

# City & Town

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National League of  
Cities Congressional  
City Conference  
coverage on  
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**Ray Beardsley**  
Vice President  
501.978.6393  
ray@fsbeardsley.com

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501.978.7958  
dan@fsbeardsley.com



**Paul E. Phillips**  
Senior Managing Director  
501.978.6309  
pphillips@crewsfs.com



**Marshall Hughes**  
Director  
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marshall@fsbeardsley.com



**Robert D. Wright**  
Senior Managing Director  
501.978.7940  
rwright@crewsfs.com



**Edmond G. Hurst**  
Senior Managing Director  
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ehurst@crewsfs.com



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The Fair Labor Standards Act guides compensation, hours, overtime, leave time and more, and it applies to many municipal employees.

**29 88th General Assembly wraps "very good session"**  
The Arkansas Legislature has, with the exception of congressional redistricting, finished its 2011 session, and it was a beneficial session for our cities and towns, according to League Executive Director Don Zimmerman.



ON THE COVER—Arkansas municipal leaders joined their peers from across the nation to discuss federal issues and their effect on local government at the 2011 NLC Congressional City Conference, held March 12-16 in Washington, D.C. Read Conference coverage beginning on page 6. Here in Arkansas, the 88th General Assembly has nearly completed its 2011 session. League Executive Director Don Zimmerman shares his initial take on the session on page 29. Read also inside about things you should know about the FLSA, Heber Springs' efforts to establish a Sister City relationship, Arkansas cities and towns turning 100 and 150 this year, and more.—atm

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Cover Photos by Andrew Morgan



Publisher  
Don Zimmerman

Communications Director  
Whitnee V. Bullerwell

Editor  
Andrew Morgan

Graphic/Layout Designer  
Mark Potter

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

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Dear Friends:

America's transportation system—the network of highways, railroads, public transit, walkways and bikeways—serves as the backbone of our economy. It connects our communities and provides access to the American Dream of opportunity for all. But today it is both incomplete and threatened.

Our national transportation policy has barely changed since the 1950s, when gas was 20 cents a gallon and President Eisenhower launched the interstate highway system. Today, we live in a very different world. The interstates have been built. Americans are paying record prices at the pump and feeling stuck with costly commutes and congestion. Bridges are crumbling. As our population becomes more urban, more citizens are breathing dirty air. Our climate is threatened. Too many older, younger and rural Americans find themselves frustrated. Volatile areas of the world literally have us over a barrel—millions of barrels a day, in fact.

Yes, Americans need options that are cheaper, faster and cleaner. And the nation needs a healthy transportation system that is ready for the rapidly changing economy of the 21st Century. As part of my letters over the next couple of months, I will ask you to reflect on what you can do individually on the local level. I want to know things you can or will do to solve and mitigate these issues on your own. If you have an idea on how to save money on daily operations or to make life better for the people you serve let me know. Send me an email at [mwitcher@northlittlerock.ar.gov](mailto:mwitcher@northlittlerock.ar.gov) so we can share your bright ideas with all of our fellow public servants.



My opening remarks in this letter reflect my disappointment and frustration in the congressional leadership observed at the NLC Congressional City Conference in March. It appears that for the most part our local communities are on their own in addressing most issues. Previously the federal government has provided at least some aid in management and resolution in these areas. It appears from the congressional side that any money spent will be in the form of competitive grants. The good news is that the Arkansas congressional delegation is hiring grant writers to help communities fill out the paper work. **YOU MUST ASK** for that help. Your responsibility will require you to be proactive in watching for grants and programs. Remember the League has Chad Gallagher of Legacy Consulting under contract to help guide your city. The Grant Book ([www.thegrantbook.com](http://www.thegrantbook.com)) also is available to each member city.

With the conclusion of the Arkansas legislative session, I invite you to look at the League's *Legislative Bulletin*. We all should be pleased with the results and congratulate Don Zimmerman and his staff on a job well done. I continue to proclaim that we are the luckiest organization in the state to have such a great group of people that are respected and provide the voice for municipalities of Arkansas.

Heads up for the next continuing education seminar on Local Government Structure, April 28 or 29. Contact the League to register. Our final seminar to complete the first round of continuing education courses will be held at our annual Convention.

The League's 77th Convention will be Wednesday, June 15 through Friday, June 17 in Hot Springs. I urge you to register soon. The program is falling in to place with some great sessions and good speakers. We have invited NLC President James Mitchell as one of our speakers. His enthusiasm for public service is contagious. We are honored to have him attend our Convention. If you want to save your city money, remember that you must pay early registration by June 1.

*Murray Witcher*  
President, Arkansas Municipal League  
Alderman, North Little Rock

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# Debt crisis dominates NLC conference

By Andrew Morgan, League staff

Economic recovery in this fragile economy and solving the nation's debt crisis dominated discussions during general sessions and on Capitol Hill at the National League of Cities Congressional City Conference, held March 12-16 in Washington, D.C. Thousands of municipal officials from across the nation, including more than 40 Arkansas city and town leaders, heard from members of the administration and met with Congressional leaders to discuss national policy and its effect on local government.



Mitchell

In this uncertain economy, the needs of our citizens are greater than ever, while city revenues struggle to keep up, NLC President and Charlotte, N.C., Councilmember James Mitchell told delegates. Cities everywhere are making tough choices, cutting spending, reducing staff and eliminating programs. "It's not an easy time to be a public servant," Mitchell said. "Yet, we persevere." It's important to be involved in the NLC and to take advantage of meetings like the Congressional City Conference, he said, because in addition to the informative speakers, it gives city officials a chance to interact. "We learn from each other about what works in our towns."

