

City & Town

JULY 2012 VOL. 68, NO. 07

THE OFFICIAL PUBLICATION OF THE ARKANSAS MUNICIPAL LEAGUE



Mayor Chris Claybaker
Camden
President



Mayor Jackie Crabtree
Pea Ridge
First Vice President

New leaders named during 78th Convention



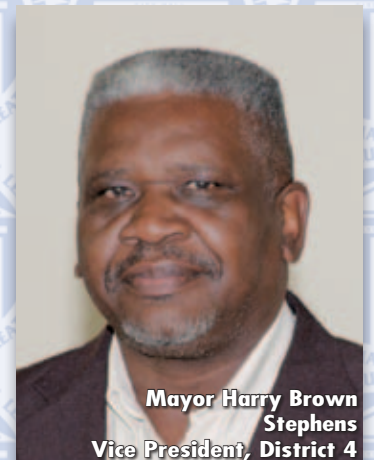
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Jonesboro
Vice President, District 1



Mayor Michael Watson
Maumelle
Vice President, District 2



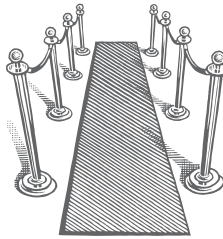
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FEATURES

6 League preps for year at 78th Convention

Municipal Leaders from across the state prepped for upcoming ballot issues, updated the League's *Policies and Goals*, elected new officers, and shared ideas on mutual challenges at the successful 78th Convention, June 20-22 in Hot Springs.

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34 Municipal election statutes in review

2012 is an election year for some municipal positions. Take time to review election laws, filing dates, and other important election-year information.

50 Lake Village dedicates municipal complex

The restored John L. Tushek building is now home to Lake Village's municipal offices and a cornerstone of downtown.



ON THE COVER—The League has a new slate of officers for 2012-2013. They were elected and began their terms June 22, the final day of a successful and well-attended 78th Convention, held June 20-22 in Hot Springs. New League President Chris Claybaker, mayor of Camden, will appoint a new Executive Committee, the members of which, along with advisory council members, will appear in the August issue of *City & Town*. Revisit the 78th Convention inside beginning on page 6.—atm

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Dear Friends:

A record number of attendees experienced another great Annual Convention of the Arkansas Municipal League. It not only allowed all of us in attendance to learn from the many workshops available, but to also renew old friendships and meet new fellow elected and appointed municipal officials. At the end of the 78th Convention I was given one of the biggest honors of my career in municipal government—being elected to serve as president of the League. When I was first elected mayor of Camden back in 1995, I would have never dreamed that I would be given this great opportunity to lead an organization that has been such an important asset to Arkansas municipalities for almost 80 years.



I follow in the footsteps of many dynamic leaders of our state, true public servants to everyone. And high on my list of dynamic leaders and public servants is Mayor Frank Fogleman, outgoing League president. Frank did a fantastic job, and I hope everyone will join me in thanking him for the long hours and dedication he put into this job. His leadership ability and style made it look easy, but I can attest that he took the responsibility seriously and worked hard to assure the League maintained its reputation as one of the best in the nation. I would like to especially thank Frank for including me in so many areas of leadership this past year, providing me with insights into the responsibilities that go along with the honor of serving as president. Frank, you “done” us proud!

Reiterating what I said in my acceptance speech, the honor of serving you as your president this coming year ranks up there as one of the big five, the top five events of my life—becoming a Christian, marrying my wife of 41 years, the births of my children and grandchildren, being elected mayor of Camden, and now being elected president of the Arkansas Municipal League representing all 500 cities and towns of Arkansas. Serving as your president is not only a great honor but also an awesome responsibility that I do not and will not take lightly. I assure you I will dedicate myself to this responsibility to the best of my abilities. If you have any ideas or suggestions during the next year, please let me know. Making the League the best it can be is not the work of one person but requires all of us working together.

In my acceptance speech I outlined three goals I would like to see us accomplish during my term as president. These goals are: first, protect the interests of our state’s cities in the next session of the State Legislature as well as furthering the goals and objectives recommended by the Resolutions Committee and adopted by the Convention; secondly, work with League staff, Arkansas Capital and statewide bond attorneys to develop legislation and/or amendments to the state Constitution to better access federal economic development tools available to our surrounding states but not available to Arkansas local governments; and lastly, develop programs perhaps through the Sister Cities program in partnership with the Arkansas Municipal League and the Arkansas Economic Development Commission to further the economic development reach of all of our cities. I have already begun to move forward with the economic development initiatives by appointing an Economic Development Advisory Board pending approval of the Executive Committee.

I’m excited about the upcoming year and look forward to working with and for each of you.

Chris Claybaker
Mayor, Camden
President, Arkansas Municipal League

Arkansas Municipal League Officers

Mayor Chris Claybaker, **Camden**
Mayor Jackie Crabtree, **Pea Ridge**
Mayor Harold Perrin, **Jonesboro**
Mayor Michael Watson, **Maumelle**
Mayor Doug Sprouse, **Springdale**
Mayor Harry Brown, **Stephens**
Don A. Zimmerman

President
First Vice President
Vice President, District 1
Vice President, District 2
Vice President, District 3
Vice President, District 4
Executive Director

EXECUTIVE COMMITTEE: TBA

PAST PRESIDENTS: Mayor Tab Townsell, **Conway**; Mayor JoAnne Bush, **Lake Village**; Mayor Frank Fogleman, **Marion**; Mayor Stewart Nelson, **Morrilton**; Mayor Patrick Henry Hays, **North Little Rock**; Alderman Murry Witcher, **North Little Rock**; Mayor Mike Gaskill, **Paragould**; Mayor Robert Patrick, **St. Charles**; Mayor Gene Yarbrough, **Star City**

LARGE FIRST CLASS CITIES: TBA

FIRST CLASS CITIES: TBA

SECOND CLASS CITIES: TBA

INCORPORATED TOWNS: TBA

PUBLIC SAFETY: TBA

MUNICIPAL HEALTH BENEFIT FUND BOARD OF TRUSTEES: Clerk/Treasurer Mitri Greenhill, **Stuttgart**, District 1; Mayor David Morris, **Searcy**, District 2; Clerk/Treasurer Barbie Curtis, **Van Buren**, District 3; Mayor Billy Ray McKelvy, **De Queen**, District 4; Mayor Frank Anderson, **Bella Vista**, At-Large Member

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78th Convention sets agenda, breaks records

By Andrew Morgan, League staff

HOT SPRINGS—City and Town leaders from across the state prepared for the next year, set the legislative agenda for 2013's General Session of the Arkansas Legislature, discussed issues of mutual interest, and elected a new slate of officers at the Arkansas Municipal League's 78th Convention, held June 20-22 at the Hot Springs Convention Center.

The delegate count was slightly down from last year, but overall attendance was 1,489, three more than last year, making the 78th the most-attended Convention in League history. A record was also set in the Hot Springs Convention Center Exhibit Hall, with 100 vendors and agencies offering a variety of services to municipalities. The 78th also featured another first with a new Social Media Lab, which assisted 21 cities and towns in developing their social media outreach strategies.

The League was honored to host the current National League of Cities President and mayor of Bluffton, Ind., Ted Ellis at the Convention's Opening General Session, Thursday, June 21. Ellis said municipal leaders have three callings: to advocate, educate, and congregate. He stressed the importance of gathering with fellow League members to share and learn.



Ellis

Ellis encouraged Arkansas's municipal leaders to watch the important Marketplace Fairness Act currently before Congress (the House's version is the Marketplace Equity Act), which aims to level the playing field among traditional sellers and online retailers.

"Brick and mortar businesses start off with a five to six percent disadvantage," Ellis said. "It's not a new tax. It's collecting a tax that already exists. Let's get to work."

Delta Regional Authority Federal Co-Chair Chris Masingill discussed the agency's ongoing work in the nation's poorest region, which includes 42 counties in eastern Arkansas. Leveraging the DRA's relatively small budget into bigger gains for the region is the best tool we have, he said.



Masingill

"Our goal is very simple," Masingill said. "I get up every day and I think about how to take the small amount of resources that we get and leverage them to get the biggest impact that we possibly can."

The DRA has achieved a funding leverage ratio of 23:1. It has leveraged \$1.4 billion in private investment across the eight-state region it serves and has created more than 6,000 jobs.

Economic signs are improving, but we're not there yet and cities know that, he said. Education, which includes workforce training, is the "number one competitive tool that we have," he said. Mayors have a tremendous impact on workforce training in their communities, he said.

Masingill urged local leaders not to treat regionalism like a dirty word. The 21st Century economy and our looming infrastructure crisis demands regional cooperation, he said. He reminded city and town leaders that Arkansas is split into 12 economic development regions. "Are you at the table?" he asked.

Avoid partisanship, Beebe urges local leaders

Gov. Mike Beebe, speaking at the 78th Convention's Opening General Session, praised the ability of our municipalities to come together and cooperate to solve problems and work for the betterment of our citizens.



Beebe

"I guess the bottom line is, we're not Washington, D.C." Beebe said, referencing the gridlock of recent years in our nation's capital.

"We're as susceptible as the rest of the country to falling into the trap of overt partisanship," he said. "We're not immune to those same forces that have apparently attacked our country from the inside over the past several years, not getting along because you have a 'D' or an 'R' or an 'I' or something else beside your name."

Cities and towns have for the most part been able to operate in a bi- or non-partisan manner in order to best serve the citizens.

"Once in a while we ought to send that message to Congress and see if they couldn't do that."

With work and understanding, consensus can be reached without compromising principles, Beebe said.

"This country was built on a foundation of a consensus-building democracy where everybody didn't get their way all the time."

Washington should learn from local leaders how to listen to constituents and work together to solve problems, he said.

"Why can't they understand that more often than not, there are good ideas that come from somebody other than themselves? You see it every day. You have to deal with it every day. We've got council members here and mayors here who deal with folks in their own city government that more often than not they don't agree

with. But they have to deal with them in a fashion that best serves the people who happen to be their bosses, and that's the constituents that we all represent."

Resolutions for 2012-2013 adopted



League First Vice President Chris Claybaker, mayor of Camden, presides during the Resolutions Committee meeting.

The Resolutions Committee, which is comprised of one delegate from each member city and town, met twice during the 78th Convention to discuss and vote upon the resolutions that will guide League policy for the coming year and shape the League's legislative agenda for the upcoming 2013 session of the General Assembly. A package of 25 resolutions was approved by the Committee and then approved by the full body at the Annual Business Meeting on Friday, June 22. The package will become part of the League's *Policies and Goals 2012-2013*.

The League renewed its support of Sheffield Nelson's campaign to raise the state's severance tax on natural gas to seven percent of market value. The League also voted



Nelson

to support Proposed Constitutional Amendments 1 and 2, which will appear on the ballot in November's general election.

"We've been down a long path together on this severance tax issue," Nelson told municipal leaders and thanked them for their continued support on the controversial topic. He called the efforts of opponents of the measure to paint the increase as a job killer "acts of desperation." He urged municipal leaders to continue to fight the misinformation coming from the other side.

Arkansas economist Charles Venus came out of retirement in recent months to produce a study on the impact of the proposed severance tax increase. The increase would generate about \$150 million, he said, or the equivalent of just one day's profit a year for the gas companies.



Venus

"Not revenue, profit," he stressed. "The numbers are so big you can't get your mind around it."

Exxon-Mobile last year made \$41 billion in profit last year. The three producers in the state are making a return on equity of 25 percent, he said.

"When you calculate that, the 25 percent minus the \$150 million is still 25 percent, the numbers are so big," Venus said. "So theoretically, we could take \$150 million a year and it won't change their damn profit at all!"

The League also approved resolutions seeking legislative support for increased funding for the training of municipal water and wastewater personnel, to make runoff election laws more consistent, to more easily elect city council members when wards have been restructured after a census, to provide for a mechanism of enforcement for the parks tax, and others.

Look for the complete *Policies and Goals 2012-2013* to be included as an insert in the August issue of *City & Town*.

New officers elected

Outgoing League President Frank Fogleman, mayor of Marion, introduced the League's new slate of officers for 2012-2013, elected by their peers, at the 78th Convention's closing new officers and awards luncheon on June 22.

The new officers are: President, Mayor Chris Claybaker, Camden; First Vice President, Mayor Jackie Crabtree, Pea Ridge; District 1 Vice President, Mayor Harold Perrin, Jonesboro; District 2 Vice President, Mayor Mike Watson, Maumelle; District 3 Vice President, Mayor Doug Sprouse, Springdale; District 4 Vice President, Mayor Harry Brown, Stephens.



Camden Mayor and New League President Chris Claybaker, right, presents outgoing League President Frank Fogleman with the President's Plaque to honor him for his year of service.

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Certificates of Appreciation

The League each year awards Certificates of Appreciation to those who have served on various boards or commissions in the past year. Recipients were recognized at the Opening Night Banquet of the 78th Convention.

Alderman Verdia Hillard, **Anthonyville**, Advisory Council

City Director Roland Gosey, **Arkadelphia**, Advisory Council

Mayor Johnny McMahan, **Bauxite**, Advisory Council

Alderman Allison Cain, **Bauxite**, Advisory Council

Alderman Elizabeth Sweat, **Bauxite**, Advisory Council

Alderman James Wozniak, **Bella Vista**, Advisory Council

Alderman Missy Langston, **Blytheville**, Advisory Council

Mayor James Sanders, **Blytheville**, Advisory Council

Mayor Jill Dabbs, **Bryant**, Advisory Council

Police Chief Mark Kizer, **Bryant**, Advisory Council

Director of Operations Eddie Cook, **Cabot**, Advisory Council

Alderman Dona Burton, **Caddo Valley**, Advisory Council

Alderman Chris Aregood, **Camden**, Advisory Council

Alderman Austin Zamora, **Caraway**, Advisory Council

Alderman Richard Hawkins II, **Cave City**, Advisory Council

Alderman Wendell Moore, **Cedarville**, Advisory Council

Mayor Bill Edwards, **Centeron**, Advisory Council

Alderman Don Stimpson, **Clarksville**, Advisory Council

Alderman David Harbour, **Crossett**, Advisory Council

Mayor Bruce Ledford, **Elkins**, Advisory Council

Alderman Adella Gray, **Fayetteville**, Advisory Council

Chief of Staff Don Marr, **Fayetteville**, Advisory Council

Vice Mayor Kevin Settle, **Fort Smith**, Advisory Council

Alderman Essie Cableton, **Gould**, Advisory Council

Mayor Jeff Crockett, **Harrison**, Advisory Council

Mayor Deborah Brown, **Haynes**, Advisory Council

Mayor Arnell Willis Sr., **Helena-West Helena**, Advisory Council

Alderman John Grochowski, **Horseshoe Bend**, Advisory Council

City Director Karen Garcia, **Hot Springs**, Advisory Council

Alderman John Street, **Jonesboro**, Advisory Council

Mayor Jon Milligan, **Lake City**, Advisory Council

Assistant to Mayor Deannie Johnson, **Lake Village**, Advisory Council

Mayor Steve Jernigan, **Lepanto**, Advisory Council

Alderman Sherri Holliman, **Marion**, Advisory Council

Mayor Jim Smithson, **Marshall**, Advisory Council

Alderman Ken Saunders, **Maumelle**, Advisory Council

Alderman Jamie Stell, **Maumelle**, Advisory Council

Alderman Ted Neugent, **Mena**, Advisory Council

Assistant to Mayor Becky Horton, **Mena**, Advisory Council

Mayor Allen Maxwell, **Monticello**, Advisory Council

Alderman Bob Devecki, **Mountain Home**, Advisory Council

Mayor Frank Bigger, **Pocahontas**, Advisory Council

Alderman Rob Olvey, **Pocahontas**, Advisory Council

Mayor Mike Kemp, **Shannon Hills**, Advisory Council

Alderman Mary Jo Heye, **Sherwood**, Advisory Council

Alderman Timothy McMinn, **Sherwood**, Advisory Council

Mayor N. Wayne Smith, **Texarkana**, Advisory Council

Mayor McKinzie "Mack" Riley, **Wrightsville**, Advisory Council

Mayor Bob Stacy, **Wynne**, Advisory Council

League had successful year, Executive Director reports

HOT SPRINGS—It has been a very successful year, League Executive Director Don Zimmerman reported at the League’s Annual Business Meeting, held Friday, June 22, the final day of the 78th Convention in Hot Springs. He thanked outgoing League President Frank Fogleman, the officers, members of the advisory councils and boards, and the League staff for helping make it a great year. “I am honored to be associated with all of you,” Zimmerman said.



Zimmerman

For the eighth straight year, the League is at 100 percent membership, Zimmerman said. All 500 cities and towns are members.

All the optional programs are doing well and had clean audits this year. The Municipal Legal Defense Program is “running well,” Zimmerman said with 425 participants, or about 85 percent of the membership.

The Municipal Health Benefit Fund has 205 participating cities and towns, four more than last year. That’s about 90 percent of the cities and towns that have health programs, he said.

The Municipal Vehicle Program has 396 members participating, two more than last year. The Municipal League Workers’ Compensation Trust has 490 participating cities and towns. Over 600 entities participate in our Workers’ Compensation program, he said. That number includes several housing authorities and the state’s largest school district. “That’s a real credit to those who work on that program,” Zimmerman said.

The Accidental Death and Dismemberment Program has 186 participating municipalities, up nine from last year. The Volunteer Firefighters Supplemental Income Program has 276 participants, 19 more than last year. The Cash Management, Pension Management and Municipal Other Post Employment Benefits Trust Program has 40 participants, up one from last year. The Ordinance Codification service has 122 participants, up 11 from last year.

