125, or email pyoung@arml.org.

Sales Tax Reporting for Local Governments Arkansas compared to surrounding states

	Admin Fees	Information Format	Reconciliation Process	Frequency	Confidentiality Agreement Required	Confidentiality violation	Actual Business Details	Local Caps	Miscellaneous
Arkansas (CURRENT)	3%	Electronic Spreadsheet	No	Quarterly - Upon Request	Not required - Current law severely restricts access to information	N/A	No details - Grouped by NAICS Codes but not reliable or complete	Local cap of purchases over \$2,500 causes reporting issue of subsequent rebate payments	No staff or technology resources dedicated to support information for local governments
Arkansas (PROPOSED)	3%	Electronic Spreadsheet or other useful format	Yes - Total Collections	Monthly	Yes, if agree to confidentiality - like Oklahoma	Oklahoma and Texas provide guidance for what would be appropriate.	Dependent upon whether a public report (no) or confidential report (yes) like Oklahoma	No change	Dedicated staff and resources to perform necessary tasks.
Oklahoma - Public Reports	1%	Available on Public Website in table format	Yes - Total Collections	Monthly	No	N/A	No details - Grouped by SIC* codes by local Governments	No Local caps, thus, no issue on reporting of subsequent rebate payments	Similar to current Arkansas info but reliable and useful
Oklahoma - Confidential Reports	1%	Electronic Spreadsheet	Yes - Total Collections	Monthly	Yes	Removed from office/job; fine and/or imprisonment	Business name, account number, address, SIC*, collections	No Local caps, thus, no issue on reporting of subsequent rebate payments	No serious breaches of confidentiality noted to date
Missouri	1%	CD	Yes - Total Collections	Upon Request - Annually Free/Available Monthly for fee	Yes	Felony Conviction	Business name, account number, address, SIC*, collections	No Local caps, thus, no issue on reporting of subsequent rebate payments	A local government has access to all tax records
Texas	None	Electronic Spreadsheet	No - Only includes businesses that annually remit more than \$5,000	Monthly	Yes	Misdemeanor Conviction	Business name, account number, address, SIC*, collections	At the point of sales tax collection, a maximum of 2% local tax is applied. No subsequent rebate payment to consider.	State tax structure relies heavily on property taxes. No serious breaches of confidentiality noted to date.

*SIC means Standard Industry Code which is in the process of being replaced by NAICS.

Pea Ridge celebrates 150th anniversary of battle

By Annette Beard

On March 8, 1862, 150 years ago, the sights and sounds on the land now designated the Pea Ridge National Military Park would have been gut wrenching. The stench of death mingled with gunpowder and burned wood was overwhelming, so much so that Gen. Samuel Curtis left the area and reestablished his camp at Camp Stephens on Little Sugar Creek between Pea Ridge and Bentonville, according to John C. Scott, superintendent of the park.

On that day there would have been bodies awaiting burial. Soldiers burying the dead. Wounded in makeshift hospitals. The temperatures would have risen, just as they have this year, Scott said. “You would probably have seen the forest smoldering from the artillery rounds and black powder weapons. All the fences were torn down, either from the battle, or being used for firewood.

“There were dead horses all over the place. There would be Confederate cavalry under a flag of truce to bury their dead and negotiate a prisoner exchange.”

The Battle of Pea Ridge was fought March 7-8, 1862. The Confederates suffered about 2,000 casualties. The Union had 1,384 casualties.

At a March event celebrating the battle’s sesquicentennial, there were more people on the land there than there have been at any one time except during the battle, Scott said. There were 26,000 Union and Confederate soldiers on this land 150 years ago.

“Unlike the battle, everyone this time was having a good time. Everybody had a smile, except for a few small children who were tired of walking. By the end of the day, every one of these people went home to a nice comfortable bed and went to bed full, warm, not afraid they would have to fight again.”



The 21st Century meets the 19th Century during a cavalry re-enactment in downtown Bentonville, part of the March celebration of the 150th anniversary of the Battle of Pea Ridge.



Thousands of candle-lit paper lanterns were arranged over five acres and lit at dusk to commemorate the battle's casualties.

About five acres were covered with 3,500 luminaria, or candle-lit paper lanterns, one for each man killed during the two-day Civil War battle.

Scott said he walked through the candles after sunset Saturday and was overwhelmed with the greatness of the unity of the country and the people.

"It was truly an emotional experience," he said. "When I viewed it from a distance, I appreciated the number of dead that it represented en masse. But, when I got out and walked amongst them, then each of those dead became an individual. It brought home that each one of those soldiers killed there was an individual whose life ended on that battlefield ... although I'll never know their names, or what they looked like, or where they were from—North or South, they all truly looked the same, they were all truly united in death.

"I would like for every park visitor to have the experience of walking through those candles," Scott said, "so they could get the sense of this Civil War that ripped us apart. The veterans were the first ones to try to get us to reunite our country. This [display] is representative of what we've become as a country today. We are the United States.

"If people could have that experience, maybe they would stop their petty bickering and remember that we are united as a country and as a people," Scott said.

And, to the side of that mass of candles was one solitary candle in honor of C.W. Webb, who died the week preceding the event.

"C.W. was a good friend of the park," Scott said. "He and his wife, Ann, were invaluable to the Civil War history of the park, the Headquarters House and all the various Civil War sites in northwest Arkansas. Standing over C.W.'s candle looking over all the others made me reflect upon how that at some point, we in the present are going to pass on and become part of the past, then all those candles look united. We all share death in common."

The three-day 150th anniversary celebration, held March 9-11, included a cavalry re-enactment, a performance of songs and stories of the Civil War, historical talks, artillery demonstrations and more. More than 29,000 visitors participated in the events.

Annette Beard is managing editor, The Times of Northeast Benton County. Email Annette at abeard@nwaonline.com.

Improving your glaucoma Eye-Q

By Inci Irak Dersu, M.D.

“Sneak thief of sight” sounds like a newly discovered Alfred Hitchcock film. But in reality, it’s a common description of glaucoma, a different kind of unfolding drama that is characterized by having no outward signs yet the power to do irreversible damage to your eyes if left untreated.

During the initial stage of open-angle glaucoma, the most common type of the disease, a damaged optic nerve creates patchy blank spots in your peripheral, or side vision. The optic nerve is responsible for transmitting images from the eye to the brain. Because both eyes compensate by working together, you may not realize your field of vision is limited, but over time, these blank spots will eventually merge until you have trouble reading, walking or driving.

A unique type of glaucoma, angle-closure glaucoma, affects about 10 percent of glaucoma patients. Nausea and blurry vision and seeing halos around lights are signs of acute glaucoma and if you experience these symptoms consult a physician immediately.

Glaucoma is a leading cause of preventable blindness. While it’s not a curable condition, there is treatment to slow or halt the progression and reduce the risk of blindness.

Since there is no pain or redness, seeing an eye care professional regularly for an examination through dilated pupils is the best way to diagnose the disease early. In addition to a visual field test, a doctor puts drops into the eyes to enlarge the pupils and tests the eye pressure, looking for signs of the disease. Retinal disorders, such as macular degeneration, also tend to occur with glaucoma, another incentive to visit your doctor for a screening.

You are at an increased risk for glaucoma if you:

- Are a baby boomer. People over age 60 are expected to account for the increase in glaucoma numbers from just more than two million cases to three million by 2020.
- Are African-American. Blacks are four times more likely than whites to develop the disease and should have their first screening by age 40.
- Have a parent or sibling who has glaucoma.
- Have diabetes.
- Have sleep apnea.
- Are nearsighted.

Adults with these risk factors should have annual eye screenings. Adults over the age of 40 with none of the above risk factors should have an eye screening every one to two years, and adults under 40, every three to four years.

The goal of treating glaucoma is decreasing pressure in the eye built up from fluid between the cornea and the iris that cannot pass through a mesh-like chamber in the eye. Prescription eye drops are the first method of attack that can lower the pressure by 40 percent. But if medicinal treatment fails, we move to outpatient laser surgery or microsurgery. Surgery allows a doctor to make a tiny hole at the wall of the eyeball to “unclog your sink,” so to speak.

Laser surgery and microsurgery, or a combination of these treatments, are further options depending on the stage of the disease as determined by your eye doctor.

Interestingly, there are studies that show us that people who have glaucoma are more likely to experience signs of depression than those who do not have the eye disease. They typically have some limitation of mobility because they don’t see well, and will most likely be less motivated to go enjoy simple things that once gave them pleasure.

Trust a doctor and schedule an eye exam today.



Inci Irak Dersu, M.D., is a glaucoma specialist at the Harvey and Bernice Jones Eye Institute at the University of Arkansas for Medical Sciences.

Visit Us.
www.arml.org

Pulse of change beats in Harrison

By Sherman Banks

Action and reaction, ebb and flow, trial and error, change—this is the rhythm of living. Out of our over-confidence, fear; out of our fear, clearer vision, and fresh hope. And out of hope, progress.

—Bruce Barton

Mayor Jeff Crockett and the city council of Harrison have the vision to bring about change for the city, both locally and internationally. A lovely city with a lake in the heart of downtown and a renovated town square adorned with flowers, Harrison was designated one of the “Best Small Towns in America” and has been featured in *Where to Retire* magazine as one of the best retirement towns in the nation. In November 2011 Harrison won its first Arkansas Shine Award.

The Shine Award is presented by The Keep Arkansas Beautiful Commission to cities that make significant strides in instituting environmental policies and creating sustainable community improvement efforts. Harrison was one of six cities statewide to receive the honor.

Even with these recognitions, Harrison continues to struggle against its historic image of intolerance. Whether that depiction is accurate or not, the image is impacting Harrison’s ability to attract new economic opportunities for growth and a more diverse population.

Mayor Crockett and the city council are finding ways to reach out beyond the city limits of Harrison to other areas of Arkansas and nationally and internationally in order to create the change and the future that the citizens of Harrison want for their home town.

In recent meetings with Crockett, members of the City Council, the director of the Harrison Chamber of Commerce, and the executive director of the Harrison Convention and Visitors Bureau, we talked extensively about the direction these community leaders would like the city to move toward in the next five to 10 years. We discussed the positive cultural and economic benefits of creating international relationships through Sister Cities International. Crockett believes that the emphasis on developing an international sister city would further enhance the ultimate objective of bringing a more positive image for Harrison.

At the request of the mayor I have begun inquiries with the president of the New Zealand’s Sister Cities about Harrison’s desire to develop a sister city relationship, and we are waiting on a reply. Crockett also asked me to extend invitations to traditional leaders in Ghana, inviting them to be guests of honor at some of Harrison’s many festivals.