Trey Grayson, who directs the Institute of Politics at Harvard's John F. Kennedy School of Government and is a former secretary of state of Kentucky, introduced what would also be a driving theme of the Conference: bridging the Democrat-Republican divide and toning down the rhetoric. On the local level, Grayson said, it's important "to be viewed as nonpartisan, as someone who can work across party lines and other artificial boundaries." The same should be true in Washington. He suggested that developing personal relationships makes it much easier to work together when

ideological differences arise. Trust helps avoid animosity, he said.

Both sides share in the blame, Grayson said, and must share in the effort to restore civil discourse. Our nation was built on compromise, and with the challenges facing us now, it's no time for our ability to compromise to break down, he said. "To fix America, we must first fix our broken political system," Grayson said. Restoring open discourse starts at the local level. Listen to each other, he said, and reach out to the public.



Grayson

Regarding the link between economic recovery across the nation and transportation, the administration "understands something you've always known," John Porcari, Deputy Secretary of the U.S. Department of Transportation told municipal leaders. "Transportation is economic development." We can't bring jobs without roadways and railways. Sustainable, long-term growth and prosperity requires a strong transportation infrastructure, which for decades has been underfunded, he said.

The administration is proving its commitment to transportation, Porcari said.

The proposed 2012 budget invests \$129 million, part of an overall \$556

billion six-year reauthorization project. "Those numbers are

unprecedented," Porcari said.

The President's plan wasn't built from the top-down, he said, but was instead based on

Photos by Andrew Morgan

feedback from local leaders, especially on successful grant programs like TIGER. The President's plan offers more simplicity and flexibility on local projects, Porcari said, and it rewards performance through programs like the \$32 billion grant program called the Transportation Leadership Awards, which reward innovation.



Porcari

"We need to make it easier for local governments to build the projects of greatest importance for your communities, and eliminate the barriers between you and the dollars you need to go from planning to execution," Porcari said.

Transportation projects promote job creation and spur economic development, he said. "That's why the President is committed to staying on track for the national high-speed rail system, one that connects 80 percent of Americans by 2025." The plan also increases resources for highway and bridge improvements, efficient transit systems, and creates a \$30 billion national infrastructure bank to fund projects over the long-term and encourage public-private partnerships.

By 2050, the United States will be home to an additional 150 million people, Porcari said. That's the equivalent of another California, Texas, New York and Florida combined. "If we settle for the status quo, our next generation of entrepreneurs will find America's arteries of commerce impassably clogged," he said. "Our families and neighbors will fight paralyzing congestion. We'll be trapped in the slow lane."

When asked how the plan would be funded, Porcari said President Obama is committed to move forward on a pay-as-you-go basis, "where, just like your [local] transportation programs, we have to live within our means." Closing some tax loopholes may be another source of revenue and will be a part of the funding debate.

Sen. Mark Begich of Alaska, who was mayor of Anchorage prior to being elected to the U.S. Senate in 2008, encouraged local leaders to run for national office. Local leaders bring a much-needed perspective to national problems, especially in a struggling economy.

"You have to make real decisions," he said. "You cannot push things off into the future."

The budget process is slow and painful, he said, and, as of this writing, a federal government shutdown is still a possibility. If local leaders dealt with the budget the way we do, he said, "you not only would not be in office, you'd have a recall in a blink of an eye."

The House of Representatives budget proposal had "dramatic cuts" to CDBG, public safety programs, the Head Start program and more, which Begich said was unacceptable, especially in rural America, and would have a direct impact on jobs across the country. "Anyone who says it wouldn't is mistaken," he said.

Begich challenged Conference delegates to educate national leaders on how CDBG and programs like it affect communities, how they improve the local economy, and how cuts in these programs hurt the economy and people directly. Explain the cuts you've already had to make, he said. Consider the makeup of Congress, Begich said. Fifty percent of the Senate is new since 2005, and 100 House members—one quarter—are new just this year. Among them, Begich is one of only two "local government guys" who come from a municipal leadership background, he said, which makes it important to reach out to your leaders in Washington.



Begich

"You have some allies, but our budget's going to be tight," Begich said. "I don't want to mislead you: CDBG probably will take a hit. The goal is to control that, to minimize it. Some people want to eliminate the whole program, which would be devastating to communities across this country; there is no question about it. And the job loss would be huge."

Erskine Bowles, who is co-chair of the National Commission of Fiscal Responsibility and Reform and was chief of staff to President Bill Clinton, told delegates that the fiscal path we're on is simply unsustainable and called the deficit a cancer that will destroy us from within if something isn't done. Last year, he said, 100 percent of revenues generated were consumed by mandatory spending like Medicare, Medicaid and Social Security, and interest on the debt. Every single dollar spent on two wars, on homeland security, on education,

infrastructure, research and more, was borrowed and half of that from foreign countries.

“That is a formula for disaster,” Bowles said.

We can’t grow our way out, cut our way out, or tax our way out, he said. The cuts both Democrats and Republicans are presently touting come only from discretionary spending and represent a mere 1.6 percent of the budget, he said, which won’t even make a dent and would probably do harm. Instead it will take a concerted, sustained effort and tough decisions that don’t exclude defense, Medicare, Medicaid and Social Security. We also must be very careful not to disrupt the fragile recovery from recession, he said, and we must also protect the disadvantaged. Bowles recommended patient cuts and by 2013 returning to 2008 spending levels.

Regarding Social Security, Bowles supports raising the retirement age to 68 in 2050 and to 69 by 2075. “We want to give people enough time to get ready,” he joked. About 20 percent of America’s workforce performs “back-breaking, manual labor jobs and can’t work a longer period of time,” Bowles said. “We put funding in our plan to make sure they could still retire early, to protect the truly disadvantaged.”

When it comes to national defense, we can’t afford to be the “world’s policeman,” Bowles said. We spend more than the next largest 14 countries combined on defense. “Other nations have to step up,” he said, and added that our nation’s top military leaders believe that the national debt is the greatest threat to our national security.

