

Sponsored by J.P. D. Holt

VAN BUREN COUNTY QUORUM COURT

ORDINANCE NO. 2020-17

BOOK 2020
PAGE 18
Recorded in:
ORDINANCE BOOK
FOR 2020
FOR ADOPTED
COUNTY PERCENT
VAN BUREN COUNTY, AR

AN ORDINANCE CALLING AND SETTING A DATE FOR A SPECIAL ELECTION ON THE QUESTION OF THE LEVY OF GENERAL LOCAL SALES AND USE TAX AT THE RATE OF ONE-HALF OF ONE PERCENT (0.50%) FOR THE PURPOSES DESCRIBED HEREIN; LEVYING GENERAL LOCAL SALES AND USE TAX; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the buildings and property occupied and operated by Ozark Health Medical Center for the purpose of serving the health care needs of the citizens of Van Buren County, Arkansas and surrounding areas are owned by Van Buren County, Arkansas; and

WHEREAS, the Van Buren County Quorum Court has determined that additional revenues are needed to finance critical operation and maintenance expenses and capital improvement costs of Ozark Health Medical Center, and that such revenues can be obtained through the levy of the sales and use tax described below; and

WHEREAS, Title 26, Chapter 74, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "County Sales and Use Tax Act") authorizes the levy of county-wide sales and use taxes in increments of one-eighth of one percent (0.125%); and

WHEREAS, if approved by the electors of the County, the County has determined to levy a one-half of one percent (0.50%) general county-wide sales and use tax under the authority of the County Sales and Use Tax Act (the "0.50% Medical Center Sales and Use Tax") for the purpose of funding operation and maintenance expenses and capital improvement costs at Ozark Health Medical Center, which 0.50% Medical Center Sales and Use Tax shall cease as of December 31, 2036; and

WHEREAS, the purpose of this Ordinance is to call a special election on the levy of the 0.50% Medical Center Sales and Use Tax by the County and for related purposes;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Van Buren County, Arkansas:

Section 1. That under the authority of the County Sale and Use Tax Act and subject to approval by the electors of the County of the question set forth in Section 3 below, there is hereby levied (i) a sales tax at the rate of one-half of one percent (0.50%) on the gross receipts from the sale at retail within the County of all items and services which are subject to taxation under the Arkansas Gross Receipts Act of 1941, as amended (Arkansas Code of 1987 Annotated §26-52-101 et seq.), and (ii) an excise (or use) tax at the rate of one-half of one percent (0.50%) on the storage, use, distribution or other consumption within the County of tangible personal property or taxable services subject to taxation under the Arkansas Compensating Tax Act of 1949, as amended (Arkansas Code of 1987 Annotated §26-53-101 et seq.), on the sale price of the property or, in the case of leases or rentals, on the lease or rental price (collectively, the "0.50% Medical Center Sales and Use Tax"). The 0.50% Medical Center Sales and Use Tax shall be levied, and the net collections received after deduction of the administrative charges of

the State of Arkansas and required rebates shall be utilized, to the extent required, only for the purpose of funding operation and maintenance expenses and capital improvement costs at Ozark Health Medical Center. The 0.50% Medical Center Sales and Use Tax shall be levied and collected only on the gross receipts, gross proceeds or sales price in the maximum amount allowed from time to time under Arkansas law, subject to rebates and limitation as required for certain "single transactions" as from time to time required under Arkansas law. The levy and collection of the 0.50% Medical Center Sales and Use Tax shall commence on and as of such date as provided in the County Sales and Use Tax Act and shall cease on December 31, 2036.

Section 2. That there be, and there is hereby called, a special election to be held on Tuesday, November 3, 2020, at which election there shall be submitted to the electors of the County the question of the levy of the 0.50% Medical Center Sales and Use Tax.

