

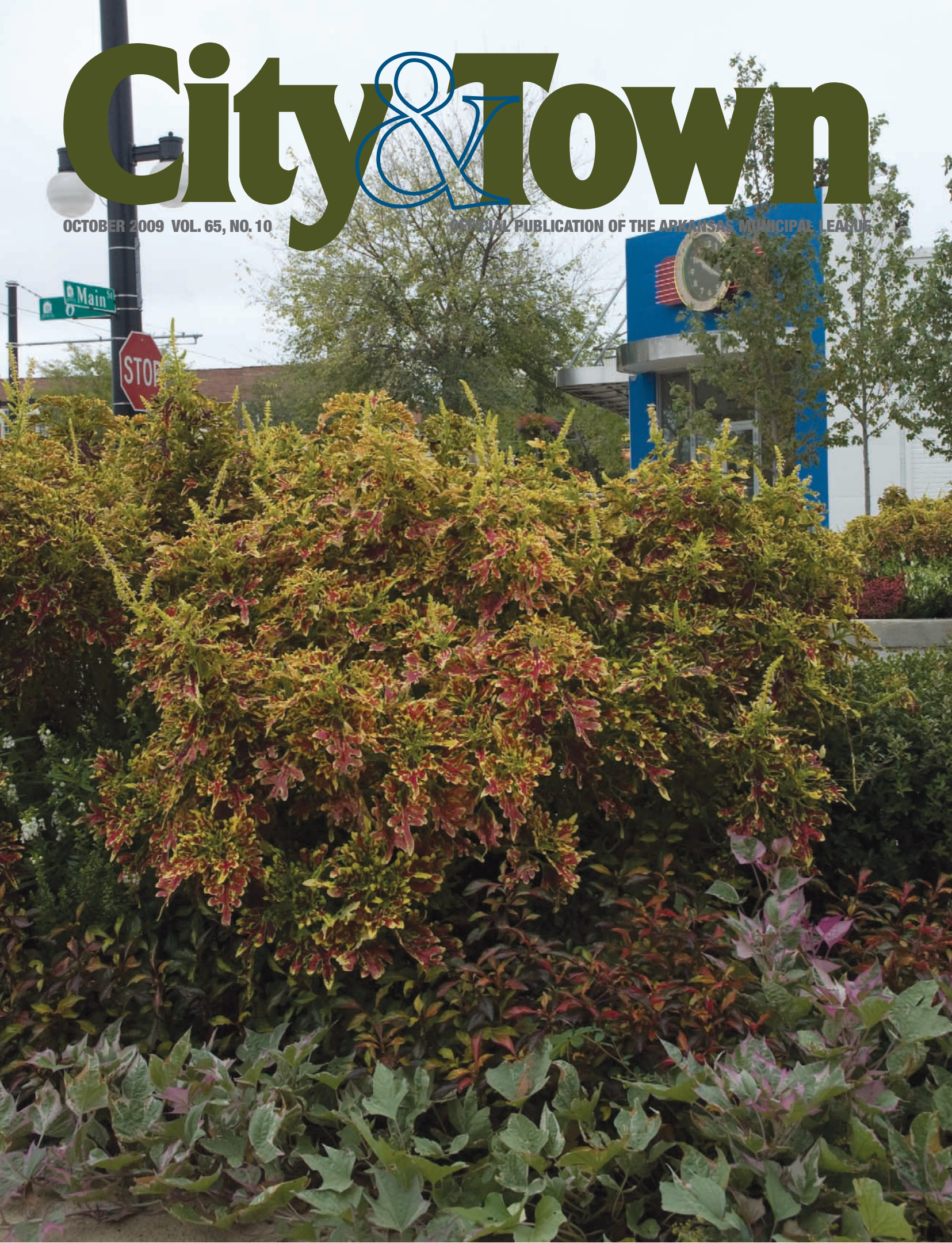
City & Town

OCTOBER 2009 VOL. 65, NO. 10

OFFICIAL PUBLICATION OF THE ARKANSAS MUNICIPAL LEAGUE

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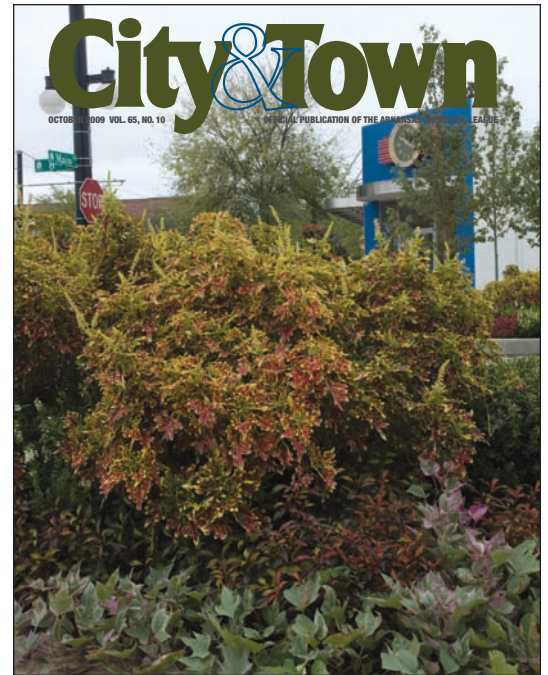
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FEATURES

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 League District 4 Vice President and mayor of Crossett Scott McCormick works to keep his hometown a place in which people love to live and want to visit.

10 Delta takes issues to D.C.
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12 "Tough" year for budgeting
 With budget deadlines looming for cities and towns and the economy struggling to recover from recession, the League's September seminar aimed to help municipal leaders budget wisely.



ON THE COVER—The leaves may be slow to turn this fall, but the planters and curbside beds in downtown North Little Rock make up for it with splashes of the reds and yellows of the season. For tips on planting trees with an eye toward fall color, check out this month's urban forestry column. But first read about the League's District 4 Vice President Scott McCormick, Crossett's hometown mayor. Read also inside about the Mississippi Delta Grassroots Caucus' recent meeting in the nation's capital, coverage of the League's budget seminar and more.—atm

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City & Town

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Dear Friends,

Woo Pig Sooie, Go Red Wolves, Yea Bearcats and the chorus goes on. Fall is in the air and year-end planning continues.

This month's issue contains the first of a series of articles by the Institute of Economic Advancement at UALR. This article by Dr. Ron Swager offers an interesting economic development perspective worth considering in our member communities. It has been my observation that economic development reaches far beyond industrial recruitment and this article illustrates the point. Check it out.

Our Winter Conference is just around the corner. Registration information can be found in this issue of *City & Town*. Also, it is not too late to register for the NLC Congress of Cities Nov. 10-14 in San Antonio. Both events will have outstanding speakers and optional sessions with valuable information.

Since the last issue, I attended the NLC Community and Economic Development Steering Committee meeting in Muskegon, Mich. The discussions and presentations covered a variety of national topics that relate to Arkansas. Three of the discussions were:

In a teleconference call from Washington, D.C., Beth Cooper of Sen. Dodd's office provided a briefing on the Livable Communities Act (S1619) soon to be submitted. This legislation will provide over \$4 billion for comprehensive regional planning related to housing, transportation, sustainability and economic development needs. These will be new dollars that are not in existing programs. The NLC is on record as supporting this legislation. As more information becomes available, it would behoove each of us to stay tuned for funding opportunities. The presentation referenced a Web site, www.HubbellExtreme.com, which describes an Iowa project that built nine homes in nine days. It is an interesting idea that could work in other communities.

Mr. Arnold Weinfeld of the Michigan Municipal League presented an update on their Center for 21st Century Communities (21c3) planning which seeks to help that state recover from the loss of manufacturing jobs. "Investing in communities is an important element of any long term economic development strategy," he stressed. Their research shows that an increasingly mobile workforce seeks place first and jobs second. The community assets that they consider to be essential in the next half century are physical design and walkability, green initiatives, cultural development, entrepreneurship, diversity, messaging and technology, and transit and education.

An update on the ARRA (Recovery Act) showed that a bulk of the funds will be released in 2010, 2011 and 2012. A good source of information is www.Recovery.Gov. This site has several options that show the "who, what and where" of funding down to the zip code level. Relative to Arkansas, only \$702 million of the \$2.2 billion in funding has been released.

"An idealist believes the short run doesn't count. A cynic believes the long run doesn't matter. A realist believes that what is done or left undone in the short run determines the long run."—Sydney J. Harris
Arkansas is blessed with municipal officials like yourself who work hard every day doing the right job for your communities' present and future success. Keep up the good work.

Gary Campbell

City Director/Vice Mayor, Fort Smith
President, Arkansas Municipal League





PHOTOS BY ANDREW MORGAN, LEAGUE STAFF

Crossett Mayor and League District 4 Vice President Scott McCormick

McCormick keeps hometown pride alive in Crossett

By Andrew Morgan, League staff

CROSSETT—The Country Vittles restaurant is the kind of unassuming storefront eatery that only exists in downtowns like Crossett's, the Ashley County city in southeast Arkansas. With delicious home-cooked food, fresh iced tea and friendly service, it's a lunchtime meeting and eating spot, and Mayor Scott McCormick, the League's new District 4 Vice President, greets nearly everyone he sees.

As we enjoy tender pork chops, butter beans and other country cookin' staples, McCormick shares why he feels called to serve his hometown.

"People talk about 'best kept secrets' in Arkansas. I think Crossett is one. People should visit us. I think they'd like it."

As the son of a military dad, McCormick moved often as a child, but spent all his summers in his hometown. Occasionally someone will still call City Hall asking for "Scottie Boy," McCormick says, referring to the days he summered there. He graduated in 1976 from Crossett High School. He married his

high school sweetheart, Mary, who graduated in the same class. They have been married for 33 years and have two sons.

At 21, McCormick joined the Crossett police force, where he served for 20 years. He retired from the force in 1998. His experience on the force and the relationships with the citizens he built there have served him well as the city's mayor.

"I like the job, and I like the people," McCormick says. Just don't call him a politician.

"I'm not a politician. I prefer 'public servant.'"

As a public servant, McCormick's goals are simple, he says.

"Just being able to work with people and have a more open mayor's office."

Unlike some population centers in central and northwest Arkansas, Crossett may find its population a bit smaller after the 2010 Census. It's a struggle to keep young people in the city after high school and college, McCormick says. The lack of population



Now the home of the city's economic development foundation, this art deco building in downtown Crossett was originally a post office and later a library.



Crossland Zoo Zookeeper Robin Halliburton, kneeling, and McCormick play with Josie, a male cougar, who purrs loudly and affectionately rolls on his back. As a newborn, the cougar would curl up in the mayor's lap in his office at City Hall, Halliburton says.

growth hasn't stopped the city from expanding its amenities and improving the quality of life for its citizens. A bond paid for with a one-cent sales tax has allowed the city to accomplish many things in recent years, including paving streets, building a new library and building a new sports complex on 80 acres. The complex has hosted local, regional and state tournaments, and the city is in the process of making improvements to the park so that it qualifies to host a Babe Ruth World Series.

The city's park system is another point of pride for McCormick. The city park features over 110 acres of recreational space, including a 51-acre fishing pond, picnic areas and a three-mile walking trail. With the help of a local business, the city has a new skate park. Crossett is also home to the Crossland Zoo.

"We have the second largest zoo in the state," McCormick says with a grin. Just because it also happens to be one of only two licensed zoos in the state is no reason not to brag a little.