Bowles also supports reforming the nation’s “archaic” tax code to broaden the tax-paying base, simplify the code, reduce tax expenditures and redirect that money to reduce rates across the board and shrink the deficit.

“The problems are real, the solutions are painful and there is no easy way out,” Bowles said. “But if we make these tough choices, if we pull together rather than pull apart, if we put politics aside and really do the right thing, then I guarantee you the future of this country is so bright I can hardly stand it.”

In the most impassioned address of the Conference, HUD Deputy Secretary Ron Sims challenged city and town leaders to work together and fight for the future of our communities. Sims worries about his granddaughter



NLC Executive Director Don Borut, foreground, applauds as North Little Rock Alderman and League President Murry Witcher is recognized on stage as the newest 2011 NLC board member.

and the next generations of Americans, he said, who will live “in the most competitive world in the history of mankind.” Will they be able to compete when they are saddled with the debt of their parents and grandparents, and will our thirst for consumption hinder them and lower their quality of life, he asked?

To build and to grow, Sims said, everyone must be involved, not just the special interests.

“It means getting everyone around the table and making a decision about where we are going, and yes the federal government has to be there. We want to be a partner. HUD is no longer a housing agency; it’s a community development agency. We can’t be there alone. We must be there with you.”

Cities account for 80 percent of the nation’s GDP, Sims said. “Cities are important. Whether they are small cities, rural cities or mega-

cities, cities are important.”

The President gets this and has made unprecedented investments in cities, he said.

“Our goal is to be smart” with how we invest and grow our communities, Sims said. We must engage businesses, nonprofits and work together regionally. Sprawl is not sustainable, he said.

“We must recognize that we can no longer go it alone,” Sims said. “In this country and in our cities, everybody has to count: the fast, the slow, the weak and the strong.”

Our zip codes should never hinder us, Sims said.

“As [HUD] Secretary Shaun Donovan has said, zip codes should be an address, not a life determinant. But today we can predict morbidity rates by zip code, illnesses by zip code, lifetime earnings of children by zip code, who gets arrested, who goes to prison by zip code. We are a greater nation than that and we must end the disparities of zip codes. We have to make sure that no matter where you’re at, you’re going to have the maximum opportunities in life to achieve and be great, and that is what HUD is funding, and that’s what we stand for. Zip codes will be an address.”

“Stand up and fight for the right things, move this nation forward,” Sims said in closing. “I want my granddaughter to say, ‘Grandpapa, you did good, you did good.’”



## First lady touts *Let's Move!*

First lady Michelle Obama made a special appearance at the Congressional City Conference to promote *Let's Move!*, her nationwide campaign to curb the childhood obesity epidemic through exercise and healthy food choices.



Obama

City leaders are in a unique position to make a difference in the fight against obesity, the first lady said.

"You're the ones who deal with the issues that deal not just with the future of our communities, but the future of our country."

The epidemic cannot be ignored, she said. It could drastically alter the economic landscape in our cities and towns. Obesity rates have tripled in the last 30 years, and one in three of our children is overweight or obese. Small choices would make a difference, she said, but we must first acknowledge the problem and then work together to fix it.

In an economic environment where we've all made painful cuts already, "the last thing you need is a new issue on your plate," Obama said, but this issue isn't new, and it's already negatively affecting our communities, weighing down budgets and hampering economic

growth. Businesses are reluctant to locate in areas where the workforce and the future workforce are unhealthy. It's unattractive to investors, she said.

"When we talk about childhood obesity, we're talking about the workforce that you're trying to build. We're talking about the businesses you're trying to attract. We're talking about the budgets that you're trying to balance each and every day."

Obesity is also a national security issue. That's why high ranking military leaders have been some of the earliest and strongest supporters of *Let's Move!*, Obama said. Right now, nearly 27 percent of 17-24 year olds are too overweight for military service, and for many who do make the cut, they are still out of shape and more likely to suffer injuries in basic training.

Making healthy food choices more available in our communities, especially in underserved areas, is another component of *Let's Move!* Obama praised work going on in Philadelphia. The city's fresh foods financing initiative is working to make grocery stores available in every neighborhood, especially in poverty-stricken areas like north Philadelphia, so that everyone has access to fresh, affordable, healthy food choices.

Visiting north Philly, the first lady saw firsthand how the people were grateful for and proud of their new neighborhood grocery, she said.

"A new grocery store means a whole lot. It means people don't have to depend on whatever packaged food happens to be on the shelves of a local mini-mart. A new grocery store means fresh fruits and vegetables can find their way to the dinner table a little more often."

New stores also drive new business and create jobs, she said, influencing the economy of entire neighborhoods. A single store in Philadelphia resulted in more than 250 jobs, and the initiative overall has created or preserved 5,000 jobs and improved access to healthy food for more than a half-million people, Obama said. "That's real impact."

There is no one-size-fits-all solution, the first lady admitted. Local leaders don't need sweeping ordinances or a large investment to make a difference. Little ideas using resources already at your disposal can turn into big change, she said. *Let's Move!* makes the process simple, Obama said, and ideas and examples on local implementation are readily available online at [www.letsmove.gov](http://www.letsmove.gov).

More than 500 cities and towns have signed on for the program in the last year. Arkansas is a leader among participating states, with more than 40 cities and towns already a part of the *Let's Move!* campaign.

## Arkansas' D.C. delegation meets with municipal leaders

On the final day of the Congressional City Conference, Arkansas delegates had the opportunity to meet with our state's national leaders to discuss their positions and the issues facing our nation and our cities and towns. Five of Arkansas' six Congressional delegates were able to visit with municipal leaders Wednesday, March 16. Only Rep. Steve Womack was unable to attend. As chair of the Energy and Water Subcommittee, he was called to a meeting to discuss the situation in Japan following the devastating earthquake that struck the country just days earlier.