In addition to meetings with the mayor and other city officials, I had the opportunity to meet and talk with locals in Harrison. Although they do not know exactly what needs to be done to help bring about an image change for Harrison, they do recognize an image change is necessary if Harrison is to continue to grow economically. Crockett and the city council recognize that if Harrison can break down that barrier—whether real or imagined—the city can appeal culturally to people of other ethnicities, attract tourism, enrich their educational system, and recruit both national and international business. Both the leaders and the citizens of Harrison recognize that an image change is not only necessary, it is vital to Harrison’s future.

As you contemplate the future of your city, please keep in mind that the world is ever changing. All things change from day-to-day and minute-to-minute. Water must be allowed to continually run. If you stop water from running, it will become stagnant. So it is also with cities and towns.



For more information on how to make a difference in your community through Sister Cities, contact Sherman Banks at 501-374-8493, email sbanks@aristotle.net, or write to P.O. Box 165920, Little Rock, AR 72216.

The unseen force of community development

By Chad Gallagher

Many times in this space and elsewhere we've discussed that grant writing is both an art and a science. There are exact things to do, formulas to follow, certain things you must be able to check off the list every time. There are ways to prepare and methods that significantly improve your chances and an overall approach to grant writing that will help you successfully discover, win and use grants as a part of your overall community development strategy. Likewise, there are some aspects that are simply art. The beauty of the language you use, the capacity to compel and the vision you paint require a bit of artistic effort. However, behind both the art and the science are some unseen qualities that must exist.

My relationship with the Arkansas Municipal League provides me the unique pleasure and opportunity to travel the state and see our communities and their leaders in action. Consulting on projects and community development brings me a great deal of joy. In the professional world, municipal government and community development will always be my first loves. In my travels I have found that, regardless of the diversity and variety of the communities I visit, certain qualities exist, like a strain of DNA that flows from one to another. You can tell that they are related.

True care

Municipal government isn't for the narcissist who needs continual affirmation and pats on the back. At times it can be a bit lonely and feel less than rewarding. Few mayors enjoy a continual lovefest from their constituents. The old saying goes "In politics you better make seven new friends a day because you lost six." Good municipal leaders must be motivated by a true care for those they serve. Motivations matter and they make

the difference when the days are tough. Those motivated by a true desire to help others, do right in all things, and genuinely put the interest of the community ahead of their own really count.

A true care for those you serve must be the foundation of why you are in office. When you meet mayors like Jackie Crabtree in Pea Ridge, Marion Bearden of Tyronza, Scott McCormick of Crossett, City Manager Jimmy Bolt of Arkadelphia and clerks like Ann Sutton of Fordyce and Linda Simpson of Lake City, you see that caring for others really matters.

Determination

A community has thousands of moving parts. Many of these are outside the control of its elected leader. Geography, large economic trends, a natural disaster and many other factors can impact what happens to a town in any moment. Yet regardless of what happens to a town or what condition you find it in when you take office, I have found that successful communities have determined leaders. Those most successful with grants are simply determined. They do not take no for an answer. Discovering five closed doors makes them look for a sixth and a seventh or a 36th if necessary. They are not slack, lazy or the victims of things outside their control. These are leaders who simply do not give up easily. As long as they are breathing they keep jumping the hurdles and pushing forward. Discouragement may come, but it is never welcome to stay long. I find these leaders across the state. Mayors like Chris Claybaker in Camden, Bobby Bailey in Alpena, Tab Townsell in Conway, Marianne Maynard of Stuttgart and Kenneth Jones in Brookland are all examples of simple determination.

Progressive approach

Behind successful grants and strong communities are progressive leaders, leaders who understand success doesn't normally just fall in your lap. They know that grants aren't always easy, economic development is tough and building a strong, admirable community doesn't just happen. It is built by leaning forward into the wind and marching ahead. Good leadership is proactive. These are leaders who are actively moving the community forward, seeking the next victory for the town and thinking 30 years ahead with a strong push to get there. Progressive leaders are always working to get the job done. Mayors like JoAnne Bush in Lake Village, Gary Baxter in Mulberry, Jill Dabbs in Bryant, Mark Stodola in Little Rock, Jerry Williams in Pottsville and Alderman Gwen Stephenson in Dermott are all examples of a progressive approach to getting the job done.

Behind the winning formulas and skilled writing that lands a great grant or secures a new business are some unseen qualities. Recently, I visited Pottsville and was impressed by the mayor's attitude and desire to make things happen for his community. His approach alone gives the town a huge leg up. I found the same thing recently in Mulberry and have seen it in countless other places across the state. The individuals named are not an exclusive list. They simply represent the many hardworking faces that serve Arkansas's communities. If you want to have success in pursuing grants and you desire to build a better community, never neglect the most important things that must be found inside of you and your fellow community leaders. These things not only count, they make the difference.



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.



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Planning matters!

By Jim von Tungeln

Members of Arkansas's planning community who met in Hot Springs last month enjoyed a feast of knowledge and motivation, all aimed at making their work more relevant in the 21st Century. The Arkansas Chapter of the American Planning Association, consisting of professional planners and planning commissioners, held a conference that sparkled with information and innovative ideas.

If your city did not send a representative, the only option would be to seek a debriefing from one of the participants. It is that important.

The session began with a presentation by two members of the Arkansas Municipal League's legal staff, Mike Mosely and Sara Teague. The duo spoke specifically about the federal Religious Land Use and Institutionalized Persons Act. If you aren't knowledgeable about this law, you should be. A settlement in a case involving RLUIPA could cost your city a hundred grand or more.

That is enough, by the way, to pay APA chapter dues for your entire planning commission and staff for more than a thousand years.

Two academicians provided the following segments. Dr. Hunter Bacot of UALR's Institute of Government provided insights into involving key owners of your community in its future. Then Dr. Jim Feldt of UALR's Institute for Economic Advancement spoke on the relationship between planning and economic development. (Hint: It is more than bribery and slick salesmanship.) He electrified the audience at the end of his presentation with a graphic illustration of how a specific part of the community can transition from a well-planned and



UALR's Dr. Jim Feldt, left, explains how planning and economic development should operate together. Dr. Hunter Bacot, right, also addressed the conference, discussing methods to broaden the acceptance of community plans.



Hot Springs National Park Director Josie Fernandez, center, leads planners on a tour of Bathhouse Row.

pleasant area, to a graveyard of empty strip-centers with just a few bad decisions.

One statement from his portion of the day particularly stood out. He compared respecting a city's plan and regulations to respecting family rules of behavior. "If we continually ignore the rules by which a family should operate, what do we have in the end?" Think about it next time someone doesn't want to respect your city's plans and regulations.

By this time, the group needed a change in tone, and this appeared in the form of Josie Fernandez, the director of Hot Springs National Park. Her presentation included the enjoyment of sharing the results of what enthusiasm can accomplish in restoring an area's health.

Among the responsibilities of the park director, Fernandez inherited a world-famous "Bathhouse Row" in which five buildings stood vacant and deteriorating while only one remained in use. She proudly escorted the group on a tour of a row in which five buildings are either in use or in the process of re-development. This ended the day on a positive high after which the group succumbed to the delights of a city known around the world for providing fun.

Next morning, participants enjoyed a rousing finale as they welcomed to Arkansas the current president of the American Planning Association, Mitchell Silver. Silver is also planning director for Raleigh, N.C., one of the most progressive cities in the country.

His presentation was both electrifying and sobering. It was electrifying as he reminded the group that planners exist to protect the public interest, and that at times they are the only ones prepared, or willing, to do so. "Can you imagine a court in which only the attorney for one side speaks?" he asked. "That is what happens when a planning commission only sees the applicant's presentation."



This magnificent city comes to life on the second day of the conference.

On the sobering side, he observed that, “When a city says ‘no’ to one thing, it says ‘yes’ to something else.” The most dramatic example being that when a city says “no” to rental properties, it is saying “yes” to the fact that its young people will not settle there. This is certainly at odds with a community’s yearning to keep its young people at home.

Silver shared, in dynamic fashion, his many passions for planning as the “guardians of our future.” One of those passions concerns the field of demographic trend analysis. This is where he began to shake things up a bit.

One of the demographic trends that planners and elected officials must understand is the change in generational characteristics. This change brought us from the so-called “greatest generation” whose members, as Tom Friedman has pointed out, “sacrificed their todays for our tomorrows” to later generations whose members

demand “their todays” at the expense of “future tomorrows.”

Even more dramatic, in terms of challenges to local officials, are changing demographics at a more personal scale. By the year 2030, Silver pointed out, one in five Americans will be over age 65. Where will they live, and how will they get from there to needed services? How many of us have considered what is going to happen when the first “baby boomers,” nearing 67 years of age, will become unable to drive automobiles?

More sobering still are the demographic trends graphically evident at a statewide level. A few areas are doing well. Some areas are hanging on. Most of the state is struggling. It is a hard fact, but one that we must face.

What is the planning profession doing about this? Much of it is busy claiming that if we simply build structures out to the property line, put parking in the rear of buildings, or require each home to have a front porch, then all these urban problems, both existing and on the horizon, will disappear into some “New Urbanist Nirvana.” It is nice to think so, but the reality will demand a more comprehensive approach.

What should we be doing? For starters, make sure that people in management and leadership positions in our communities stay current by attending training such as that the lucky few enjoyed in Hot Springs.



"If your city doesn't like renters, say goodbye to young people," APA National President Mitchell Silver said.



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.



Play by the rules

The International Play Equipment Manufacturers Association offers an online “Checklist for Access” to help cities and towns comply with the Department of Justice’s 2010 Standards for Accessible Design.

By Tom Norquist

For many of us in the playground industry, the countdown to the spring and summer play season is on. This year—in addition to anticipating the start to another play season—the industry is also subject to another important March 15 mandatory compliance deadline for the Department of Justice 2010 Americans with Disabilities Act Standards for newly constructed and altered play areas.

The Americans with Disabilities Act of 1990 (ADA) is a wide-ranging civil rights law prohibiting, under certain circumstances, discrimination based on disability. Disability is defined by the ADA as “a physical or mental impairment that substantially limits a major life activity.” The ADA establishes standards with which public facilities, including public play spaces, must comply to ensure opportunities for people of all abilities exist.

Complying with ADA standards is the law, but it’s also advantageous to the mission of encouraging more free play for kids. Outdoor, free play on playgrounds has been scientifically proven to have a variety of physical, mental emotional and cognitive benefits for children and people of all ages, and it can be an important activity to promote family interaction and relationship building. Making sure a public play space is accessible to all—not only for children with a disability, but for children and parents, grandparents and caregivers of all abilities—helps ensure a play space that is diverse, a healthy and popular community gathering spot.