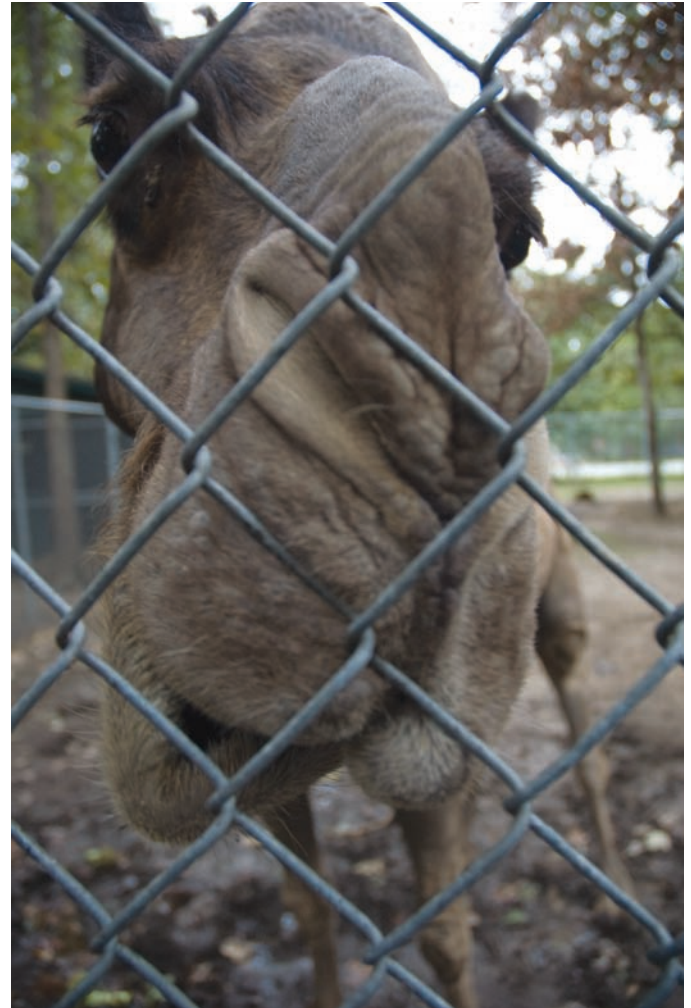
Like many communities in the pine and hardwood forests in the region, the timber industry played a large role in the birth and growth of

Crossett, and it continues to be a leading industry today. The Georgia-Pacific mill dominates the north side of downtown and gives the small city a kind of skyline. The mill remains Crossett's largest employer, but the local economic development commission has worked hard in recent years to keep new employment opportunities coming into the city. When Wal-Mart shut down its original store to open a new Supercenter on the east side of town, the city was left with the all too familiar problem of filling a large, empty building.

"We were lucky," McCormick says. "It only sat empty for about a year and a half."

Atwood's, a farm and ranch supply store and outfitter, was recruited to fill that space. New industries have also set up in one of Crossett's industrial parks, including Pinnacle Biofuels, which uses chicken fat and soy to create alternative fuel sources.

McCormick is also seeking ways to expand city services. He would like to find a way to fund a new fire station located on the north side of the railroad tracks that cut across the city. Because of heavy rail traffic due to the Georgia-Pacific mill, service to the north side of the tracks can occasionally be slow, McCormick says.



Georgia is Crossland Zoo's camel. She is named for Georgia-Pacific, whose donations have meant so much to the zoo.



Visitors can tour the restored Old Company House. The mill built hundreds of these shotgun homes for its workers in Crossett at the turn of the 20th century. It is painted in the original "Crossett Gray," a color that would become available at paint stores nationwide.

Healthcare reform tops Delta Caucus D.C. discussions

By Andrew Morgan, League staff

WASHINGTON, D.C.—The call for meaningful healthcare reform dominated discussion among the leaders of the Delta Grassroots Caucus, who met Sept. 15 and 16 in Washington, D.C. All eight states in the Caucus were represented at the meeting. Desha County in Arkansas was especially well represented with 15 local community leaders led by Desha County Judge Mark McElroy, a longtime key supporter of the Caucus.

Healthcare reform is especially crucial to the Delta region, which is already plagued with the highest poverty levels in the nation and suffers from a lack of access to rural health services, Caucus Director Lee Powell said. He urged the region's congressional leaders to "not let the perfect be the enemy of the good" in seeking a compromise in legislation to bring about reform.



McElroy

"You wanna hear an old lady cuss?" joked Judge McElroy. "Say 'bingo' or say 'healthcare.'"

McElroy shared his thoughts with the audience, not as an expert in healthcare issues, he said, but as an everyman. The most divisive—and most publicized—issue has been the so-called "public option," he said, and its one that has many people scared. When they are scared, they revert to a divide-and-conquer strategy. Some want a public option and some don't, McElroy said, "but the important thing is we need compromise, because the Delta is suffering more than most."

Never one for understatement, Arkansas Rep.

Marion Berry compared America's health crisis to a famous World War II era acronym: FUBAR. Something has to be done about the insurance industry, Berry said. "They've been robbing America for 50 years." One of Congress's fiscally conservative "blue dog" democrats, Berry claimed, "There's



Berry

enough gravy in the pharmaceutical industry alone to pay for this. We can fix this healthcare problem and not spend a nickel of your tax dollars."

Berry had some positive things to say about economic recovery efforts in the Delta. Good things are happening, he said.

"We've got a lot to offer and a lot to sell and a lot of good people to put to work."

Arkansas Rep. Mike Ross, another blue dog democrat, has been a strong opponent of a public option in new healthcare legislation, citing a soaring national debt. The healthcare reform debate has brought the issue of the national debt to the forefront, he said.

"I'm glad they're finally talking about it," Ross said. "I've been talking about it for nine years."

Ross said he is confident that as both the House and Senate finalize legislation, some sort of compromise will happen.

"I'm up here to make sure the final product represents the values of the Delta," Ross said.

Caya Lewis, who is President Barack Obama's appointee as Director of Outreach and Public Health Policy, thanked Ross, who has been instrumental in



Ross

bringing blue dogs to the table in the debate. Reform is especially important in the Delta and the nation's other rural areas, Lewis said. The ideal is to create a marketplace that offers true and affordable choices.

"Choice is extremely important," Lewis said. "That includes the public option. That's just what it is: an option in a broad marketplace."

Meaningful reform should have a strong focus on prevention, she said, including making clinical prevention tests and screenings widely available and affordable. Prevention now means future savings. The goal is to limit out-of-pocket costs, which often drive consumers into bankruptcy. Fifty percent of bankruptcies are related to medical bills, Lewis said.

Arkansas Sen. Blanche Lincoln said she is committed to finding ways to increase access to healthcare in the Delta and other rural communities in a manner that is "deficit neutral."

"I'm looking for the common sense answers, but I'm also looking for innovative answers," Lincoln said.

One of those answers could be creating a pool of traditionally difficult to insure consumers to lower costs, much like the system federal employees use.

The public option has many definitions, Lincoln



Lincoln

said, and is hard to nail down what it could mean. A co-op option would create better choices, she said.

Lincoln, who is a member of the Senate Finance Committee, on Sept. 29 voted with four other democrats and all republicans on the Committee against an amendment written by Sen. Jay Rockefeller (D-W. Va.) that would have added a public option to the Senate's health care reform bill.

As the Senate and House healthcare reform bills work their way through committees and the amendment process, Arkansas Sen. Mark Pryor urged Delta leaders to be patient.

"We don't know yet what the Senate bill will look like, but I'm pretty optimistic that we can put something together that people in our state can be proud of," Pryor said.



Pryor

Turning his attention to how federal stimulus money is working in the Delta region, Pryor said the aid appears to be creating jobs and is scheduled to create even more.

"My impression is that Recovery Act dollars are hitting the communities and helping," he said.

Getting Internet broadband to rural communities has been a priority for Pryor the last four or five years, he said. He praised the work of Connect Arkansas, an organization created to coordinate broadband efforts in the state.

Funding infrastructure improvements across the region, including highways and the proposed Interstate 69 corridor, is going to be a challenge, Pryor said. Congress is still working to find a sustainable funding source for the highway trust fund and disagreement abounds, he said. They can agree, however, that finding a long-term funding solution is essential. "I think there's a broad bi-partisan emphasis on infrastructure," he said.





Seminar tackles budgeting in uncertain economy

By Whitnee Bullerwell, League staff

The uncertainty of our current economy prompted over 130 municipal officials from across the state to attend the League's Sept. 9 seminar on budgeting and financial issues. "Budgeting this year will be especially tough," League Assistant Director Ken Wasson told the audience, who responded with quite a few head nods of agreement.

League Executive Director Don Zimmerman reminded those in attendance that the Legislature has total discretion on turnback and added that the turnback amount has been basically flat over the last 25 years. Legal Counsel David Schoen informed participants that mayors of cities and towns with the mayor-council form of government must submit budgets to their respective councils by Dec. 1 of each year.

Tom Atchley of the Department of Finance and Administration (DFA) reported a shift in sales tax. According to Atchley, there has been a nine percent drop in state sales tax over last year's actual collections. The decrease is due in large part to a marked decline in purchases for consumption. Arkansas is feeling the effects of the economy now more so than this time last year. Atchley also mentioned federal legislation regarding the streamlined sales tax. The DFA is hopeful the tax will be passed and implemented nationwide very soon. As for the 2010 forecast for state sales tax, Atchley speculates a

modest increase of one to two percent over 2009 collections.

The 2009 legislative session did not bring about many laws that will affect sales tax. However, DFA's Roberta Overman spoke to the group regarding taxation changes on aviation fuel. As of July 31, 2009, sales tax collected on aviation fuel sold at a publicly owned airport must be paid directly to that airport. For further information on this new reporting requirement, contact Overman at roberta.overman@rev.state.ar.us.

League Finance Director Paul Young discussed infrastructure funding and proposed constitutional amendment three. He also covered the specifics of tax-supported debt and revenue-supported debt for municipalities. According to Young, "Sales tax bond financing with a dedicated tax has been the most effective and successful project funding method for cities over the past 25 years." However, under current market conditions, existing constitutional interest rate limits have effectively eliminated this option for cities and towns. Constitutional amendment three, which has been endorsed by the League, will provide much needed relief and restore the ability to fund important city needs, he said.

Grants consultant Steve Napper was on hand to discuss information on federal stimulus efforts and the various grants still available to cities. Arkansas

Executive Director Don Zimmerman addresses the large audience of city officials in attendance.



Seminar attendees took advantage of the great weather and chose to lunch on the courtyard.



PHOTOS BY WHITNEE BULLERWELL, LEAGUE STAFF

Department of Rural Services recently opened applications on community enhancement and fire protection grants for cities and towns with populations fewer than 20,000. The application process will close Nov. 20. On the national level, Napper mentioned the available Tiger Grant and the Build America Bonds programs. For further information, contact Napper at snapper@aristotle.net.

The afternoon's agenda centered on information sharing by various city officials on what does and

what does not work in their budget process. The audience was given time for a valuable question-and-answer session. City officials also spoke on money-saving techniques and strategies ranging from the implementation of a four-day work week to the usage of hybrid police cars.

For more information on future seminars, check out the Municipal Training Calendar on www.arml.org.



Year of service under way for City Year corps

By Sherman Banks



Little Rock Mayor Mark Stodola pronounces Oct. 2 "City Year Day."

City Year Little Rock/North Little Rock kicked off its 2009/2010 year of service during its Opening Day ceremony Friday, Oct. 2, on the steps of the Arkansas State Capitol in Little Rock. Opening Day is an annual City Year tradition that goes back to the organization's pilot program in 1988. This year, 33 corps members pledged to serve 10 months of full-time service as tutors, mentors and role models in the community.

To honor the event, Little Rock Mayor Mark Stodola and North Little Rock Alderman Maurice Taylor (acting on behalf of Mayor Patrick Hays) together proclaimed Friday, Oct. 2, 2009, as City Year Day.

City Year Little Rock/North Little Rock is one of 19 City Year locations across the United States and South Africa. The 33 young people between the ages 17 and 24 who comprise the local corps join more than 1,500 across the country and beyond for a year of service. City Year Little Rock/North Little Rock has four primary teams:

- Founding Citizens Team—serving at Seventh Street Elementary;
- North Little Rock Team—working with the Young Heroes program;
- Little Rock Team—serving at Mabelvale

Elementary; and

- Tenenbaum Family Foundation Team—serving at Meadowcliff Elementary.

City Year corps members this year will be collaborating also with the Baptist Health Childcare Center. City Year will engage students in painting a mural to be donated to the center that portrays the principles of sharing, loving, helping and giving.

Dr. Eleanor Cox-Woodley, principal of Baseline Elementary School says in support of City Year, "City Year corps members have proven themselves to be excellent role models for our students. The relationships between the corps members and our students has not only made a tremendous impact on our students' academic performance but also has increased their self-esteem and leadership skills."

For more information, contact City Year at 610 President Clinton Ave., Suite 300, Little Rock, AR 72201; call 501-707-1400; fax 501-707-1428; or visit www.cityyear.org.



Contact Sherman Banks at 501-376-8193 or e-mail sbanks@aristotle.net.

St. Charles mayor honored with Community Service Award



Gov. Mike Beebe, left, presents St. Charles Mayor Robert Patrick with the 2009 Community Service Award for volunteerism.

CONWAY—St. Charles Mayor and former League President Robert Patrick was recognized with the Volunteer Individual of the Year award at the 32nd Community Service Awards ceremony held earlier this summer in the Reynolds Performance Hall at the University of Central Arkansas. The Arkansas Department of Human Services-Division of Volunteerism; KARK-TV Channel 4; St. Vincent Health System and the Office of Gov. Mike Beebe sponsored the event.

Patrick is entering his 20th year as mayor and in those years has never accepted compensation for his efforts toward improving St. Charles and the surrounding community.