Four cities—Bryant, Heber Springs, Lake Village, and Marked Tree—participate in all 10 of the League’s optional programs. Twelve cities—Ashdown, Bay, Elkins, England, Marianna, Marvel, Morrilton, Rector, Stamps, Star City, Ward, and Wynne—participate in nine of the 10 optional programs.

Zimmerman and the League at the business meeting honored two longtime League employees who are retiring this year. Sheryll Lipscomb, Assistant Director for Workers’ Compensation, joined the League staff in 1987, just as the Workers’ Compensation program was getting started. “She has done a terrific job and is really an expert in workers’ comp,” Zimmerman said.

Joyce Standley, League Controller, has been with the League for 35 years. Zimmerman hired her in 1977 when the League needed a bookkeeper to help with all the new and growing optional programs. She has worked tirelessly behind the scenes, he said. “She is so dedicated, unbelievably dedicated to this League and the welfare of our cities,” Zimmerman said.

—Andrew Morgan



The League at the Annual Business Meeting honored League Controller Joyce Standley, left, and Assistant Director for Workers’ Comp Sheryll Lipscomb, right, who are retiring this year after many years of service.

Workshops cover many municipal topics



HOT SPRINGS—City and town leaders had the opportunity to share best practices and discuss a wide variety of issues facing municipalities during 21 concurrent workshops held Thursday, June 21 at the League’s 78th Convention at the Hot Springs Convention Center.

The workshop “Dealing with Angry Citizens” offered strategies for reducing the hostility that can result when people disagree on matters of policy. Hot Springs City Manager Lance Hudnell, Fort Smith City Administrator Ray Gosack, and Arkansas Public Administration Consortium Director Michael Waters offered tactics to diffuse hostility, such as depersonalize the attack, put criticism in perspective, and never “feed the beast.” Hudnell reminded the more than 180 attendees at this popular workshop that the people elected you, not the angry citizen. Don’t make public policy based on who yells the loudest, he said.

In the “Engaging Your Citizens” workshop, Little Rock City Director Joan Adcock, North Little Rock Alderman Maurice Taylor, and Fort Smith City Director Kevin Settle offered ways to keep the lines of communication open with your constituents. Once you find the right people for the right tasks, Adcock said, step back and let them take ownership of a project. Honesty truly is the best policy, Taylor said, and if the answer is no, don’t be afraid to say so. Communicate what you’re doing in the community with a newsletter or something similar, he said, otherwise they won’t know and won’t care unless it’s in their backyard or on their street. Work directly with your constituents to prioritize their wants and needs, Settle said. Social media forums like Facebook and Twitter can help facilitate the discussion, he said.

The “Disaster Preparedness and Disaster Recovery” workshop featured speakers with first-hand experience with emergency management. Stuttgart Mayor Marianne Maynard shared what she learned from the 2008 tornado that struck her city. Establishing a central base to deal with the chaos, holding daily news conferences to keep citizens informed, keeping communication open, and keeping meticulous records for FEMA will all help your recovery operation, she said. It’s crucial to involve the whole community, Arkansas Department of Emergency Management’s Chad Stover said.

In the “Avoiding Lawsuits” workshop, members of the League’s legal staff offered advice on steering clear of pitfalls. Mike Moseley covered the FLMA, EEO, ADA, and avoiding retaliation claims. Sara Teague discussed overtime policies, comp time, and other pay issues city and town leaders regularly deal with.

In “Old Buildings: What to do When They Become a Safety Hazard,” experts discussed the tools cities and towns have at their disposal to protect the historic buildings that give our communities character but are often neglected. New “Home Rule” legislation in Arkansas allows cities to better deal with derelict properties, League Planning Consultant Jim von Tungeln said. Patricia Blick with the Arkansas Historic Preservation Program said preservation, not demolition, is the goal. Programs like Main Street Arkansas can help communities revitalize their historic centers.

Other workshops at the 78th Convention covered hot topics in municipal finance, wellness and safety, grants and other funding sources, drug testing policies, street maintenance, and more.

—Cathy Moran, Andrew Morgan,
and Mark Potter, League staff

78th Convention Snapshots





Photos by Sherman Banks, Laney Harris, Andrew Morgan and Mark Potter

League honors cities, leaders for service

HOT SPRINGS—The Arkansas Municipal League honored municipal leaders and cities and towns for their outstanding service at the League’s 78th Convention, June 20-22 in Hot Springs.

The League named retiring Hot Springs City Manager Lance Hudnell its John Woodruff City Above Self Award winner. Hudnell has served his city of Hot Springs for 37 years. He began his career there in 1975 as the mayor’s administrative assistant, and he retires this year as city manager.

“Fellow municipal officials, I am very humbled and appreciative of the 2012 John Woodruff Award received at the 78th Convention,” Hudnell said. “Each of you are equally deserving as you put service above self in your respective communities every day. Thank you.”

The award is named for the League’s former communications coordinator and editor of *City & Town*. Before his death in 2007, John Woodruff worked tirelessly for Arkansas’s cities and towns.

The Arkansas City Clerks, Records and Treasurers Association named Fort Smith City Clerk Sherri Gard its

Municipal Clerk of the Year for her contributions to the profession and dedication to her community.

The Arkansas City Attorneys Association awarded Chris Bradley, League staff attorney, its Glenn G. Zimmerman Award for outstanding contributions to municipal law. Zimmerman was director of the League from 1942 until his death in 1974 and was a former city attorney.

Eighteen city officials this year received the Adrian L. White Municipal Leadership Award. The award is presented to city officials who have served with distinction and dedication to their cities and the League’s boards, councils, or committees for six years. The award is named in honor of White, who was mayor of Pocahontas from 1967-1974 and a former League president and vice president. The recipients are Mayor Frank Anderson, Bella Vista; Mayor Dewayne Phelan, Corning; Alderman Steve Weston, Corning; Alderman Gwendolyn Stephenson, Dermott; Alderman Mary Jeffers, Forrest City; Alderman John Pfenenger, Fountain Lake; Recorder/Treasurer Mary Ruth Wiles, Highland; City Attorney Howard Cain, Huntsville; Mayor Mark Stodola, Little Rock; Mayor Don Sikes, Maynard; Fire Chief

John Puckett, Mena; Mayor David Osmon, Mountain Home; Treasurer Mary Ruth Morgan, North Little Rock; Alderman Don Sappington, Norfolk; Mayor Gerald Morris, Piggott; Alderman Dale English, Searcy; Mayor Marianne Maynard, Stuttgart; and City Clerk Patti Scott Grey, Texarkana.



Diane Woodruff, left, presents the John Woodruff City Above Self Award to Hot Springs City Manager Lance Hudnell. Hudnell is retiring this year after 37 years of service in to his community and the League.

The Marvin L. Vinson Commitment to Excellence Award, named for the Clarksville mayor who served from 1983 until his death in 2001 and was League president in 1992-1993, went this year to two municipal leaders who have served their cities and the League for 12 years. The recipients are Intergovernmental Affairs Manager Odies Wilson III, Little Rock; and Mayor Jackie Crabtree, Pea Ridge.

Four city officials this year received the Jack R. Rhodes Sr. Distinguished Service Award for 25 years of service to their communities. The recipients are Alderman Eddie Moore, Carlisle; Alderman Dale English, Searcy; City Attorney Jeff Harper, Springdale; and Alderman Allan Loring, Wrightsville.

Eighteen cities and towns received the Four Star Municipality Award for demonstration of excellence in loss control and employee safety, wellness, vehicle safety, and prevention of liability: Biscoe, Bradford, Calico Rock, Cammack Village, Charleston, Cotton Plant, Hermitage, Highland, Imboden, Keiser, Lincoln, Melbourne, Oppelo, Paris, Rector, Star City, Stephens, and Ward.



Fort Smith City Clerk Sherri Gard is this year's ACCRTA Clerk of the Year.



Four Star Municipality Award winning cities and towns demonstrated excellence in loss control in the last year.

749 delegates represented 222 cities and towns at the 78th Arkansas Municipal League Convention



Alpena

Mayor Bobbie Bailey
City Attorney James Goldie

Altheimer

Mayor Donald Robinson

Altus

Alderman Shelli Crosswell
Alderman Nancy Sinyard
Mayor Larry Stacy

Anthonyville

Recorder/Treasurer Shirley Craig
Alderman Verdia Hillard

Ash Flat

Recorder/Treasurer Charlotte Goodwin

Ashdown

Mayor Carroll McLarty
City Attorney Jay Metzger

Batesville

Alderman Tommy Bryant
City Attorney Lindsey Castleberry
Administrative Assistant Jennifer Corter
Mayor Rick Elumbaugh
Alderman Paige Hubbard
City Engineer Damon Johnson
City Clerk Denise Johnston
Alderman Douglas Matthews

Bauxite

City Attorney Lorraine Hatcher
Mayor Johnny McMahan

Bay

Recorder/Treasurer Sandi Griffin
Alderman Larry Hall
Mayor Darrell Kirby
Alderman Mike Owens
Humane Officer James Robertson

Beebe

Alderman Linda Anthony
Police Chief Wayne Ballew
Assistant to Mayor Angie Gibbons
Alderman John Johnson
Alderman Tracy Lightfoot
Fire Chief William Nick
Mayor Mike Robertson
City Attorney Barrett Rogers
Clerk/Treasurer Carol Westergren

Beedeville

Mayor Wyant Beede

Bella Vista

Alderman Earl Berdine
Alderman Doug Farner
Alderman Jerry Snow
City Attorney Bryan Vernetti
City Clerk Jane Wilms
Alderman Jim Wozniak

Benton

Community Development Director Lamont Cornwell
City Attorney Brent Houston
General Manager Terry McKinney
Alderman David Sparks

Bentonville

Mayor Bob McCaslin

Berryville

Mayor Tim McKinney

Bethel Heights

Alderman Debra Cheval
Mayor Jeff Hutcheson
Recorder/Treasurer Janet Nelson
City Attorney Joe Summerford

Black Oak

Mayor Norman Williams

Black Rock

Mayor Bonnie Ragsdale

Blytheville

City Attorney Mike Bearden
Alderman Monte Hodges
Alderman Mylas Jeffers
Finance Director LaVera Kuykendall
Alderman Missy Langston
City Clerk Connie Mosley
Alderman John Musgraves
Alderman Stan Parks
City Treasurer Gary Perry
Waterworks Manager Gary Phillips
Mayor James Sanders

Bonanza

Mayor David Conley

Bono

Alderman Shirley Dodson
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1419 Westpark Drive, Suite F
Little Rock, AR 72204
501-296-9690
www.chenalrestorationdki.com

Commercial Christmas Specialties, Inc.

801 Robertson Drive
Minden, LA 71055
800-869-7374





Exhibitors continued



Crafton Tull & Associates
P.O. Box 10189
Russellville, AR 72812-0189
479-968-1885
www.craftontull.com

Crews & Associates, Inc.
521 President Clinton Avenue,
Suite 800
Little Rock, AR 72201
501-978-7953
www.crewsfs.com

Cunningham Recreation
P.O. Box 240981
Charlotte, NC 28224
800-438-2780
www.cunninghamrec.com

Davis Rubber Company
1600 E. 15th Street
Little Rock, AR 72203
501-374-1473
www.davisrubber.com

D.C. Trash and Terry's Waste Management
P.O. Box 1305
Russellville, AR 72811
479-967-0250
www.dctrashservice.com

Department of Information Systems
#1 Capitol Mall, 3rd Floor
Little Rock, AR 72201
501-683-4950
www.dis.arkansas.gov

Employer Support of the Guard and Reserve
ARESGR-Camp Robinson,
Box 27
North Little Rock, AR 72199
501-212-4018
www.esgr.mil

Engineering Services, Inc.
1207 South Old Missouri Road
Springdale, AR 72765
479-751-8733
www.engineeringservices.com

Environmental Services Company, Inc.
13715 West Markham Street
Little Rock, AR 72211
501-221-2565
www.esclabs.com

Equal Employment Opportunity Commission
820 Louisiana Street, Suite 200
Little Rock, AR 72201
501-324-6372
www.eeoc.gov

ETC Engineers & Architects, Inc.
1510 S. Broadway
Little Rock, AR 72202
501-375-1786
www.etcengineers.com

Federal Surplus Property
8700 Remount Road
North Little Rock, AR 72118
501-835-3111
www.adem.arkansas.gov

Ferrara Fire Apparatus
P.O. Box 249
Holden, LA 70744
225-567-7100
www.ferrarafire.com

FTN Associates, Ltd.
3 Innwood Circle, Suite 220
Little Rock, AR 72211
501-225-7779
www.ftn-assoc.com

Gardner Capital, Inc.
1414 E. Primrose, Suite 100
Springfield, MO 65804
417-447-4624
www.gardnerhousing.com

G.C. Brown & Associates, Inc.
P.O. Box 751
Cabot, AR 72023
501-843-6710
www.gcbrown.com

Glover's Truck Center
1200 Baucum Ind. Drive
North Little Rock, AR 72117
501-412-9696

Goddess Products, Inc.
624 E. 12th St.
North Little Rock, AR 72114
501-372-4002

GovDeals, Inc.
5907 Carmichael Place
Montgomery, AL 36117
800-613-0156, ext. 4532
www.govdeals.com

Grand Truck Equipment Company
451527 Sparrow Hawk Circle
Afton, OK 74331
816-665-3394
www.grandtruckequipment.com

Grasshopper Company
P.O. Box 637
Moundridge, KS 67107
620-345-8621
www.grasshoppermower.com

Heartland Park and Recreation, LLC
P.O. Box 505
White Oak, TX 75693
979-209-4373
www.heartlandplay.com

Henard Utility Products, Inc.
1920 South Main St.
Searcy, AR 72145
501-268-1987
www.henardutility.com

Holophane Lighting
4121 Hartford Hills Dr.
Benton, AR 72019
501-249-4756
www.holophane.com

IBTS
707 Benton Road, Suite 100
Bossier City, LA 71111
318-747-2454
www.ibts.org

Institute for Economic Advancement
2801 S. University Avenue
Little Rock, AR 72202
501-569-8519
www.iea.ualr.edu

Johanson Group/DB Squared
2928 McKee Circle, Suite 119
Fayetteville, AR 72703
479-521-2697
www.dbsquared.com

Keep Arkansas Beautiful
One Capitol Mall, Suite 4A-007
Little Rock, AR 72201
501-682-3507
www.keeparkansasbeautiful.com

Kyle Recreation, Inc.
6834 Cantrell Road, Suite 28
Little Rock, AR 72207
501-227-6125
www.kylerecreation.com

Landmark Engineering
300 South Rodney Parham, Suite 7
Little Rock, AR 72205
501-224-1000, ext. 2
www.landmarkeng-sur.com

Larkin Aquatics
9200 Ward Parkway, Suite 200
Kansas City, MO 64114
816-361-0440
www.larkinaquatics.com

Legacy Consulting
P.O. Box 409
De Queen, AR 71832
501-246-8842
www.legacyacademyonline.com



Legal Shield

61 Malaga Way
Hot Springs, AR 71909
501-984-3551
www.legalshield.com/hub/
daveid77

LifeNet, Inc.

835 Central, Suite 512
Hot Springs, AR 71901
501-321-2427
www.lifenetems.org

McClelland Consulting Engineers, Inc.

P.O. Box 34087
Little Rock, AR 72203
501-371-0272
www.mcclelland-engrs.com

MetLife

#1 Executive Center Court,
Suite 110
Little Rock, AR 72211
501-224-3677
www.mikechastain.net

Musco Sports Lighting

100 1st Avenue West
Oskaloosa, IA 52577
641-673-0411
www.musco.com

National League of Cities

1301 Pennsylvania Avenue, N.W.,
#550
Washington, DC 20004
202-626-3138
www.nlc.org

Natural Resources Conservation Service

700 W. Capitol Avenue
Federal Building, Room 3416
Little Rock, AR 72201
501-301-3167
www.ar.nrcs.usda.gov

New Water Systems, LLC

10800 Arch Street, Suite A
Little Rock, AR 72206
501-888-0500
www.newwatersystems.com

NovaSys Health

10801 Executive Center Drive
Little Rock, AR 72211
501-219-4443
www.novasyshealth.com

Océ Copy Systems

A Canon Group Company
721 West 9th Street
Little Rock, AR 72201
501-376-2679

Pinnacle Pointe Hospital

11501 Financial Centre
Little Rock, AR 72211
501-658-5235
www.pinnaclepointehospital.com

Raymond James | Morgan Keegan

100 Morgan Keegan Drive, Suite
400
Little Rock, AR 72202
501-671-1336
www.morgankeegan.com

Red Wing Software

491 Highway 19
Red Wing, MN 55066
651-388-1106
www.redwingsoftware.com

Regions Bank Corporate Trust

400 West Capitol, 7th Floor
Little Rock, AR 72201
501-371-6745
www.regions.com

Restat

1190 West Lake Park Drive
Milwaukee, WI 53213
414-760-4729
www.restat.com

River City Hydraulics, Inc.

P.O. Box 6033
Sherwood, AR 72023
501-835-5230

Scott Equipment

P.O. Box 1036
Mabelvale, AR 72103
501-455-5955
www.scottcompanies.com

Seal Tite of ArklaHoma

P.O. Box 596
Mulberry, AR 72947
479-997-2449
www.sealitimearklahoma.com

Severn Trent Environmental Services, Inc.

16337 Park Row
Houston, TX 77084
281-578-4237
www.severntrentservices.com

Southern Star Materials

2200 Redding Lane
North Little Rock, AR 72118
501-771-0111
www.southernstarmaterials.com

Stephens Inc.-AR Diamond Deferred Compensation Plan

111 Center Street, Suite 2120
Little Rock, AR 72201
501-377-8112
www.stephens.com

Strategic Resource Management, Inc.