Rep. Mike Ross, in what has become a tradition,



Ross

hosted a breakfast for the municipal delegation and gave his take on the economy and on solving our nation's debt crisis. "I don't care if it's a Democrat idea or a Republican idea," Ross said. "I want to know if it's a common-sense idea."

Ross has been "sounding the alarm" on the nation's deficit

for years now, he said. "Some people want you to believe we got in this mess in the last two-and-a-half years. Most people know better."

It took from Presidents Washington to Carter to get to \$1 trillion in debt, Ross said, and we've added \$13 trillion since 1981.

"This year's deficit is about \$1.6 trillion. Let's not forget that about \$400 billion of that—almost a third of it—is because of extending Bush tax cuts, which I voted for. I think it would be a mistake to raise anyone's taxes in the midst of an economic recession."

Newly elected members of Congress have been gung-ho about cutting spending, Ross said, but are only touching a small percentage of the budget rather than what he called the Big Four—Medicare, Medicaid, Social Security and Defense.

"Until we address the Big Four," Ross said, "we're really just playing politics and we're not getting at the heart of the problem. And it's not too late to fix it."

A fix will require shared sacrifice, Ross said. He recommends going back to 2008 spending levels.

Rep. Tim Griffin urged patience from local leaders and said the budget is a complex process. "A lot of folks say, 'Well, when are y'all going to get that budget thing wrapped up?'" Congress is still dealing with the continuing resolution and not the actual budget yet, Griffin said.



Griffin

Congress will get to the big issues in a couple of months, he said.

"The big debate—on trillions of dollars—is coming," Griffin said. On a scale of one to 10, the national debt is a 10, he said, and both sides are looking at ways to deal with it. If we don't deal with the debt,

Griffin said, it will make

a lot of the good things we accomplish on the local level "for naught." The primary fix has to come by dealing with Medicare, Medicaid and Social Security. "It's not even debatable, if you look at the numbers," Griffin said.

Rep. Rick Crawford told municipal leaders that he was there to help with local issues, grants and more.

"What we can do best for you," he said, "is to get our federal government back on track. That's the first order of business, and

we've got our

work cut out for

us." Getting the

nation's "fiscal

house in order"

is what will help

Arkansas the most,

Crawford said.

As Congress

looks for ways to

cut discretionary

spending, they

will look at various programs and see what's working

and what isn't, he said. They'll look for "programs that

are good investments, that offer return on investment,

that are necessary programs that yield good benefits."

City leaders need to let them know what's working on

the local level to give them "the ammunition we need,"

Crawford said.

Gas prices are again becoming a big issue, Sen. John

Boozman told Arkansas municipal leaders. When it hits

\$3.50 a gallon, you start

to see people limit their

spending, he said. "At

\$4 you really start seeing

things shut down."

We need to improve

our energy policy. "We

need to use the natural

resources we've been

given, and we need to

do that in a responsible

way," Boozman said.



Photos by Andrew Morgan

Crawford



Boozman

Boozman also weighed in on CDBG and other programs important to cities and towns.

“The block grants are very important, and we’ll help you in any way we can,” Boozman said. “I think that probably most of the programs up here are going to take a little bit of a haircut. On the other hand, I understand how important those programs are, and we really do everything we can to help you.”

He urged city leaders to call on him and pledged to use the “power of the office” to help.

Sen. Mark Pryor also pledged to do what he can to help cities. “Just because we can’t do earmarks this year, that doesn’t mean I won’t make a phone call, write a letter or have a meeting to try to advocate for you,” he said. “If we spend money, I want to make sure Arkansas gets its fair share.”

The big-picture challenge facing the nation is the debt and perpetual deficit spending. “It’s very real and very serious,” Pryor said. “From my standpoint, it’s beyond politics.”

Blaming the current or any previous administration is not helpful, he said. “We’ve been spending beyond our means for decades.” Pryor endorses the plan put forward

by the bipartisan National Commission on Fiscal Responsibility and Reform, he said, and encouraged local leaders to evaluate it ([www.fiscalcommission.gov](http://www.fiscalcommission.gov)).

The plan, in a nutshell he said, proposes working on three areas: discretionary spending, entitlement spending and the tax code. As we make cuts and fix the tax code, we have to be realistic, he said. “Guys, we’re not going to balance the budget any time soon. It’s going to take 10 years of discipline.”



Pryor

And balancing the budget doesn’t mean we’re out of debt, Pryor said. The Commission’s plan trims about \$4 trillion of the debt, he said, “but that doesn’t get us there.” It will be tough, he said, but we can do this. “It’s all a matter of political will.”

## Maumelle youth take in D.C. at NLC Conference

By Kevin Cummings

In addition to the more than 40 Arkansas municipal officials who attended the 2011 NLC Congressional City Conference March 12-16 in Washington, D.C., 14 members of the Maumelle Youth Council had the unique opportunity to participate in the Conference, along with the D.C. experience that surrounds it. The trip allowed the Maumelle Youth Council to see the places and things that they have studied throughout high school and their tenure on the council. This trip also gave them a better understanding of the role of the federal government in their daily lives.

These high school seniors, after completing a minimum of two years on the Maumelle Youth Council and raising the funds necessary to make the trip, undoubtedly gained a better appreciation for the country we live in.

The Conference allowed the Youth Council to problem-solve and network, and touring museums,

institutions and memorials served as lessons in history and government. The Council met with Sen. John Boozman to gain an Arkansas perspective at the federal level, and the time they spent with Maumelle Mayor



Members of the Maumelle Youth Council take in the National Museum of American History as part of their March visit to Washington, D.C., for the 2011 NLC Congressional City Conference.