To date, Patrick has received right at \$2 million in grants for the small Arkansas County town. This

money has allowed St. Charles' citizens to enjoy municipal services ranging from the availability of natural gas and a modern sewer system to properly equipping the police and fire departments.

Patrick's enthusiasm for his hometown and his job is evident when you speak with him. When asked about recently completed projects, he will follow with information on future projects and projects currently under way. His efforts are never-ending.

Patrick's vision and his love for his hometown make serving as mayor a joy in his life. The time that Patrick dedicates to the betterment of St. Charles is as exceptional as he is in his volunteer efforts. St. Charles is a small town with a mayor who has a big heart for volunteerism.



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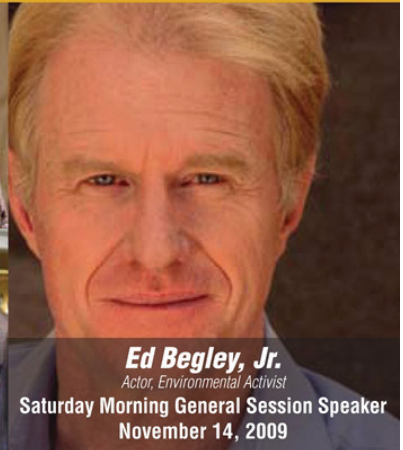
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AACP names Fogleman Mayor of the Year

Marion Mayor Frank Fogleman received the 2009 Mayor of the Year from the Arkansas Association of Chiefs of Police (AACP) at its 42nd Convention in Hot Springs, the organization has announced.

A native of Marion, Fogleman serves as a director of the Crittenden County Farm Bureau and is a past president of that organization. His family has been a Farm

See **FOGLEMAN**, next page



From left, AACP President and Dardanelle Police Chief Montie Sims, Gail and Mayor Frank Fogleman, and Marion Police Chief Gary R. Kelley.

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The new 2009-2010 edition of the *Handbook for Arkansas Municipal Officials* will soon arrive. The *Handbook* compiles state laws affecting Arkansas municipalities, including the newest laws from the 2009 legislative session.

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FOGLEMAN, continued from page 18

Family of the Year for Crittenden County. Fogleman is active in community and civic affairs in Marion, including a member of the board at Marion United Methodist Church and church treasurer; member, past treasurer and past president of the Marion Rotary Club; a founding member of the Marion Youth Sports Association and served as its treasurer for seven years.

He entered Marion city government as a member of the city planning commission in the mid-1980s and served as its chairman until his election as mayor. He became city treasurer in 1993 and first ran for and was elected mayor in 1994. He is currently finishing his fourth term as mayor. During his tenure, the city has almost doubled its size with annexations and the development of new subdivisions. A major accomplishment of his administration has been the acquisition and initial development of the Marion Recreation Complex and the establishment

of a full-time Parks and Recreation Department. He has been very active in economic development and was a central figure in the recruitment and location of Hino Motors Manufacturing to Marion in 2004.

His wife, Gail, is a local artist and a kindergarten teacher at Avondale Elementary School. They have one son, three daughters, a granddaughter and two grandsons.

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REGISTRATION

Registration and payment must be received in League office by Friday, December 11, 2009, to qualify for advance registration.

Advance registration for municipal officials	\$100
Registration fee after December 11, 2009 , and on-site registration for municipal officials . . .	\$125
Spouse/guest registration	\$50
Child registration	\$50
Other registrants	\$150
Wednesday Night Banquet only	\$25

- Registration will be processed **ONLY** with accompanying payment in full. Make checks payable to the Arkansas Municipal League.
- Registration includes meals, activities and a copy of **Handbook for Arkansas Municipal Officials, 2009-2010 edition**.
- No daily registration is available.
- Registration must come through the League office. No telephone registrations will be accepted.
- **No refunds after December 11, 2009.**
- Cancellation letters must be postmarked by **December 11, 2009.**

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Single/Double	\$109	Check-in 3 p.m.
Wyndham Hotel		
Single/Double	\$99	Check-in 3 p.m.

- Cut-off date for hotel reservations is **December 11, 2009.**
- Rooms in Little Rock are subject to an 11.5 percent tax.
- Rooms will be held until 6 p.m. and then released unless guaranteed by credit card.
- Contact the hotel directly to make changes or cancellations in hotel accommodations.
- Hotel confirmation number will come directly from the hotel.
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City: State: Zip: Telephone:
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To obtain hotel reservations, registered delegates must directly contact participating hotels listed below. Please mention that you are with the Arkansas Municipal League to get the negotiated hotel rate.

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Doubletree Hotel Reservations _____ 800-937-2789 or 501-372-4371
Wyndham Hotel Reservations _____ 800-996-3426 or 501-371-9000

Step 4: Hotel Payment

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

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

Capital Hotel Accounting _____ 501-370-7062
Doubletree Hotel Accounting _____ 501-372-4371
Wyndham Hotel Accounting _____ 501-371-9000

Supreme Court restricts searches of vehicles incident to arrest

By John Wilkerson, League staff

(Note: Neither this article nor *Arizona v. Gant* concern inventory searches of confiscated vehicles; The Supreme Court only addressed vehicle searches incident to arrest, and thus the law on inventory searches appears to be left unchanged.)

The U.S. Supreme Court recently addressed what it considered a serious and recurring threat to the privacy of countless individuals: police searches of vehicles incident to arrest without regard to the situation or the offense. To remedy this threat, the Supreme Court in *Arizona v. Gant* placed substantial restrictions on searches of a vehicle incident to arrest (129 S.Ct. 1710 (2009)). While Arkansas state law appears to remain largely unaffected, federal law has changed. The changes are important, as there are now only two instances in which a search of a vehicle incident to arrest is appropriate.

Police authority to search a vehicle incident to an arrest of a recent occupant is an exception to the warrant requirement. This exception is in place to ensure both officer safety on the scene and the preservation of evidence. However, federal and state courts had applied this exception differently. The Eighth Circuit, the federal jurisdiction encompassing Arkansas, had applied the exception very broadly while Arkansas law had applied the exception narrowly. The Supreme Court's recent ruling in *Arizona v. Gant* overruled the Eighth Circuit's broad application and held that the exception should be applied narrowly, a holding much more in line with current Arkansas law. Because the Supreme Court's holding is similar to existing Arkansas law, police policy and procedure may not change. But, since police are often sued in federal court and because *Arizona v. Gant* is now the "law of the land," it is important for police officers to understand the specific changes made to Eighth Circuit law and to know precisely when police officers may now search a vehicle subsequent to arrest.

As mentioned above, the Eighth Circuit, the federal jurisdiction encompassing Arkansas had treated this exception to the warrant requirement as a broad rather than narrow exception. Prior to *Arizona v. Gant*, officers in the Eighth Circuit did not need officer safety or evidence preservation in mind when conducting a search. Instead, officers were permitted to perform vehicle searches incident to an arrest after every arrest of a recent occupant (U.S. v. Hrasky, 453 F.3d 1099 (8th Cir. 2006)).

This is no longer good law; the Supreme Court has now limited this exception to a very narrow set of circumstances (U.S. v. Hrasky, 567 F.3d 367 (8th Cir. 2009)).

The key change to Eighth Circuit law is that the blanket entitlement given to police to search has now been restricted. The law is now clear that officers must be faced with either one of two situations before searching a vehicle incident to arrest: 1) an unsecured arrestee within reaching distance of the passenger compartment of the vehicle, or 2) an arrest of an individual for a crime for which evidence might be found in the vehicle. While the statements are clear, the description of when these two instances may arise is less so. Below are explanations of when they could arise.

Regarding the first situation, the Court acknowledged it would be rare that an officer leaves an arrestee unsecured. Officers seldom leave an arrestee unsecured and within reach of the car. However, the Court noted at least one instance in which this situation may arise: when an officer arrests more individuals than he or she has handcuffs. In that instance, the officer would have no choice but to leave an arrestee unsecured and, possibly, within reach of the car. The Court stated that this situation would constitute one example of when a search incident to arrest could occur. Beyond that sole instance, the Court noted no other situation in which an officer would leave an arrestee unsecured and near the vehicle. Therefore, in application, police officers may find it uncommon to encounter this first instance.

The second situation is more common to everyday police activity. One particular example occurs when an officer makes a stop for a traffic violation and while questioning the driver, the officer notices evidence of a crime in the vehicle, such as marijuana in plain view on the floor board of the vehicle. Because the officer now has probable cause to arrest for possession, he or she arrests the driver. Based on the nature of the crime, an officer would have a reasonable belief to conclude that further evidence of that crime, i.e. more marijuana or paraphernalia, could also be found in the vehicle. Thus, the officer would have a basis to search the vehicle incident to the

LECC studies gangs

The Evolution of Criminal Street Gangs is the topic of a seminar presented by the Law Enforcement Coordinating Committee (LECC) on Oct. 28 in North Little Rock. Fighting violent crime is a major priority for the U.S. Department of Justice, and the LECC brings experts from the field to cover subjects such as transnational gangs, current gang trends in Little Rock, officer safety and more.

Conference check-in and breakfast begin at 8 a.m., Oct. 28 at the Wyndham Riverfront Hotel, 2 Riverfront Place, North Little Rock. Registration is free, but pre-registration is required. To register for the seminar, complete and mail the registration form at right. For more information, call Mandy Warford at 501-340-2648.

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driver's arrest. These types of incidences likely occur more often. However, in many other instances, such as when a recent occupant is arrested for failure to appear or for any traffic violation, there will be no reasonable basis to believe the vehicle contains relevant evidence pertaining to that crime. Always keep in mind the offense for which the individual is being arrested before searching a vehicle incident to arrest.

While *Arizona v. Gant* has overruled Eighth Circuit law, Arkansas state law appears to be consistent with the Supreme Court's new ruling (see Rule 12.1 of the Arkansas Rules of Criminal Procedure). Because

Arkansas state law already appears consistent with the new ruling, your police practices should not change considerably. To the extent that Arkansas law has changed, follow the Supreme Court's holding in *Arizona v. Gant*. Remember, the restrictions that have been imposed by the Supreme Court are now controlling for both federal and state law purposes, and police officers must adhere to the changes. By doing so, there will be far fewer evidentiary problems or lawsuits for police officers.

For more information or questions on this subject, feel free to call John Wilkerson at 501-374-3484 Ext. 128, or e-mail jwilkerson@arml.org.

Act 209 applies also to seatbelt law

With the passage of Act 209 by the Arkansas Legislature in 2009, city councils and quorum courts may now increase fines by an additional \$20, which is to be used to defray city or county jail expenses. The increase can apply also to a seatbelt conviction.

Under ACA § 27-37-706, any person violating the mandatory seatbelt use law shall be subject to a fine not to exceed \$25, and when a person is convicted and pleads guilty, or forfeits bond, no other court costs or fees shall be assessed. However, the new fines allowed by Act 209 of 2009 can be applied to seatbelt convictions because additional fines are not the same as court costs and fees. Attorney General Opinion No. 2003-117 states, "The statute prohibits the imposition of additional court costs and fees," but it "does not prohibit additional fines. Courts have traditionally distinguished between fines, which are intended to be punishment for the offense in question, and court costs or fees."

Act 209 of 2009 amends ACA § 16-17-129 to read:

(a)(1)(A) In addition all fines now or as may hereafter be provided by law, the governing body of each

town or city in which a district court is located may by ordinance levy and collect an additional fine not to exceed ~~five dollars (\$5.00)~~ twenty dollars (\$20.00) from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture in all cases in the first class of accounting records as described in § 16-17-707.

(b)(1) In addition to all fines now or as may hereafter be provided by law, the quorum court of each county may by ordinance levy an additional fine not to exceed ~~five dollars (\$5.00)~~ twenty dollars (\$20.00) to be collected from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture in all cases in the first and second class of accounting records as described in § 16-17-707. A county ordinance enacted under this subdivision (b)(1) applies to all district courts in the county.

Thus, cities may now collect up to \$20 in additional fine money on accounting one records, and counties may collect up to \$20 in additional fine money on accounting one and two records.

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Municipal Notes

Reminder: Direct observation in effect for drug testing

The U.S. Department of Transportation reminds employers that as of Aug. 31, 2009, the direct observation policy is in effect for all return-to-duty and follow-up drug testing for safety-sensitive transportation employees, including truck and bus drivers, train engineers, pilots, ship captains and pipeline emergency response personnel among others.

Direct observation must include a same gender observer's check for prosthetic and other devices that could be used to cheat a drug test in addition to watching the employee urinate into the collection container. If a collector, medical review officer, third party administrator or other service agent learns that a direct observation collection was not conducted, the employer needs to be informed and a recollection conducted.

Judy Sims with aTEST will discuss this policy further in the next issue of *City & Town*.