5100 Poplar Avenue, Suite 2500
Memphis, TN 38137
901-681-0204
www.srmcorp.com

Sweeping Corporation of America, Inc.

4225 Getwell Road
Memphis, TN 38118
901-367-7964
www.sweepingcorp.com

Techline Sports Lighting

15303 Storm Drive
Austin, TX 78734
817-988-9880
www.sportlighting.com

Terracon Consultants, Inc.

25809 I-30 South
Bryant, AR 72022
501-847-9292
www.terracon.com

The Grant Book Company

420 Porter Street
Helena-West Helena, AR 72342
870-338-9094
www.thegrantbook.com

The PlayWell Group, Inc.

4743 Iberia Avenue, Suite C
Dallas, TX 75207
505-899-1762
www.playwellgroup.com

The Southern Company of NLR, Inc.

1201 Cypress
North Little Rock, AR 72114
502-376-6333
www.thesoco.com

Time Striping, Inc.

P.O. Box 276
Conway, AR 72033
479-806-3411

TIPS/TAPS

P.O. Box 1894
Mt. Pleasant, TX 75456
866-839-8477
www.tips-usa.com

Utility Service Co., Inc.

P.O. Box 1350
Perry, GA 31069
800-223-3695
www.utilityservice.com

Vector Disease Control

1320 Brookwood Drive, Suite H
Little Rock, AR 72202
501-280-0220
www.vdci.net

Verizon Wireless

1 Allied Drive
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501-353-6337
www.verizonwireless.com

Wayne Davis Playgrounds

104 Orchid Drive
Maumelle, AR 72113
501-851-0756

Wheeler Foggers, LLC

P.O. Box 31568
Amarillo, TX 79120
806-220-9056
www.wheelerfoggers.com

Winrock International

2101 Riverfront Drive
Little Rock, AR 72202
501-280-3075
www.winrockusprograms.org



The Fair Labor Standards Act: 21 things you should know

All employees

- 1** The minimum wage is \$7.25 per hour [29 USC § 206(a)].
- 2** Overtime or compensatory time must be paid at time and one-half of the employee's regularly hourly rate [29 USCA § 207(a)(1)]. Even if the employee receives a salary, overtime or compensatory time must be granted unless the employee is exempt as explained below.

Employers cannot avoid paying overtime or compensatory time by averaging hours over several workweeks. The FLSA requires that each workweek stand alone [29 CFR § 778.104]. (See chart on page 30 for information on uniformed employee shifts).
- 3** If an employee volunteers to substitute shifts with another employee after first obtaining the employer's approval and works more than the maximum hours for a given work period as a result of the switch, his employer is not responsible for paying the additional overtime. The regulations state that this may occur "only if employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee substitute or 'trade time' with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision."

Employers are not required to maintain a record of time traded and there is no specific period of time in which the shift must be paid back. Therefore, the employee's paycheck for that period would not reflect the switch in additional hours or overtime pay [29 CFR § 555.31].
- 4** Employees do not have to be paid for "on-call" time unless their activities are "overly restricted." On-call time should not be counted as compensable unless the employee is required to remain at or near the employer's premises or otherwise cannot use his or her time freely [29 CFR § 785.17]. Providing electronic pagers or cell phones to employees can solve many on-call time problems.

Exempt employees

- 5** Elected municipal officials, their personal staffs, persons appointed by elected officials to serve on a policy making level, and legal advisors are considered exempt employees and are excluded from coverage under the FLSA [29 CFR § 553.11].
- 6** Trainees and students are not employees within the meaning of the FLSA if they meet all six of the following criteria:
 1. The training, even though it includes actual operation of the facilities of the Federal activity, is similar to that given in a vocational school or other institution of learning;
 2. The training is for the benefit of the individual;
 3. The trainee does not displace regular employees, but is supervised by them;
 4. The federal activity that provides the training derives no immediate advantage from the activities of the trainee; on occasion its operations may actually be impeded;
 5. The trainee is not necessarily entitled to a job with the federal activity at the completion of the training period; and
 6. The agency and the trainee understand that the trainee is not entitled to the payment of wages from the agency for the time spent in training [5 CFR § 551.104].
- 7** Volunteers are not employees and an employee cannot volunteer to do the same work for which he is being paid [29 CFR §§ 553.100, 553.102].
- 8** Prisoners are generally not treated as employees under FLSA [U.S. Department of Labor Field Operations Handbook 10b27, www.dol.gov/whd/FOH/FOH_ch10.pdf].
- 9** Executive, administrative, and professional employees are exempt from both minimum wage and overtime provisions if they meet all the requirements specified for their job category. These are not the only exemptions, but are the most typical in Arkansas cities and towns. (Note: The mere fact that an employee is being paid a salary is not sufficient by itself to exempt him or her from overtime requirements.)

1. Requirements for executive employees:
 - a. The employee must be compensated on a salary basis at a rate not less than \$455 per week;
 - b. The employee's primary duty must be managing the enterprise in which the employee is employed or managing a customarily recognized department or subdivision of the enterprise;
 - c. The employee must customarily and regularly direct the work of two or more other full-time employees or their equivalent; and
 - d. The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight [29 CFR § 541.100].
2. Requirements for administrative employees:
 - a. Compensated on a salary or fee basis at a rate of not less than \$455 per week exclusive of board, lodging or other facilities;
 - b. Whose primary duty is the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
 - c. Whose primary duty includes the exercise of discretion and independent judgment with respect to matters of significance [29 CFR § 541.200].
3. The term "employee employed in a bona fide professional capacity" in section 13(a)(1) of the Act shall mean any employee:
 - a. Compensated on a salary or fee basis at a rate of not less than \$455 per week exclusive of board, lodging, or other facilities; and
 - b. Whose primary duty is the performance of work (1) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction, or (2) requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor [29 CFR § 541.300].
4. Computer systems analysts, computer programmers, software engineers or other similarly skilled workers in the computer field are eligible for exemption as professionals under section 13(a)(1) of the Act and under section 13(a)(17) of the Act. Because job titles vary widely and change quickly in the computer industry, job

titles are not determinative of the applicability of this exemption.

5. The (a)(1) exemption applies to any computer employee compensated on a salary or fee basis at a rate of not less than \$455 per week exclusive of board, lodging or other facilities, and the (a)(17) exemption applies to any computer employee compensated on an hourly basis at a rate not less than \$27.63 an hour.
6. In addition, under either section 13(a)(1) or section 13(a)(17) of the Act, the exemptions apply only to computer employees whose primary duty consists of:
 - a. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - b. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - c. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
 - d. A combination of the aforementioned duties, the performance of which requires the same level of skills [29 CFR § 541.400].

10 Employees of amusement or recreational establishments are exempt from minimum wage and overtime if one of the following requirements is satisfied:

1. The establishment must not operate for more than seven months in any calendar year.
2. During the preceding calendar year, the establishment's average receipts for any six months of that year must have been equal to or less than one-third of its average receipts for the other six months of that year [29 CFR § 779.385].

Uniformed employees: police and fire

11 Law enforcement officers in cities and towns with fewer than five (5) law enforcement officers, including the chief or marshal, are exempt from the overtime provisions [29 USC § 213(b)(20); 29 CFR §§ 553.200, 553.211]. To count as a law enforcement officer, the officer must be someone: (1) who is a uniformed or plainclothes member of a body of officers and subordinates who are legally authorized to enforce laws designed to maintain public peace and order and to protect both life and property from accidental or willful injury, and to prevent and detect crimes, (2) who has the power to arrest, and

(3) who is presently undergoing or has undergone or will undergo on-the-job training and/or a course of instruction and study which typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, community relations, medical aid and ethics [29 CFR § 553.211].

Volunteers are not considered “employees” for this purpose however. No distinction is made between part-time and full-time employees. This means that if you have four (4) or fewer than four (4) law enforcement officers (not including radio operators), the city does not have to pay overtime. You must be sure your officers receive a minimum of \$7.25 per hour for all hours worked in a work period.

12 Cities and towns with fewer than five (5) paid firefighters, including the chief (if paid), are exempt from paying overtime to those employees who meet the following definition: “Employee in fire protection activities” means an employee, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous materials worker, who

(1) is trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by a fire department of a municipality, county, fire district, or state; and (2) is engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk [29 USCA § 203(y)].

You must be sure your paid firefighters (four or fewer) receive \$7.25 per hour for all hours on duty during the work period [29 USC § 213(b)(20); 29 CFR § 210].

13 Volunteer firefighters and auxiliary police officers are “volunteers” and are not treated as employees under the 1985 Amendments to the FLSA [29 CFR § 553.104(b)].

14 The FLSA provides a partial overtime exemption for law enforcement officers and firefighters who work a “work period” established by the city of no fewer than seven days and no more than 28 days. The city can establish separate work periods for the police department and the fire department. If the city fails to establish a work period, 207(k) does not apply and a fire or police employee working over forty hours will accrue overtime compensation [29 CFR § 553.230].

The Secretary of Labor has set maximum hour standards based on a 28-day work period for both fire department and law enforcement personnel, determining that law enforcement employees who

work over 171 hours within a 28-day work period must be compensated for those hours in excess of 171 and that fire department employees working in excess of 212 hours within a 28-day period must also be compensated. These 28-day standards can be used as ratios to determine maximum hours for other approved work periods. (See chart below.)

Maximum Hour Standards for work periods of 7 to 28 days – section 7(k). 29 C.F.R. § 552.230.		
Work period (days)	Maximum hours standards	
	Fire protection	Law enforcement
28 days	212	171
27 days	204	165
26 days	197	159
25 days	189	153
24 days	182	147
23 days	174	141
22 days	167	134
21 days	159	128
20 days	151	122
19 days	144	116
18 days	136	110
17 days	129	104
16 days	121	98
15 days	114	92
14 days	106	86
13 days	98	79
12 days	91	73
11 days	83	67
10 days	76	61
9 days	68	55
8 days	61	49
7 days	53	43

When determining compensatory time for either law enforcement personnel or firefighters who miss a shift due to illness, vacation, personal leave, or any other reason, hours missed will not count as hours worked and are not compensable for overtime purposes [29 CFR §§ 553.201, 553.230].

15 Civilian radio operators, clerks, secretaries, and janitors of police and fire departments are on a 40-hour workweek with time and one-half for all hours over 40 hours per week. They do not qualify for the law enforcement officers or firefighters’ “work period” hours exemption [29 CFR §§ 553.210, 553.211].

16 The city as employer has the option of paying overtime or of giving comp time off. The employee must understand that the city has a policy of compensatory time off. Compensatory time is accrued at

one and one-half hours for each hour worked. Public safety employees (police and fire) and emergency response employees can accrue a maximum of 480 hours of comp time or 320 hours worked. After an employee has accrued maximum compensatory time, the employee must be paid in cash for overtime worked.

An employee shall be permitted to use accrued comp time within a reasonable period after requesting it if to do so would not disrupt the operations of the employer. Payment of accrued comp time upon termination of employment shall be calculated at the average regular rate of pay for the final three years of employment or the final regular rate received by the employee, whichever is higher [29 CFR § 553.21].

If the employer pays cash wages for overtime hours rather than in compensatory time, the wages must be paid at one and one-half times the employee's regular rate of pay [29 CFR § 553.232].

The U.S. Supreme Court has held that a public employer may require its employees to use their accumulated compensatory time [*Christensen v. Harris County*, 529 U.S. 576, 120 S.Ct. 1655 (2000)]. If employees do not use accumulated compensatory time, the employer must pay cash compensation in some circumstances. In order to avoid paying for accrued compensatory time, Harris County, Texas, enacted a policy requiring its employees to schedule time off in order to reduce the amount of accrued compensatory time.

The Court described Harris County's policy as follows: "The employees' supervisor sets a maximum number of compensatory hours that may be accumulated. When an employee's stock of hours approaches that maximum, the employee is advised of the maximum and is asked to take steps to reduce accumulated compensatory time. If the employee does not do so voluntarily, a supervisor may order the employee to use his compensatory time at specified times." The Court held that, although § 207(o) (5) limits an employer's ability to prohibit the use of compensatory time when requested, that does not restrict the employer's ability to require employees to use compensatory time.

Non-uniformed employees

17 All non-uniformed employees are entitled to overtime or compensatory time off after 40 hours per week worked unless they are otherwise exempt (see, for example, the categories discussed in No. 8 above) [29 CFR § 778.101].

18 There is no FLSA limit on the number of hours per day worked (other than child labor) [29 CFR § 778.102].

19 A workweek under the FLSA is defined as seven consecutive 24-hour periods (although this may be altered for police and firefighters as discussed above). Note that this may not be the same as the city's "pay period." The city can determine the day and the time of day that the workweek begins. Once the beginning time of an employee's workweek is established, it remains fixed regardless of the schedule of hours worked by him. The beginning of the workweek may be changed if the change is intended to be permanent and is not designed to evade the overtime requirements of the Act [29 CFR § 778.105]. We recommend that the city workweek for water, sewer, street, sanitation, etc., employees begin at 5 p.m. on Fridays.

The city can schedule the hours worked within the workweek to limit or prevent overtime. If an emergency occurs over the weekend and some employees must work 16 hours Saturday and 16 hours Sunday, then the city can (if their services are not absolutely needed) tell those employees to take off the rest of the week after working one eight-hour shift each. This way each employee is limited to 40 hours per week for the week beginning 5 p.m. on Friday.

20 Only hours worked count in calculating overtime. Pay for holidays, vacations, sick time, jury duty, etc., do not count as hours worked [29 CFR § 778.102].

21 If an employee works more than 40 hours per week, the city could give him compensatory time off at the rate of one and one-half hours for each hour worked over 40 hours per week. The compensatory time belongs to the employee and can accrue to a maximum of 240 hours (160 hours actual work).

The employee must be allowed to use his comp time when he desires unless it would unduly disrupt the city's operations to do so at that particular time. For a discussion of requiring the employee to take accumulated compensatory time, see point 16 above.

In case of termination of employment, an employee shall be paid for all accrued comp time at his then salary or the average rate of pay for the final three years of employment, whichever is greater [29 CFR §§ 553.21, 553.25].

—Prepared by League staff



Fire Boat School trains firefighters on the water



Firefighters from Arkansas, Texas, Louisiana, and Mississippi gathered June 2 at DeGray Lake for the 2012 Arkansas Fire Boat School to train for water emergencies in the largest inland marine fire boat training on record in the United States. About 300 firefighters participated, including firefighters from the Conway, Haskell, Malvern, and Lake Village Fire Departments. The training included more than 50 fire boats performing exercises on DeGray and the nearby Caddo River. Exercises included simulated party barge and Jet Ski accidents, a live wildland fire, urban flooding, and defensive driving. The free school gives invaluable hands-on training to firefighters. The Arkansas Fire Boat Committee works with the Arkansas Forestry Commission to distribute fire boats through the Federal Excess Property Program. For more information about the Arkansas Fire Boat Committee and School, call Adrienne Harrell at 501-733-4916.

Volunteer Community of the Year nominations open soon

It's time to consider nominating your city or town for the annual Arkansas Volunteer Community of the Year Awards. The awards, co-sponsored by the Arkansas Municipal League, the Governor's Office and the DHS Division of Community Service and Nonprofit Support, honor 12 communities each year for outstanding citizen volunteerism.

For nomination details and to download an entry form online, visit www.humanservices.arkansas.gov/dcsns and click the Volunteer Community of the Year Award link.

Nominations will be accepted beginning in July. The nomination deadline is Sept. 29. If you have any questions about the nomination process, please call Rebecca Burton at 501-682-7540, or email rebecca.burton@arkansas.gov.

Searcy breaks ground on new terminal

By Sherman Banks

Searcy city leaders broke ground for a new, state-of-the-art municipal airport terminal on Thursday, June 28, and held a ceremony for the historic project at the Bulldog Helicopter Hangar. The city has for years used a temporary hangar built at Bulldog when the original municipal terminal was destroyed in a 1952 tornado.

“It has taken 60 years to obtain the necessary funds to begin the new airport,” Mayor David Morris said. It is estimated the new airport will cost \$842,087. The city has secured \$600,000 through two grants received from the Arkansas Department of Aeronautics Commission. Morris proudly acknowledged the city’s partnerships with the Arkansas Department of Aeronautics, the Governor’s Office, Searcy Airport Commission, Searcy Regional Economic Development Corporation, and White County, which made the new airport possible.

White County Judge Michael Lincoln spoke about the importance of the new terminal. Both Judge Lincoln and Mayor Morris said that the new terminal would bring jobs and help to maintain existing jobs in Searcy and White County. Searcy is a growing community and industries outside of Arkansas are scouting the area for the possibility of locating in the Searcy area, Lincoln said. The new terminal will make it possible for small



It's taken 60 years for the city to secure funding for the much-needed new airport, Searcy Mayor David Morris said.

corporate planes to land and store their aircraft. The small existing airport terminal receives approximately 100 flights a week, but it is expected that the number of flights will markedly increase.

The new Searcy Municipal Airport will be located on South Main Street. SCM Architects and contractor James H. Cone, Inc., estimate that the new terminal will be completed within just 10 months.



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



The project partners break ground on Searcy's South Main Street.