Playground equipment and surfacing materials are both subject to ADA standards. Specific guidelines for play components—both ground and elevated—and surfacing materials and access routes are available online at www.ada.gov. But having compliant materials and designs isn’t enough. Vigilance with regard to proper installation and maintenance procedures is key to upholding compliance. Compliant surfacing materials can have varying maintenance procedures and factors that can contribute to the degradation of the surface. Working with certified playground installation experts on installation and maintenance is recommended to safeguard the investment made in a compliant facility.

Understanding the standards

Because there can be confusion about the standards and what they mean for new or existing public play facilities, the International Play Equipment Manufacturers Association (IPEMA)—the industry’s membership association that

provides third-party validation and certification for playground equipment and surfacing safety standards—has compiled a toolkit designed to help those in charge of public play facilities with compliance.

The “Checklist for Access” summarizes 12 key steps to compliance with the standards. It is intended to help owners of public play areas understand how to use the Department of Justice’s 2010 Standards for Accessible Design. This checklist, along with a fact sheet, FAQs and an “Ask the Expert” function, are all available on IPEMA’s Voice of Play website, found at www.VoiceofPlay.org.

Existing play areas are not required to meet the 2010 Standards by March 15, 2012. March 15, 2012, is the Department of Justice’s compliance date when all entities covered by Title II and Title III must begin using the new (2010) accessibility standards. This means all new construction and alterations to existing facilities should begin utilizing these standards. It is important to understand that playgrounds built prior to March 15, 2012, are subject to review if they are undergoing alteration, if physical barriers exist or if communication barriers exist to the program, good, service, or activity offered at the facility.

The new 2010 Standards for Accessible Design apply if you are building a new playground or making an alteration to an existing playground. In both cases, owners need to provide a primary means of access to the playground, which has been our responsibility for over 20 years.

If you have an existing playground and no alterations are planned, do you have any barriers to participation by people with disabilities? Can a person with a disability gain entry into the playground by an accessible route? Providers of public playgrounds have the responsibility under the Program Access standard to remove barriers and make their programs, services and activities accessible. So if the facility doesn’t currently have access into the playground, barriers should be identified in an official transition plan. Transition plans should include a prioritized action plan for accessibility improvements. One of the most important playground access activities is to complete an audit of your facilities and create realistic transition plans to remove all physical and communication barriers to programs, services and activities for people with disabilities.

Tom Norquist is Secretary and Communications Committee Chair, International Play Equipment Manufacturers Association, www.ipema.org.

Fairs & Festivals

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.mcniel-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, www.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, jacobot@gmail.com;
DEVALLS BLUFF, 2nd Fort Lincoln Fest, 870-659-5652, vester7272@yahoo.com

May 3-5, **HAMBURG**, 42nd Hamburg Armadillo Festival, 870-853-8345, www.hamburgark.com

May 4-5, **ALTUS**, 34th Altus Springtime Gala, 470-209-5308, mayorstacy@centurytel.net;
CENTERTON, First Annual Spring Festival, 479-795-2750, www.centertonar.us;
COTTER, 11th Greater Cotter Festival, 870-321-1243, www.cotterarkansas.com

May 4-6, **CONWAY**, 31st Toad Suck Daze, 501-327-7788, www.ToadSuck.org

May 5, **MELBOURNE**, 61st Pioneer Day, 870-368-4215; **NASHVILLE**, Peach Blossom Festival, 870-845-1262, www.nashvillear.com

May 11-12, **KINGSTON**, 30th Kingston Fair on the Square, 870-420-3731, mistymtn@ritternet.com

May 12, **BLYTHEVILLE**, Mayfest, 870-763-2525, www.mainstreetblytheville.com;
HORSESHOE BEND, 26th Dogwood Days, 870-670-5433, www.cityofhorseshoebend.org

CALENDAR

Arkansas Municipal League
78th Annual Convention
Wednesday-Friday
June 20-22, 2012
Hot Springs, AR



National League of Cities
2012 Congress of Cities and Exposition
Boston, Massachusetts
November 28 - December 1, 2012

The histories of Subiaco's Abbey and Academy and the city, which this year turns 100, are inseparable.



Cities and towns make 100-year mark

This year nine cities and towns celebrate their centennials.

By Cathy Moran, League staff

Nine Arkansas cities and towns were incorporated in the year 1912: Crawfordsville, Delaplaine, Hatfield, Morrison Bluff, Nimmons, Parkin, Subiaco, Winchester and Winthrop.

A Mr. Morrison is reported to have settled a bluff on the Arkansas River in about 1800, and today, **MORRISON BLUFF** in Logan County is named for him. German immigrant farmers settled there in the late 19th Century, establishing cotton gins, blacksmith shops and mills for wheat and corn. Their social life on weekends was filled with baseball, picnics, card playing, homemade food and homemade brew. When the railroad line from Little Rock to Clarksville came through it brought with it new settlers and the town flourished. In the early 1900s, however, the river shifted north and the port closed. Joe Siebenmorgen Jr. is now mayor in this town of just 64.

The city of **SUBIACO** in Logan County grew from the settlement around St. Benedict's Colony in the mid to late 1800s. The monks' settlement there coincided with the railroad's desires to expand in the region. Arkansas had land grants and the railroad was anxious to attract migrants, especially from foreign lands, to come and settle near their construction. In 1887 St. Benedict's College opened, the forerunner to Subiaco Academy. That same year the priory became the independent Subiaco Abbey. The city of Subiaco and the Subiaco Abbey and Academy

grew together. Today Bobby Sewell is mayor in this city of 572.

The St. Louis Iron Mountain and Southern Railroad completed a spur around 1887 in the heart of Arkansas's Delta region, and a settlement grew around it. A railroad man named William Parkin was in charge there, and **PARKIN** in Cross County took his name. Early industry that helped the community thrive included a mill owned by the Fee brothers, which became the Lansing Wheelbarrow Company, and a ground-hog sawmill, now the Northern Ohio Cooperative and Lumber Company, started by the Mattox brothers. Natural disasters and economic downturns over the years have left the city without much in the way of industry. Parkin was a hotspot for blues musicians and early rock and rollers to perform, including B.B. King, Howlin' Wolf and Carl Perkins. Today the Parkin Archeological State Park is a major attraction in the city. Charles Patterson is now mayor in this city of 1,105.

Six other cities and towns also celebrate their centennials this year, though our research turned up little information about their histories. They are: the city of **CRAWFORDSVILLE** in Crittenden County, the town of **DELAPLAINE** in Greene County, the town of **HATFIELD** in Polk County, the town of **NIMMONS** in Clay County, the town of **WINCHESTER** in Drew County, and the town of **WINTHROP** in Little River County.

PHOTOS COURTESY OF SUBIACO ABBEY AND ACADEMY.



Snake!!!

By Neil Foreman, League staff

Spring brings warmer weather, an increase in outdoor activities, and threats like stinging insects and snakes, some of which are venomous. Let's talk snakes.

In 2011 city employees reported no less than three snakebite incidents while performing their job duties. Two of the incidents became serious with the employees recovering. These incidents were reported by water department meter readers and sanitation department collectors. City employees most at risk to being exposed to these reptiles include public works, parks department, golf course maintenance, water/wastewater and police/fire department employees.

What are they and what do they look like?

Due to limited space, I've chosen to focus on three of the better-known venomous snakes in Arkansas. Others are certainly native to our state and could be encountered. The Arkansas Game and Fish Commission offers excellent information on the topic at their website, www.agfc.com.



Copperhead (*Agkistrodon contortrix*)

Description—Pit viper, keeled scales. Gray, tan or light brown, with 7-20 dark brown, light-edged, hour-glass shaped cross bands. Head can be gray, brown or reddish. Belly is cream-colored with dark gray, brown or black blotches. Young resemble adults, except tail tip is bright yellow or greenish yellow. Adults are 24-36 inches in length.

Range—Statewide.

Habits and habitat—Occurs in mixed pine-hardwood forests, bottomland hardwood forests, and rocky or brushy fields and hillsides. Active April-November; prowls at night during hot weather. Two to 14 young born August-September. Primarily eats rodents. Also eats frogs, lizards, small snakes and cicadas. Young copperheads and cottonmouths use yellow tail tip as a lure to attract prey.



Cottonmouth (*Agkistrodon piscivorus*)

Description—Pit viper, keeled scales. Heavy-bodied, dark olive-brown to black. Indistinct dark cross bands, except when animal is wet. White upper lip, black stripe from snout onto neck. Belly mottled with black, brown and cream-colored blotches. Young are brightly banded like copperhead, turning darker with age; tail tip yellow or greenish yellow. Adults average 24-36 inches in length.

Range—Statewide. Uncommon in upland streams of Ozark Highlands and Ouachita mountains.

Habits and habitat—Occurs in variety of wetland habitats: swamps, oxbow lakes, sloughs, drainage ditches and streams. Active April-November. Active at night in hot weather. Two to 15 young born August-September. Eats fish, amphibians, lizards, snakes, birds and rodents. Opens mouth—exposing white lining—when threatened.



Timber Rattlesnake (*Crotalus horridus*)

Description—Pit viper, keeled scales. Head and body can be gray, yellow, grayish or yellowish brown, with 15-34 V-shaped black bands on the body, rusty or reddish stripe down center of back. Tail jet black; origin



of the name “velvet-tail rattler.” Young are patterned like adults. Adults average 36-60 inches in length.

Range—Statewide.

Habits and habitat—Occurs in hardwood, mixed pine hardwood, bottomland hardwood forests and rocky or brushy fields and hillsides. Active April-October. Prowls at night during hot weather. Breeds in fall or early spring, and 3-16 young are born August-October. Eats shrews, gophers, rodents, rabbits, chipmunks, squirrels and birds. Researchers have observed radio-tagged medium-sized adults in trees, presumably in search of prey.

Let's avoid these critters

First, avoid handling any type of snake. Some venomous snakes closely resemble their non-venomous cousins.

One incident last year occurred while reaching into a meter box to clean out leaves and debris. A hand tool such as a small rake could be used to avoid reaching into the space. Also, consider puncture-resistant gloves for this task.

Brush pile cleanup presents another hazard. Pull brush apart with rakes rather than reaching into a pile with a hand. Mechanized pickup would also minimize the exposure.

Shrubs around buildings present another exposure risk when trimming or clean up work is being performed. Trim shrubs up so that the ground below can be observed.