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October 31 is Act 833 funding deadline

The deadline to apply for 2009 State Fire Grant Act 833 funds through the office of Fire Protection Service is October 31. Applications must be postmarked by that date to qualify for the 2009 funding year. For more information on the grant program, call Jimmy Woods at 501-683-6781.

Paragould to host grant writing workshop

The League and its grant services partners, Legacy Consulting and the Arkansas Grant Book, will present a grant writing workshop 9 a.m.-4 p.m. Tuesday, Oct. 27 at the Paragould Community Center, 3404 Linwood Drive, Paragould. The workshop is free for member cities and towns.

The registration deadline is Oct. 23. Please register online at legacyincorporated.com and click on "Upcoming Grant Workshop." Seating is limited.

Future workshops will be held Nov. 13 in Forrest City and Jan. 26, 2010, in Fort Smith. If your city or town would like to host a future workshop, e-mail Chad Gallagher at chad.gallagher@legacyincorporated.com.

Conway, Fayetteville among city and county federal grant recipients in September

A federal grant totaling more than \$1.3 million will help Conway buy land for a new municipal airport, the *Arkansas Democrat-Gazette* reported Sept. 16. Fayetteville in September was awarded \$724,900 for sustainable development. They are among several city and county governments to receive substantial grants in September.

The proposed site for Conway's new airport

(see **BRIEFS**, page 31)

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State needs animal control training standards

With the days of the oft-caricatured dog catcher behind us, it's time for the state to require training and certification for animal control officers.

By Billy Grace

When Dr. Susan Weinstein assumed the role of State Public Health Veterinarian for the Arkansas Department of Health in January of 2006, we knew that good things were about to happen for animal control. Her 32 years as a practicing veterinarian had taught her to hit the ground running. Realizing that this state had lagged far behind in training for animal control, her first endeavor was to provide a refresher course on the Rabies Control Act. She then solicited the help of Jerry Jones, director of pharmaceutical services and drug control, to show smaller cities how to become certified to store and use controlled drugs. She developed and distributed a standardized version of the "Animal Bite Form" to agencies across the state. "Dr. Sue" has made herself very accessible to any and everyone within the animal control profession.

She is now facing her biggest challenge of all, which is to require a minimum amount of training and certification to become an animal control officer in this state. She knows that she is fighting an uphill battle. Funding for training is always a problem, especially for smaller cities. That is why she wants to develop in-state, affordable training classes that won't involve the expense of week long lodging and high tuition costs.

Different levels of certification would be possible, with basic information being required for every animal control officer. Weinstein's position requires her to be the person responsible for safeguarding the public from the rabies virus. She knows how disastrous it can be when untrained personnel handle rabies specimens. If a person contracts rabies, they die. The only "cure" is prevention. That is why it is so important, albeit not the only reason, to have qualified personnel in this profession.

Currently there is voluntary certification from the Department Of Health, in conjunction with the Arkansas State Animal Control Association (ASACA). Unfortunately, many cities have not taken advantage of it. One possible reason for this is the expense and time involved with receiving this training under the current system. The bottom line is, as long as we leave it up to individual cities to receive this training, we will always have many unqualified people doing this job.

Just a few years ago, my son was bitten in the face by a neighbor's dog. We followed the law and called the county

sheriff's office. (I will not name the county because it is not my intent to embarrass anyone.) A deputy responded and initiated a dog bite report. Since I work in animal control, I decided to just wait and see if anyone from that department would follow up after 10 days as required by law to ensure that the dog was still in good health. Neither my family, nor the owner of the dog, received so much as a phone call to make sure that dog cleared the quarantine period. For all they knew, the dog and my son—God forbid—could have died of rabies. My point is that many of us charged with the responsibility of enforcing the Rabies Control Act simply do not know how to do it. Rabies control is the primary reason for our profession's existence and has been since the beginning of the 20th century. Proper training for this is absolutely essential. It should be a requirement for everyone who writes an animal bite report, whether they are law enforcement officers or animal control personnel.

Protecting the public from the rabies virus is not the only reason for needing some minimum required training. As more and more Americans humanize their animals, humane and ethical treatment of these animals by qualified personnel becomes something that the public expects. The days of the "dog catcher" as depicted in *Lady and the Tramp* are long gone. The professionally trained animal control officer has replaced this character. Having unqualified personnel impound, handle and dispose of pets in this day and time is a sure fired recipe for disaster. We know this from experience.

Euthanasia, chemical capture, pepper spray and the telescoping baton are all common, everyday tools used by today's animal control officer. All require comprehensive and sometimes expensive training and certification because of the risks involved. Dr. Sue's goal is to make this training available, affordable and mandatory for everyone in the animal control profession. Law enforcement did it in the 1970s with great success, and it is time for animal control to step up to the plate and do likewise.



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



- Oct 16-17, **LAKE VILLAGE**, 13th Lake Chicot Fall Festival, 870-265-5997, request@lakevillagechamber.com, www.lakevillagechamber.com;
MCGEHEE, 3rd Owlfest, 870-222-4451, info@mcgeheechamber.com, www.mcgeheechamber.com
- Oct. 17, **STEPHENS**, 27th Redneck Rally Lawnmower Races and Festival, 870-786-5400
- Oct. 24, **CORNING**, 23rd Corning Harvest Festival, 870-857-3429, jrsollis@hughes.net;
HAZEN, 33rd Grand Prairie Rice Festival, 870-255-3042, dhardke@mebanking.com;
HUMPHREY, 3rd Fall Festival, 870-873-4615,
NORPHLET, Chili Cook-off, 870-546-2534, conorphlet@att.net; **PALESTINE**, L'Anguille River Festival, 870-581-2166, mayorebdunn@yahoo.com;
WALNUT RIDGE, 5th Downtown Iron Mountain Festival, 870-886-3232, lawrencecofc@suddenlinkmail.com, lawcochamber.org
- Oct. 24-25, **FORT SMITH**, Frontier Fest, 479-783-8888, info@fortsmithfrontierfest.org, www.fortsmithfrontierfest.org
- Oct. 29, **MOUNTAIN VIEW**, 27th Beanfest and Outhouse Races, 870-269-8068, mvchamber@mvtel.net, www.yourplaceinthemountains.com
- Oct. 31, **CARAWAY**, Fall Festival, 870-482-3431

BRIEFS continued from page 26

is about 10 miles southwest of the city near the Arkansas River. The airport is expected to cost roughly \$20 million. Mayor Tab Townsell said this initial grant from the U.S. Department of Transportation is part of the federal government's plan to fund 95 percent of the project. The city will fund five percent of the cost, but the state will reimburse that amount, City Engineer Ronnie Hall said.

Fayetteville's grant funding comes from the U.S. Department of Energy through the American Recovery and Reinvestment Act's Energy Efficiency and Conservation Block Grant program (EECBG). Modeled after the long-standing Community Development Block Grant program (CDBG), \$3.2 billion in EECBG funding is being allocated to cities across the country to increase energy efficiency, conservation and renewable energy efforts. Fayetteville will use its award to fund LED street and trail lights, solar panel installation on the new district court building, energy efficiency upgrades on municipal buildings and more.

Gov. Mike Beebe in mid-September presented 11 other federal grants totaling more than \$3 million to city and county officials. The money comes from the U.S. Department of Housing and Urban Development through the CDBG program and will be administered by the grants division of the Arkansas Economic Development Commission. Four of the 11 grant recipients are municipalities. The municipal grants are: Hope, \$325,000 for expansion of a child-care center; Mulberry, \$250,000 for construction costs to build a senior citizen center; Ola, \$166,649 to repair drainage; and Beebe, \$197,340 for a food pantry and outreach center.

Summaries of attorney general opinions

Recent opinions that affect municipal government in Arkansas

From the Office of Attorney General Dustin McDaniel

Online sales of unclaimed seized property OK

Opinion: 2009-103

Requestor: Wills, Robbie—State Representative

Under Act 31 of 2009, may police departments dispose of “unclaimed seized property” (as that phrase is used in ACA 5-5-101) using an online auction process?

RESPONSE: In my opinion, the answer to your question is generally, “yes,” with several important caveats mentioned in the body of the opinion.

City may employ veterinarian

Opinion: 2009-118

Requestor: Patchell, Allison—Chair,
Veterinary Medical Examining Board

May a city that owns and operates an animal shelter employ a veterinarian to offer spay and neuter services to the public? **RESPONSE:** The answer is not entirely clear under the Arkansas Veterinary Medical Practice Act, ACA 17-101-101 through -314; but pending legislative clarification, the answer in my opinion is likely yes because I believe a court faced with the question would probably conclude that ACA 17-101-102(8)’s definition of “person” does not include a municipal corporation. See also 17-101-307. It should be emphasized, however, that any veterinarian employed by a city to offer veterinary services to the public is subject to all requirements of the Act, including regulation by the Board.

Municipal control of housing authority limited

Opinion: 2009-125

Requestor: Pennartz, Tracy—State Representative

(1) If a municipality creates a housing authority pur-

suant to ACA 14-169-207, what, if any, control does the municipality have over the housing authority? (2) Can a municipality apply its formally adopted Code of Business Conduct to the housing authority and its board members? (3) If so, can such Code of Business Conduct be more stringent than the applicable Arkansas statute? (4) Under applicable Arkansas statutes, is a housing authority required to adopt its own Code of Ethics or Code of Business Conduct? If so, can the housing authority’s code be less stringent than the municipality’s code? (5) Assume a housing-authority commissioner owns property situated on a site where a proposed housing-authority project may be built. If that commissioner participates in the discussions about whether to approve the proposed project, does that commissioner violate ACA 14-169-209? (6) Assume a housing-authority commissioner owns property situated on a site where a proposed housing-authority project may be built. If that commissioner failed to inform the board of this fact “in writing” would ACA 14-169-209 have been violated? (7) Assume a housing-authority commissioner owns residential property situated across the street from a proposed housing-authority project. Does the ownership of that property constitute a “conflict of interest” pursuant to ACA 14-169-209? **RESPONSE:** As for your first question, municipalities have limited direct control and limited indirect control over housing authorities. Some of these controls are described in more detail in the opinion. In my opinion, the answer your second question is “no,” which renders your third question moot. The answer to your fourth question is “no.” The answer to your fifth question is unclear. The answers to your sixth and seventh questions are “yes” and “no,” respectively.

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



Municipal Property Program

Your Municipal Property Program offers broad coverage for your municipal property. The limits of coverage are \$500 million per occurrence per member for damages from fire, windstorm and other incidents in excess of \$5,000.

Coverage is \$15 million per occurrence per member for losses exceeding \$100,000 on earthquakes and flooding.

The Municipal Property Program's 2008 annual meeting in November adopted rates according to the following scale for 2009. See the new reduced rates below.



FIRE CLASS I	—	.0012	X	covered value	=	Premium
FIRE CLASS II	—	.00135	X	covered value	=	Premium
FIRE CLASS III	—	.0015	X	covered value	=	Premium
FIRE CLASS IV	—	.00165	X	covered value	=	Premium
FIRE CLASS V	—	.0018	X	covered value	=	Premium
FIRE CLASS VI	—	.002	X	covered value	=	Premium
FIRE CLASS VII	—	.0022	X	covered value	=	Premium
FIRE CLASS VIII	—	.0024	X	covered value	=	Premium
FIRE CLASS IX	—	.0027	X	covered value	=	Premium
FIRE CLASS X	—	.003	X	covered value	=	Premium

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

Do you want to see something really scary?

Few things evoke fear in the hearts of planning commissions and homeowners than affordable housing.

By Jim von Tuneln

From goulies and ghosties and long-leggedy beasties
And things that go bump in the night
Good Lord, deliver us!—*Old Cornish Prayer*

There is a tradition—often observed in October, and it is based on things that scare us. It teaches children that there are things in the imaginary world that are spooky. It can also remind grownups that there are things in the urban environment that frighten them. Take for example, housing.

Not just any housing, mind you, but housing that might be occupied by someone who is not like us. It seems scarier to some adults than any Halloween ghost, and the fears are just as unwarranted. Attend a few planning commission hearings where affordable housing is an issue and see what we mean.

Planners are not always right. Consumers tend to thumb their noses at us and prefer subdivisions that aren't approved by the "smart code" crowd. Businesses love ugly, gaudy and multiple signs. People spend over an hour each way commuting in horrible traffic rather than live where we think they should. Homeowners want the three-car garage to be the most visible feature from the street while we prefer them hidden. One might ask: Who do those planners think they are?

Problem is, sometimes we are right.

We may be right about diversity in housing, and it worries me. More and more we are seeing folks worked up about affordable housing in their neighborhood or sometimes even in their city. We have even seen hostility toward apartments in cities that are financially dependent upon major universities.