2012 Municipal Election Information

DEADLINES FOR FILING AND OTHER IMPORTANT DATES

Filing Dates

General Election (for independents): From July 27 until Aug. 17. ACA 14-42-206(b)(1)
OR, by City Ordinance (for independents): From May 2 until May 21. ACA 14-42-206(d)

Election Dates

General Election: Tuesday, Nov. 6, 2012. ACA 7-5-102
General Election (runoff): Tuesday, Nov. 27, 2012. ACA 7-5-106

Political Practice Pledge and Affidavit of Eligibility

For candidates in Preferential Primary Election: Feb. 23 until noon March 1. ACA 7-6-102(a); 7-7-301(a)
For independent candidates: During period for filing petition for nomination. ACA 7-6-102(a); 14-42-206(b)(3)

Financial Disclosure Statement

First Monday following close of filing period
(unless as an incumbent you filed as required by law on or before Jan. 31, 2012). ACA 21-8-701(c)

Reports of Contributions and Expenses

Pre-election Report—Seven (7) days prior to any preferential primary, runoff, general, or special election. Not required if contributions and expenditures are each less than five hundred dollars (\$500), or if candidate runs unopposed.
Final Reports—No later than thirty (30) days after the end of the month in which the candidate's name has appeared on the ballot, even if contributions and/or expenditures are over five hundred dollars (\$500). A candidate who withdraws shall file within thirty (30) days of withdrawal a report of any contributions and expenditures not previously reported.
Supplemental Reports—After the final report, within thirty (30) days of contribution or expenditure. ACA 7-6-208.

Officials elected take office: Jan. 1, 2013.

Download PDF at <http://tinyurl.com/d4eocut>

Mayor-Council Form of Government

Important Statutes

14-42-206. Municipal elections—Nominating petitions

- (a)(1) The city or town council of any city or town with the mayor-council form of government, by resolution passed before January 1 of the year of the election, may request the county party committees of recognized political parties under the laws of the state to conduct party primaries for municipal offices for the forthcoming year.
- (2) The resolution shall remain in effect for the subsequent elections unless revoked by the city or town council.
- (3) When the resolution has been adopted, the clerk or recorder shall mail a certified copy of the resolution to the chairs of the county party committees and to the chairs of the state party committees.
- (4) Candidates nominated for municipal office by political primaries under this section shall be certified by the county party committees to the county board of election commissioners and shall be placed on the ballot at the general election.
- (b)(1) Any person desiring to become an independent candidate for municipal office in cities and towns with the mayor-council form of government shall file not

more than one hundred two (102) days nor less than eighty-one (81) days before the general election by 12:00 noon with the county clerk the petition of nomination in substantially the following forms:

(A) For all candidates except aldermen in cities of the first class and cities of the second class:

“PETITION OF NOMINATION—We, the undersigned qualified electors of the city (town) of _____, Arkansas, being in number not less than ten (10) for incorporated towns and cities of the second (2nd) class, and not less than thirty (30) for cities of the first (1st) class, do hereby petition that the name of _____ be placed on the ballot for the office of _____ (A candidate for alderman in an incorporated town shall identify the position for which he or she is running) at the next election of municipal officials in 20 _____.
[Printed name, signature, street address, date of birth, and day of signing.]

(B) For candidates for alderman elected by ward in cities of the first class and cities of the second class, the nominating petitions shall be signed only by qualified electors of the ward in the following manner:

“PETITION OF NOMINATION—We, the undersigned qualified electors of Ward _____ of the city of _____, Arkansas, being in number not less than ten (10) for cities of the second (2nd) class, and not less than thirty (30) for cities of the first (1st) class, do hereby petition that the name of _____ be placed on the ballot for the office of Alderman, Ward _____, position _____, of the next election of municipal officials in 20 _____. [Printed name, signature, street address, date of birth, and day of signing.]

(C) For at-large candidates for alderman of a ward in cities of the first class and cities of the second class, the nominating petitions shall be signed by a qualified elector of the city in the following manner:

“PETITION OF NOMINATION—We, the undersigned qualified electors of the city of _____, Arkansas, being in number not less than ten (10) for cities of the second (2nd) class, and not less than thirty (30) for cities of the first (1st) class, do hereby petition that the name of _____ be placed on the ballot for the office of Alderman, Ward _____, position _____, of the next election of municipal officials in 20 _____. [Printed name, signature, street address, date of birth, and day of signing.]

(2)(A) An independent candidate for municipal office may qualify by a petition of not fewer than ten (10) electors for incorporated towns and cities of the second class and not fewer than thirty (30) electors for cities of the first class of the ward or city in which the election is to be held.

(B)(i) The county clerk shall determine no later than ten (10) days from filing whether the petition contains the names of a sufficient number of qualified electors.

(ii) The county clerk’s determination shall be made no less than seventy-five (75) days before the general election.

(C) The county clerk promptly shall notify the candidate of the result.

(3) Independent candidates for municipal office shall file a political practices pledge and an affidavit of eligibility at the time of filing their petitions.

(4)(A) An independent candidate shall state the position, including the position number, if any, on his or her petition.

(B) When a candidate has identified the position sought on the notice of candidacy, the candidate shall not be allowed to change the position but may withdraw a notice of candidacy and file a new notice of candidacy designating a different position before the deadline for filing.

(5) The sufficiency of a petition filed under this section may be challenged in the same manner as election contests under § 7-5-801 et seq.

(6) A person who has been defeated in a party primary shall not file as an independent candidate in the general election for the office for which he or she was defeated in the party primary.

(c)(1)(A) If no candidate receives a majority of the votes cast in the general election, the two (2) candidates receiving the highest number of votes cast for the office to be filled shall be the nominees for the respective offices, to be voted upon in a runoff election pursuant to § 7-5-106.

(B) In any case, except for the office of mayor, in which only one (1) candidate has filed and qualified for the office, the candidate shall be declared elected and the name of the person shall be certified as elected without the necessity of putting the person’s name on the general election ballot for the office.

(2) If the office of mayor is unopposed, then the candidate for mayor shall be printed on the general election ballot and the votes for mayor shall be tabulated as in all contested races.

(d)(1)(A) The governing body of any city of the first class, city of the second class, or incorporated town may enact an ordinance requiring independent candidates for municipal office to file petitions for nomination as independent candidates with the county clerk:

(i) No earlier than twenty (20) days prior to the preferential primary election; and

(ii) No later than 12:00 noon on the day before the preferential primary election.

(B) The governing body may establish this filing deadline for municipal offices even if the municipal offices are all independent or otherwise nonpartisan.

(2)(A) The ordinance shall be enacted no later than ninety (90) days prior to the filing deadline.

(B) The ordinance shall be published at least one (1) time a week for two (2) consecutive weeks immediately following adoption of the ordinance in a newspaper having a general circulation in the city.

(e) Nothing in this section shall repeal any law pertaining to the city administrator form of government or the city manager form of government.

(f) This section does not apply in any respect to the election of district judges.

History—Acts of 1991, Act 59, §§ 2, 3; Acts of 1991, Act 430, §§ 2, 3; Acts of 1995, Act 82, § 1; Acts of 1995, Act 665, § 1; Acts of 1997, Act 645, § 3; Acts of 1999, Act 752, § 1, eff. July 30, 1999; Acts of 2001, Act 1789, § 8, eff. Aug. 13, 2001; Acts of 2003, Act 542, § 3, eff. July 16, 2003; Acts of 2003, Act 1104, § 1, eff. July 16, 2003; Acts of 2003, Act 1165, § 10, eff. July 16, 2003; Acts of 2003, Act 1185, § 24, eff. July 16, 2003; Acts of 2007, Act 149, § 1, eff. July 31, 2007; Acts of 2007, Act 1020, § 21, eff. July 31, 2007; Acts of 2007, Act 1049, § 45, eff. July 31, 2007; Acts of 2009, Act 1480, § 63, eff. April 10, 2009; Acts of 2011, Act 519, § 1, eff. July 27, 2011; Acts of 2011, Act 1185, §§ 18, 19, eff. Oct. 2, 2011.

7-5-106. Runoff elections for county and municipal officers

(a)(1) If there are more than two (2) candidates for election to any county elected office, including the office of justice of the peace, at any general election held in this state and no candidate for the county elected office receives a majority of the votes cast for the county elected office, there shall be a runoff general election held in that county three (3) weeks following the date of the general election at which the names of the two (2) candidates receiving the highest number of votes, but not a majority, shall be placed on the ballot to be voted upon by the qualified electors of the county.

(2)(A) The following procedure will govern if there are more than two (2) candidates for election to any municipal office at any general election held in this state in which no candidate for the municipal office receives either:

(i) A majority of the votes cast; or

(ii) A plurality of forty percent (40%) of the votes cast.

(B)(i) A candidate who receives a plurality of forty percent (40%) of the votes cast must obtain at least twenty percent (20%) more of the votes cast than the second-place candidate for the municipal office to avoid a runoff general election against the second-place candidate

(ii) If required, the runoff general election between the two (2) candidates shall be held in that municipality three (3) weeks following the date of the general election with the names of the two (2) candidates placed on the ballot to be voted upon by the qualified electors of the municipality.

(b) If two (2) candidates receive the highest number of votes and receive the same number of votes, a tie is deemed to exist and the names of the two (2) candidates shall be placed on the runoff general election ballot to be voted upon by the qualified electors of the county or the municipality, as the case may be.

(c)(1) If there is one (1) candidate who receives the highest number of votes, but not a majority of the votes, and two (2) other candidates receive the same number of votes for the next highest number of votes cast, a tie is deemed to exist between the two (2) candidates.

(2) The county board of election commissioners shall determine the runoff candidate by lot at a public meeting and in the presence of the two (2) candidates.

(d) If one (1) of the two (2) candidates who received the highest number of votes for a county elected office or a municipal office but not a majority of the votes in a county for a county elected office or either a majority or both forty percent (40%) of the votes cast and at least twenty percent (20%) more of the votes cast than the second-place candidate in a municipality for a municipal office in the general election withdraws before certification of the result of the general election, the remaining candidate who received the most votes at the general election shall be declared elected to the county elected office or municipal office and there shall be no runoff general election.

(e)(1) The person receiving the majority of the votes cast for the county elected office or municipal office at the runoff general election shall be declared elected.

(2) However, if the two (2) candidates seeking election to the same county elected office or municipal office receive the same number of votes in the runoff general election, a tie is deemed to exist, and the county board shall determine the winner of the runoff general election by lot at an open public meeting and in the presence of the two (2) candidates.

(f)(1) As used in this section, “municipal office” means offices of cities of the first class and cities of the second class and incorporated towns and includes the offices of aldermen, members of boards of managers, or other elective municipal offices elected by the voters of the entire municipality or from wards or districts within a municipality.

(2) “Municipal office” does not include offices of cities having a city manager form of government.

(g) This section does not apply to election of members of the boards of directors and other officials of cities having a city manager form of government.

(h) This section is intended to be in addition to and supplemental to the laws of this state pertaining to the election of officers for county elected offices and municipal offices at general elections.

History—Acts of 1983, Act 909, §§ 1, 2; Acts of 1991, Act 53, § 1; Acts of 1997, Act 451, § 3; Acts of 1999, Act 554, § 1, eff. July 30, 1999; Acts of 2003, Act 1165, § 3, eff. July 16, 2003; Acts of 2007, Act 1049, § 14, eff. July 31, 2007; Acts of 2011, Act 1211, § 1, eff. July 27, 2011.

Formerly—ASA 1947, §§ 3-616, 3-617.

Mayor-Council Form of Government

The following offices will be elected in 2012:

Incorporated towns

Aldermen—five (5) elected for two (2) year terms if there has been no approval of four-year terms and the requisite election procedures. Aldermen run by Position Nos. 1, 2, 3, 4 or 5. ACA 7-7-304(e). Voted on by all electors of the town. ACA 14-45-102. If the voters have approved a four year election cycle then initially, positions one (1), three (3), and five (5) shall have four (4)-year terms with alderman representing positions numbered two (2) and four (4) to have two-year terms and thereafter four (4)-year terms.

Marshal (if elected)—two (2) year term. Council may provide by ordinance for appointment or election of city marshal or may create police department. ACA 14-45-109, 14-52-102 and 14-52-103.

Cities of the second class

Recorder—four (4) year term. ACA 14-44-115.

Treasurer—if separate from recorder, four (4) year term. ACA 14-44-109; ACA 14-44-115.

Aldermen—two (2) from each Ward elected for two (2) year terms and must reside in Ward. File by Position Number (1) or (2), and elected city wide unless otherwise provided by ordinance. ACA 14-44-103 (b)(1)(A) and (B) and (c)(1)(A) and (B). Note: Aldermen may, by ordinance referred to the voters, be elected to four-year staggered terms. ACA 14-44-103(a)(4) through (7). Some alderman will initially be elected to two year terms in order to create the staggered terms.

Marshal (if elected)—two (2) year term. Council may provide by ordinance for appointment or election of city marshal or may create police department. ACA 14-44-111, 14-52-102 and 14-52-103.

Collector (optional)—two (2) year term. ACA 14-44-117.

Cities of first class with less than 50,000 population

Aldermen—two (2) from each Ward elected for two (2) year terms; must reside in ward, file by Position No. 1 or No. 2 and elected city wide unless otherwise provided by ordinance. ACA 14-43-307, 14-43-312. However, any first class city may, by ordinance referred to the voters, elect its aldermen to four-year staggered terms as provided in ACA 14-43-312. Note that this will mean some aldermen will initially be elected to two year terms in order to create the staggered terms.

Cities of first class with over 50,000 population

Mayor—four (4) year term. ACA 14-43-303(a)(1)(A)(i).

City Clerk, Clerk/Treasurer - four (4) year term. ACA 14-43-303(a)(1)(A)(ii).

Aldermen—one (1) from each ward for four (4) year terms, must reside in the ward, elected city-wide unless City Council passes ordinance to provide otherwise. ACA 14-43-303 (a)(1)(A)(iii).

District Court Judges

District Judge—beginning in 2004, all District Judges were elected to four (4) year terms. Ark. Const. Amend. 80 secs. 16, 19.

Election of aldermen

Aldermen in cities of the first and second class are elected city-wide if the City Council has not adopted one of the following two options:

Option 1. All the aldermen can be elected by wards.

Option 2. One alderman from each ward can be elected city wide and one alderman from each ward can be elected by ward. ACA 14-43-307(b)(1)(B)(ii), and 14-44-103(c)(1)(B)(ii).

No election in 2012 of the following offices

Incorporated towns

Mayor—ACA 14-45-104.

City Attorney—ACA 14-42-112(a) (although this law is not entirely clear about when a city attorney should stand for election, stating only “at the time of the election of other officers....” This could mean either the other four-year office holders, or could also include the biannual election of aldermen).

Recorder/Treasurer—ACA 14-45-108.

Cities of the second class

Mayor—ACA § 14-44-105.

City Attorney—See note above under incorporated towns.

Cities of first class with less than 50,000 population

Mayor—ACA 14-43-305(a).

City Attorney—ACA 14-43-315(a).

City Clerk, Treasurer or Clerk/Treasurer—ACA 14-43-316 and 14-43-405 (note: Treasurer can be appointed or elected as designated by ordinance. If elected the office follows the election cycle of the Clerk or Clerk/Treasurer and will be next elected in 2014).

Cities of first class with over 50,000 population

City Treasurer—unless the office has, by ordinance, been combined with the City Clerk or is appointed rather than elected. ACA 14-43-303(a)(3)(A)(ii) and 14-43-405.

City Attorney—ACA 14-43-303(a)(3)(A)(i).

Aldermen—one (1) from each ward. ACA 14-43-303(a)(3)(A)(iii) and 14-43-307.

Independent candidates—deadline for filing

Filing deadline for independent candidate (provided that no ordinance was passed pursuant to ACA 14-42-206(d)(1) to shorten the filing period to noon of the day before the preferential primary election) is not more than one hundred and two (102) days, nor less than eighty-one (81) days by 12 p.m. before the general election. This translates to July 27, 2012, until noon, Tuesday, Aug. 17, 2012. ACA 14-42-206(b)(1); ACA 7-6-102(a) (3).

The City Council may fix filing deadline for independent candidates for municipal office:

- (i) No earlier than twenty (20) days prior to the preferential primary election; and
- (ii) No later than noon on the day before the preferential primary election (May 20, 2012). See ACA 14-42-206(d).

The council must enact this ordinance no later than 90 days prior to the filing deadline and publish it for two weeks in a newspaper of general circulation in the city. The deadline may be established even if all offices are independent or otherwise nonpartisan.

Petitions must be signed by not less than ten (10) electors for incorporated towns and cities of the second class and not less than thirty (30) electors for cities of the first class filed with the county clerk. ACA 14-42-206. The county clerk shall determine whether the petition contains a sufficient number of qualified electors. For City Administrator and City manages cities, petitions must have at least 50 signatures. ACA 14-48-109(a)(5) and ACA 14-47-110(a)(3)(A)(i).

Political Practice Pledge—Filed with County Clerk at time of filing petition for nomination, a pledge in writing stating that candidate is familiar with the requirements of ACA 7-1-103,7-1-104, 7-3-108, 7-6-101 through 7-6-104 and will in good faith comply with their terms. See ACA 7-6-102.

Financial Disclosure Statement—A candidate for municipal office must file a financial disclosure statement with the City Clerk or Recorder on the first Monday following the close of the period to file as a candidate for the elective office. Any incumbent office holder who has filed the statement for the year 2011 prior to Jan. 31, 2012, shall not be required to file an additional statement. ACA 21-8-701(c) and 703(a)(3).

Defeated candidates in primary—A person who has been defeated in a party primary shall not be an independent candidate in the general election for the office for which he or she was defeated in the party primary. ACA 14-42-206(b)(6).

No write-in votes-In all general elections held in cities of the first class, second class cities and incorporated towns for the election of officials of these municipalities, no ballots shall be counted for any person whose name is written in thereon. Only votes cast for the regularly nominated, or otherwise qualified candidates whose names are printed on the ballot as candidates in the election, shall be counted by the judges and clerks. ACA 14-43-202.