Keep grass and fields around buildings mowed routinely to eliminate cover. Mowed areas also allow predators to spot snakes.

Since bites are often to the hands and legs, gloves and/or leggings should be worn when appropriate.

Just got bit. Now what?

Do you and your work crews know where your local emergency room is located? Immediate medical attention is required.

Symptoms

Signs or symptoms associated with a snake bite may vary depending on the type of snake, but may include:

- A pair of puncture marks at the wound.
- Redness and swelling around the bite.

- Severe pain at the site of the bite.
- Nausea and vomiting.
- Labored breathing (in extreme cases, breathing may stop altogether).
- Disturbed vision.
- Increased salivation and sweating.
- Numbness or tingling around your face and/or limbs.

First aid

Workers should take the following steps if bitten by a snake:

- Seek medical attention as soon as possible (dial 9-11 or call local emergency medical services).
- Try to remember the color and shape of the snake, which can help with treatment of the snake bite.
- Keep still and calm. This can slow down the spread of venom.
- Inform your supervisor.
- Apply first aid if you cannot get to the hospital right away.
- Lay or sit down with the bite below the level of the heart.
- Wash the bite with soap and water.
- Cover the bite with a clean, dry dressing.

Do NOT do any of the following:

- Do not pick up the snake or try to trap it.
- Do not wait for symptoms to appear; if bitten seek immediate medical attention.
- Do not apply a tourniquet.
- Do not slash the wound with a knife.
- Do not suck out the venom.
- Do not apply ice or immerse the wound in water.
- Do not drink alcohol as a painkiller.
- Do not drink caffeinated beverages.

Sources: Arkansas Game and Fish Commission, Centers for Disease Control and Prevention.



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

NEWSLETTER

APRIL 2012

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

Medical marijuana—Do you really know the facts?

Marijuana is classified as a Schedule I Controlled Substance under the Federal Controlled Substances Act, 21 U.S.C., which means that it has a high potential for abuse, has no currently accepted medical use in treatment, and there is a lack of accepted safety for its use under medical supervision. Under the CSA (Controlled Substances Act), it is considered unlawful for a person to manufacture, distribute, dispense, or possess with intent to manufacture, distribute, or dispense a controlled substance. A sole exception does exist whereby marijuana and other Schedule I Controlled Substances may be used as part of a research study approved in advance by the Food and Drug Administration.

Sixteen states and the District of Columbia have enacted laws that decriminalize, to varying extents, the use of marijuana for medical purposes. Most laws state that they do not require any accommodation of any medical marijuana use in the workplace. States with medical marijuana laws include: Alaska, Arizona, California, Colorado, Delaware, Hawaii, Maine, Michigan, Montana, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont and Washington.

According to the American With Disabilities Act of 1990, the term "individual with a disability" does not include a person who currently engages in the "illegal use of drugs." Surprisingly, the Supreme Court of California held in 2008 that its Fair Employment and Housing Act does not require employers to accommodate the medicinal use of marijuana.

The Supreme Court vacated the Ninth Circuit's judgment and ruled that "the CSA is a valid exercise of federal power." It further wrote in an opinion that the difficulties in distinguishing between marijuana cultivated locally and that grown elsewhere, and the potential diversion of marijuana from legitimate to illicit channels, was "rational" for believing it was necessary and proper for it to regulate the intrastate manufacture and possession of marijuana. So, the legal analysis begins and ends with the U.S. Supreme Court's opinion in *Raich v. Ashcroft*, 248 F. Supp. 2d918 (N.D. Cal.2003). Basically, it is unlikely that applicants and employees can avail themselves of state disability discrimination provisions or other state law claims to successfully challenge employers' punitive actions.

The DOT and other federal agencies do not consider medical marijuana an acceptable reason for a positive drug test. Although we often see medical marijuana cards produced as evidence, or as a reason for a positive drug test, the donor is told that the test result remains a positive.



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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What's your Walk Score?

By John Slater

Walk Score (www.walkscore.com) is an online tool to use to search for a place to live that is close to your work, shopping or other activities you may be interested in. It can help you rate the walkability of where you live, or where you'd like to live. It can be used to find houses and apartments to live in, find out how long it may take to commute to work, and what type transportation may be used.

I typed in my home address and found out the walk score where I live is 18 out of 100—not too good. The closest place to eat or shop is about .8 miles away. There are no biking lanes and roads are narrow, busy and not safe or comfortable for riding. If we had good sidewalks with tree-lined streets, on a good day I might walk to go shopping or visit one of my favorite restaurants. The layouts of our neighborhoods make us too car-dependent.

According to walkability expert Dan Burden (see last month's column for more on Dan's work) sidewalks with trees create a safer environment for the walking public, which in turn makes for a more enjoyable experience. Walking that .8-mile may not seem that far if you have a pleasant time along the way. Since trees increase security in the area, there will be more people out walking, talking, and taking pride in their homes, blocks, and neighborhoods. Neighbors will start meeting neighbors

so you will know who is part of the neighborhood and who is not. Here are two such neighborhoods that are using trees to create that very atmosphere.

Villebois, which is located outside of Portland, Ore., and was voted 2010 National Community of the Year, is a development designed so it is easy to move around in the area, regardless of the mode of transportation. Homes vary in size and price range so that most people can afford to buy a house in the neighborhood. Protected natural areas, with plenty of hiking and biking trails, surround the area. Shopping in the development is designed so people can move freely and build a community where they will know their neighbors. For catching a ride into downtown Portland, there is an aboveground rail system, which includes bike storage. Visit the community online at www.Villebois.com.

In Arkansas, we have The Village at Hendrix in Conway. The residents believe the charm and appeal of a small town comes not from just the structures and spaces created, but from the lively gatherings—both planned and spontaneous—that spring up among people in areas like these. Just across the street, Hendrix College features an event calendar full of academic lectures, theatre performances, concerts and discussions, many of which are free. The Village at Hendrix borders the northern end of downtown Conway, a city that was named among

The tree-lined streets of Conway's The Village at Hendrix development are a major design element, not an afterthought.





An 18-acre creek and greenspace is an important part of the design at The Village at Hendrix. The area provides storm water mitigation, outdoor recreation space, and an outdoor classroom for local students.

the “Top 25 Places to Retire” by *CNN Money*.

To learn more about The Village at Hendrix, see www.hendrix.edu/village.

Walkability offers surprising benefits to our health, the environment, our finances and our communities. The average resident of a walkable neighborhood weighs 6-10 pounds less than someone who lives in a sprawling neighborhood. Studies show that for every 10 minutes a person spends in a daily car commute, time spent in community activities falls by 10 percent. Eighty-two percent of CO₂ emissions are from burning fossil fuels, while the feet are zero-pollution transportation machines. Cars are the second largest household expense in the United States. When you score one point on Walk Score, it is worth up to \$3,000 of value for your property.

What makes a neighborhood walkable?

- A center—Walkable neighborhoods have a center, whether it’s a main street or a public space.
- People—Enough people for businesses to flourish and for public transit to run frequently.
- Mixed income, mixed use—Affordable housing located near businesses.
- Parks and public space—Plenty of public places to gather and play.
- Pedestrian design—Buildings are close to the street, parking lots are relegated to the back.

- Schools and workplaces—Close enough that most residents can walk from their homes.
- Complete streets—Streets designed for bicyclists, pedestrians and transit.

In “Trees for Better Streets,” an article in the newsletter *Tree City USA Bulletin* (No. 45), Dr. James Fazio talks about Allan B. Jacobs’ book, *Great Streets*. In it Jacobs wrote that “for many people trees are the most important single characteristic of a good street.” Fazio goes on to explain that whether in a busy commercial strip, a downtown area with skyscrapers, or a quiet residential cul-de-sac, trees can add both beauty and function. Trees make any street a better street, and because of this they deserve the same status and care as other parts of the city infrastructure.

Remember, to grow a healthy, safe and sustainable community, trees should not be something you find space for as an afterthought when planning but included as part of the community forest for everyone’s enjoyment. Imagine your city as your own private urban forest, then go for a hike and enjoy.

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.

Delivering content to your website

By Kelly Gardner

Whether concerning your economic development website, community website, or both, Internet technology and sophistication is evolving at a very rapid pace. A decade ago, changing content on a website meant you had to have access to specific, often expensive software to make changes to your web pages. Knowledge of programming languages such as HTML was also needed in order to ensure the content displayed properly. Special software was needed to connect to your web server in order to transfer the updated pages to the web. Most companies and institutions hired web development companies or employed programmers to manage their web content.

Over the past several years, the huge strides made in web technology make the old way of web editing seem as obsolete as a rotary dial telephone. Content management systems (CMS) give individuals with very basic level technical skills much greater flexibility in controlling their content. Programming has been developed that allows users to update their websites from any computer that has access to the Internet. Using a number of CMS's, web editors can now log in through a browser and edit their pages using a similar interface to Microsoft Word. There is even software available that allows you to create and edit content on your website from a smartphone such as an Android or iPhone.

Most CMS's allow you to add a variety of content including:

- Text
- Photos
- Photo Galleries
- Videos
- Music Files
- Dynamic maps
- Documents such as PDF files and Word documents
- Text and other content that will appear in news feeds on particular pages
- Links to pages from drop-down or static menus displayed on each page
- Calendars

Social media has now become integrated into content management software as well. You can select an option in your page settings that will display a button that will allow users to automatically redistribute your content to LinkedIn, Facebook, Twitter or other social networking sites. There are also features available within social networking sites that allow content from your website to automatically feed to a company or organization's profile, potentially driving traffic to your site.

CMS-generated websites have also evolved to accommodate the rise in use of smartphones. The software automatically recognizes when the website is being accessed by a smartphone and delivers specially sized images and menus designed to fit the smaller screen.

If your website is not already using a CMS and you would like to have access to this technology, there are three options available:

1. Build one yourself.
2. Hire a company that has its own custom built CMS that will train you how to update it.
3. Hire a company that uses a CMS that is available to the public (open source) that will also train you how to update it.

If you want to attempt to create your own site, there are a variety of different free or fee-based services that you can use. WordPress, Blogger and TypePad are three of the most widely used, free, open-sourced software used to build websites. They are often referred to as blogging software, because the software was initially developed for the purpose of blogging. A fairly tech-savvy person can use one of these to create a simple website. There are a huge variety of color schemes and pre-made designs available that can be installed from the back-end online editor. The drawback to doing it yourself—and if you are not an experienced programmer—is that these CMS's are not very flexible in their layout. The interface for adding content is generally very intuitive. Controlling specifics about placement of menus and other content as well as troubleshooting problems can be extremely complex. If you do choose to build your own site, keeping it as simple as possible will make the task much easier.