Say what?

As I write this, our country seems to be coming out of the worst financial downturn since the Hoover administration. By all accounts, it originated from within the housing industry. It seems that ownership of a home is such an obsession in our country that both institutions and individuals started acting *muy loco*. Things got totally out of kilter, financially speaking. It seems to happen every time a basic human need becomes a source of unregulated profit.

Even the government was complicit. For years it has

subsidized homeowners (but not renters) with a mortgage interest tax deduction. It is similar to welfare, but we dare not call it that. When that wasn't sufficient, we violated the laws both of economic gravity and good sense. Promoting home ownership justified playing a little loose with reality, didn't it? Let's get imaginative about mortgaging a new home. After all, the kids only have to pay those payments for a year, tops. Then they can sell out with a 15 percent profit.

Overly creative mortgage financing falls under a guise I call the "Enron Explanation." That's when we say: "The only reason something has never worked so far is that we weren't the ones doing it." Right.

But back to urban planning. Where has this all gotten us in terms of the built environment? For one thing, it generated tons of economic prejudice against housing of any lower value than our own, particularly if it is rented. When the only net worth the average family has is the equity in its home, it's easy to see imaginary threats to its value, such as different sorts of folks moving next door.

This prejudice creates resistance against proposals for any form of affordable housing, particularly the multi-family type. Such resistance frightens planning commissions and city councils. The final result is that, in city after city, real estate professionals are citing an unmet demand for affordable rental units while we are finding more and more doors slammed shut on their approval.

Most of these cities boast an economic-development office that is actively seeking industries whose entry-level personnel would not be able to afford home ownership in the city. And the economic development folks themselves often tell us that affordable housing is a major issue in attracting industry.

All of these cities profess a goal of bringing the town's children back home after they receive their education. I don't know about others, but I wasn't able to afford to purchase a home when I first went to work. So I went to a big city with a variety of apartments to choose from, and I'm still there. So are thousands of my peers who couldn't find a decent place to live in their own home towns when starting their careers.

Cities welcome organizations whose leader once said



PHOTOS BY JIM VON TUNGELN



Above, how tenants view rental property. Left, Monster of our imagination: how neighbors view rental property.

that if you do something to (or for) the least of persons, it's the same as doing it to the leader himself. Of course some will claim that he wasn't talking about renters. But then our country's most famous sculpture proclaims to the world: "Give me your tired, your poor, your huddled masses ..." Most planners believe that realizing this noble thought would require affordable housing. Many folks I have seen at public hearings over the last five years don't seem to agree.

Who's right?

I believe the planners have it on this one. Diversity in

housing makes financial sense. It makes economic sense. And it makes moral sense.

It also makes for more interesting cities, and that shouldn't be something that frightens us.



Jim von Tungeln is staff planning consultant available for consultation as a service of the Arkansas Municipal League and is a member of the American Institute of Certified Planners. Persons having comments or questions may reach him at 501-372-3232. His Web site is www.planyourcity.com.

Broaden your palette

Picking trees with an eye toward fall color can fill your community's canopy with the brilliant reds and yellows that make Arkansas especially beautiful this time of year.

By John Slater



Colorful fall leaves can be as beautiful and interesting as any flower.



Fall has arrived! It's time once again to enjoy the splendor of our Arkansas forests, urban and native forest lands. What a great summer we had, with plenty of rain for our plants and cooler temperatures than normal. That doesn't happen very often, so I hope everyone was able to make time to enjoy it.

We are lucky in Arkansas to have all four seasons. To me, fall is by far the most colorful time of the year. With 18 million acres of forestland, over half of Arkansas is forested. According to the Arkansas Department of Parks and Tourism, "The most popular way to enjoy the splashy color of autumn in Arkansas is just get out and do it." To find out the best times to enjoy the fall color in Arkansas go to www.Arkansas.com.

One of the benefits of my job is to drive all over Arkansas. Last fall I took my camera with me to take pictures of fall foliage. It's a new season, so it's time to drag out the camera again and see if I can get the one picture worthy of hanging on the wall.

Taking pictures of the leaves themselves has really caught my interest. If you look at leaves up close, you will see that they look as striking as any flower. You don't

need a mountain full of trees to bring the beauty of nature into your life. Just plant your favorite tree and watch it change with the seasons.

Fall is a great time of the year to plant that favorite tree. Even though the tree can appear dormant, often the tree's roots are active. They begin to make their connection to the soil, so when spring arrives they will be ahead of the late winter plantings. Of course, no matter when you plant, you need to take care of your tree. Water, weed, mulch, and keep lawn mowers and weed eaters away from trees at all times.

Check out Chris Stuhlinger's article below and see what trees he recommends for your favorite fall color.

Stuhlinger is University Systems Forest Manager with the Arkansas Forest Resources Center in Monticello. He created the following guide to picking trees with an eye toward fall colors. Thanks to Stuhlinger for allowing *City & Town* to reprint the article.

Planting Fall Colors

Do you want to add fall color to your community's landscape? This is the time of the year when the brilliant reds, oranges and yellows of tree leaves are seen everywhere. Now is the time to select and plant trees that are known for producing spectacular fall colors. Knowing what to plant and what causes these bursts of color can add to the enjoyment of your community, your yard or your parks and woodlands for many years to come.

According to Native American myth, fall leaf colors resulted from the slaying of the Great Bear in the sky, whose blood dripped to the earth and painted some leaves red. As hunters cooked the bear meat, the splattering fat colored other leaves yellow.

Chemical processes, not freezing temperatures or frost, cause leaves to change colors. Leaves contain several pigments that determine their color. The pigment seen normally during the summer is the green chlorophyll, which the trees use to produce food from carbon dioxide and water using sunlight. Chlorophyll is produced in deciduous trees during the growing season and masks the other pigments that may be present. Tree growth and chlorophyll production begin to slow down in the fall as the number of daylight hours diminishes and longer, cooler nights arrive. When chlorophyll breaks down at the end of the growing season, the other pigments become more apparent. The other pigments include antho-



From golden yellow ginkgos to brilliant red maples, Arkansas's trees bring out the state's beauty every fall.

cyanins (reds) and carotenoids (yellow/orange). Carotenoids are always present in the leaves in some species at the end of the growing season when food sugars become trapped in the leaves.

Trees showing red fall colors include red maple, dogwood, sweetgum, blackgum, white oak, red oak, pin oak, scarlet oak, sourwood, sumac and sassafras. Certain ornamental varieties can produce extra-brilliant reds, such as the "Red Sunset" and "October Glory" varieties of red maple.

Trees with yellow leaf colors include birch, hickory, white ash, aspen, elm, beech, yellow poplar, ginkgo, honey locust and willow. Sugar maple is known for its showy orange-yellow colors, while bald cypress, a deciduous conifer, turns a spectacular gold.

Dry sunny days and cool or freezing nights (below 45 degrees) during the fall bring red leaf color. Leaves with more direct sun exposure are more likely to turn red, while shaded trees may be yellow. Frosts and freezing temperatures can cause the internal chemical process that lead to fall colors to cease and can kill leaf cells. Rainy fall

weather can also lessen color intensity.

A mix of red, orange, yellow and green leaves (consider evergreen trees) in your community's landscape can be quite attractive. Select trees to plant that are healthy and well proportioned. Consider the tree's mature size and available growing space (including overhead) when selecting a planting location. Plant after the leaves have begun to fall and before the ground freezes. Fall planting allows the roots to become established before spring leaf growth occurs. Give the tree plenty of water, but do not fertilize during the first year.

—Chris Stuhlinger

Make a Memory ... Plant a tree.



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

The rise of retail and service sector development

The field of economic development has broadened in recent years to include the retail and service sectors, both of which have become increasingly important in cities and towns for their ability to provide jobs and bring in local sales tax.

By Ron Swager, Ph.D. CEcD

Two strong and interesting trends have emerged as the field of economic development continues to evolve. One is the rise of retail as an economic development strategy, and the other is the increased use of incentives to foster retail development projects. In turn, these trends necessitate much more sophistication in retail analysis than developers would have imagined a few years ago.

In the post-World War II period when the U.S. manufacturing sector was expanding, most development efforts focused on attracting new factories. But as manufacturing growth subsided, the retail and service economy rose to dominance. Economic developers, however, did not view retail as a viable strategy because low wages and the non-basic nature of retail yielded a perception that retail was not worth the effort.

The landscape tilted again, starting in the 1980s, when economic restructuring left the retail and service sectors as the only likely employment options for new workers and for those who lost jobs in other sectors. This crisis became especially acute in rural areas where the remaining retail sector suddenly became almost the only employer, a trend that continues today. Accordingly, for at least the last decade, economic developers have come to recognize the value of—indeed the need for—including retail and service as a vital part of their diverse strategies. As a corollary, all communities—especially those in rural areas—have come to recognize the critical role of the retail sector in “plugging the leaks” of dollars flowing out of the local economy.

The second trend, the increased use of incentives for retail development, has emerged during this recent time period as well. The rationale behind this trend is two-fold. First, developers and retail businesses have discovered that retail often does carry favorable wages, and (at least at the local scale) retail can provide a source of outside dollars into the community. While this effect is mitigated at the state scale, retail sector development also adds to the quality of life in ways that are significant, but less easily measured. Second, many local and state governments rely heavily on retail sales taxes as a primary

source of revenue. Suddenly, we have discovered that retail jobs are important, retail wages are viewed as valuable, and retail sales are critical to the support of government services.

Just as suddenly, the convergence of these two trends gives rise to a more critical examination of the claims behind them. What is the value of the retail sector? What constitutes the local retail sector and what is its geographic extent? What retail development strategy should we pursue? What kinds of retail activity should we emphasize? How do I place a value on a specific retail project? What are the local economic benefits of a project? Are incentives worth while? How much is too much in terms of incentives?

These questions can be answered only through considerable research, some of which has become quite sophisticated. Two main segments of this research center on 1) retail analysis by communities seeking to foster retail development, and 2) retail analysis by businesses seeking the best location for their next establishment. A third area of research—impact analysis—not only supports these research efforts, but is gaining widespread usage because it helps answer the above questions.

Community retail analysis

What is the community side of this research? Communities seeking to retain and expand their retail/service sector base need to conduct retail studies that support a well defined retail marketing plan. This plan should be part of a broader overall economic development strategy based on a strategic planning process. Several specific retail analyses are needed:

- Trade area analysis—It is surprising how many communities do not know what their retail “reach” is. Where do the community’s trade boundaries end and those of a neighboring community begin? This information is essential to understanding the retail base.
- Local retail market analysis—Once the trade area is identified, a community can then determine the



value of its retail base: how much of its customer base it “captures” and how much “leakage” occurs, and its current retail mix.

- Market gap analysis—This research identifies retail segments that are missing from the local mix and existing segments that need to be enhanced to plug the leaks of customers who shop outside the trade area. It also determines opportunities for multiple outlets for the same retail or service business, some of which already may have a presence in the community.
- Targeted retail marketing study—The first three analyses provide vital input to this next step. This study identifies and prioritizes retail targets that fit the community’s strengths and needs. Ultimately, it should include a carefully defined list of actual target companies.
- Retail impact analysis—A natural step after the retail marketing study is to develop a clear understanding of the economic benefits to the community of each targeted business segment. These benefits come from the jobs and incomes derived as well as from the retail tax base that is generated. Several types of impact studies can be conducted, depending on the answers being sought. These studies can help address the issue of incentives for retail and service sector projects.
- Retail locational analysis—Having identified and prioritized the targets for retail development, a thorough analysis of locational alternatives must be conducted. It is not enough to identify what types of retail or service businesses to develop in the community; the extra step must be taken to identify where these businesses can locate. A care-

ful study of local site characteristics is an important part of this locational analysis. The community that conducts this critical step will be in a much more favorable position to seize upon a retail opportunity when it happens.

At this point, economic developers and other community leaders can easily throw up their hands and say, “All this analysis is too difficult and time-consuming.” It is necessary, but do not despair; help is available. Some communities in Arkansas have retained expert consultants to guide them through the entire process, from trade area analysis to the targeting study and even the locational analysis. They are aggressively pursuing their retail strategy and realizing some success. Consultant fees can be high, but many feel they are worth it. And sometimes a community can reduce the cost by conducting some parts of the research locally.

For some communities an alternative source of help is available. The Center for Economic Development Education at UALR’s Institute for Economic Advancement (IEA) can conduct much of the retail analysis outlined here, some of it at little or no cost. IEA has the data, the staff and the expertise to provide valuable guidance. For further information, call us at 501-569-8519.

In a future article, we’ll examine retail impact analysis more thoroughly and outline how retail and service businesses conduct their efforts to identify a good place to do business.