Who may seek municipal office

- 22. Must be a U.S. citizen. Ark. Const. Art. 3 § 1.
- 23. Must be a resident of municipality or ward represented. Ark. Const. Art. 19 sec. 3; ACA 14-42-201(c).
- 24. Must be at least eighteen (18) years of age. Amendment 26, U.S. Const. Ark. Const. Art. 3 § 1.
- 25. Qualified elector and eligible at time of filing, or in case of age, at time of taking office. ACA 7-5-207(b).
- 26. Free from felony conviction, or conviction of embezzlement of public money, bribery, forgery, theft or other crime involving dishonesty, including misdemeanors. *State v. Oldner*, 361 Ark. 316, 206 S.W.3d 818 (2005), *Edwards v. Campbell*, 2010 Ark. 398 (misdemeanor theft of campaign sign was disqualifying). An exception to this rule occurs if the conviction has been expunged or pardoned by the governor. The following circumstances may lead to a conviction being expunged: a first-time offender who fulfills the terms and conditions of court-imposed probation (ACA § 16-93-303) (except for some sexual or violent offenses); a minor convicted of a felony while under sixteen (16) years of age who subsequently receives a pardon (ACA §16-90-601); a person convicted of a nonviolent felony while under the age of eighteen (18) (ACA. §16-90-602); and an offender pardoned by the Governor (ACA § 16-90-605).
- 27. Must not claim the right to vote in another county or state. Ark. Const. Amend 51 § 6.
- 28. Must not presently be judged mentally incompetent by a court. Id.

Appointed municipal officials may seek election

Officials who have been appointed to their office may run for the office to which they were appointed. Amendment 29 to the Arkansas Constitution prohibits this for federal, state, district, circuit, county and township offices, but Amendment 29 does not apply to municipal offices.

City Administrator Form of Government

Deadlines for filing and other important dates

Deadline for filing statement of candidacy and petition, no more than ninety (90) days (May 16, 2012) or less than seventy (70) days (June 5, 2012) before a municipal primary election, which is the second Tuesday of August. ACA 14-48-109(a).

Tues., Aug. 14—Primary Election for Directors and Mayor when more than two are seeking the office (second Tuesday in August (preceding the municipal general election, which is Nov. 6, 2012). ACA 14-48-109(a)(2).

Tues., June 3—Deadline for clerk to certify names of candidates on the petitions to county board of election commissioners seventy (70) days before municipal primary election which is August 14, 2012. ACA 14-48-109(a)(6)(B).

Important Statutes

14-48-109. Election of directors and mayor—Oath

(a) Candidates for the office of director and mayor shall be nominated and elected as follows:

(1)(A)(i) A special election for the election of the initial membership of the board of directors and mayor shall be called by the Secretary of State as provided in § 14-48-108.

(ii) The proclamation shall be published in accordance with § 7-11-101 et seq.

(iii) For the initial election of directors and mayor, any person desiring to become a candidate shall file within twenty (20) days following the date of the proclamation by the Secretary of State with the city clerk or recorder a statement of candidacy in the form and with the supporting signatures as provided in this section. In all other respects, the initial elections shall be governed by the provisions of this chapter for holding municipal elections.

(B)(i) Special elections to fill any vacancy under § 14-48-115 shall be called through a resolution of the board.

(ii) A proclamation of the election shall be signed by the mayor and published in accordance with § 7-11-101 et seq. in some newspaper having a bona fide circulation in the municipality;

(2)(A) Candidates to be voted on at all elections to be held under the provisions of this chapter shall be nominated by primary election, and no names shall be placed upon the general election ballot except those selected in the manner prescribed in this chapter.

(B)(i) The primary elections, other than the initial primary, for those nominations for offices to be filled at the municipal general election shall be held on the second Tuesday of August preceding the municipal general election.

(ii)(a) The elections shall be under the supervision of the county board of election commissioners, and the election judges and clerks appointed for the general election shall be the judges and clerks of the primary elections.

(b) Primary elections shall be held in the same places as are designated for the general election, so far as possible, and shall, so far as practicable, be conducted in the same manner as other elections under the laws of this state;

(3) Any person desiring to become a candidate for mayor or director shall file with the city clerk not less than seventy (70) days nor more than ninety (90) days prior to the primary election by 12:00 noon a statement of his or her candidacy in substantially the following form:

“STATE OF ARKANSAS
COUNTY OF _____

I, _____, being first duly sworn, state that I reside at _____ Street, City of _____, County and State aforesaid; that I am a qualified elector of said city and the ward in which I reside; that I am a candidate for nomination to the office of _____, to be voted upon at the primary election to be held on the __ day of __, 20__, and I hereby request that my name be placed upon the official primary election ballot for nomination by such primary election for such office and I herewith deposit the sum of ten dollars (\$10), the fee prescribed by law.”

(4) The statement of candidacy and the petition for nomination supporting the candidacy of each candidate to be voted upon at any general or special election shall be filed with the city clerk or recorder not less than seventy (70) days nor more than ninety (90) days before the election by 12:00 noon;

(5) The name of each candidate shall be supported by a petition for nomination signed by at least fifty (50) qualified electors of the municipality requesting the candidacy of the candidate. The petition shall show the residence address of each signer and carry an affidavit signed by one (1) or more persons in which the affiant or affiants shall vouch for the eligibility of each signer of the petition. Each petition shall be substantially in the following form:

“The undersigned, duly qualified electors of the City of _____, Arkansas, each signer hereof residing at the address set opposite his or her signature, hereby requests that the name of _____ be placed on the ballot as a candidate for election to Position No. ____ on the Board of Directors (or Mayor) of said City of _____ at the election to be held in such city on the ____ day of __, 20___. We further state that we know said person to be a qualified elector of said city and a person of good moral character and qualified in our judgment for the duties of such office.”

(6)(A) A petition for nomination shall not show the name of more than one (1) candidate.

(B) The name of the candidate mentioned in each petition, together with a copy of the election proclamation if the election is a special election, shall be certified by the city clerk or recorder to the county board of election commissioners not less than seventy (70) days before the election unless the clerk or recorder finds that the petition fails to meet with the requirements of this chapter.

(C)(i) Whether the names of the candidates so certified to the county board of election commissioners are to be submitted at a biennial general election or at a special election held on a different date, the county board of election commissioners shall have general supervision over the holding of each municipal election.

(ii)(a) In this connection, the election board shall post the nominations, print the ballots, establish the voting precincts, appoint the election judges and clerks, determine and certify the results of the election, and determine the election expense chargeable to the city, all in the manner prescribed by law in respect to general elections; it is the intention of this chapter that the general election machinery of this state shall be utilized in

the holding of all general and special elections authorized under this chapter.

(b) The result of the election shall be certified by the election board to the city clerk or recorder;

(7) The names of all candidates at the election shall be printed upon the ballot in an order determined by draw. If more than two (2) candidates qualify for an office, the names of all candidates shall appear on the ballot at the primary election;

(8)(A) If no candidate receives a majority of the votes cast in the primary, the two (2) candidates receiving the highest number of votes for mayor and for each director position to be filled shall be the nominees for those respective offices to be voted upon in the general election.

(B) If no more than two (2) persons qualify as candidates for the office of mayor or for any director position to be filled, no municipal primary election shall be held for these positions, and the names of the two (2) qualifying candidates for each office or position shall be placed upon the ballot at the municipal general election as the nominees for the respective positions. Primary elections shall be omitted in wards in which no primary contest is required.

(C) In any case in which only one (1) candidate shall have filed and qualified for the office of mayor or any director position, or if a candidate receives a clear majority of the votes cast in a primary election, that candidate shall be declared elected. The name of the person shall be certified as elected without the necessity of putting the person's name on the general municipal election ballot for the office; and

(9) Any candidate defeated at any municipal primary election or municipal general election may contest it in the manner provided by law for contesting other elections.

(b) Each member of the board of directors, before entering upon the discharge of his or her duties, shall take the oath of office required by Arkansas Constitution, Article 19, Section 20.

History—Acts of 1967, Act 36, §§ 5, 9; Acts of 1971, Act 439, § 1; Acts of 1989, Act 347, §§ 2, 3; Acts of 1989, Act 905, § 7; Acts of 1997, Act 879, §§ 1, 2; Acts of 2005, Act 67, §§ 27, 28, eff. Aug. 12, 2005; Acts of 2005, Act 489, §§ 1, 2, eff. Aug. 12, 2005; Acts of 2007, Act 580, § 1, eff. July, 31, 2007; Acts of 2007, Act 1049, § 56, eff. July 31, 2007; Acts of 2009, Act 1480, § 74, eff. April 10, 2009.

Formerly—A.S.A. 1947, §§ 19-805, 19-809.

City Manager Form of Government

Deadlines for filing and other important dates

Deadline for all candidates for petitions of nomination and political practice pledges not more than one-hundred two (102) days (July 27, 2012) nor less than eighty-one (81) days (Aug. 17, 2012) before general election which is Nov. 6, 2012. ACA 14-47-110(a)(2)

Tuesday, Sept. 30, 2012—Deadline for city clerk to certify names of candidates for director to county board of election commissioners, unless petition fails to meet standards (seventy-five (75) days before general election, which is November 6, 2012). ACA 14-47-110(a)(3)(D).

Important Statutes

14-47-110. Election of directors

(a) Candidates for the office of director shall be nominated and elected as follows:

(1)(A)(i) A special election to elect the initial membership of the board shall be called by the mayor as provided in § 14-47-106.

(ii) The mayor's proclamation shall be in accordance with § 7-11-101 et seq.

(B)(i) A special election to fill any vacancy under § 14-47-113 shall be called through a resolution of the board of directors.

(ii) A proclamation announcing the holding of the election shall be signed by the mayor and published in accordance with § 7-11-101 et seq.;

(2) The petition mentioned in subdivision (a)(3) of this section supporting the candidacy of each candidate to be voted upon at any general or special election shall be filed with the city clerk or recorder not more than one hundred two (102) days nor fewer than eighty-one (81) days before the election by 12:00 noon;

(3)(A)(i) In respect to both special and general elections, the name of each candidate shall be supported by a petition, signed by at least fifty (50) qualified electors of the municipality, requesting the candidacy of the candidate.

(ii) The petition shall show the residence address of each signer and shall carry an affidavit signed by one (1) or more persons, in which the affiant or affiants shall vouch for the eligibility of each signer of the petition.

(B) Each petition shall be substantially in the following form:

"The undersigned, duly qualified electors of the City of _____, Arkansas, each signer hereof residing at the address set opposite his or her signature, hereby request that the name _____ be placed on the ballot as a candidate for election to Position No. ___ on the Board of Directors of said City of _____ at the election to be held in such City on the ___ day of ___, 20___. We further state that we know said person to be a qualified elector of said City and a person of good moral character and qualified in our judgment for the duties of such office."

(C) A petition for nomination shall not show the name of more than one (1) candidate.

(D)(i) The name of the candidate mentioned in each petition, together with a copy of the election proclamation if the election is a special election, shall be certified by the city clerk or recorder to the county board of election commissioners not less than seventy-five (75) days before the election unless the clerk or recorder finds that the petition fails to meet the requirements of this chapter.

(ii)(a) Whether the names of the candidates so certified to the county board of election commissioners are to be submitted at a biennial general election or at a special election held on a different date, the election board shall have general supervision over the holding of each municipal election.

(b) In this connection, the board shall post the nominations, print the ballots, establish the voting precincts, appoint the election judges and clerks, determine and certify the result of the election, and determine the election expense chargeable to the city, all in the manner prescribed by law in respect to general elections. It is the intention of this chapter that the general election machinery of this state shall be utilized in the holding of all general and special elections authorized under this chapter.

(c) The result of the election shall be certified by the election board to the city clerk or recorder; and

(4) The candidate for any designated position on the board of directors who, in any general or special election, shall receive votes greater in number than those cast in favor of any other candidate for the position shall be deemed to be elected.

(b) Each director, before entering upon the discharge of his or her duties, shall take the oath of office required by the Arkansas Constitution, Article 19, § 20.

History—Acts of 1921, Act 99, §§ 5, 8; Acts of 1957, Act 8, §§ 5, 6; Acts of 1965, Act 6, § 1; Acts of 1989, Act 347, § 1; Acts of 1993, Act 541, § 1; Acts of 2001, Act 552, § 1, eff. Aug. 13, 2001; Acts of 2005, Act 2145, § 33, eff. Aug. 12, 2005; Acts of 2007, Act 1049, § 52, eff. July 31, 2007; Acts of 2009, Act 1480, § 70, eff. April 10, 2009; Acts of 2011, Act 1185, § 20, eff. Oct. 2, 2011.

Formerly—Pope's Dig., §§ 10093, 10096; ASA 1947, §§ 19-705, 19-708.

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Arkansas cities get COPS money

Three Arkansas cities are among 220 cities and counties across the nation who will receive funding through the U.S. Department of Justice's Community Oriented Policing Services program, or COPS, *Arkansas Business* has reported. The funding will create or save about 800 law enforcement positions nationwide. The new positions funded by COPS must be filled by recent military veterans who have served at least 180 days since Sept. 11, 2001.

Arkansas agencies receiving the grants include Pine Bluff, which received \$438,150 for four officers; Fordyce, which received \$92,124 for one officer; and Gurdon, which received \$80,440 for one officer.

Arkansas first to implement "Smart911" system

Arkansas is the first state in the country to implement the new "Smart911" emergency call system, KUAR reported June 4. The new system allows 911 operators to see data about a caller's address, family members, medical information, photographs, and other helpful information the caller has added to a Smart911 database.

Rave Mobile Security, the parent company of Smart911, stresses that caller information is highly secure. It is only available to 911 operators for 45 minutes after an emergency call is placed, and it cannot be pulled up at any time other than when a participant makes an emergency call.

The service has a \$1 million startup cost and will cost the state an additional 14 cents per citizen per year. It will be up to the legislature to reapprove the funding.

Five cities get FAA funds

The Federal Aviation Administration has awarded more than \$1.6 million to five Arkansas cities to improve or expand taxiways at local airports, *Stephens Media* reported June 1. Warren and Clarksville will each receive \$545,835 to construct taxiways. Pine Bluff will receive \$254,034 to rehabilitate the taxiway at Grider Field. Carlisle will get \$157,500 to improve its runway. Rogers will receive \$141,300 to redo their taxiway.

Nine airports share \$2 million in grants

Nine rural Arkansas airports will share in more than \$2 million in U.S. Department of Transportation grants, the AP has reported. Camden's Harrell Field Airport will receive \$33,800 to repair the runway and taxiway lighting systems. Baxter County Airport at Mountain Home will receive \$495,000 to replace the apron and install a vertical/visual guidance system. Crossett's Z.M. Jack Stell Field will receive \$90,000 for security fencing. Hope Municipal Airport will receive \$387,000 to repair the runway. Searcy County Airport at Marshall will receive \$355,419 to repair runway lighting and install taxiway lighting. Melbourne's John E. Miller Field will receive \$150,000 for a vertical/visual guidance system and drainage improvements. Piggott Municipal Airport will receive \$281,770 to repair and expand the apron. Springdale Municipal Airport will receive \$153,000 for a vertical/visual guidance system and to install an automatic weather observing system. Stuttgart Municipal Airport will receive \$171,000 to repair the runway and taxiway.

Grant awarded for trail connecting Memphis-West Memphis

Memphis will receive a \$14.9 million federal grant to create a bicycle and pedestrian trail across a historic Mississippi River bridge that will connect downtown Memphis with West Memphis, the AP has reported. The Transportation Investment Generating Economic Recovery grant will help fund the \$30 million project. The centerpiece of the project will be the historic Harahan Bridge, built in 1917 as the first span connecting both rail and vehicular traffic across the river. The project includes converting the existing bridge roadway to a bicycle and pedestrian path, and constructing new multi-use trails to connect it to Broadway Avenue, West Memphis' key thoroughfare. The revitalization is also expected to include lighting, landscaping, and other improvements to Broadway.

Obituaries

RANDY LAND, 51, of Okolona, Gum Springs fire chief and a 15-year veteran of the fire department, died July 2. Land was also a first responder for Clark County.

CAROL O'DONNELL, 70, Mineral Springs Recorder/Treasurer, died June 7.

Not for women only: The truth about men and breast cancer

By V. Suzanne Klimberg, M.D.

Breast cancer is not something we normally even associate with men, but that needs to change. It's true: Men rarely get breast cancer. In fact, less than one percent of all breast carcinomas occur in men, but men who are diagnosed with the disease often don't survive as long as women. That's because men don't even realize they can get breast cancer. Pink ribbons and the color pink, two things most closely associated with femininity, are used in breast cancer public awareness campaigns. (A pink and blue ribbon is often used to signify male breast cancer.)

Physicians evaluating male patients do not immediately consider breast cancer, even if the same signs would be considered an instant red flag for women. By the time they see a doctor, their disease has often progressed significantly.

The American Cancer Society estimates one in 1,000 men will get breast cancer, versus one in eight women. By comparison, one in six men will get prostate cancer, the most common cancer in men.

The average age at diagnosis is 68, although men of all ages are vulnerable to the disease. As with women, the symptoms can show up as a lump under or near a nipple, nipple discharge, scaly skin or skin puckering, and pain that feels like tugging on the breast.

On average, women with breast cancer lived two years longer than men in the biggest study yet of the disease in males. The study found that men's breast tumors were larger at diagnosis, more advanced and more likely to have spread to other parts of the body.

Risk factors for men may include:

- Radiation exposure
- Heavy alcohol consumption
- Estrogen treatment
- Diseases associated with hyperestrogenism, such as cirrhosis or Klinefelter's syndrome
- Female relatives with breast cancer

The researchers analyzed 10 years of national data on breast cancer cases, from 1998 to 2007. A total of 13,457 male patients diagnosed during those years were included, versus 1.4 million women. The database contains about 75 percent of all breast cancer cases in the United States.