Mike Watson, the aldermen and other elected officials gave them the opportunity to represent the youth of Maumelle and grow as citizens.

Of the trip’s many highlights, the personal tour of the capitol given by Sen. Boozman’s staff stood out to these youth. The tour included a viewing of a short film which gave a perfect snapshot

of the country’s journey as a Republic. The tour was a direct result of Mayor Watson’s coordination with Sen. Boozman’s staff to include the Maumelle Youth Council in their visit.

*Kevin Cummings is Activities Coordinator with Maumelle Parks and Recreation and Maumelle Youth Council Advisor.*

# NRPA program promotes park advocacy

The National Recreation and Park Association offers a new way for communities to speak up for parks on a national level through its America's Backyard program.

**T**he National Recreation and Park Association (NRPA) is adding a layer of broad-scale advocacy to the “park friends group” model with its America's Backyard nationwide partnering initiative. While nothing can (or should) take the place of the local park friends group, there has remained a need for organized citizen advocacy for parks at the national level. The America's Backyard program was created to draw attention to the important role of parks and recreation in American life—for health, physical fitness, economic development, social interaction, environmental preservation and community vitality.

“Through America's Backyard, the public can reach our leaders on Capitol Hill and tell them why parks and recreation are so important to communities,” says Barbara Tulipane, NRPA chief executive officer. “By forming a collective voice, we can all participate in ensuring vibrant, active, healthy futures for ourselves and for future generations.”

America's Backyard offers citizens two different ways to advocate for the value of public parks, recreation, and environmental conservation.

You can become a Friend of America's Backyard, showing your support for all parks across the country, with a minimum gift of \$25. That membership donation helps NRPA ensure safe, affordable and accessible park and recreation opportunities are available for all people.

Every friend of the program receives:

- Access to America's Backyard website—full of information about the value of parks and recreation in the community
- Monthly *Parks and Recreation* digital magazine
- Semi-annual e-newsletter with updates on advocacy and other park and recreation initiatives
- America's Backyard decal—to show off your commitment to parks and recreation

You can go a step further and involve your local community group in being Park Partner. The benefits? For a contribution of \$150 to \$250 (depending on the size of your group) you get an education in park advocacy, as well as the satisfaction of knowing you allied with other likeminded citizens to protect parks in the United States. The Park Partner Alliance will connect you to other citizen groups across the country and increase the collective voice for parks and recreation on Capitol Hill.



Park Partners receive the following:

- One complimentary citizen membership to NRPA per group
- One complimentary citizen registration per group to NRPA's Legislative Forum in Washington, D.C.
- Listing and web link on the America's Backyard website
- Advocacy toolkits
- Webinars and online learning courses to educate the members of your group about advocacy
- Park and recreation handbooks
- The ability to network with other community groups across the country

The America's Backyard initiative is designed to offer citizens many different ways to support parks and recreation, both close to home and across the country. Visit [www.americasbackyard.org](http://www.americasbackyard.org) for further information, as well as examples of NRPA's work in providing programs and opportunities for greater health, empowerment and success.

*This article is reprinted with permission from the January 2011 issue of Parks & Recreation, the monthly magazine of the National Recreation and Park Association.*



## **It's Convention time again.**

June 15-17—Hot Springs, Ark.

See next page for more information.

Register online at [www.arml.org](http://www.arml.org).

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

Contact Whitnee Bullerwell

at 501-978-6105

Cost for the exhibit space is \$500.



# 77th CONVENTION

Hot Springs Convention Center  
June 15-17, 2011

REGISTRATION

**Registration and payment must be received in League office by Wednesday, June 1, 2011, to qualify for advance registration.**

Advance registration for municipal officials . . . . .	\$150
Registration fee after <b>June 1, 2011</b> , and on-site registration for municipal officials . . . . .	\$175
Spouse/guest registration . . . . .	\$75
Child registration . . . . .	\$75
Other registrants . . . . .	\$200

- Registration will be processed **ONLY** with accompanying payment in full. Make checks payable to the Arkansas Municipal League.
- Registration includes meals, activities and a copy of the **2009-'10 Handbook for Arkansas Municipal Officials** and the **2011 General Acts Affecting Arkansas Municipalities**.
- No daily registration is available.
- Registration must come through the League office. No telephone registrations will be accepted.
- **No refunds after June 1, 2011.**
- Cancellation letters must be postmarked by **June 1, 2011.**

HOTEL RESERVATION

## Hotel Room Rates

<b><del>EMBASSY SUITES HOTEL</del></b> (headquarters hotel)			
<del>Single . . . . .</del>	<del>\$139</del>	<del>Double . . . . .</del>	<del>\$149</del> Check-in 3 p.m.
<b><del>AUSTIN HOTEL</del></b>			
<del>Single/Double . . . . .</del>	<del>\$82</del>	<del>Check-in 3 p.m.</del>	
<b>ARLINGTON HOTEL</b>			
Single . . . . .	\$85	Double . . . . .	\$95 Check-in 3 p.m.

- Cut-off date for hotel reservations is **June 1, 2011.**
- Rooms in Hot Springs are subject to a 13 percent tax.
- Rooms will be held until 6 p.m. and then released unless guaranteed by credit card.
- Contact the hotel directly to make changes or cancellations in hotel accommodations.
- Hotel confirmation number will come directly from the hotel.
- Please check on cancellation policy for your hotel.

# TWO WAYS TO REGISTER

# 2

Complete the steps and **mail with payment** to:  
ARKANSAS MUNICIPAL LEAGUE  
Attn: 77th Convention  
P.O. Box 38  
North Little Rock, AR 72115-0038

# 1

Register online at [www.arml.org](http://www.arml.org)  
and pay by credit card.