Ron Swager is Director of National Economic Development Training, Institute of Economic Advancement, UALR. E-mail Ron at rjswager@ualr.edu.

New psychiatric program reaches across Arkansas

A new psychiatric program at UAMS aims to make care available to children and teens from one corner of the state to the other and everywhere in between.

By Juan Luis Castro Cordoba

Jim Johnson, an adolescent in a vastly rural part of the state, is continually having a hard time dealing with the emotional stress at home, worsened by what could be a mental health problem. His troubles have carried over into his performance and relationships at school and threaten to send him down a troubled path.

Until recently, his family doctor—rather than a child and adolescent psychiatrist—would have been responsible for diagnosing, treating or referring the troubled teen, since specialized services are limited in far reaches of the state. But with the start of a new program at the Psychiatric Research Institute at the University of Arkansas for Medical Sciences (UAMS), primary care physicians have a new resource to turn to for patients age 18 and under needing mental health expertise.

Changing lives

In partnership with the Arkansas Department of Human Services, the Psychiatric Research Institute launched the Psychiatric Telehealth, Liaison and Consults (Psych TLC) program in July. Although “Jim Johnson” is a fictional case to make a point, real adolescents faced with the same circumstances throughout the state will be better served and lives changed.

There are two main components of the program that set it apart from other efforts the state has seen. The first is a 90-day, closely monitored follow-up for children age two to 12 discharged from the Psychiatric Research Institute’s child diagnostic unit. The follow-up is coordinated with the patient’s doctors, teachers and family.

The second is a telemedicine consultation service to connect doctors of patients age 18 and under across the state with trained professionals at the Psychiatric Research Institute.

The best part about Psych TLC is that the services come at no cost to providers and patients.

Got your back

The goal of the first component is to enable the patient to return to a normal routine with family members, school and community activities. Psych TLC helps with the transition by following patients for 90 days to make sure the child’s needs are being met.

The telemedicine component means that child and adolescent psychiatrists are available at UAMS by telephone 8 a.m. to 5 p.m. Monday through Friday. The call center will ensure a consultation to pediatricians, family practice physicians and general psychiatrists statewide with a UAMS psychiatrist within 15 minutes of their request. Our call center will walk patients through a series of questions during the initial phone consultation, and the psychiatrist will be in touch either by phone or through a live video conference.

The child and adolescent psychiatrist can simply answer questions and give consultation regarding medications or diagnoses, or can work directly with a patient through the telemedicine service.

Here to help

The goal of Psych TLC is to bring professional, advanced psychiatric care to children and teens in parts of Arkansas that have never had such access. Though the program officially began in July, the next step is to make sure primary care physicians and general psychiatrists across the state understand what Psych TLC can offer them. The sooner we can do that, the sooner children and adolescents can begin receiving the best psychiatric care possible.

Another benefit of Psych TLC is providing primary care physicians with training and continuing medical education in child and adolescent mental health services. We’ll host interactive video teleconferences and regional roundtables to provide education on the best proven treatment guidelines.

We’ll be making our way around the state in coming months to educate physicians and caregivers about this groundbreaking service. If you have any questions, feel free to call 501-526-8100 or toll-free 1-866-273-3835 and ask for Psych TLC, or visit our Web site, psychiatry.uams.edu/PsychTLC.



Juan Luis Castro Cordoba is Medical Director, Psych TLC, Psychiatric Research Institute, UAMS.

Changes to 2009 Directory, Arkansas Municipal Officials

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

Alpena

Delete AL (Vacant)
Add AL Tammy Raley

Beebe

Add AM Jennifer Latture

Bentonville

Delete AL Brad Crain
Add AL (Vacant)

Briarcliff

Delete M Ericke Eckert
Add M (Vacant)
Delete AL Melvin Harper
Add AL Eugene Hubka

Brookland

Delete AL Jerry Gray
Add AL Kerry Groves

Cabot

Delete AL Virgil Teague
Add AL Patrick Hutton
Delete AL Teri Miessner
Add AL Rick Prentice
Delete AL Becky Lemaster
Add AL Ann Gilliam

Caddo Valley

Delete WS/
WW Scott Penney
Add WS/
WW R. Wayne Morphis

Cotter

Delete M David McNair
Add M (Vacant)

Decatur

Delete ADM Kim Beggs
Add ADM Kim Wilkins
Delete AL David Cook
Add AL David Sutton

Egypt

Delete PC Duston Walker
Add PC Gary Graham

Eureka Springs

Delete AL Rob Wagner
Add AL Mickey Schneider
Delete FC Eddie Davis
Add FC Rhys Williams

Fountain Lake

Delete AL Clyde Vaughn
Add AL Kathy Raab

Garland

Delete R/T Janice Hanson
Add R/T Ann Sutton

Gosnell

Delete CEO Royce Carpenter
Add CEO Denise Ingram

Heber Springs

Delete SAN Jim Baker
Add SAN (Vacant)

Humnoke

Delete AL Ameer Moody
Add AL Terry Brown
Delete AL Artislee Pettit
Add AL Artislee Morris
Delete AL Chad Morgan
Add AL Jeff Tyler
Add WS Tommy Lawson
Add AL Courtney Bryant
Delete AL Melinda Brazeal
Add AL Fritz Hensick

Huntsville

Delete AL Terry Long
Add AL Debra Shinn

Lake Village

Delete C/T Lynette Graham
Add C/T (Vacant)

McDougal

Delete M Edgar Meling
Add M Cindy Roberts
Delete AL Cindy Roberts
Add AL Carol Brown

Oak Grove Heights

Delete M Eldon Smith
Add M (Vacant)
Delete E-Mail oakgcity@grnco.net
Add E-Mail oakgroveheights
@yahoo.com

Pottsville

Delete WW Charles Rivas
Add WW (Vacant)

Rector

Delete PC Tommy Baker
Add PC Glenn Leach

Rudy

Delete M Keith Pinson
Add M Billy Rogers
Delete AL Billy Rogers
Add AL Leslie Sharp
Delete AL Dean C. U'Delso
Add AL (Vacant)

Springtown

Add AL Lisa Lawrence

Wynne

Add WEB cityofwynne.com

Wrightsville

Delete M (Vacant)
Add M McKinzie "Mack"
Riley
Delete CA Ron Hope
Add CA William "Zac"
White

Volunteers covered under law

The Fair Labor Standards Act includes specific guidelines for public agencies that utilize volunteers.

By Merry Moiseichik, Re.D., J.D.

Recreation and park agencies use volunteers on a regular basis. Often we do not think about the legal issues that impact them. Several issues should be considered when we use volunteers. Can we pay them or reimburse for mileage and still call them a volunteer? Can they work for us and volunteer for us? What about liability issues if a volunteer gets hurt or hurts a patron?

Volunteers are specifically mentioned in the Fair Labor Standards Act. Volunteers who provide services for public agencies are treated differently than volunteers for private or nonprofit agencies. Private or nonprofit agencies may not provide any benefits to the volunteer for the services or the courts may determine them to be part-time employees. Because of the need for volunteer firefighters and police, public agencies can provide benefits that other agency types cannot. These volunteers provide needed services that are possibly life threatening and therefore require extra protection.

The Fair Labor Standards Act allows public agencies to provide reasonable benefits for volunteers. Mentioned in the law are expenses, insurance, workers' compensation, expense reimbursements, a nominal fee and tuition. For instance, volunteer firefighters may receive workers' comp insurance that is supplemental to their regular insurance to cover expenses for injury incurred while fighting fires. The courts have stated that if workers' compensation is used, it is paid at the volunteer rate, not at the regular employment rate. Therefore, if the volunteer had to be out of work, the compensation would be at the volunteer level for reimbursement of lost wages.

The Act does not allow a person working for the agency to perform the same type of services as a volunteer for which the individual was employed to perform. That means a policeman cannot volunteer for the city to work as a policeman for a recreation event, but could volunteer to coach a basketball team. However, a person may volunteer for another agency doing the same job they are employed to do elsewhere. Therefore a programmer could volunteer in another city to be a coach for his

son while the same may not be allowed in his own community. The purpose of this clause is to prevent undue pressure on employees to work for no pay or do overtime when they are not being paid.

A recent poll shows that most parks and recreation agencies have a policy that echoes the law stating that employees cannot volunteer in the department for which they work. One community found a more creative way to handle it. They provide 40 hours of paid volunteer work a year. The employee can select what volunteer work he or she would like to do, whether it's for the city or not, and the city will pay for those hours. This allows a person to volunteer for a special event or to coach their child and be paid to do it, thus falling within the Act.

Liability is the other major issue concerning volunteers. Can a volunteer who is hurt sue for negligence or be sued if they hurt someone else? This falls under Arkansas's tort immunity statute. Volunteers are covered and therefore cannot be sued unless they are reckless in what they did, nor can the city be sued. It is prudent, however, to make sure the volunteer is qualified to do what you are asking them to do. For instance, if a person is volunteering as a lifeguard, that volunteer should be required to have the same credentials or training that you require your professional staff to have.

For more information on volunteerism and sample policies, visit www.casenet.org and click "volunteer management."



Merry Moiseichik, Re.D., J.D., is Professor of Recreation, Health Science, Kinesiology, Recreation and Dance at the University of Arkansas.



CALENDAR

NLC Congress of Cities
 Tuesday-Saturday
 Nov. 10-14, 2009
 San Antonio, Texas

Arkansas Municipal League
 Winter Conference
 Wednesday-Friday
 Jan. 13-15, 2010
 Little Rock

NLC Congressional City Conference
 Saturday-Wednesday
 March 13-17, 2010
 Washington, D.C.

Arkansas Municipal League
 76th Annual Convention
 Wednesday-Friday
 June 16-18, 2010
 Hot Springs

Mailed to Perishing 10-5

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PS Form 3526, September 2007 (Page 2 of 3)

Get grants while getting good

With the year winding down and 2010 budgeting on the horizon, the time is now to research grant opportunities.

By Chad Gallagher

Grants are a broad and often misunderstood topic. Part of my job working with League members is to educate members about grants and help them in their grant efforts. If I've been to your city or if you've been in one of our grant writing workshops, you know how important I believe it is to walk your community through a formal assessment and planning process. Doing so is an essential step toward successful community development. It better prepares you for grant writing and positions you to actually win grant funding.

Fall is the time of year that so many important decisions for next year are made. Right now mayors and council members alike are thinking about 2010 municipal budgets, projects and programs. Grants should be an important part of your planning process as well. For every project you plan to tackle, find out if a grant is available, if your community is eligible, the likelihood of success and the steps necessary to submit a successful application. Right now there are multiple grants available at the state and federal level, as well as private sector grants. For example, the Department of Homeland Security is accepting applications for the fire safety and prevention grant and the Arkansas Department of Rural Services is accepting applications through Nov. 20 on multiple grant programs. This funding stream considers a very broad set of requests. The rural service grants are a great place to apply for funds for items that you simply can't find other funding for out there.

The process of pursuing a grant has four stages, each of which has multiple components. The stages are community planning, grant research and preparation, writing the grant and grant management. Each is important in a successful grant strategy. An actual grant proposal is made of multiple pieces of a large puzzle. A proposal is more likely to become a winner when it excels in research, project design, superior writing and relationship with the granting agency.

Grant research is two sided. You should thoroughly research your project—the problem you are addressing and the solution you are proposing. You should have good quantifiable evidence to support your need and the

method you plan to address it. On the flip side, you should also research the granting agency or foundation. Know what is important to them, their mission, values and priorities. Take note of the language on their Web site, pay attention to the interests of key decision makers and be familiar with their overall mission. If the granting organization is a private corporation or foundation, be aware of what is taking place in its particular field and what trends may impact it. Find out what the company has previously funded, funding amounts, and when possible get copies of successful applications. The Freedom of Information Act will help you get these from government entities or from municipal or county applicants that received funds. You can also learn about previously funded grants from private foundations by looking at their 990 reports. You can access these at www.foundationcenter.org.