We know that factors such as age, genetics and family history affect a woman's chance to develop breast cancer. While research on men's breast cancer is scant, it appears that these same factors also play a part in whether men will develop the disease.

The men who were studied lived an average of about eight years after being diagnosed, compared with more than 10 years for women. The study doesn't indicate whether patients died of breast cancer or something else.

Some doctors said one finding in the study suggests men's breast tumors might be biologically different from women's: Men with early-stage disease had worse survival rates than women with early-stage cancer. But men's older age at diagnosis also might explain that result, some researchers say.

There are no formal guidelines for detecting breast cancer in men. The main thing for a man to screen with is his hand.

Just ask Dumas resident Gerry Vickers, who was in his den watching an educational TV program that mentioned men do occasionally get breast cancer. Vickers says, as a U.S. marine, he initially felt embarrassed but put his hand under his shirt and did a self-exam. The first squeeze he felt a very small, acorn-sized knot. Vickers was diagnosed with stage 2 breast cancer and within three weeks had a mastectomy.

The American Cancer Society says routine, across-the-board screening of men is unlikely to be beneficial because the disease is so rare.

So, examine yourself. You can do it in the shower and in private. Make sure you don't have any lumps. If you have complained of an irritation or tiny lump beneath your nipple, or noticed a discharge, don't dismiss these signs. Make an appointment to see your doctor, and discuss the possibility that a breast exam or mammogram may be in order.

V. Suzanne Klimberg, M.D. is Director of the Breast Cancer Program, University of Arkansas for Medical Sciences.



Dr. Klimberg, left, visits with Gerry Vickers of Dumas, who was diagnosed with breast cancer.

Ozark Off Road Cyclists win ARPA Group of the Year

By Byron Humphry

The Arkansas Recreation and Parks Association has named the Ozark Off Road Cyclists (OORC) its Group of the Year. OORC is a mountain bike club founded in 1997 as a nonprofit organization based in the Ozark Mountains of Arkansas with a mission to promote mountain biking and sustainable single track trails in the Ozark region. OORC members have been mountain biking, building, and maintaining mountain bike trails for as long as there has been mountain biking in Arkansas. The OORC has been an International Mountain Bike Association member since their inception, and have continually advocated for more and better trails in the region.

In January 2010, the OORC approached the Fayetteville Parks and Recreation Department with a request to rebuild the nature trail at Lake Fayetteville Park and make it safer and more sustainable. Lake Fayetteville Park is an important natural and recreational resource visited by thousands of people each month. Due to decades of heavy use by runners, hikers, and mountain bikers, the nature trail was in dire need of an overhaul.

The origin of the nature trail at Lake Fayetteville began many years ago when moto-cross dirt bikes blazed the trail up and down the hills that surround the lake. The trails were aligned in the path of least resistance with no thought given to slopes and runoff and the subsequent erosion. In many places, the trail corridor was along the edge of the property or traversed wet areas that stayed muddy year-round. This resulted in sections of the trail that had severe gullies and other sections of the trail having large mud holes. Side trails developed

as trail users tried to avoid bad areas of trail resulting in unwanted side trails that were environmentally intrusive and unsafe.

Parks staff met with the OORC to develop a new design for the nature trail that fit the topography of the property and made use of natural features without damaging the integrity of the natural surroundings. Members of the OORC flagged the new route and consulted with Parks staff until a detailed design was agreed upon. The result is a design that is safe, sustainable from both a maintenance and environmental perspective, and accommodating to all user groups including mountain bikers, hikers, and joggers.

Once the design was agreed upon, the OORC went to work. They hosted volunteer workdays with their club and any interested individuals. They worked with Boy Scout groups and Camp War Eagle, hosting workdays and teaching the youth methods of trail building as well as team building. They also partnered with Progressive Trail Design, a nationwide professional trail building/bike park development company based in Fayetteville, to rebuild certain sections of trail using specialized equipment and expertise.

The commitment and passion the OORC has shown in volunteering their time to improve a public trail is exceptional. And Lake Fayetteville is not the only trail that OORC has been working on during this time. They have volunteered on three other trails in Northwest Arkansas to achieve their goal of providing great trails for all to enjoy. They have also hosted training sessions with representatives from the International Mountain

Biking Association to give citizens and parks staff the opportunity for classroom and hands-on training on the proper construction and maintenance techniques for nature trails. For more information visit www.ozarkoffroadcyclists.com.

Byron Humphry is Maintenance Superintendent for Fayetteville Parks and Recreation.



The nature trail at Lake Fayetteville Park was just one of several in the region that members of the Ozark Off Road Cyclists made safer and more sustainable, thus earning ARPA's Group of the Year honor.

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Talking to one another: A lost art?

By Jim von Tungeln

An old saying about planning states that it is a process in which the conclusions of reasonable people can and do differ. Two individuals, each governed by honest motives, may view the same set of facts and arrive at opposite conclusions. It drives elected officials crazy. An example:

Progressive traffic engineers agree that the speed at which a person drives an automobile along a street depends largely upon the width of the street. The wider the street, the faster a person drives. As the accidents pile up, property owners demand such idiocies as “speed bumps,” the primary purpose of which is to demonstrate what happens when civilized society collapses.

We narrow the streets then, right? Wait a minute. Here comes the fire chief, whose teams must negotiate

vehicles of ever-increasing size along those streets. He concludes that we should increase the street widths.

At that point the city engineer may ask, “Who is going to maintain all that pavement?” The city planner may even weigh in on behalf of the pedestrian who must cross ever-widening intersections and who is increasingly at the mercy of the vehicle operator.

The mayor just groans.

For our purposes here, consider a more complicated yet timely case involving neighborhood development. One group sees a blighted neighborhood and truly believes that redevelopment would create improved housing, economic opportunity, and better civic design. These benefits would accrue to the entire city.

Another group, the existing residents, disagrees. The neighborhood represents home to them. It may be



PHOTO BY JAMES WALDEN

Renovate or redevelop? This question may cause reasonable people to disagree. Will the answer come from on high or from within?

the only place in town that past societies allowed their parents and grandparents to live. It holds generations of memories for the residents. They don't want the area leveled and redeveloped. They want it protected and improved.

Although neither viewpoint grows from base motives, this type of disagreement can split a city apart and make a career for a young journalist.

Peaceful solutions may not be apparent for a society used to TV dramas. Here are some hints, though. It involves talking. It also involves lateral decision-making. It requires educated analysis and empathy. These things may confuse us these days. Let us consider them one at a time.

By talking, I don't mean public hearings. Neither do I mean obtaining the approval of the neighbors. These represent "top-down" management. In other words, one party proposes and then seeks to sell the other party on a pre-determined approach. Selling is not the same as talking. Presentations seldom produce conversations of equal footing.

No, as we talk, we should sincerely examine the goals, aspirations, concerns, and standards of all parties. Nor should we rely upon a "facilitator." They serve a particular side. Ant colonies have no mayors, councils, commissions, blue-ribbon task forces, stakeholder groups, facilitators, or urban designers. They accomplish their task, however, with greater ease and efficiency than was ever achieved within any human settlement.

Lateral management is at the forefront of public administration theory. It offers an alternative to the "bureaucratic" model of governance in which management flows from the top down through managers, assistant managers, staff advisors, and forepersons. Lateral management includes no "silos of independent authority." The organism works as a unified whole in achieving goals. As the name suggests, decisions occur laterally instead of through a bureaucratic hierarchy.

This brings us to education. A recent study indicates that only half of adult Americans can name the three branches of federal government. Moreover, the studies show, half of young Americans can't find New York on a map. This should indicate how much our residents know about local government.

For meaningful dialogue to occur between residents of a neighborhood and those who would invest in the neighborhoods, educational levels must match. This should be a primary objective of local governments. They might become much more proactive in establishing information seminars and outreach programs.

Many of us confuse the meaning of the word "empathy" (understanding how another feels) and "sympathy" (adopting the same set of feelings as another). As a result, we may tend to "feel sorry" for the residents of a low-income neighborhood instead of understanding why they don't trust us. It is hard to walk in another's shoes, but so often it is worth the effort.

Those of us who have been around cities for a time know what happens when groups don't talk with mutual trust and respect. The limits of decorum become strained. Distrust grows like a cancer. Various groups "circle the wagons."

Then the press joins in. The result is not pretty at all—entertaining perhaps, but unproductive. Are the ants smarter than we? One hopes not. We can agree, however, that it would be hard for either education or mutual understanding to occur in this situation.

Consider an alternate scenario. A developer brings no preconceived plans to a neighborhood, simply a willingness to invest and take a risk on the future of the area. The existing residents welcome this intent to develop with an open, informed mind. The developer then asks, "What kind of development would you welcome in your neighborhood?" The residents answer, "What kind of development would justify your risk?" Then the talking begins on an equal basis, not from a process managed from on high.

Would it always work? Maybe not. But when it does, our friends in the press will be welcome to publicize a success story instead of another NIMBY (not in my back yard) battle. Even the ants would be impressed. Wouldn't it be worth a try?



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.

Creativity the secret ingredient for rural success

By Chad Gallagher

This space would not allow for us to name all of the towns in Arkansas that once were, the towns few remember. Many have little more than a sign on the highway. If they're lucky they have a local church, maybe a gas station, but their big days are past. We could all tell stories of small towns struggling to hang on that once had hotels, bars, pharmacies, stores aplenty, and people bustling in the streets. If our main discussion of the town is what once was then there is a problem.

I am a small town boy. I love small towns and everything they represent. Yet I am a realist and understand that many of our small towns are dying. Others have died and no one has yet to notify the next of kin. Arkansas is a state made up of hundreds and hundreds of small towns. Yet, slowly and maybe even a bit reluctantly, our population is shifting to the larger towns and geographical centers. What's a small town to do?

If you are the leader of a small town or any town in a rural setting, don't despair. Hope is not lost, but a bright future will not happen on its own. When all else is equal, creativity is the secret ingredient to success. Municipal leaders must become increasingly creative to get things done. This is true in securing competitive grants as well.

Rural communities must play to their strengths and look for creative ways to leverage their assets. Prioritize the budget around quality of life issues and creating quality of place. Pursue grant opportunities that strengthen this aspect. Be thoughtful about housing and pay attention to schools. These are all things that can cause people to choose to live in one place even if they have to drive a bit to a metro center for work.

Rural communities should also approach economic development with a real understanding of the new economy. The new economy is not composed of railroad spurs and waterlines. While there are some great manufacturing opportunities worthy of pursuit, this is

no longer as front and center as it was 20 years ago. The new economy is built on a smaller scale. It is diverse and global in its approach. This can actually be to a small town's advantage. The Internet has created an entire new stage for small businesses everywhere. Likewise, many existing businesses in small towns could find a new lease on life if they creatively shift their focus from local to global and regional markets. This isn't easy, but there are countless success stories. Instead of going out of business because your local population dwindled, develop new strategies that allow you to stay in your town and employ more people by mining new markets.

Rural cities and towns must also forge creative partnerships both regionally and in the private sector. Establishing strong partnerships today requires the removal of old competition in economic development. In today's world, small towns cannot afford to nurse old rivalries. Instead cities must combine resources and efforts to offer regional solutions to difficult challenges. More than ever cities must look to the successful in the private sector and work with them to create complimentary relationships built around mutual benefit. Doing this can create fantastic opportunities for cities.

It is our privilege to work with League members large and small across the state on all sorts of projects. We understand the challenges rural Arkansas faces, but we're confident the ingenuity and hard work will surface—as it always does—to creatively remake rural Arkansas once again for the better.



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

Fairs & Festivals

July 13-14, **GUY**, 1st Guy Peachfest, 501-679-4585, www.guypeachfest.com

July 27-28, **ALTUS**, 29th Altus Grape Festival, 479-468-4684, www.altusgrapefest.com;
DUMAS, 33rd Ding Dong Days, 870-382-5447, www.dumasar.net

July 28, **HEBER SPRINGS**, 26th World Championship Cardboard Boat Races, 501-362-2444, www.heber-springs.com

Aug. 3, **DIERKS**, 41st Pine Tree Festival, 870-286-2019, www.dierkschamberofcommerce.com

Aug. 4, **DECATUR**, 59th Decatur BBQ, 479-752-3912, kimsbeggs@gmail.com

Aug. 7-11, **TONTITOWN**, 115th Tontitown Grape Festival, 479-927-2295, www.tontitowngrapefestival.com

Aug. 9-11, **CAVE CITY**, 33rd Cave City Watermelon Festival, 870-283-5959, www.cavecityarkansas.info; **HOPE**, 36th Hope Watermelon Festival, 870-777-3640, www.hopemelonfest.com

CALENDAR

**National League of Cities
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Lake Village celebrates Tushek opening

Lake Village's municipal offices are for the first time under one roof in the newly renovated John L. Tushek building. Several hundred citizens, visitors and dignitaries gathered at Main and Court streets in downtown Lake Village June 14 to dedicate the building.

Built in 1906 by its namesake, an Austro-Hungarian immigrant, the building housed the city's first mercantile store, in addition to Tushek's manufacturing, lumber, trading, jewelry and optician offices. The Tushek building was named in 1993 to the National Register of Historic Places, but sat empty and neglected for many years. Lake Village Mayor JoAnne Bush and city leaders hoped to make it a downtown cornerstone after being gifted the building about five years ago. After securing funding, construction began last year.

The \$2 million project combines new, energy efficient HVAC, windows and other modern touches with much of the building's historic hardware, floors, doors and other unique characteristics. It is one of the first LEED-certified buildings in the state also listed on the National Register of Historic Places, and it is the first LEED-certified building in southeast Arkansas, Bush said.

The mayor thanked the city's multiple funding partners, the city council, city employees, and everyone who helped make the renovation possible.

"The building always held a promise to revitalize our downtown area," Bush said. "Today it does exactly that."



The neglected Tushek building in 2008, shortly after it was gifted to the city.

To fund the project the city secured an Energy Efficiency and Conservation Block Grant for \$750,000 and a USDA/Rural Development grant/loan for \$840,000 through the American Recovery and Reinvestment Act. It was the perfect use for the stimulus money, Gov. Mike Beebe said at the dedication. Stimulus is one-time money, he said, and should go for important capital improve-

ment projects like this.

"It's something you all can be proud of, it's something that was extremely needed, and it's something that for years and years to come you'll be able to enjoy," Beebe said.

Congressmen Mike Ross and Rick Crawford, Speaker of the House Robert Moore and Attorney General Dustin McDaniel also joined in the dedication.



The restored, LEED-certified Tushek building is dedicated as Lake Village's new municipal complex.



Mayor JoAnne Bush thanks the many financial partners and her fellow city leaders for helping make the project a reality.



Mayor Bush, left, visits with Jeannine Sessions, daughter of John L. Tushek.



Gov. Mike Beebe, center, and U.S. Rep. Mike Ross, right, help the crowd playfully christen the building with bubbles.



Many of the building's original doors hang in the stairway, a decorative reminder of its history.

NEWSLETTER

JULY 2012

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

Heroin

Heroin is an opiate drug that is synthesized from morphine, a naturally occurring substance extracted from the seedpod of the Asian Opium Poppy plant. Heroin usually appears as a white or brown powder, or as a black sticky substance known as "black tar heroin." Heroin is becoming a drug of choice due to the cheap purchase price and availability. It can be injected, snorted, sniffed, or smoked. Once heroin is used, the drug goes to various places in the brain. Injecting with a needle goes directly into the bloodstream.

Regardless of how it is used, heroin is a dangerous drug. Users admit that the first "rush" is euphoric. Trying to get the same feeling again is their quest; however, reaching that same level of euphoria is not obtainable. This, of course, leads to increased usage, adjusted amounts, and lots of problems for the individual.

All routes of heroin administration will result in a quick delivery to the opioid receptors in the brain. These receptors in the brain, brain stem, and the body are those involved in the perceptions of pain and pleasure. These receptors are critical for automatic process needed for life: breathing, blood pressure, and arousal. Overdoses of heroin often involve respiration suppression or death.

After injecting heroin, users report a rush, dry mouth, warm flushing of the skin, heaviness of the extremities, and clouded mental state. Following the initial rush, the user goes in an alternately wakeful and drowsy state. Users that administer the drug by means other than injecting may not experience this initial rush, but the other effects are the same.

Heroin users are at high risk for addiction. It is estimated that about 23 percent of individuals who use heroin become dependent. With regular use of heroin,

tolerance develops and more heroin is needed to achieve the same intensity of the first experiment with the drug.

This is an insidious drug that wreaks havoc on the health of users. Associated health issues from heroin use include: death, spontaneous abortion, infectious diseases (HIV, hepatitis), collapsed veins, abscesses, liver and kidney disease, infection of the heart lining and valves, pulmonary complications, pneumonia, and more.

Getting off heroin involves serious and often lengthy medical attention and hospitalization. Treatment can require long therapy sessions in a medical facility even after hospital discharge.

Drug testing analysis detection levels have been adjusted downward so that it becomes possible to identify more users of heroin. Employees under the influence of this drug cannot perform their jobs safely or successfully. In no instance should a heroin-abusing employee be in a safety sensitive position at work.

Methadone has been used for over 30 years to treat heroin addiction and is commonly used for those in a treatment or counseling program. Another more recently approved drug is Buprenorphine, but many patients do not respond well to this drug. Naltrexone is available for treatment; however, it has not been used widely due to poor patient compliance. It requires individuals to be medically detoxified and opioid free prior to taking the drug. A final drug is Naloxone, which is a shorter-acting opioid receptor blocker, and is mostly used for cases of overdose. In our drug-testing program, we often see donors taking methadone. This appears to be the most common drug used for treatment.