Section 3. That the question shall be placed on the ballot for the special election in substantially the following form:

SPECIAL ELECTION ON COUNTY SALES AND USE TAX LEVY

There is submitted to the qualified electors of Van Buren County, Arkansas, the question of the levy of a one-half of one percent (0.50%) sales and use tax (the "0.50% Medical Center Sales and Use Tax") under the authority of Title 26, Chapter 74, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "County Sales and Use Tax Act"), the net collections of which will be distributed to the County and shall be utilized solely for the payment of costs and expenses associated with the operation and maintenance and capital improvements at the facility known as Ozark Health Medical Center which is owned by the County. The levy and collection of the 0.50% Medical Center Sales and Use Tax shall commence on and of such date as provided by Arkansas law and shall cease on December 31, 2036.

Vote on the question by placing an "X" in one of the squares following the question, either for or against:

FOR the adoption of a one-half of one percent (0.50%) Medical Center Sales and Use Tax within Van Buren County, Arkansas, the net collections of such tax to be distributed only to the County and used only for the purposes related to Ozark Health Medical Center described above

AGAINST the adoption of a one-half of one percent (0.50%) Medical Center Sales and Use Tax within Van Buren County, Arkansas, the net collections of such tax to be distributed only to the County and used only for the purposes related to Ozark Health Medical Center described above

Section 4. That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for Arkansas county elections unless otherwise provided in the County Sales and Use Tax Act, and only qualified voters of the County shall have the right to vote at the election.

Section 5. That a copy of this Ordinance shall be given to the Van Buren County Board of Election Commissioners at least seventy (70) days prior to the date of the special election so

that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Director of the Department of Finance and Administration and to the Treasurer of the State of Arkansas as soon as practical.

Section 6. That the results of the special election shall be proclaimed by the County Judge, and his proclamation shall be published one time in a newspaper of general circulation within the County. The proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the Circuit Court of Van Buren County within thirty (30) days after the date of publication of the proclamation.

Section 7. That the County Judge and the County Clerk, for and on behalf of the County, be, and they hereby are authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, (i) if the levy of the 0.50% Medical Center Sales and Use Tax is approved by the electors, to cause the 0.50% Medical Center Sales and Use Tax to be collected in accordance with the County Sales and Use Tax Act, and (ii) to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Section 8. That the provisions of this Ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance.

Section 9. That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 18th day of June, 2020.

APPROVED:

By: [Signature]

County Judge

ATTEST:

By: [Signature]
County Clerk

(SEAL)

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I certify that this instrument was
filed on 06/19/2020 08:25 AM
and recorded in
ORDINANCE Book 2020
PAM BRADFORD
County Clerk
VAN BUREN County, AR

[Signature] D.

VAN BUREN COUNTY QUORUM COURT

ORDINANCE NO. 2020-18

BOOK 2020
PAGE 21
Recorded In:
ORDINANCE Book
06/19/2020 08:28 AM

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN,
STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: PAM BRADFORD
County Clerk
VAN BUREN County, AR

**AN EMERGENCY ORDINANCE AMENDING SECTIONS OF THE
PERSONNEL POLICY;**

WHEREAS: The Personnel Policy was updated with Ordinance #2020-16, although some sections were incorrect this ordinance will correct those sections and should be retroactive; and

WHEREAS: On page 14, 5-Employee Classification, Attendance, and Compensation, A-Employee Classifications, should state -The County's office hours for normal business are 8:00 a.m. to 4:30 p.m.; and

WHEREAS: Page 21, D-Paid Leave, 1-Sick Leave should state-Sick leave accrues to all eligible employees (accrual begins after a sixth month probationary period) at the rate of four (4) hours per biweekly pay period.


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

Section 1: The Van Buren County Personnel Policy be amended under sections 5-A Employee Classification, page 14 and section D-1 Sick Leave on page 21 as stated above.

Section 2: This ordinance being necessary for the preservation of the public peace, health, safety, and welfare, it is therefore declared that an emergency exists and this ordinance shall be in full force and in effect from and after its passage.

Approved this 18TH day of June, 2020

APPROVED:


Dale James, County Clerk
This instrument was
filed on 06/19/2020 08:28 AM
and recorded in
ORDINANCE Book 2020
PAM BRADFORD
County Clerk
VAN BUREN County, AR

ATTEST:


Pam Bradford, County Clerk

 D.C.