# OR

## Step 1: Delegate Information

Name: .....

Title: ..... City of: .....

Address: .....

City: ..... State: ..... Zip: ..... Telephone: .....

Spouse/Guest will attend: Yes  No  Name: .....

Children will attend: Yes  No  Name(s): .....

## Step 2: Payment Information

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

<input type="checkbox"/> Advance Registration	<input type="checkbox"/> Regular Registration	<input type="checkbox"/> Spouse/Guest	<input type="checkbox"/> Child	<input type="checkbox"/> Other Registrants	Total
<u>    \$150    </u>	<u>    \$175    </u>	<u>    \$75    </u>	<u>    \$75    </u>	<u>    \$200    </u>	<u>    \$    </u>

### • HOW ARE YOU PAYING?

**Check** Mail payment and form to: Arkansas Municipal League  
77th Convention  
P.O. Box 38  
North Little Rock, AR 72115

**Credit Card** Complete information below and send to address above.

Credit Card:  Visa  MasterCard

Card Number: \_\_\_\_\_ Exp. Date: \_\_/20\_\_

Card Holder Name (as it appears on card): .....

Billing address (as it appears on statement): .....

City: ..... State: ..... Zip: .....

E-mail address (required for credit card payment): .....

## Step 3: Hotel Reservations

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

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

## 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:

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

## TENTATIVE PROGRAM IN BRIEF

To see an expanded tentative schedule, visit [www.arml.org](http://www.arml.org).

### WEDNESDAY JUNE 15

2 p.m.-7 p.m.  
5:30 p.m.  
7 p.m.

REGISTRATION AND EXHIBIT HALL OPEN  
RESOLUTIONS COMMITTEE MEETING  
OPENING NIGHT BANQUET

### THURSDAY JUNE 16

7:30 a.m.-4 p.m.  
7:30 a.m.-4:30 p.m.  
7:30 a.m.-8:45 a.m.  
9 a.m.-12:30 p.m.  
12:30 p.m.-1:30 p.m.  
1:30 p.m.-5:30 p.m.  
5:30 p.m.-9 p.m.

REGISTRATION OPEN  
EXHIBITS OPEN  
HOST CITY BREAKFAST  
GENERAL SESSIONS  
LUNCHEON  
CONCURRENT WORKSHOPS  
EVENING OPEN—ENTERTAINMENT OPTIONS

### FRIDAY JUNE 17

7:30 a.m.-1 p.m.  
7:30 a.m.-8:45 a.m.  
9 a.m.-10 a.m.  
10:15 a.m.-11:30 a.m.  
11:45 a.m.-1:30 p.m.

REGISTRATION OPEN  
BREAKFAST  
OFFICIALS' EXCHANGE  
ANNUAL BUSINESS MEETINGS  
AWARDS AND NEW OFFICERS' LUNCHEON

## RESOLUTIONS

Suggested Convention Resolutions for consideration at the 77th Annual Convention should be mailed to:

77th Convention Resolutions  
Arkansas Municipal League  
P.O. Box 38  
North Little Rock, AR 72115-0038

**The deadline for Resolution submission is May 16.**

Resolutions may be drafted by an official of any member city or town and can relate to any matter of municipal concern. See your **2010-2011 Policies and Goals** for resolutions adopted at the 76th Convention.

## WANTED: City officials or employees with 25 years of service

Did you begin serving your city or town in 1986? The League would like to know!

The League will give special recognition to city and town officials who are in their 25th year of municipal service at the 77th League Convention, June 15-17, in Hot Springs.

**Names must be submitted to the League by May 16.**

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

## NOTICE TO EXHIBITORS

At the 77th Convention, a special Exhibit Hall is available for businesses, companies and manufacturers to display their products and services that are available to Arkansas municipalities.

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

The cost this year for exhibit space is \$500. We cannot guarantee space for companies that do not register before June 1.

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



# Pea Ridge observes 149th anniversary of Civil War battle

By Jackie Crabtree

**M**arch 5, 1862. The sounds of battle begin to fill the cold air as Union and Confederate troops engage in what is now known as The Battle of Pea Ridge. This could be the beginning of any number of books or historical accounts



From left, Pea Ridge National Military Park Foundation Chair Gene Williams, Park Superintendent John Scott, and Pea Ridge Mayor Jackie Crabtree work together to preserve the site of the Civil War battle that took place there 149 years ago.

of the Civil War, but it happens to be part of the history of Pea Ridge and Northwest Arkansas.

Fast forward to March 5, 2011. The battlefield lays silent. The wind is cold and damp. Trees stand at attention along the edges of the fields. As you gaze across the landscape, your mind attempts to visualize what was happening 149 years ago. The cold, the cannon fire, the rifle fire, orders being shouted—all that encompasses war was right here in our backyard. It is our place in history.

These were my thoughts as I attended the wreath-laying event at the park. As I watched the re-enactors in period uniforms march in for the ceremony, I wondered how the soldiers endured the cold and hardships the war had brought to them and everyone around the battle site. The hardships weren't limited to the individuals in the military; they reached everyone.

Pea Ridge is privileged to have a national park in its backyard, and we have built a strong working relationship between the two. For example, during the process of designing our Comprehensive Land Use Plan, we worked with the park and established a buffer zone around a portion of the park to limit encroachment by development. We look to park staff for input in different areas as we make plans for the future. Likewise they have invited us to join them when planning for the future of the park.

At different times of the year, different branches of our armed forces visit the park. They study the battle and the decisions—both good and bad—that were made there. Over the last couple of years, when a group has been to the park, some of our citizens put together a lunch or dinner for the members. This is just a small way that our community can say thank you, and we appreciate your service. It is an awesome time when we get to give back just a little.