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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Web-based tools of the trade

By Denise Leeson-Provost

As the old saying goes, information is power. Information gives us the ability to communicate, educate, persuade, and make better decisions. We often find ourselves wishing we had more of the stuff in order to make sound decisions. A May 2012 article in *City & Town* by Jim von Tungeln gave numerous examples of questions that we can only answer with the help of timely, accurate information.

Let's assume that much of the information required for sound decision-making is the result of data analysis. Our quest becomes access to user-friendly sources of current and accurate data and the tools with which to analyze it.

Many organizations collect data. Some is shared freely at websites like the Bureau of Labor Statistics, while other data sets remain private or are available for a fee. Most people have little time or they lack the expertise to perform economic development-specific data analysis necessary for sound decision-making. This article presents some data analysis tools that may meet some of your information needs.

My favorite website for data analysis is Longitudinal Employer-Household Dynamics (LEHD), one of several innovative programs at the U.S. Census Bureau. LEHD combines federal and state administrative data on employers and employees, U.S. Census data, and surveys to offer several useful tools. Go to Quick Links on the left panel of www.lehd.did.census.gov to begin a tour. We'll commence our tour with the most user-friendly tools and work toward the most interactive and complex.

Older Worker Profiles are a set of profiles of older workers in 30 states. The most recent profiles (2007/2008) refer to age groups of workers in 2004, thus readers must take care to consider the time lapse since the publication date.

Community Economic Development HotReport (CED HotReport) creates a variety of basic tables and graphics aggregating county-level social and economic information from 11 different data sources. Searches will be most fruitful for counties with a population greater than 20,000. No tutorial should be required. Simply select the desired state and county, then click through the various summary reports.

Industry Focus is a remarkable tool that allows you to identify top industries in a geographic area according

to the queried age group/sex, education level/sex, or the race/ethnicity of workers. Industry Focus provides up to eight quarterly workforce indicators for the population you select. This user-friendly tool will help you learn more about your region's workforce and its fastest growing industries. The first quarter of 2011 is the most recent quarter included in the data set. Industry Focus yields the accompanying table when queried about new hires, age 25 – 34, in the Little Rock, North Little Rock, Conway Metro Region.

Quarterly Workforce Indicators (QWI) is a highly robust tool that allows users to study various economic and workforce indicators you may query by geographical location and detailed industry, gender, and age of workers. On first inspection, QWI appears to function very much like Industry Focus; however, QWI comes with an added surprise. Click "View Detailed Comparison Reports" to open the pivot table in which you can compare selected workforce/economic indicators over time periods and by similar regions, two-digit NAICS industry groups, gender, age groups, and public/private ownership. Explore the functionality of QWI and you'll be amazed at the comparisons you can craft. Data analysis can be exciting!

OnTheMap for Emergency Management produces maps and reports of historical hurricanes and tropical storms (2010-2012) and fires (2011-2012). This tool responds a bit slowly to queries, so be patient with it. There seems to be no tutorial, though you will probably discern the functionality rapidly.

OnTheMap is an award-winning data analysis tool that creates tables, maps, and graphics. OnTheMap can aid in making diverse decisions such as determining which high growth area in which to invest in a new elementary school, in which area of a city to locate a new business, and the most efficient timing of traffic lights to correspond to commuting patterns of workers. Basic functions are fairly simple, but you will have to invest some time and effort to become a proficient user of this tool. There's also a slimmed-down mobile version.

Follow along to give OnTheMap a test run. Together, we'll walk through one basic analysis:

Open OnTheMap. Type "07 Southeast WIB" in the blank box next to the "Search" button. From the "Search All Names" dropdown list, select "Workforce Investment

Areas (WIA).” Click the “Search” button. Select “07 Southeast WIB.” Select “Perform Analysis on Selection Area.” OnTheMap allows users to make various choices at this point. For the sake of simplicity, click “Go!” and listen for the drum roll.

Based on our simple query, OnTheMap produced a profile of workers in the Southeast WIA. Create a report by selecting “Detailed Report” or “Print Chart/Map” in the results panel on the left. Click “Change Settings” to modify or select a different type of report. Some reports tell an effective story as PDFs, others as multi-year comparisons in Excel tables. You can then create graphs in Excel to show multi-year trends or to compare distinct cities, counties, or other geo-political regions.

Developing a comfort level with these tools will require you to dedicate some time to that end. If you need to cut to the chase, we will be happy to schedule a meeting where we can show you where to find answers to your questions or discuss doing the research for you. For more information and assistance with these and other workforce/economic data analysis tools, contact me at the Arkansas Institute for Economic Advancement.



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High Growth Industries

Top 10 industries ranked on the greatest number of new hires.
Arkansas, Metro=Little Rock-North Little Rock-Conway.
Males and Females, Ages 25-34, Private Firms Only.

Rank	Industry	Average Quarterly New Hire Employment (April 2010/ March 2011)	New Hire Earnings (\$) (April 2010/ March 2011)
	All NAICS subsectors	5,744	\$2,195
1	561 Administrative and Support Services	755	\$1,859
2	722 Food Services and Drinking Places	669	\$1,088
3	541 Professional, Scientific, and Technical Services	381	\$3,343
4	623 Nursing and Residential Care Facilities	283	\$1,786
5	621 Ambulatory Health Care Services	278	\$2,817
6	622 Hospitals	235	\$2,589
7	238 Specialty Trade Contractors	223	\$2,506
8	624 Social Assistance	210	\$1,309
9	452 General Merchandise Stores	171	\$1,596
10	441 Motor Vehicle and Parts Dealers	130	\$2,638

Source: U.S. Census Bureau, Local Employment Dynamics

Summaries of attorney general opinions

Recent opinions that affect municipal government in Arkansas

From the Office of Attorney General Dustin McDaniel

Dual mayor-county judge service may pose conflict of interest

Opinion: 2012-018

Requestor: Murdock, Reginald—State Representative

Does a county judge who is also the mayor of a city within the county face a conflict of interests by serving on the county intergovernmental cooperation council and participating in decision-making with respect to the distribution of premium tax funds to the city fire department? **RESPONSE:** Based both upon the apparent conflict generated by such dual service with respect to the distribution of premium tax funds and further upon possible conflicts in other contexts, a reviewing court might conclude that holding both offices would offend public policy and hence be precluded under the common-law doctrine of incompatibility. A court might alternatively conclude that the dual office holder in this instance should abstain from participating in decisions relating to the distribution of premium tax funds, although, such abstention might result in significant practical complications that would render this remedy ineffectual. A court faced with either or both alternatives would be obliged to consider the particular factual circumstances attending the challenge—a fact that precludes me, not being a finder of fact, from opining what course would be appropriate in this instance.

Bradley County pay policy OK

Opinion: 2012-055

Requestor: Wardlaw, Jeff—State Representative

The Bradley County Quorum Court has approved a policy that states, “Employees for the Road and Solid Waste Departments will be paid 40 hours of straight time and 5 hours at time and a half every week for time worked, even if the 45 hours includes non-work time such as sick or vacation time.” Q1) Is the above mentioned practice illegal? Q2) If this policy has been approved by the quorum court, what law would forbid it? **RESPONSE:** It is my opinion that no law forbids a policy such as this, as long as Bradley County has a general policy or practice of paying all county employees for their accrued leave at their regular rate of pay. It is my understanding that the county has such a policy or practice.

Best to restrict blue lights to emergency vehicles

Opinion: 2012-020

Requestor: Webb, Kathy—State Representative

Does ACA 5-77-201 cover the use or sale of any automotive lighting products that include blue lights that do not flash or rotate, and which are not otherwise similar in appearance to any emergency vehicle light when used? **RESPONSE:** If, as your question suggests, an “automotive lighting product” is not “similar in appearance” to an “emergency vehicle light when used” in any way other than that it is blue, it will probably not fall directly within the scope of ACA § 5-77-201. However, this conclusion stated in the abstract has virtually no relevance to the practical question in each case—namely, whether a blue light is sufficiently “similar in appearance” to an “emergency vehicle light when used” to trigger the statutory restrictions. Moreover, this statute read in isolation does not account for restrictions set forth in other provisions of the Code, which, read together, suggest a strong—and, in my opinion, highly sensible—legislative conclusion that access to blue lights, which are widely perceived by the public as distinctly “official,” should be restricted to authorized officials engaged in law enforcement. Purely by way of example, one statute flatly bans the display of any vehicular blue light on any Arkansas highway. It is unclear precisely how this proscription relates to the provisions of ACA §§ 5-77-201 and 27-36-301(b), which restrict to law enforcement officers and coroners the sale and use, respectively, of “blue lights” as defined in those statutes. Legislative clarification is warranted regarding the interplay of the various statutes addressing the sale and use of blue lights. With respect to the particular statute you have recited, only a finder of fact could determine its applicability in any given case.

Some sales tax info may be withheld

Opinion: 2012-035
Requestor: Casady, Ken—Pros. Atty., 2nd Judicial District

The City of Benton, based upon advice of the city attorney, withholds release of sales tax information submitted by local restaurants to the city Advertising & Promotion Commission to assist in collecting the A&P tax, citing the competitive advantage exemption provided in ACA 25-19-105(b)(9)(A). Sales information for other local businesses is regularly released to the public. Is the city's perspective a correct

interpretation of provisions of ACA 25-19-105(b)(9)(A)? RESPONSE: This office has addressed this precise question several times. In each case, my predecessors have been unable to definitively say whether the tax records of individual businesses are, as an absolute rule, subject to the competitive-advantage exception, for such a question is highly factual and must be decided on a case-by-case basis and this office is not authorized or equipped to make those kinds of factual determinations when issuing opinions

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



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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	\$3.5720	\$3.4786	\$0.3285	\$0.2859	\$3.3436	\$3.1339
February	\$4.0199	\$3.7795	\$0.2906	\$0.2584	\$1.0700	\$1.01
March	\$3.2159	\$3.2521	\$0.3725	\$0.4307	\$1.0000	\$1.01
April	\$3.3681	\$3.4633	\$0.3751	\$0.2705	\$1.0000	\$1.00
May	\$3.7030	\$3.6848	\$0.3460	\$0.1999	\$0.9900	\$1.01
June	\$3.6759	\$3.8035	\$0.3406	\$0.2104	\$1.0100	\$1.01
July	\$3.6615	\$-	\$0.3633	\$-	\$2.9000	\$-
August	\$3.8180	\$-	\$0.4115	\$-	\$1.0100	\$-
September	\$3.7317	\$-	\$0.3947	\$-	\$1.0100	\$-
October	\$3.5307	\$-	\$0.4021	\$-	\$1.0100	\$-
November	\$3.5115	\$-	\$0.3930	\$-	\$0.9200	\$-
December	\$3.2842	\$-	\$0.3761	\$-	\$1.0100	\$-
Total Year	\$43.0924	\$21.4619	\$4.3940	\$1.6559	\$16.2736	\$8.1739

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	\$6,508,820.12	\$704,744.69	\$508,320.37	\$1,883,619.31	\$1,882,530.42
May	\$6,957,111.57	\$6,925,015.17	\$650,134.81	\$375,733.12	\$1,860,445.27	\$1,889,362.42
June	\$6,906,168.25	\$7,148,252.90	\$639,925.58	\$395,417.87	\$1,889,921.24	\$1,889,865.20
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	\$80,076,004.27	\$40,334,597.19	\$8,182,733.89	\$3,111,970.02	\$30,028,312.47	15,330,229.64

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

** Includes \$3,517,657 supplemental in July

Local Option Sales and Use Tax in Arkansas



2012 ELECTIONS

PIKE CO., Feb. 14
Passed. 3/8% removed

CONWAY, Feb. 14
Passed. 1/4% continued

SALESVILLE, Feb. 14
Passed. 1%

STUTTGART, Feb. 14
Passed. 1% continued

BATESVILLE, Mar. 13
Passed. 1/2% temporary
Passed. 1/2% permanent

BLYTHEVILLE, Mar. 13
Passed. 1%

FORT SMITH, Mar. 13
Passed. 1% continued

LINCOLN, Mar. 13
Passed. 1%

TONTITOWN, Mar. 13
Failed. 1%

DEWITT, April 10
Passed. 1.5%

MELBOURNE, April 10
Passed. 1%

TRUMANN, May 22
Failed. 1%

WASHINGTON CO., May 22
Failed. 1/4% increase


MAGNOLIA, May 26
Passed. 1/4% increase

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
April	\$41,324,697	\$35,244,719	\$37,882,489	\$35,257,864	\$79,207,186	\$70,502,583	\$27,247	\$23,355
May	\$46,157,943	\$39,976,322	\$41,661,276	\$40,107,935	\$87,819,219	\$80,084,257	\$8,489	\$9,286
June	\$43,883,127	\$37,765,150	\$40,430,123	\$37,056,613	\$84,313,250	\$74,821,762	\$30,892	\$25,409
Total	\$256,096,488	\$223,951,910	\$238,674,998	\$225,016,432	\$494,771,487	\$448,968,341	\$115,002	\$155,362
Averages	\$42,682,748	\$37,325,318	\$39,779,166	\$37,502,739	\$82,461,915	\$74,828,057	\$19,167	\$25,894