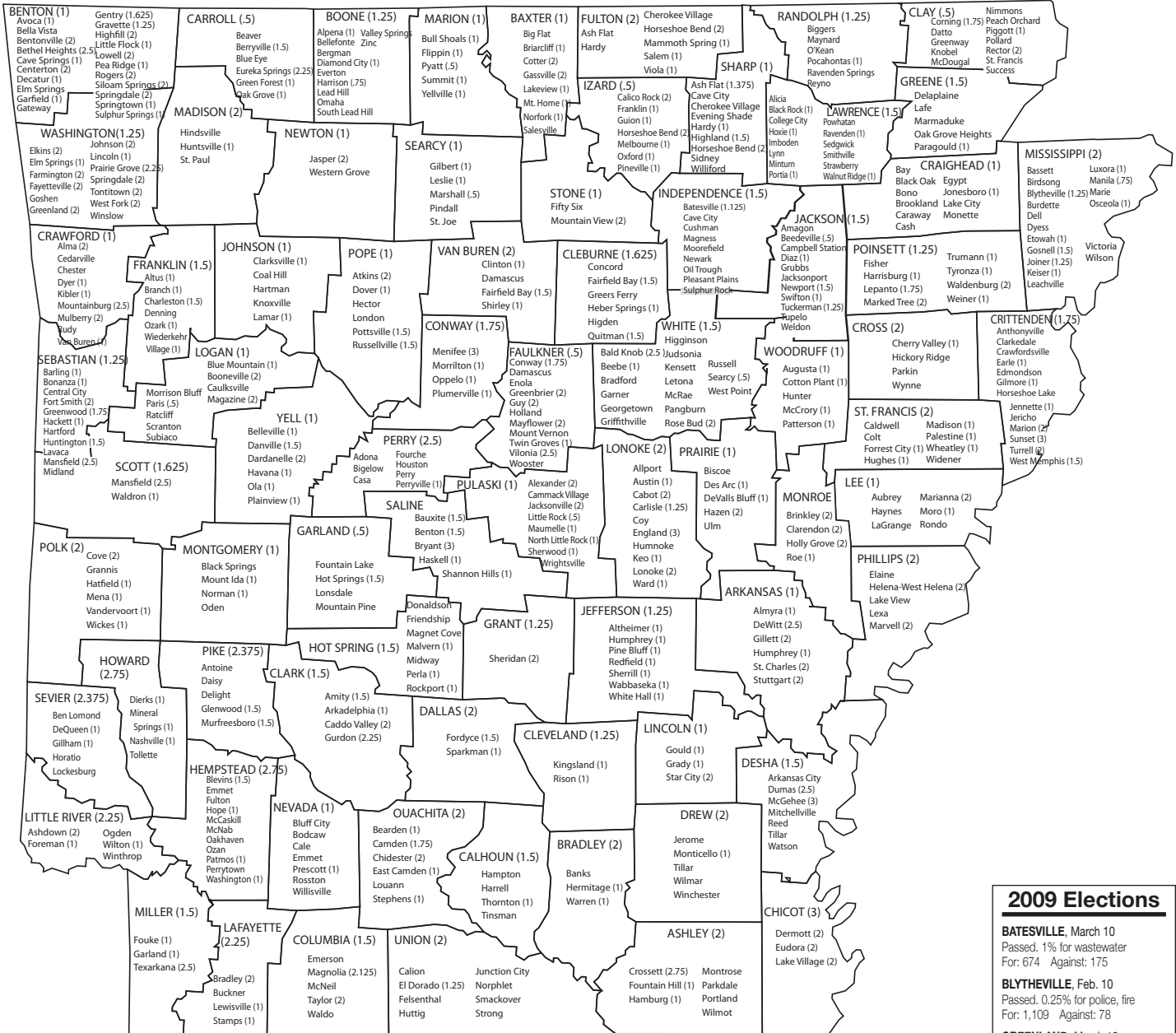
Lastly, I want to remind all League members to become familiar with the federal online grants Web portal, www.grants.gov. This site is the primary portal for learning about and submitting many federal grants. The site allows you to find federal grants, apply online and track the grant from application to announcement. Any city, county or organization wishing to apply for federal grants must register as a user on this Web site. The registration can take three to five days, so you don't wait to register at the last minute. The Web site will also walk you through other necessary registration items that have been previously addressed in this space, such as obtaining a DUNS number, registering with the Central Contractor Registry (CCR) and other required steps for receiving federal funds.

As you look toward the New Year, let us help you organize a planning retreat, a site visit, or just give us a call to discuss your potential grant projects. In the current climate, every little bit helps.



Chad Gallagher is principal of Legacy Consulting and a former mayor of DeQueen. Contact him at 501-580-6358 or by e-mail at chad.gallagher@legacyincorporated.com.

Local Option Sales and Use Tax in Arkansas



2009 Elections

- BATESVILLE**, March 10
Passed. 1% for wastewater
For: 674 Against: 175
- BLYTHEVILLE**, Feb. 10
Passed. 0.25% for police, fire
For: 1,109 Against: 78
- GREENLAND**, March 10
Passed. 1% for 2 years for schools
For: 134 Against: 28
- DEWITT**, April 14
Passed. 1¢ for street improvements
For: 178 Against: 94
- SHERIDAN**, April 14
Passed. 1¢ for parks and recreation
For: 230 Against: 50
- CROSS CO.**, March 10
Failed. 1¢ for econ. development
For: 678 Against: 807
- GRAVETTE**, June 9
Passed. 0.75% extended
For: 48 Against: 10
- FORT SMITH**, June 9
Passed. 1% for sewer
For: 2,188 Against: 251
- PYATT**, Feb. 10
Passed. 0.5%
For: 46 Against: 4
- BRADLEY CO.**, March 16
Increased to 2%
For: 750 Against: 563
- MAGAZINE**, Sept. 15
Passed: reallocation to general fund
For: 80 Against: 35

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

Sales and Use Tax Year-to-Date 2009 with 2008 Comparison (shaded gray)

Month	Municipal Tax		County Tax		Total Tax		Interest	
Jan.	\$35,895,776	\$34,813,382	\$38,497,274	\$35,667,309	\$74,393,050	\$70,480,691	\$ 92,482	\$100,697
Feb.	\$42,021,936	\$40,909,946	\$43,359,038	\$41,931,827	\$85,380,974	\$82,841,773	\$103,317	\$372,742
March	\$33,523,556	\$34,903,177	\$35,926,755	\$35,942,013	\$69,450,311	\$70,845,190	\$102,348	\$ 95,225
April	\$35,106,978	\$36,655,487	\$37,321,460	\$38,133,946	\$72,428,438	\$74,789,433	\$109,108	\$347,059
May	\$37,844,100	\$35,796,989	\$39,586,629	\$39,392,769	\$77,430,729	\$72,630,352	\$ 48,100	\$115,346
June	\$35,354,936	\$36,594,610	\$37,127,878	\$38,926,734	\$72,482,814	\$75,521,444	\$ 84,093	\$144,715
July	\$36,239,404	\$39,044,209	\$37,874,981	\$39,322,938	\$74,114,385	\$78,367,147	\$ 68,590	\$97,342
August	\$36,555,700	\$40,485,622	\$40,128,797	\$42,047,239	\$76,684,497	\$82,532,861	\$ 73,271	\$76,180
Sept.	\$36,037,008	\$38,446,476	\$38,673,292	\$40,091,511	\$74,710,300	\$78,537,987	\$ 69,889	\$108,861
Total	\$328,579,394	\$340,421,730	\$348,496,104	\$351,456,286	\$677,075,498	\$691,878,016	\$750,997	\$1,458,164
Averages	\$36,508,822	\$37,824,637	\$38,721,789	\$39,050,698	\$75,230,611	\$76,875,335	\$83,444	\$162,018



MUNICIPAL HEALTH BENEFIT FUND

PREFERRED PROVIDER NETWORK

CHANGES TO THE 2009 MHBFD DIRECTORY, AS OF OCTOBER 1, 2009

Also visit League Programs on League Web site, www.arml.org, for these changes and providers.