For me personally, thinking in context of the Pea Ridge National Military Park and the city, I would have to say the relationship helps me keep in mind the sacrifices that have been made for us. It constantly reminds me that the decisions made today have far-reaching affects, just as those of 149 years ago.

*Jackie Crabtree is mayor of Pea Ridge.*

## EFFECTIVE IMMEDIATELY

The MHBF Premium mailing address has changed.

To ensure your group's premium are received and processed in a timely manner, please mail all premium payments to the following address:

**MHBF Premiums**  
**P.O. Box 880**  
**Conway, AR 72033**

For Certified Mail, FedEx or Return Receipt Premiums can be mailed to:  
**MHBF Premiums**  
**Attn: Centennial Bank Lock Box**  
**1000 Praire Street**  
**Conway, AR 72032**

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## Obituaries

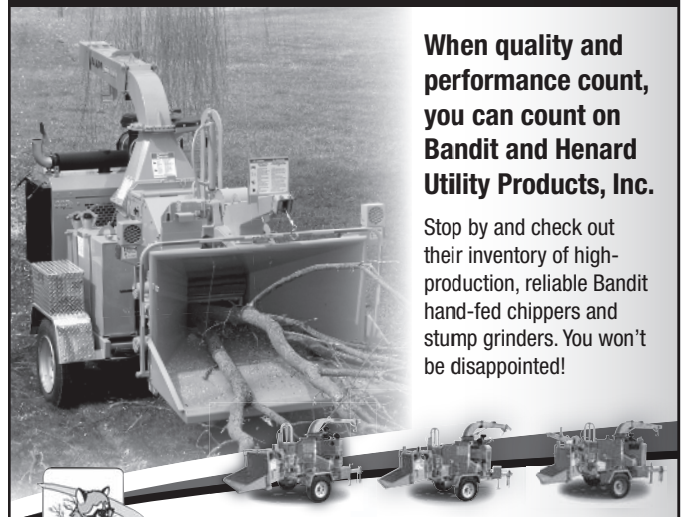
**CHARLES PATRICK "PAT" MCKEWEN**, 67, a DeWitt alderman, died March 18.

**EARL T. MEIERS**, 72, a 35-year veteran of the West Helena Fire Department where he served as chief from 1977 to 1995, died Feb. 26 at his home in West Fork. Meiers was a past president of the Arkansas Association of Fire Chiefs and in 1995 was inducted into the Arkansas Firefighters Hall of Fame.

**WILLIAM R. SPENCER JR.**, 61, a Little Rock police officer for 23 years, died March 4 at his home in Hope. Spencer was well known for his leadership of the "Crime Stoppers" program that was featured in the *Arkansas Democrat-Gazette* and on KATV Channel 7.

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# ACCRTA seeks nominations for Clerk of the Year

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

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

Any municipal official or ACCRTA member may nominate a candidate for Municipal Clerk of the Year for 2011. **The deadline for nominations is May 1, 2011.** The finalist will be honored at the 77th Arkansas Municipal League Convention, June 15-17, in Hot Springs.

## Requirements for nominees:

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

Complete the nomination form below and mail to:

Clerk/Treasurer Barbie Curtis, CMC, CAMC  
1003 Broadway  
Van Buren, AR 72956

## Municipal Clerk of the Year 2011

Nominee's Full Name \_\_\_\_\_  
Number of Years as Municipal Clerk \_\_\_\_\_  
Date of Certification \_\_\_\_\_ Date of Recertification \_\_\_\_\_  
Number of Years as ACCRTA Member \_\_\_\_\_ Date of Membership \_\_\_\_\_  
Municipal Clerk of what city \_\_\_\_\_ Appointed/Elected Yr. \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Business Phone \_\_\_\_\_  
ACCRTA Offices held \_\_\_\_\_  
Committee service \_\_\_\_\_  
Other activities IIMC participation \_\_\_\_\_  
Education program participation (instructor, panel member, moderator): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Individual submitting nomination \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

Nominator: Please briefly summarize the reasons why you believe your nominee should be selected as the 2011 Municipal Clerk of the Year. (Attach separate pages as needed.)

# A solid plan offers solutions

After demonstrating to a funding agency a need within your community, develop a solid plan that addresses that need.

By Chad Gallagher

In the last few columns, we have looked at specific components of grant applications. We understand that obtaining funding through state, federal and private sector grant programs is an excellent way to fund community projects and make your local dollars stretch further.

These funds are typically very competitive. There are a variety of things that can give your request an edge in the competition. Good relationships with the funding agency, well-developed strategic plans for your community, a solid concept, and a well-written application all impact your success rate in securing grant funds.

Last month we looked at developing and justifying your statement of need and your vision statement for your grant applications. After successfully demonstrating your need, you must share with the funding agency your plan to address the need. An application for capital improvements will vary some from an application to operate a program, but these principles for presenting your solutions are applicable in both settings.

Your program narrative must clearly declare your plan to address the problem you've identified. If you propose constructing a facility to meet specific needs then you must clearly articulate what the facility will be utilized for, what programs it will house, who will operate it and how its construction will solve the problems previously identified. For example, if you propose to build a library to address three identified needs—community literacy, afterschool needs, and access to the Internet—then your narrative should show how the new library will address these issues and provide specific, measurable goals in each of these areas.

If your grant application is designed to run a specific program then you should clearly articulate how your program will operate, who will oversee the program and how the program will address the specific needs identified in the application. One way to do this is by stating clear, measurable goals in your program narrative. Set both long-term and short-term goals for the program that project positive change in the areas of identified need. For example, if your application is designed to address cancer rate disparities in rural areas, you must demonstrate that your plan will reduce those disparities incrementally. A long-term goal could be to reduce the

cancer rate among rural residences in a particular location by 5 percent over five years. A short-term goal may be to reduce the occurrence by 1 percent each year.