Gilmore	992.50	908.50	Tuckerman	16,914.70	14,876.05	Victoria	423.11	Central City	7,316.41	7,320.82
Horseshoe Lake	1,712.82	1,567.85	Tupelo	1,635.15	1,438.07	Wilson	10,209.28	Fort Smith	1,256,455.44	1,257,212.96
Jennette	607.11	555.73	Weldon	681.32	599.19	Montgomery County	39,181.53	Greenwood	130,471.17	130,549.83
Jericho	698.03	638.95	Jefferson County	699,109.58	384,255.18	Black Springs	506.39	Hackett	11,834.52	11,841.65
Marion	72,413.65	66,284.78	Alzheimer	10,072.85	9,631.65	Glenwood	214.83	Hartford	9,356.85	9,362.49
Sunset	1,045.29	956.82	Humphrey	3,152.88	3,014.78	Mount Ida	5,503.83	Huntington	9,254.82	9,260.40
Turrell	3,246.73	2,971.94	Pine Bluff	502,444.67	480,437.05	Norman	1,933.50	Lavaca	33,361.09	33,381.21
West Memphis	153,948.69	140,918.92	Redfield	13,276.91	12,695.37	Oden	1,186.71	Mansfield	10,537.38	10,543.74
Cross County	242,210.88	218,292.88	Sherrill	859.88	822.21	Nevada County	29,537.70	Midland	4,736.72	4,739.58
Cherry Valley	6,221.32	5,606.97	Wabbaseka	2,610.34	2,496.01	Bluff City	819.02	Sevier County	253,904.37	236,854.12
Hickory Ridge	2,599.38	2,342.70	White Hall	56,567.63	54,089.91	Bodcaw	911.49	Ben Lomond	1,156.62	1,078.95
Parkin	10,559.99	9,517.21	Johnson County	105,789.26	100,702.47	Cale	521.80	DeQueen	52,598.36	49,066.27
Wynne	79,959.70	72,063.78	Clarksville	77,705.79	73,969.37	Emmet	3,137.39	Gilham	2,617.42	1,190.57
Dallas County	130,864.68	116,970.97	Coal Hill	8,568.13	8,156.13	Prescott	21,770.18	Horatio	8,327.68	7,768.45
Desha County	99,719.30	95,632.39	Hartman	4,394.13	4,182.84	Rosston	1,723.91	Lockesburg	5,894.78	5,498.93
Arkansas City	3,846.68	3,689.02	Knoxville	6,189.03	5,891.44	Willisville	1,003.97	Sharp County	66,003.15	60,660.88
Dumas	49,460.27	47,433.18	Lamar	13,588.78	12,935.37	Newton County	44,752.47	Ash Flat	7,894.92	7,255.91
McGehee	44,341.87	42,524.57	Lafayette County	74,343.62	73,262.59	Jasper	1,790.87	Cave City	14,033.62	12,897.75
Mitchellville	3,783.62	3,628.55	Bradley	3,503.71	3,452.76	Western Grove	1,475.73	Cherokee Village	31,241.33	28,712.67
Reed	1,481.92	1,421.18	Buckner	1,534.27	1,511.96	Ouachita County	313,886.08	Evening Shade	3,480.21	3,198.52
Tillar	220.71	211.67	Lewisville	7,141.32	7,037.48	Bearden	8,235.48	Hardy	5,880.91	5,404.91
Watson	2,217.61	2,126.73	Stamps	9,445.50	9,308.15	Camden	103,864.26	Highland	8,418.56	7,737.17
Drew County	396,623.66	365,705.29	Lawrence County	128,143.98	118,306.86	Chidester	2,463.82	Horseshoe Bend	64.45	59.23
Jerome	431.06	397.46	Alicia	691.10	638.05	East Camden	7,937.09	Sidney	1,458.14	1,340.12
Monticello	104,636.72	96,479.87	Black Rock	3,689.60	3,406.36	Louann	1,398.16	Williford	604.21	555.31
Tillar	2,254.77	2,079.00	College City	2,535.90	2,341.23	Stephens	7,596.08	St. Francis County	140,729.30	125,312.86
Wilmar	5,647.97	5,207.69	Hoxie	15,494.10	14,304.67	Perry County	79,536.34	Caldwell	9,259.60	8,245.24
Winchester	1,845.81	1,701.92	Imboden	3,773.20	3,483.55	Adona	708.80	Coit	6,306.54	5,615.68
Faulkner County	699,534.13	641,548.14	Lynn	1,605.14	1,481.92	Bigelow	1,068.28	Forrest City	256,449.32	228,356.12
Damascus	830.34	761.52	Minturn	607.50	560.87	Casa	579.93	Hughes	24,041.60	21,407.92
Enola	2,126.19	1,949.94	Portia	2,435.58	2,248.61	Fourche	210.27	Madison	12,829.98	11,424.50
Holland	3,503.80	3,213.37	Powhatan	401.29	370.48	Houston	586.71	Palestine	11,361.78	10,117.14
Mount Vernon	912.12	836.51	Ravenden	2,619.51	2,418.42	Perry	915.67	Wheatley	5,922.80	5,273.98
Wooster	5,409.83	4,961.39	Sedgwick	847.16	782.13	Perryville	4,951.41	Widener	4,554.73	4,055.78
Franklin County	153,351.71	139,093.36	Smithville	434.73	401.35	Phillips County	98,296.14	Stone County	82,158.91	81,225.31
Altus	6,008.04	5,441.55	Strawberry	1,683.17	1,553.96	Elaine	11,003.44	Fifty Six	1,500.42	1,483.37
Branch	2,908.91	2,634.63	Walnut Ridge	27,254.01	25,161.83	Helena-West Helena	174,360.66	Mountain View	23,833.28	23,562.45
Charleston	19,989.82	17,903.99	Lee County	32,466.50	30,458.90	Lake View	7,664.35	Union County	472,842.22	463,575.01
Denning	3,733.23	3,381.23	Aubrey	1,006.07	943.86	Lexa	4,948.09	Calion	13,784.88	13,514.71
Ozark	29,200.03	26,446.80	Haynes	887.71	832.82	Marvell	20,519.02	El Dorado	586,943.97	575,440.46
Wiederkkehr Village	301.19	272.80	LaGrange	526.71	494.14	Pike County	165,611.85	Hellsenthal	3,377.74	3,311.54
Fulton County	88,211.71	80,567.59	Marianna	24,352.84	22,846.95	Antoine	862.02	Huttig	18,893.73	18,523.43
Ash Flat	348.99	399.18	Moro	1,278.30	1,199.26	Delight	847.28	Junction City	16,853.32	16,523.02
Cherokee Village	2,713.22	3,103.42	Rondo	1,171.78	1,099.32	Glenwood	2,055.59	Norphlet	21,264.34	20,847.57
Hardy	143.70	164.37	Lincoln County	48,720.64	37,975.51	Murfreesboro	16,105.77	Smackover	55,943.94	54,847.49
Horseshoe Bend	58.16	66.53	Gould	3,856.55	3,006.01	Poinsett County	114,098.89	Strong	15,917.39	15,605.42
Mammoth Spring	3,342.77	3,823.51	Grady	2,068.81	1,612.54	Fisher	1,698.90	Van Buren County	276,683.55	164,485.49
Salem	5,594.10	6,398.60	Star City	10,477.66	8,166.85	Harrisburg	17,430.90	Clinton	24,577.72	14,611.20
Viola	1,153.04	1,318.85	Little River County	212,853.80	143,712.13	Lepanto	14,421.63	Damascus	2,361.43	1,403.84
Garland County	1,408,681.53	663,137.06	Ashdown	43,416.95	29,313.74	Marked Tree	19,548.82	Fairfield Bay	20,355.49	12,101.13
Fountain Lake	3,300.46	3,523.86	Foreman	9,293.78	6,274.87	Trumann	55,180.08	Shirley	2,748.70	1,634.07
Lonsdale	616.79	658.53	Ogden	1,654.68	1,117.19	Tyrnza	5,805.22	Washington County	1,115,235.90	1,048,075.48
Mountain Pine	5,052.40	5,394.38	Wilton	3,438.06	2,321.27	Waldenbur	464.72	Elkins	33,215.64	31,215.37
Grant County	176,328.60	157,695.75	Winthrop	1,764.98	1,191.66	Weiner	5,454.78	Elm Springs	18,777.88	17,647.06
Greene County	439,274.14	118,306.05	Logan County	53,399.15	87,676.83	Polk County	216,221.39	Farmington	74,935.89	70,423.19
Delaplaine	1,133.09	1,023.91	Blue Mountain	526.14	863.88	Cove	6,485.80	Fayetteville	922,963.36	867,381.75
Lafe	4,473.77	4,042.69	Booneville	16,929.89	27,797.42	Ganniss	9,406.10	Goshen	13,434.27	12,625.25
Marmaduke	10,852.30	9,806.61	Caulksville	903.78	1,483.92	Griffin	7,012.12	Greenland	37,778.90	14,841.45
Oak Grove Heights	8,683.80	7,847.05	Magazine	3,593.89	5,900.86	Mena	97,405.74	Johnson	5,637.89	39,537.90
Paragould	255,073.12	230,495.11	Morrison Bluff	271.56	445.87	Vandervoort	1,477.14	Lincoln	28,210.72	26,511.85
Hempstead County	614,607.71	510,340.92	Paris	14,986.56	24,606.64	Wickses	12,801.78	Prairie Grove	54,941.28	51,632.67
Blevins	3,819.11	3,171.21	Ratcliff	857.10	1,407.29	Pope County	314,569.45	Springdale	799,571.26	751,420.43
Emmet	521.34	432.90	Scranton	950.45	1,560.50	Atkins	37,778.90	Farmington	74,935.89	70,423.19
Fulton	2,436.96	2,023.53	Subiaco	2,427.03	3,985.00	Dover	17,261.05	Fayetteville	922,963.36	867,381.75
Hope	122,393.53	101,629.75	Lonoke County	245,085.24	228,391.59	Hector	5,636.77	Goshen	13,434.27	12,625.25
McCaskill	966.46	966.46	Allport	991.03	923.52	London	13,014.68	Greenland	37,778.90	14,841.45
McNab	824.44	684.58	Austin	17,562.72	16,366.46	Pottsville	35,549.24	Johnson	42,071.47	39,537.90
Oakhaven	763.82	634.24	Cabot	204,892.64	190,936.65	Russellville	349,730.38	Lincoln	28,210.72	26,511.85
Ozan	1,030.55	855.72	Carlisle	19,079.42	17,779.85	Prairie County	35,014.62	Prairie Grove	54,941.28	51,632.67
Patmos	775.95	644.31	Coy	827.29	770.94	Biscoe	2,903.22	Springdale	799,571.26	751,420.43
Perrytown	3,297.78	2,738.32	England	24,344.79	22,686.58	Des Arc	13,732.32	Springdale	799,571.26	751,420.43
Washington	2,182.36	1,812.13	Humnoke	2,447.41	2,280.70	DeValls Bluff	4,950.67	Springdale	799,571.26	751,420.43
Hot Spring County	255,224.34	253,339.81	Keo	2,206.11	2,055.85	Hazen	11,740.85	Springdale	799,571.26	751,420.43
Donaldson	2,065.15	2,049.90	Lonoke	36,581.82	34,090.09	Ulm	1,359.64	Springdale	799,571.26	751,420.43
Friendship	1,207.53	1,198.61	Ward	35,047.87	32,660.64	Pulaski County	799,946.38	Springdale	799,571.26	751,420.43
Magnet Cove	34.30	34.05	Madison County	156,934.78	157,247.53	Alexander	3,872.40	Springdale	799,571.26	751,420.43
Malvern	70,791.40	70,268.69	Hindsville	331.09	331.75	Cammack Village	12,601.72	Springdale	799,571.26	751,420.43
Midway	2,668.91	2,649.21	Huntsville	12,733.24	12,758.62	Jacksonville	465,410.22	Springdale	799,571.26	751,420.43
Perla	1,653.49	1,641.28	St. Paul	613.32	614.54	Little Rock	3,175,435.35	Springdale	799,571.26	751,420.43
Rockport	5,180.04	5,141.79	Marion County	80,574.44	69,501.68	Maumelle	281,618.80	Springdale	799,571.26	751,420.43
Howard County	298,836.29	298,911.30	Bull Shoals	13,881.10	11,973.52	North Little Rock	1,022,314.15	Springdale	799,571.26	751,420.43
Dierks	14,639.59	14,643.26	Flippin	9,645.58	8,320.06	Sherwood	484,427.66	Springdale	799,571.26	751,420.43
Mineral Springs	15,608.67	15,612.59	Pyatt	1,573.19	1,357.00	Wrightsville	34,687.54	Springdale	799,571.26	751,420.43
Nashville	59,785.86	59,800.88	Summit	4,299.58	3,708.72	Randolph County	113,912.50	Springdale	799,571.26	751,420.43
Tollette	3,101.07	3,101.84								

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To place a classified ad in *City & Town*, please contact the League at 501-374-3484 or e-mail citytown@arml.org. Ads are FREE to members of the League and available at the low rate of \$.70 per word to non-members. For members, ads will run for two consecutive months from the date of receipt unless we are notified to continue or discontinue. For non-members, ads will run for one month only unless otherwise notified.

ASSISTANT FIRE CHIEF—Bentonville is seeking an Assistant Fire Chief. Under the general direction of the Fire Chief, assists the Chief in planning, directing, supervising, and coordinating all the activities and services of the fire department, including fire prevention, fire suppression, rescue, emergency medical, Community Emergency Response Training (CERT), and other services relating to the protection of lives and property. Also, in the absence of the fire Chief, serves as the City's Emergency Management Coordinator. Performs these duties either directly or through subordinate supervisors. A complete job description is available to applicants upon request. Hiring salary range is \$59,987 - \$75,523, DOE and qualifications. Qualified applicants will have successfully served as Battalion Chief or higher over a multi-station fire department (3 or more stations) of full-time firefighters with an EMS service/responsibility (paramedics) for a minimum of 5 years and have 15 or more years of firefighting experience in full-time fire departments, with increasing levels of leadership and responsibility. Must be willing and able to serve 10+ years before normal retirement eligibility. Must be a licensed paramedic with 10+ years of experience and able to relocate (if necessary) within 60 days of receiving a job offer. It is highly desired that candidates have a Bachelor's in Management, Public Admin. or a related field; an Associate's Deg. in Fire Science, Fire Management or a related field; and be a graduate of the National Fire Academy.

To apply, pick up an application at City Hall or access an application online at www.bentonvillear.com. Completed applications & resumes can be mailed to: City of Bentonville, Attn: HR, 117 West Central Avenue, Bentonville, AR 72712; or fax to 479-271-5913; or email to ewheeler@bentonvillear.com. Open until filled. EOE.

CITY ADMINISTRATOR—Caney, Kan., seeks a City Administrator. For city information, visit www.caney.com/City_Main.html. Bachelor's degree required, Masters preferred. Ideal candidates should have 3+ years of municipal-management and budgeting experience. Accessibility, strong organizational skills, grant writing experience, and communication skills required. Salary DOQ. Send cover letter, resume, and 3 professional references to LEAPS-Caney, 300 SW 8th, Topeka, KS, 66603. EOE. Open until filled. Application review begins May 7.

FINANCE DIRECTOR—Siloam Springs is accepting applications for a Finance Director. Under the direction of the City Administrator, 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 in Financial Management. Certification as a CPA or CGFO are preferred but not required. The successful candidate's background should include five years or more of financial management experience in a municipal entity with significant supervisory or management experience. Applicants must possess a valid driver's license, submit to a background check, and be willing to relocate.

Salary Range: \$65,289 - \$84,816. The city offers a generous benefit package including, but not limited to medical, dental, vision, LTD, 457 Deferred Compensation, vacation and sick leave.

The city requires a completed application be submitted for all positions. Applications are available at City Hall, 400 N. Broadway, Siloam Springs, AR; or can be accessed online at www.siloamsprings.com. For further information call 479-524-5136 or email humanresources@siloamsprings.com. Open until filled. EOE.

PARKS AND RECREATION DIRECTOR—Mena is accepting applications for a Parks and Recreation Director. This position requires a degree in Parks and Recreation Administration or closely related field with at least five years previous experience in parks and recreation management or equivalent combination of education and experience. Former experience and related skills in parks facility and grounds maintenance (including baseball/softball and soccer field preparation), business management techniques, budgeting, and an understanding of parks and recreation principles and practices is desired. A comprehensive background investigation will be conducted. Applications with resumes and copies of certifications will be accepted at the Arkansas Employment Security Department, Northside Shopping Center, Mena, AR 71953 until July 25. EOE.

POLICE CHIEF—Mulberry is seeking qualified candidates for the position of Police Chief. Successful applicants must be or are eligible to become a certified Arkansas Law Enforcement Officer, have a minimum of five years law enforcement experience with some supervisory or management experience and pass a comprehensive background investigation. Applicants must be a resident of Mulberry or willing to relocate to Mulberry within a reasonable time frame of accepting the position. The Police Chief will serve the citizens of Mulberry as a law enforcement officer performing regular patrol duties and is also responsible for, but not limited to, overseeing departmental operations, coordinating departmental activities and developing and coordinating departmental schedules. Applicants must complete an application for employment with the City of Mulberry, which can be obtained from the Mulberry City Complex, 207 North Main Street, Mulberry, AR 72947.

POLICE OFFICER—Charleston is accepting applications for a FT police officer. Candidates must be able to meet all requirements of law enforcement standards and training. Charleston maintains a residency requirement for FT officers. For an application contact City Hall at 479-965-2269 or email mail@aboutcharleston.com. Application deadline is July 31. EOE.

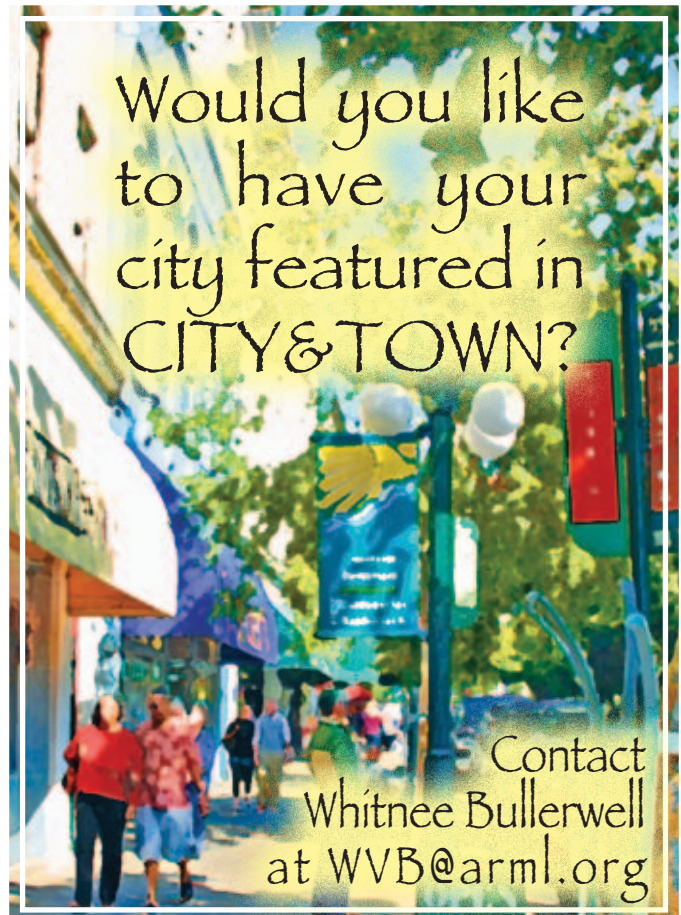
POLICE OFFICER—Maumelle Police Department announces that Civil Service examinations for three vacant position of entry-level police officer will be given on Saturday, July 14. To qualify to take the exam one must be a U.S. citizen; be 21 on the date of exam; be able to pass a background check, drug test and physical exam; possess HS diploma or equivalent; possess valid Arkansas DL. Beginning salary is \$30,334. The city offers an excellent employee benefit package. The application process will begin immediately and end Friday, June 29. A completed City of Maumelle application is required. Applications may be obtained at the city's website, www.maumelle.org, or from the City's Human Resources Office. No applications will be accepted after the close of business (5 p.m.) on Friday, June 29 regardless of postmark date or any other form of verification that the application was sent prior to the deadline. 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 501-851-2784 Ext. 233 or at vernon@maumelle.org.

POLICE VEHICLES—The Clarksville Police Department will be accepting sealed bids on four patrol units:

- 2003 Ford Crown Victoria with 105,053 miles,
- 2004 Ford Crown Victoria with 93,024 miles,
- 2004 Ford Crown Victoria with 95,447 miles,
- 2006 Ford Crown Victoria with 95,471 miles.

All cars equipped with bar lights, siren, console, etc. For more information call Chief Donaldson, 479-754-8100. Bids will be received until August 31. The city reserves the right to accept or reject any or all bids.

FOR SALE—Portland has for sale a 2007 Crown Victoria Police Interceptor, 61K miles. Excellent shape. Excellent tires. Serviced regularly. Blue in color with bumper guard, spotlight. Asking \$8,500. Call 870-737-2873 or email portlandcity@att.net.



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Delete Class 1st
 Add Class 2nd

Damascus

Delete CJ
 Add CJ Stephan Hawks
 Delete PC Amy Brazil
 Add PC Jerry Hubbard
 Delete AL Randy Spencer
 Add AL Steve Stephens
 Kevin Moore

Hot Springs

Delete CM Lance Hudnell
 Add CM David Watkins

Magnolia

Delete T Debbie Chatelain
 Add T Kim Newell

Mulberry

Delete PC Joshua Craig
 Add PC (Vacant)

Rogers

Delete AL (Vacant)
 Add AL Clay Kendall

Springtown

Delete E-Mail
 Add E-Mail springtown@earthlink.net
 townofspringtown@yahoo.com

Thornton

Delete R/T (Vacant)
 Add R/T Libby Coates

Tupelo

Delete AL Danny Neldon
 Add AL (Vacant)

Valley Springs

Add AL Evan Bryant

Wilmar

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

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

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