LAST NAME	FIRST NAME	CLINIC/SPECIALTY	ADDRESS	CITY	ST	ZIP	PHONE
IN-STATE ADDITIONS							
CAROZZA, MD	MICHAEL C	COMPASSION WOMENS CLINIC	3001 TWIN RIVERS DR #B	ARKADELPHIA	AR	71923	870-403-0299
DEWITT, MD	J.T.	WHITE RIVER MED PHYSICIANS GROUP	1710 HARRISON	BATESVILLE	AR	72501	870-262-2000
ISAACKS, PA	ROBIN	CARLISLE MEDICAL CLINIC	821 E PARK ST	CARLISLE	AR	72024	870-552-7303
BIBB, MD	BRADLEY	NEA CLINIC	3 IROQUOIS RD	CHEROKEE VLG.	AR	72525	870-934-5113
FISHER, DDS	STEPHEN	GENERAL DENTISTRY	1101 POPLAR ST	CLARKSVILLE	AR	72830	479-754-3357
CRAFTON, DDS	LEO	DENTAL DESIGNS	550 CHESTNUT ST	CONWAY	AR	72032	501-329-8754
HAMBUCHEN, DDS	R.E.	DENTAL DESIGNS	550 CHESTNUT ST	CONWAY	AR	72032	501-329-8754
SMITH, DDS	J ANTHONY	DENTAL DESIGNS	550 CHESTNUT ST	CONWAY	AR	72032	501-329-8754
WEAVER, DDS	JENNIFER	DENTAL DESIGNS	550 CHESTNUT ST	CONWAY	AR	72032	501-329-8754
WARD, MD	LESLIE	CHAMBERS MEMORIAL CLINIC	719 DETROIT ST	DANVILLE	AR	72903	479-495-6249
ANAYA MEDICAL		DURABLE MED. EQUIP. & SUPPLIES	2700 VINE ST	EL DORADO	AR	71730	870-864-8882
SIMMONS, APN	ANGELA	CARDIOLOGY CARE OF SO. ARKANSAS	704 S TIMBERLANE DR #12	EL DORADO	AR	71730	870-862-8700
GRIBBLE, MD	MARGARET	THE EYE CENTER	112 SOUTHWINDS DR	FARMINGTON	AR	72730	479-267-0400
BAUREIS, OD	MEGAN	MCDONALD EYE ASSOC.	3318 N NORTH HILLS BLVD	FAYETTEVILLE	AR	72703	479-521-2555
GRIBBLE, MD	MARGARET	THE EYE CENTER	594 E MILLSAP RD	FAYETTEVILLE	AR	72703	479-442-2020
RACHEOTES, DC	ALEXIS	CHIROPRACTIC	125 E TOWNSHIP #10	FAYETTEVILLE	AR	72703	479-443-9699
PHOMAKAY, MD	CHANSAMONE	SPARKS FAMILY CLINIC	4700 N KELLEY HWY	FORT SMITH	AR	72904	479-573-7990
SCHLUTERMAN, OD	ADAM	OPTOMETRY	9220 HWY 71 SOUTH 10	FORT SMITH	AR	72916	479-646-2555
BONDHUS, PA	JOHN	ST JOSEPHS MERCY CLINIC	3604 CENTRAL AVE #B	HOT SPRINGS	AR	71913	501-627-1800
PILKINGTON, DO	CHERYL	ST JOSEPHS MERCY CLINIC	5010 HWY 7 NORTH	HOT SPRINGS VLG.	AR	71909	501-555-1212
SMEDLEY, APN	BERNA	ST JOSEPHS MERCY CLINIC	5010 HWY 7 NORTH	HOT SPRINGS VLG.	AR	71909	501-984-6780
ALTOMAR, MD	JONATHAN	JONESBORO SURGICAL ASSOCIATES	1005 E MATTHEWS	JONESBORO	AR	72401	870-935-1242
GIBSON, MD	SHANNON B	FIRST CARE	1005 E MATTHEWS	JONESBORO	AR	72401	870-935-1242
HARGRAVES, MD	BRINSON	JONESBORO SURGICAL ASSOCIATES	1005 E MATTHEWS	JONESBORO	AR	72401	870-935-1242
MARTIN, MD	CADE	ASSOCIATED RADIOLOGISTS	800 S CHURCH #101	JONESBORO	AR	72401	870-910-6654
MCCOY, APN	VICTORIA	JONESBORO FAMILY HEALTH CENTER	1530 N CHURCH ST	JONESBORO	AR	72401	870-802-3586
EATON, BCO	LOUIS	ALLOPLASTIC FACIAL RECONSTRUCTION	220 N VAN BUREN	LITTLE ROCK	AR	72205	501-265-0100
JONES, MD	DAVID G	ARKANSAS CARDIOLOGY	9501 LILE DR #600	LITTLE ROCK	AR	72205	501-227-7596
KATZ, MD	MATTHEW	ARKANSAS UROLOGY	1300 CENTERVIEW DR	LITTLE ROCK	AR	72211	501-219-8900
KING, MD	KRISTY S	ST. VINCENT HOSPITALISTS	#2 ST VINCENT CIRCLE	LITTLE ROCK	AR	72205	501-552-4677
SAX, MD	STACY	ARKANSAS PEDIATRIC CLINIC	500 S UNIVERSITY #200	LITTLE ROCK	AR	72205	501-664-4117
VAN, OD	THU	OPTOMETRY	1910 MLK BLVD	MALVERN	AR	72104	501-332-7558
KHULLAR, DDS	DENESH	GENERAL DENTISTRY	2 HOSPITAL DR #103	MORRILTON	AR	72110	501-889-1909
PEREZ, MD	WILMAN	BAXTER REG. PULMONARY CLINIC	628 HOSPITAL DR #3A	MTN. HOME	AR	72653	870-508-3250
RADKEY, MD	FRANCES A	BURNETT-CROOM-LINCOLN-PADEN	405 BUTTERCUP DR	MTN. HOME	AR	72653	870-425-3030
DUPLANTIS, MD	ALLEN	PARAGOULD CARDIOLOGY	1000 W KINGSHIGHWAY	PARAGOULD	AR	72450	870-239-8450
JOHNSON, APN	AMY	PARKIN MEDICAL CLINIC	17640 CHURCH ST	PARKIN	AR	72373	870-755-2234
KHULLAR, DDS	DENESH	GENERAL DENTISTRY	1308 HOUSTON AVE	PERRYVILLE	AR	72126	501-889-1909
MYERS, MD	DANE	PODIATRY	700 N 13TH ST #B	ROGERS	AR	72756	479-636-1411
SACLOLO, PT	LUIS	WULF CHIROPRACTIC	593 HORSEBARN RD #101	ROGERS	AR	72758	479-271-9191
SCRIBNER, MD	JOHN	SALEM 1ST CARE	172 HWY 62 EAST #1	SALEM	AR	75276	870-895-1911
REARDON, MD	JOE	SEARCY FAMILY MEDICAL CENTER	406 RODGERS DR	SEARCY	AR	72143	501-279-7979
HOWE, DDS	LAURENCE	GENERAL DENTISTRY	1118 E KIEHL AVE	SHERWOOD	AR	72120	501-834-5772
DEAN, DC	MARK	DEAN CHIROPRACTIC & ACUPUNCTURE	2125 E MAIN ST #4	SILCOAM SPRINGS	AR	72761	479-373-0130
POE, APN	LACEY	WYNNE HEALTH CENTER	611 E JULIA ST	WYNNE	AR	72396	870-238-0377
SUARES, MD	ROBERT N JR	GREENVILLE FAMILY MEDICAL CLINIC	1467 HWY 1 SOUTH	GREENVILLE	MS	38701	662-335-1621
IN-STATE UPDATES							
SAMUEL, MD	SANGEETH	LR EMERGENCY DOCTORS GROUP	3050 TWIN RIVERS DR	ARKADELPHIA	AR	71923	870-245-1200
LAMBERT, MD	JOHN S	GENERAL SURGERY	1215 SIDNEY #200	BATESVILLE	AR	72501	870-793-4445
MOORE, MD	J. DANIEL	INDEPENDENCE FAMILY HEALTH	1175 VINE ST	BATESVILLE	AR	72501	870-251-9933
KELLY, MD	PATRICIA	SALINE MEMORIAL HOSPITAL	1 MEDICAL PARK DR	BENTON	AR	72015	501-776-6000
EL-SHAFEI, MD	AMR	NWA HEART & VASCULAR CTR	2900 MEDICAL CENTER PKWY	BENTONVILLE	AR	72712	479-254-3663
RILEY, MD	PHILIP	NWA HEART & VASCULAR CTR	2900 MEDICAL CENTER PKWY	BENTONVILLE	AR	72712	479-254-3663
SURRATT, RNP	CHRIS	JOE V JONES MD PA	605 N 2ND ST	BLYTHEVILLE	AR	72315	870-763-1520
OUELLETTE, DDS	DAVE L	GENERAL DENTISTRY	5921 HWY 5 NORTH	BRYANT	AR	72022	501-847-7999
HARVEY, MD	JERRY L.	GREYSTONE MEDICAL CLINIC	15361 HWY 5 #E	CABOT	AR	72023	501-605-9355
DEHAAN, DO	JFFREY T	ORTHOPEDIC SPEC. OF TEXARK	1314 W COLLIN RAYE DR	DEQUEEN	AR	71832	903-792-5005
GREGORY, DDS	WENDI	SMILES OF ARKANSAS DENTAL CENTER	110 W DEQUEEN AVE	DEQUEEN	AR	71832	870-642-7645
SMILES OF ARKANSAS DENTAL CENTER		GENERAL DENTISTRY	110 W DEQUEEN AVE	DEQUEEN	AR	71832	870-642-7645
SMOLARZ, MD	GREGORY	ORTHOPEDIC SPEC. OF TEXARK	1314 W COLLIN RAYE DR	DEQUEEN	AR	71832	903-792-5005
WEEMS, MD	HAROLD	ORTHOPEDIC SPEC. OF TEXARK	1314 W COLLIN RAYE DR	DEQUEEN	AR	71832	903-792-5005
PEEL, PHD	WILLIAM	SA REG HEALTH CENTER	715 N COLLEGE	EL DORADO	AR	71730	870-862-7921
TAYLOR, DDS	STEPHEN	ENGLAND HEALTH CENTER	227 PINE BLUFF HWY 2	ENGLAND	AR	72046	501-842-3131
BOGOMILOV, MD	BORIS	NWA HEART & VASCULAR CTR	3211 N NORTH HILLS BLVD #110	FAYETTEVILLE	AR	72703	479-571-4338
CARVER, MD	JOEL	NWA HEART & VASCULAR CTR	3211 N NORTH HILLS BLVD #110	FAYETTEVILLE	AR	72703	479-571-4338
CHURCHILL, MD	DAVID	NWA HEART & VASCULAR CTR	3211 N NORTH HILLS BLVD #110	FAYETTEVILLE	AR	72703	479-571-4338
EL-SHAFEI, MD	AMR	NWA HEART & VASCULAR CTR	3211 N NORTH HILLS BLVD #110	FAYETTEVILLE	AR	72703	479-571-4338
FISH, MD	TED	NWA HEART & VASCULAR CTR	3211 N NORTH HILLS BLVD #110	FAYETTEVILLE	AR	72703	479-571-4338
HAISTEN, MD	JAMES	NWA HEART & VASCULAR CTR	3211 N NORTH HILLS BLVD #110	FAYETTEVILLE	AR	72703	479-571-4338
JOHNSON, PHD	DANIEL J.	NEUROPSYCHIATRY	1100 N COLLEGE AVE	FAYETTEVILLE	AR	72703	479-443-4301



Maximize Your Benefit.

Join the Municipal Health Benefit Fund

Approximately 90 percent of the municipalities across Arkansas that offer employees and officials medical benefits have joined the Municipal Health Benefit Fund and receive \$2,000,000 major medical coverage with stop-loss, employee life, accidental death and dismemberment, dependent life, dental and vision coverages.

For 2009, new additions to the Municipal Health Benefit Fund are:

- Wellness benefits for all covered adults
- Well baby care
- Increases or eliminations of caps on organ transplants, pharmaceuticals, newborn babies and annual benefits
- Additional dental and orthodontic benefits

The Municipal Health Benefit Fund provides quality health protection for your officials and employees at a reasonable rate.

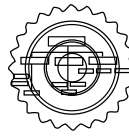
For further information, please call 501-374-3484, ext. 100 or 111.

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CERTIFIED POLICE OFFICER—Montrose is now accepting resumés for a full-time Certified Police Officer. Candidates must meet all requirements of law enforcement standards and training. Send your resumé to P.O. Box 185 Montrose, AR 71658. For any additional information, call 870-737-2936.

FIREFIGHTER—Mena is accepting applications for a full-time On Duty/Day Firefighter. This position requires a person that is 21 years of age or older, has at least two years' previous experience as a paid or volunteer firefighter and has a Firefighter I certification. Applicants must possess a valid driver's license and a high school diploma or GED equivalent. Some previous experience with fire prevention programs and pre-plan inspections is desired. A

comprehensive background investigation will be conducted. Applications, with resumés and copies of certifications, will be accepted at the Arkansas Employment Security Department, Northside Shopping Center, Mena, AR 71953. Open until filled. EOE.

PATROLMEN AND POLICE CHIEF—Tuckerman is seeking two patrolmen and a police chief. For further information, contact Mayor Everett King at 870-349-5313 or 870-512-1220.

WATER SUPERINTENDENT—Tuckerman is seeking a water superintendent. For further information, contact Mayor Everett King at 870-349-5313 or 870-512-1220.

USED FIRE PUMPER—Russellville is requesting bids for the sale of a 1984 Ford/FMC pumper. The pumper is equipped with a 1,000-GPM pump and 1,000-gallon water tank. **Closing date for sealed bid submittal is at 4:00 pm, Friday, October 25, 2009.** For bid requirements and appointments to inspect the pumper contact the Fire Department Administrative Assistant at (479)968-2332.

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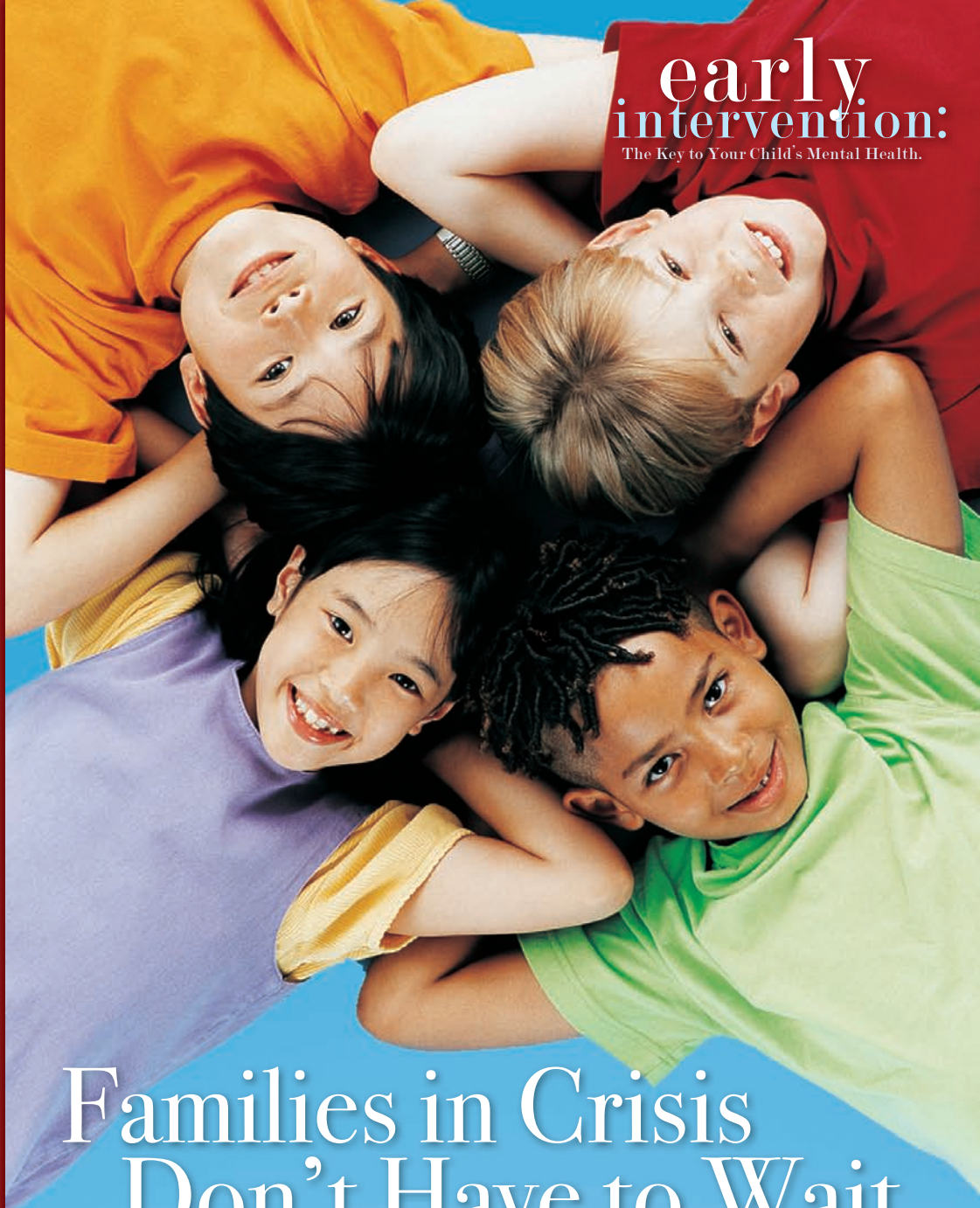
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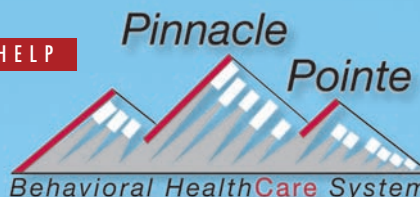
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