If you desire a lot more features and customization for your site, the second option might be a good choice

New ADA design standards take effect March 15

for you. The benefit of using a firm like this is that you generally have more programming support for your features. The downside is that if you become disenchanted with the company and want to switch, another programmer or web development company will most likely be unable to work with your existing site and you will have to have it rebuilt. This is also very likely to be the most costly option, because maintaining a custom CMS is going to involve a lot of expensive programming labor cost.

The third option gives you the most flexibility. There are more sophisticated open-source CMS's available that require some programming knowledge, but are much more customizable than the more basic blogging style CMS. Two of the most widely used and popular are Joomla (technically called Joomla!) and Drupal. Many web development firms make use of free CMS then enhance the features by adding custom themes and add-on features. They should offer training as well, but you should be able to find a huge amount of free training by searching the web or specifically on Youtube for video tutorials. The use of free software should keep the price of the website a little lower. The drawback to using open-source software is that it needs to be updated fairly frequently. You need to make sure your web developer keeps the version of the CMS up to date.

Recognizing the critical importance of proper web presence, local leaders are increasingly interested in controlling content on their own websites. Communities generally rely on third-party contractors, including consultants, universities, and others, to assist in website development and training. For more information on your web presence and available options, call us at 501-569-8519.



Kelly Gardner is Web Designer at UALR's Institute for Economic Advancement.

Employers covered under the Americans with Disabilities Act (ADA) must make sure any new building projects are in compliance with the 2010 Standards for Accessible Design by March 15. The new standards replace the 1991 standards devised when the ADA became law. The 2010 standards set minimum requirements for new construction and alterations of more than seven million businesses and 80,000 state and local governments, according to the U.S. Justice Department.

The regulations provide a safe harbor so that facilities in compliance with the 1991 standards don't have to meet the new standards until renovations are made. However, if an employee or applicant makes an accommodation request, the new standards may be used to determine a reasonable accommodation.

The Justice Department has posted the 2010 standards online at www.ada.gov/2010ADASTandards_index.htm.

Here are examples of a few of the new requirements: The new standards lower the required height for elements such as light switches from 54 to 48 inches. More van-accessible spaces are required in parking lots. New or altered work areas must "include accessible common use circulation paths within employee work areas, subject to certain specified exceptions." That differs from the old standards, which required work areas "to permit an employee using a wheelchair to approach, enter, and exit the area."

In single-user toilet rooms, the new standards require that the water closet "provide clearance for both a forward and a parallel approach and, in most situations, the lavatory cannot overlap the water closet clearance." In addition, a door swinging inside a single-use toilet room "may swing into the clearance around any fixture if clear floor space is provided within the toilet room beyond the door's arc."

This article originally appeared in the March 2 edition of Human Resources News, an online publication of HRLaws, and is reprinted with permission.

Summaries of attorney general opinions

Recent opinions that affect municipal government in Arkansas

From the Office of Attorney General Dustin McDaniel

City should adopt ordinance before charging for permits

Opinion: 2011-148

Requestor: Jeffress, Gene—State Senator

Q1) Did the City of Hampton have the authority to require a builder to obtain a builder's permit and charge for such a permit prior to the time the city enacted an ordinance requiring a builder to obtain and to pay for a builder's permit? Q2) If the city had no such authority, does the city have the legal obligation to remit the costs of the building permits back to the builder and, ultimately, back to the Hampton School District? **RESPONSE:** Q1) This question appears premised on an assumption that a city of the second class like Hampton is authorized to issue and to charge for building permits. Although the law on this score invites clarification, this assumption appears to be correct. With certain exceptions, the law appears to contemplate that construction within city limits be by permit and that a city of any class may charge a fee for the issuance of a building permit. However, in my opinion, it would be impermissible for the city to impose any such requirement before the city council had adopted an authorizing ordinance to that effect. I consider it immaterial that the city council may previously have adopted an ordinance purporting to allow itself by a later ordinance actually to impose the fee requirement. Q2) Assuming the payments were not "coerced" under the applicable legal standard or were not the subject of then pending litigation, I believe the voluntary payment rule would bar any recovery by the builder of payments made to the city. Not being a finder of fact, I cannot opine regarding the applicability of the coercion exception. I further do not believe the city council's after-the-fact adoption of an ordinance requiring the purchase of business permits might serve to ratify the city's pre-ordinance imposition of the permit fees.

Council may regulate but not ban videotaping of meeting

Opinion: 2012-022

Requestor: Irvin, Missy Thomas—State Senator

[Q1] Is video recording of a public meeting of elected officials a right of any citizen as granted under the Arkansas Freedom of Information Act ("FOIA")? [Q2] Can a city council in the State of Arkansas prohibit video recording of their public meetings by claiming the activity is "disruptive?" If so, does personal opposition or discomfort with being video recorded by a member or members of the city council constitute "disruption" to the degree that video recording may be prohibited on those grounds? [Q3] Is the recording of public officials in the performance of their duties a right granted under the First Amendment to the United States Constitution (see *Glik v. Cunniffe*)? **RESPONSE:** The answer to your first question is, in my opinion, "yes." When one reads the FOIA broadly to foster greater openness and more disclosure—as we are required to do—I believe there are good grounds to conclude that our FOIA affords persons the right to videotape a public meeting. According to my research, this also accords with the law in the overwhelming majority of states. But, in response to your second question, the right to videotape a public meeting is subject to the public body's reasonable regulation. While such regulation cannot ban videotaping, the regulation can ensure that the activity is done in a manner that does not disrupt the meeting. In my view, the mere fact that a member of the public body is uncomfortable being filmed is not a sufficient reason to ban the videotaping. When it comes to videotaping public meetings, the FOIA appears to give greater rights than does the First Amendment to the U.S. Constitution because—in response to your third question—the amendment does not give people a right to videotape public proceedings.

For full Attorney General opinions online, go to www.arkansasag.gov/opinions.



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APRIL 2012





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Please send me _____ copies of the **2012 Directory of Arkansas Municipal Officials** at: \$25 each.

My check of \$_____ is enclosed, payable to:

The Arkansas Municipal League.

Send **Directory** to:

Name _____

Title _____

Mailing Address:

City _____ State _____ Zip _____

Clip and mail to: **Arkansas Municipal League**
2012 Directory
P.O. Box 38
North Little Rock, AR 72115-0038



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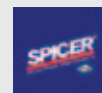
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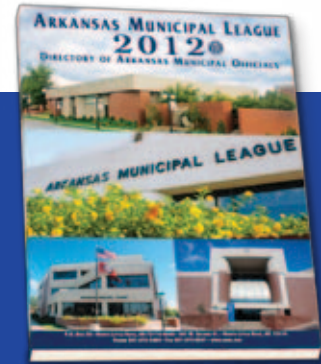
Chuck Smith, ext. 259
csmith@glvrs.com
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Charlie Holland, ext. 242
cholland@glvrs.com
Call or email Charlie for your engine and service questions.



Changes to 2012 Directory, Arkansas Municipal Officials

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



Augusta					
Delete	TEL	870-347-5252	Jennette	Delete	AL
Add	TEL	870-347-5656	Add	AL	Timothy White
Banks			Delete	AL	Ruby Brown
Add	AL	April Meadows	Add	AL	Thelma Thomas
Bono			Kensett	Delete	CA
Delete	PC	Lance Suttles	Add	CA	Kellye Shaw
Add	PC	Dustin Norwood	McRae	Delete	CA
Bull Shoals			Add	CA	Kellye Shaw
Delete	AL	Don Matejka	Monticello	Delete	PC
Add	AL	Derek Becker	Add	PC	(Vacant)
Centerton			Mountain Pine	Delete	FAX
Delete	FC/WC	Jeff Coffelt	Add	FAX	501-767-4841
Add	FC	Delton Bush	Delete	DJ	501-760-2936
Corning			Add	WS	Ralph Ohm
Delete	CA	Mary Broadway	Delete	AL	Wesley Maness
Add	CA	Mary Broadway	Add	AL	(Vacant)
Dell			Perla	Delete	FC
Delete	MA	P.O. Box 32	Add	/A/FC	Dominic Alexander
Add	MA	122 E. Main St.	Rose Bud	Delete	AL
Denning			Add	AL	Jack Majors
Delete	AL	Gary Stover	Smackover	Add	AL
Add	AL	Estevan Salazar	Trumann	Delete	PC
Dover			Add	/A/PC	Tony Rusher
Delete	R/T	Wilma Lovelady	Garner	Delete	CA
Add	R/T	(Vacant)	Add	CA	Kellye Shaw
Garner					
Delete	CA	Kellye Shaw			

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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.

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.

Fort Smith hosts preservation conference

Fort Smith will host the 2012 Arkansas Historic Preservation Conference May 16-18, the Arkansas Historic Preservation Program has announced. This year's conference focuses on historic preservation as a tool for economic revitalization and will include several informative sessions, tours, and opportunities to explore historic Fort Smith and neighboring Van Buren and Fort Chaffee. For more information please visit PreserveArkansas.org, contact Patricia Blick of the Arkansas Historic Preservation Program at 501-324-9665 or patriciab@arkansasheritage.org, or contact Historic Preservation Alliance of Arkansas Executive Director Vanessa McKuin at 501-372-4757 or vmckuin@preservearkansas.org.

Lake City lands grants

Lake City was awarded two grants in March, The Northeast Arkansas Town Crier has reported. The city received a \$15,000 grant through the Arkansas Department of Rural Services' 2012 General Improvement Funded Community Enhancement Grant Program. The money will help defer the cost of repairing and re-coating the interior and exterior of the city's 100,000-gallon elevated water tank.

The Arkansas Forestry Commission presented the Lake City Volunteer Fire Department with a \$1,000 grant to purchase fire fighting equipment.

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Seminar covers municipal basics



Camden Mayor and League First Vice President Chris Claybaker welcomes participants to the seminar "Arkansas Municipal Government Structure: Who Does What," part of the League's Voluntary Certified Continuing Education program for mayors, city managers, city directors and aldermen, held April 4 and 5 at League headquarters in North Little Rock. Both dates saw capacity crowds. Topics included the basics of local government such as incorporation and annexation, municipal classifications, forms of government and home rule, conducting meetings, understanding FOIA, and record maintenance.

ADEQ subcommittee meets at League



The Arkansas Department of Environmental Quality (ADEQ) Education and Public Participation Subcommittee discussed ways to expand ADEQ's public outreach in the state at its March 27 meeting held at League headquarters in North Little Rock. Members in attendance were, clockwise from left, Randy Thurman, Arkansas Environmental Federation; Michelle Gillham, ADEQ; Craig Fisher, Van Buren County Solid Waste; Gary Oden, SAU Tech; Randy Harper, Arkansas Environmental Training Academy; and committee chair Jack Critcher, Arkansas Municipal League. The committee agreed to work with the League to encourage cities and towns to increase participation in recycling programs and solid waste education.

Obituaries

LONNIE HARRISON BARRON, 75, died March 16. Barron was elected to the city council of Johnson in 2006 and served as the city's 10th mayor from 2007-2011.

J.W. DORTCH, 72, a longtime Paragould alderman who served from January 1977 to August 2002, died April 1.

TOM GLAZE, 74, former Arkansas Supreme Court Justice, died March 30. He served on the Arkansas Court of Appeals before being elected to the state's highest court, a position he held for 22 years.

WILLIAM R. "BUD" HARPER, 81, died March 28. Harper was a former Sebastian County Judge and former director of the Arkansas Department of Emergency Management.

DONALD JONES, 56, a captain with the Jacksonville Fire Department, was killed in the line of duty March 19. Jones, a 31-year veteran of the Jacksonville Fire Department, started his career there in 1980 and for the last 15 years had served as captain.

WILMA LOVELADY, 83, recorder/treasurer at Dover for the last 25 years, died March 17.

WILBERT A. MAY, 86, who served the city of Lake Village as alderman for 11 years, died March 25.

CLEDDIE SHOCK, 87, died March 3. Shock, a Justice of the Peace since 1995, spent 23 years on the Pine Bluff Police Department, including four years as police chief from 1973-1977.

GARY STOVER, 65, a Denning alderman for 10 years, died Jan. 11.

CHARLES HENRY VAUGHN, 68, mayor of Amagon and chief deputy with the Jackson County Sheriff's Department, died Feb. 20. Vaughn was also a former inspector for the city of Newport.

Eight tips to keep you from becoming an EEOC statistic

How can your organization avoid becoming an Equal Employment Opportunity Commission (EEOC) claim statistic when virtually every employment decision you make has the potential to result in a discrimination claim? Below are eight tips to help limit your organization's exposure.

Overall, the EEOC reported that 99,947 complaints were filed with the agency in FY2011, up from 99,922 in FY2010. Retaliation claims were the number one claim filed against employers for the third year in a row. Over 37,000 retaliation claims were filed in FY2011, accounting for 37.4 percent of the total. Race claims were a close second at 35,395 of the claims (35.4 percent), while 28,534 sex discrimination claims were filed, representing 28.5 percent of the claims, followed by disability claims (25,742 claims, 25.8 percent), age (23,465 claims, 23.5 percent), national origin (11,833 claims, 11.8 percent), religion (4,151 claims, 4.2 percent), color (2,832 claims, 2.8 percent), Equal Pay Act (919 claims, 0.9 percent), and GINA (245 claims, 0.2 percent). (The total is greater than 100 percent since claims can allege more than one form of discrimination.)

To prevent EEOC claims, you have to do more than simply adopt an equal employment opportunity (EEO) policy. You also should be concerned about those decisions that involve the subjective judgments of managers or supervisors, like promotion and transfer, training, and discipline decisions. In addition, you must reinforce your organization's commitment by applying EEO principles to all decisions, terms, conditions, and privileges of employment, and all policies, communications, and actions.

Here are eight suggestions to help limit your exposure:

- 1** Implement strong EEO policies and procedures. While simply having an EEO policy is not enough (see the next seven tips), you still have to make sure that you specifically state your organization's commitment to equal employment opportunity for applicants and employees. Your policy should include all federal employment laws that cover your organization as well as any state and local EEO obligations. Currently, federal law prohibits discrimination based on race, religion, color, sex, age, national origin, disability, military status, and genetic information. State laws often cover other categories as well, such as marital status and sexual orientation.

- 2** Train supervisors and managers to make decisions based on performance, skills, and experience, but not on group stereotypes. Pay special attention to your hiring, discipline, and termination processes. For example, review application forms and train interviewers about inappropriate questions; discipline consistently; and follow specific termination procedures to ensure good decisions.
- 3** Make sure that managers follow your policies and procedures consistently. You do not necessarily have to treat every employee exactly the same, but you should treat "similarly situated" employees (those with similar jobs, performance histories, and length of employment) as consistently as possible, or have business-related reasons for inconsistencies.
- 4** Review disciplinary and termination actions before implementing them. In particular, involuntary terminations should be reviewed before implementation by the HR department or someone at least one level of management above the immediate supervisor to ensure that discharge is the appropriate course of action.
- 5** Document all employment decisions to show the nondiscriminatory reasons for the actions and explain the decisions to affected employees. You should provide an accurate accounting of the facts behind the decision and any steps taken prior to the disciplinary action (such as counseling sessions and warnings to improve). These records can be a critical last line of defense if you have to justify your actions or defend a lawsuit.
- 6** Give employees an opportunity to complain to you. Encourage use of any internal complaint resolution procedures offered by your organization. Some employers set up a site on their Intranets so that employees can lodge complaints internally. If you can get your employees to complain to you, you have a better chance of solving problems and avoiding government agency or court action.
- 7** Make sure you respond to complaints. It is not sufficient just to have a complaint process, since discrimination laws also require you to respond to these complaints promptly. Many courts have held employers liable because they did not respond to incidents of discrimination that they knew or should have known about. (Harassment complaints often are lost on this point.) So, you should investigate

every complaint and come to some resolution that you communicate to the complaining employee.

- 8 Implement and enforce clear “no retaliation” policies so that managers and coworkers understand the seriousness of the issue. For example, harassment, equal employment opportunity, and complaint policies should state plainly that you prohibit retaliation against employees who make complaints or provide information about discrimination or other protected activity. Managers should be trained to know what actions can be interpreted as retaliatory.



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EEOC issues new guidance on employing veterans with disabilities

The Equal Employment Opportunity Commission (EEOC) has released new guidance addressing how changes to the Americans with Disabilities Act (ADA) affect the employment of veterans with disabilities.

One of the guides is aimed at employers, and the other is for veterans. Both are available at www.eeoc.gov.

The guides reflect changes brought about by the ADA Amendments Act of 2008 (ADAAA). That law makes it “easier for veterans with a wide range of impairments—including those that are often not well understood—such as traumatic brain injuries and posttraumatic stress disorder, to get needed reasonable accommodations” to help them acquire and perform jobs, according to a statement from the EEOC.

“Veterans and the Americans with Disabilities Act: A Guide for Employers” explains how protections for veterans with service-connected disabilities differ under the ADA and the Uniformed Services Employment and Reemployment Rights Act (USERRA). It also explains how employers can prevent disability-based discrimination and provide reasonable accommodations, according to the EEOC statement.

In the introduction to the guide, the EEOC says that about 25 percent of recent veterans report having a service-connected disability. That compares to about 13 percent of all veterans. Common injuries incurred by the recent veterans include missing limbs, burns, spinal cord injuries, posttraumatic stress disorder, hearing loss, and traumatic brain injuries.

The employer’s guide explains how the ADA applies to recruiting, hiring, and accommodating veterans with disabilities and how protections for veterans with

disabilities differ under USERRA and the ADA. The guide is in question-and-answer format. Here are some of the questions:

- What protections does the ADA provide to veterans with disabilities?
- When is a veteran with a service-connected disability protected by the ADA?
- What steps should an employer take if it asks an applicant to self-identify as a “disabled veteran” for affirmative action purposes?
- May a private employer give preference in hiring to a veteran with a disability over other applicants?
- What are some specific steps employers may take to recruit and hire veterans with disabilities?
- May an employer ask a veteran with a disability whether a reasonable accommodation is needed if none has been requested?
- How does USERRA differ from the ADA?

The EEOC says that three million veterans have returned from military service over the past decade, and another one million are expected to return to civilian life during the next five years because of the anticipated drawdown of operations in the Middle East. The EEOC says that an October report from the Bureau of Labor Statistics shows unemployment for post-9/11 veterans hovers around 12 percent, which is more than three percentage points higher than the overall unemployment rate.

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2012 Estimated State Turnback Funds

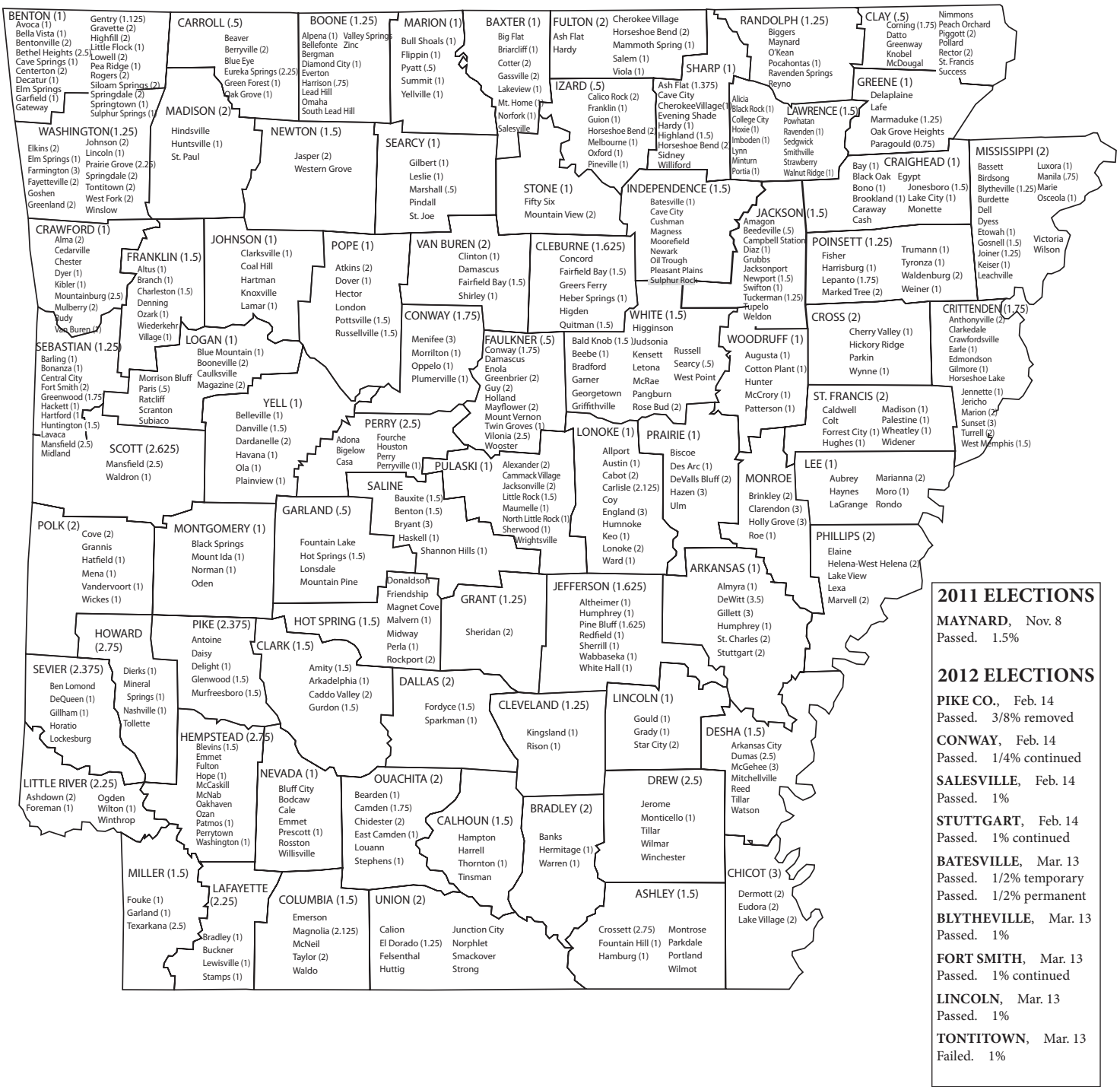
Actual Totals Per Capita						
	STREET		SEVERANCE TAX		GENERAL	
MONTH	2011	2012	2011	2012	2011	2012
January	\$3.572	\$3.479	\$0.329	\$0.286	\$3.344	\$3.134
February	\$4.020	\$3.780	\$0.291	\$0.258	\$1.070	\$1.01
March	\$3.216	\$3.253	\$0.373	\$0.431	\$1.000	\$1.01
April	\$3.368	\$-	\$0.375	\$-	\$1.000	\$-
May	\$3.703	\$-	\$0.346	\$-	\$0.990	\$-
June	\$3.676	\$-	\$0.341	\$-	\$1.010	\$-
July	\$3.662	\$-	\$0.363	\$-	\$2.900	\$-
August	\$3.818	\$-	\$0.412	\$-	\$1.010	\$-
September	\$3.732	\$-	\$0.395	\$-	\$1.010	\$-
October	\$3.531	\$-	\$0.402	\$-	\$1.010	\$-
November	\$3.512	\$-	\$0.393	\$-	\$0.920	\$-
December	\$3.284	\$-	\$0.376	\$-	\$1.010	\$-
Total Year	\$43.096	\$10.511	\$4.394	\$0.975	\$16.2736	\$5.145

Actual Totals Per Month						
	STREET		SEVERANCE TAX		GENERAL	
MONTH	2011	2012	2011	2012	2011	2012
January	\$6,297,470.92	\$6,537,582.03	\$578,646.75	\$537,347.01	* \$5,889,430.45	* \$5,889,623.14
February	\$7,080,721.02	\$7,103,104.25	\$511,874.74	\$485,627.91	\$1,889,837.05	\$1,889,245.23
March	\$6,041,952.97	\$6,111,822.72	\$699,895.94	\$809,523.74	\$1,878,361.11	\$1,889,603.23
April	\$6,328,001.75		\$704,744.69		\$1,883,619.31	
May	\$6,957,111.57		\$650,134.81		\$1,860,445.27	
June	\$6,906,168.25		\$639,925.58		\$1,889,921.24	
July	\$6,879,119.02		\$682,553.18		** \$5,443,030.68	**
August	\$7,173,125.80		\$773,146.02		\$1,889,129.92	
September	\$7,011,103.63		\$741,466.34		\$1,890,081.33	
October	\$6,633,476.96		\$755,415.22		\$1,890,081.33	
November	\$6,597,419.28		\$738,267.62		\$1,734,293.45	
December	\$6,170,333.10		\$706,663.00		\$1,890,081.33	
Total Year	\$80,076,004	\$19,752,509.00	\$8,182,733.89	\$1,832,498.66	\$30,028,312	\$9,668,471.60

* Includes \$4 million appropriation from the Property Tax Relief Fund

** Includes \$ supplemental in July

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
March	\$40,360,002	\$33,606,662	\$36,819,087	\$34,174,199	\$77,179,089	\$67,780,861	\$13,222	\$35,321
Total	\$124,730,721	\$110,965,719	\$118,701,110	\$112,594,020	\$243,431,832	\$223,559,739	\$48,374	\$97,312
Averages	\$41,576,907	\$36,988,573	\$39,567,037	\$37,531,340	\$81,143,944	\$74,519,913	\$16,125	\$32,437

Jericho	587.27	622.79	Jefferson County	612,891.53	313,497.78	Black Springs	420.29	416.12	Hackett	11,692.35	10,552.83
Marion	60,923.17	64,608.24	Alzheimer	8,830.61	7,858.06	Glenwood	178.30	176.53	Hartford	9,244.44	8,343.49
Sunset	879.43	932.62	Humphrey	2,764.05	2,459.64	Mount Ida	4,567.93	4,522.63	Huntington	9,143.65	8,252.52
Turrell	2,731.55	2,896.78	Pine Bluff	440,480.41	391,968.55	Norman	1,604.73	1,588.80	Lavaca	32,960.33	29,748.36
West Memphis	129,520.36	137,354.66	Redfield	11,639.53	10,357.62	Oden	984.91	975.14	Mansfield	10,410.80	9,396.18
Cross County	210,461.05	206,222.34	Sherrill	753.83	670.81	Nevada County	27,968.40	28,906.93	Midland	4,679.82	4,223.73
Cherry Valley	5,405.81	5,296.93	Wabbaseka	2,288.42	2,036.39	Bluff City	775.51	801.53	Sevier County	222,147.84	223,820.65
Hickory Ridge	2,258.65	2,213.16	White Hall	49,591.41	44,129.69	Bodcaw	863.07	892.03	Ben Lomond	1,011.96	1,019.58
Parkin	9,175.75	8,990.95	Johnson County	102,607.36	95,133.26	Cale	494.07	510.65	DeQueen	46,019.74	46,366.27
Wynne	69,478.31	68,079.01	Clarksville	75,368.58	69,875.09	Emmet	2,970.70	3,070.39	Gilham	1,116.65	1,125.05
Dallas County	136,691.20	107,084.22	Coal Hill	8,310.42	7,705.07	Prescott	20,613.56	21,305.29	Horatio	7,286.11	7,340.97
Desha County	89,420.55	71,582.14	Hartman	4,261.96	3,951.51	Rosston	1,632.32	1,687.10	Lockesburg	5,157.51	5,196.34
Arkansas City	3,449.40	2,761.28	Knoxville	6,002.88	5,565.62	Willisville	950.63	982.53	Sharp County	60,083.21	58,634.85
Dumas	44,352.14	35,504.38	Lamar	13,180.06	12,220.00	Newton County	45,182.83	51,519.41	Ash Flat	7,186.81	7,013.57
McGehee	39,762.36	31,830.21	Lafayette County	77,885.55	74,217.31	Jasper	1,808.09	2,061.66	Cave City	12,774.92	12,466.97
Mitchellville	3,392.85	2,716.02	Bradley	3,670.63	3,497.76	Western Grove	1,489.93	1,698.88	Cherokee Village	28,439.24	27,753.69
Reed	1,328.87	1,063.77	Buckner	1,607.36	1,531.66	Ouachita County	295,742.42	310,950.25	Evening Shade	3,168.06	3,091.69
Tillar	197.92	158.43	Levisville	7,481.55	7,129.18	Bearden	7,759.44	8,158.45	Hardy	5,353.44	5,224.39
Watson	1,988.58	1,591.90	Stamps	9,895.53	9,429.46	Camden	97,860.55	102,892.80	Highland	7,663.49	7,478.75
Drew County	373,555.02	262,352.88	Lawrence County	107,497.64	107,845.11	Chidester	2,305.34	2,423.89	Horseshoe Bend	58.67	57.25
Jerome	405.99	384.22	Alicia	579.75	581.63	East Camden	7,478.30	7,862.86	Sidney	1,327.36	1,295.36
Monticello	98,550.78	93,266.80	Black Rock	3,095.14	3,105.14	Louann	1,317.34	1,385.08	Williford	550.01	536.76
Tillar	2,123.63	2,009.76	College City	2,127.32	2,134.20	Stephens	7,157.01	7,525.03	St. Francis County	119,694.88	118,915.94
Wilmar	5,319.47	5,034.26	Hoxie	12,997.71	13,039.73	Perry County	89,248.36	89,951.25	Caldwell	7,875.60	7,824.34
Winchester	1,738.45	1,645.25	Imboden	3,165.27	3,175.50	Adona	795.35	801.61	Colt	5,363.92	5,329.02
Faulkner County	621,112.15	547,397.86	Lynn	1,346.53	1,350.88	Bigelow	1,198.73	1,208.17	Forrest City	218,118.55	216,699.10
Damascus	737.26	649.76	Minturn	509.62	511.27	Casa	650.74	655.86	Hughes	20,448.18	20,315.10
Enola	1,887.83	1,663.78	Portia	2,043.17	2,049.77	Fourche	235.94	237.80	Madison	10,912.32	10,841.30
Holland	3,111.01	2,741.79	Powhatan	336.63	337.72	Houston	658.35	663.54	Palestine	9,663.57	9,600.68
Mount Vernon	809.87	713.75	Ravenden	2,197.46	2,204.56	Perry	1,027.48	1,035.58	Whateley	5,037.54	5,004.76
Wooster	4,803.34	4,233.28	Sedgwick	710.67	712.96	Perryville	5,556.03	5,599.78	Widener	3,873.93	3,848.74
Franklin County	146,273.09	143,559.05	Smithville	364.68	365.86	Phillips County	89,081.86	99,727.50	Stone County	74,891.24	65,504.58
Altus	5,722.43	5,616.26	Strawberry	1,411.98	1,416.55	Elaine	9,971.99	11,163.68	Fifty Six	1,367.70	1,196.27
Branch	2,770.62	2,719.22	Walnut Ridge	22,862.89	22,936.79	Helena-West Helena	158,016.12	176,899.63	Mountain View	21,725.02	19,002.07
Charleston	18,828.16	18,478.81	Lee County	25,543.63	26,528.04	Lake View	6,945.90	7,775.96	Union County	459,292.27	418,863.82
Denning	3,555.76	3,489.78	Aubrey	791.55	822.05	Lexa	4,484.26	5,020.14	Calion	13,389.85	12,211.23
Ozark	27,811.93	27,295.89	Haynes	698.42	725.34	Marvell	18,595.56	20,817.80	El Dorado	570,124.23	519,940.00
Wiederkehr Village	286.89	281.55	LaGrange	414.40	430.37	Pike County	138,923.13	134,081.84	Feisenthal	3,280.95	2,992.15
Fulton County	86,460.48	80,051.07	Marianna	19,160.05	19,898.44	Antoine	723.10	697.90	Huttig	18,352.30	16,736.87
Ash Flat	428.38	396.62	Moro	1,005.73	1,044.49	Daisy	710.74	685.97	Junction City	16,370.37	14,929.40
Cherokee Village	3,330.41	3,083.52	Rondo	921.92	957.44	Delight	1,724.32	1,664.23	Norphlet	20,654.97	18,836.86
Hardy	176.39	163.31	Lincoln County	45,105.38	40,257.94	Glenwood	13,512.29	13,039.47	Smackover	54,340.78	49,557.53
Horseshoe Bend	71.40	66.10	Gould	3,570.38	3,186.67	Murfreesboro	10,141.99	9,788.55	Strong	15,461.25	14,100.30
Mammoth Spring	4,103.17	3,798.99	Grady	1,915.29	1,709.46	Poinsett County	101,690.86	98,816.99	Van Buren County	217,486.97	188,740.31
Salem	6,866.61	6,357.58	Star City	9,700.18	8,657.70	Fisher	1,514.15	1,471.36	Clinton	19,319.31	16,765.75
Viola	1,415.31	1,310.41	Little River County	141,069.53	262,073.55	Harrisburg	15,535.33	15,096.28	Damascus	1,856.20	1,610.85
Garland County	586,998.15	554,850.29	Ashtown	28,774.72	53,456.56	Lepanto	12,853.31	12,490.06	Fairfield Bay	16,000.42	13,885.54
Fountain Lake	3,119.26	2,948.43	Foreman	6,159.48	11,442.82	Marked Tree	17,422.92	16,930.54	Shirley	2,160.61	1,875.03
Lonsdale	582.92	551.00	Ogden	1,096.64	2,037.30	Trumann	49,179.36	47,789.50	Washington County	1,049,763.24	962,562.87
Mountain Pine	4,775.02	4,513.50	Wilton	2,278.58	4,233.06	Tyronza	5,173.92	5,027.70	Elkins	31,265.64	28,668.50
Grant County	146,911.86	147,934.71	Winthrop	1,169.76	2,173.13	Waldenburg	414.18	402.48	Elm Springs	17,675.48	16,207.23
Greene County	123,159.68	133,965.32	Logan County	85,834.89	77,413.70	Weiner	4,861.58	4,724.19	Farmington	70,536.60	64,677.36
Delaplaine	1,065.92	1,159.44	Blue Mountain	845.73	762.76	Polk County	207,701.65	211,915.44	Fayetteville	868,778.53	796,611.97
Lafe	4,208.55	4,577.79	Booneville	27,213.44	24,545.56	Cove	6,230.24	6,356.64	Goshen	12,645.58	11,595.15
Marmaduke	10,208.94	11,104.64	Caulksville	1,452.75	1,310.22	Grannis	9,035.48	9,218.78	Greenland	14,865.35	13,630.53
Oak Grove Heights	8,168.99	8,885.71	Magazine	5,776.89	5,210.12	Hatfield	6,735.82	6,872.48	Johnson	39,601.57	36,311.99
Paragould	239,951.39	261,003.98	Morrison Bluff	436.51	393.68	Mena	93,567.68	95,465.96	Lincoln	26,554.54	24,348.74
Hempstead County	490,901.74	548,481.50	Paris	24,089.70	21,726.28	Vandervoort	1,418.92	1,447.72	Prairie Grove	51,715.82	47,419.96
Blevins	3,050.42	3,408.21	Ratcliff	1,377.72	1,242.56	Wickes	12,297.38	12,546.84	Springdale	752,630.47	690,111.94
Emmet	416.41	465.25	Scranton	1,527.77	1,377.88	Pope County	281,045.80	265,480.56	Tontitown	29,045.87	26,633.13
Fulton	1,946.46	2,174.76	Subiaco	3,901.27	3,518.52	Atkins	33,752.80	31,883.46	West Fork	27,357.43	25,084.94
Hope	97,758.62	109,225.10	Loneke County	211,771.01	204,695.55	Dover	15,421.54	14,567.44	Winslow	4,616.61	4,233.16
McCasill	929.65	1,038.69	Allport	856.32	827.71	Hector	5,036.06	4,757.15	White County	813,897.22	767,122.90
McNab	658.50	735.74	Austin	15,175.43	14,668.41	London	11,627.71	10,983.73	Bald Knob	31,673.36	29,853.11
Oakhaven	610.08	681.64	Cabot	177,041.75	171,126.63	Pottsville	31,760.76	30,001.75	Beebe	79,976.06	75,379.87
Ozan	823.13	919.68	Carlisle	16,485.97	15,935.16	Russellville	312,459.62	295,154.58	Bradford	8,298.27	7,821.37
Patmos	619.77	692.46	Coy	714.84	690.96	Prairie County	28,959.84	26,024.85	Garner	3,105.02	2,926.57
Perrytown	2,634.01	2,942.96	England	21,035.62	20,332.80	Biscoe	2,401.19	2,157.84	Georgetown	1,355.71	1,277.80
Washington	1,743.09	1,947.57	Humnoke	2,114.73	2,044.08	Des Arc	11,357.71	10,206.64	Griffithville	2,459.96	2,318.59
Hot Spring County	258,847.28	227,747.72	Keo	1,906.24	1,842.55	DeValls Bluff	4,094.60	3,679.62	Higginson	6,789.49	6,399.30
Donaldson	2,094.46	1,842.82	Loneke	31,609.28	30,553.19	Hazen	9,710.61	8,726.47	Judsonia	22,074.05	20,805.46
Friendship	1,224.67	1,077.53	Ward	30,283.85	29,272.02	Ulm	1,124.52	1,010.56	Kensett	18,017.85	16,982.37
Magnet Cove	34.79	30.61	Madison County	154,019.28	144,724.75	Pulaski County	747,480.28	714,813.72	Letona	2,787.96	2,627.73
Malvern	71,796.29	63,170.23	Hindsville	324.94	305.33	Alexander	3,618.42	3,460.29	McRae	7,456.42	7,027.90
Midway	2,706.80	2,381.59	Huntsville	12,496.69	11,742.56	Cammack Village	11,775.21	11,260.60	Pangburn	6,570.83	6,193.21
Perla	1,676.96	1,475.48	St. Paul	601.92	565.60	Jacksonville	434,885.35	415,879.89	Rose Bud	5,269.78	4,966.93
Rockport	5,253.57	4,622.36	Marion County	62,898.04	69,101.53	Little Rock	2,967,167.97	2,837,496.12	Russell	2,361.56	2,225.84
Howard County	271,658.33	282,404.57	Bull Shoals	10,835.87	11,904.53	Maumelle	263,148.26	251,648.09	Searcy	249,910.17	235,547.94
Dierks	13,308.18	13,834.62	Flippin	7,529.54	8,272.12	North Little Rock	955,263.60	913,516.45	West Point	2,022.63	1,906.39
Mineral Springs	14,189.12	14,750.41	Pyatt	1,228.07	1,349.18	Sherwood	452,655.49	432,873.43	Woodruff County	14,694.64	8,392.26
Nashville	54,348.58	56,498.50	Summit	3,687.35	3,687.35	Wrightsville	32,412.48	30,996.00	Augusta	15,199.22	8,680.43
Tollette	2,819.03	2,930.56	Yellville	6,690.45	7,350.28	Randolph County	103,707.92	103,888.24	Cotton Plant	4,485.81	2,561.89
Independence County	439,907.26	414,580.27	Miller County	361,204.57	358,632.54	Biggers	2,514.39	2,518.77	Hunter	725.75	414.48
Batesville	108,556.04	102,306.09	Fouke	7,152.57	7,101.63	Maynard	3,086.84	3,092.20	Leslie	11,950.63	6,825.13
Cave City	1,716.05	1,617.25	Garland	7,152.57	7,101.63	O'Kean	1,405.74	1,408.19	Patterson	3,124.17	1,784.24
Cushman	4,787.99	4,512.33	Texarkana	160,932.72	159,786.78	Pocahontas	47,882.19	47,965.45	Yell County	87,197.65	83,093.63
Magness	2,139.77	2,165.57	Mississippi County	632,648.08	552,319.03	Ravenden Springs	855.04	856.53	Belleville	2,481.67	2,364.87
Moorefield	1,451.23	1,367.68	Bassett	1,962.35	1,713.19	Reyno	3,304.22	3,309.95	Danville	13,556.33	12,918.29
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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.

CITY ENGINEER—Norman, Okla., is seeking a new City Engineer. Visit www.governmentresource.com for complete position profile. To apply, email resume and cover letter to Bill Peterson, Senior Vice President, Executive Search, Strategic Government Resources, Bill@GovernmentResource.com, 479-450-4442.

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.

FOR SALE—Rison has for sale a 2002 Dodge Durango. 140K miles. Good shape, white, good tires, front bumper guard. Asking \$4,000 OBO from another police agency. Call 870-325-6381 or email cityofrison@tds.net for pictures.

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.

WASTEWATER OPERATOR—Menifee is accepting applications or proposals for Wastewater Operations and Maintenance Operator. Qualifications: HS Diploma or GED; Class I Operator's License with ability to obtain Class II License within one year. Must possess valid state driver's license. Wastewater Treatment Facility duties: submit discharge monitoring reports; coordinate with commercial laboratory for all required testing; maintain daily operating reports; maintain facility grounds and facility operation. Sewer Collection System Duties: maintain daily pump station operating reports, provide inspection of all residential/commercial sewer service connections, maintain collection system operation; approx. 20 hrs. per wk. Send proposal/resume to: Town of Menifee, Attn: Mayor Lee Smith, P.O. Box 38, Menifee, AR 72107, 501-354-0898. Applications taken until position filled.

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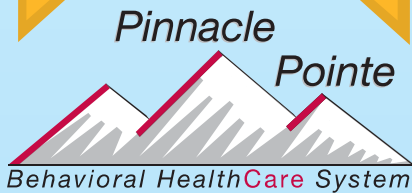
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