When setting goals for your program be sure that they don't stray off topic. Your goals should be clearly tied to the need you are addressing. It is also important that your goals are easily measurable. If the funding agency cannot measure a goal then they cannot determine if you have been successful.

Lastly, make sure your program goals are reasonable, attainable and set within specific time periods. Goals that are open ended or immeasurable are much less likely to be achieved and are therefore less likely to be funded.

It is also helpful to demonstrate the steps that will be taken to achieve the identified goals. An action plan within your program narrative may identify five actions or steps that will contribute toward achieving the short-term and long-term program goals. Doing this creates a visual path for the funding agency to follow when reading your application. The application should seamlessly flow from stated need, to stated goals, to the steps or actions that will achieve the goals. It is easy when writing a grant to think of a million different things your new program or facility could do, but be careful to choose action items that clearly help achieve the stated goals.

Your program narrative is at the heart of your application because it shares your solution to the identified problems. A creative, well-written plan is much more likely to be funded than one with gaps or holes in it. This is the section of your application that can give your funding agency an extraordinary level of confidence in you and ultimately win them over for funding.

When you discover a grant program that you have interest in, please contact us to discuss your approach to the application. We will gladly discuss strategies with you and offer ideas for your application. Once completed, we will gladly review it for you before you submit it.



*Chad Gallagher is principal of Legacy Consulting and a former mayor of DeQueen. Contact him in DeQueen at 870-642-8937, 501-246-8842 in Little Rock, or e-mail [chad.gallagher@legacyincorporated.com](mailto:chad.gallagher@legacyincorporated.com).*



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# The FLSA: 21 Things you should know

By Mark Hayes and David Schoen, League staff

## All employees

**1** The minimum wage is \$7.25 per hour [29 USC § 206(a)].

**2** Overtime or compensatory time must be paid at time and one-half of the employee's regularly hourly rate. Even if the employee receives a salary, overtime or compensatory time must be granted unless the employee is exempt as explained below.

Employers cannot avoid paying overtime or compensatory time by averaging hours over several workweeks. The FLSA requires that each workweek stand alone [29 CFR 778.104].

(See chart on page 24 for information on uniformed employee shifts.)

**3** If an employee volunteers to substitute shifts with another employee after first obtaining the employer's approval and works more than the maximum hours for a given work period as a result of the switch, the employer is not responsible for paying the additional overtime. The regulations state that this may occur "only if employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee substitute or 'trade time' with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision."

Employers are not required to maintain a record of time traded and there is no specific period of time in which the shift must be paid back. Therefore, the employee's paycheck for that period would not reflect the switch in additional hours or overtime pay [29 CFR 555.31].

**4** Employees do not have to be paid for "on-call" time unless their activities are "overly restricted." On-call time should not be counted as compensable unless the employee is required to remain at or near the employer's premises or otherwise cannot use his or her time freely [29 CFR § 785.17]. Providing electronic pagers or cell phones to employees can solve many on-call time problems.

## Exempt employees

**5** Elected municipal officials, their personal staffs, persons appointed by elected officials to serve on a policy making level, and legal advisors are considered exempt employees and are excluded from coverage under the FLSA [29 CFR § 553.11].

**6** Trainees and students are not employees within the meaning of the FLSA if they meet all six of the following criteria:

1. The training, even though it includes actual operation of the facilities of the federal activity, is similar to that given in a vocational school or other institution of learning;
2. The training is for the benefit of the individual;
3. The trainee does not displace regular employees, but is supervised by them;
4. The federal activity that provides the training derives no immediate advantage from the activities of the trainee—on occasion its operations may actually be impeded;
5. The trainee is not necessarily entitled to a job with the federal activity at the completion of the training period; and
6. The agency and the trainee understand that the trainee is not entitled to the payment of wages from the agency for the time spent in training [5 CFR § 551.104].

**7** Volunteers are not employees and an employee cannot volunteer to do the same work for which he is being paid [29 CFR §§ 553.100, 553.102].

**8** Prisoners are generally not treated as employees under FLSA [*U.S. Department of Labor Field Operations Handbook*, 10b27].

**9** Executive, administrative and professional employees are exempt from both minimum wage and overtime provisions if they meet all the requirements specified for their job category. These are not the only exemptions, but are the most typical in Arkansas cities and towns. (Note: The mere fact that an employee is being paid a salary is not sufficient by itself to exempt him or her from overtime requirements.)

1. Requirements for executive employees:
  - a. The employee must be compensated on a salary basis at a rate not less than \$455 per week;

- b. The employee's primary duty must be managing the enterprise in which the employee is employed or managing a customarily recognized department or subdivision of the enterprise;
  - c. The employee must customarily and regularly direct the work of two or more other full-time employees or their equivalent; and
  - d. The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight [29 CFR § 541.100].
2. Requirements for administrative employees:
    - a. Compensated on a salary or fee basis at a rate of not less than \$455 per week exclusive of board, lodging or other facilities;
    - b. Whose primary duty is the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
    - c. Whose primary duty includes the exercise of discretion and independent judgment with respect to matters of significance [29 CFR § 541.200].
  3. The term "employee employed in a bona fide professional capacity" in section 13(a)(1) of the Act shall mean any employee:
    - a. Compensated on a salary or fee basis at a rate of not less than \$455 per week exclusive of board, lodging, or other facilities; and
    - b. Whose primary duty is the performance of work (a.) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction, or (b) requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor [29 CFR § 541.300].
  4. Computer systems analysts, computer programmers, software engineers or other similarly skilled workers in the computer field are eligible for exemption as professionals under section 13(a)(1) of the Act and under section 13(a)(17) of the Act. Because job titles vary widely and change quickly in the computer industry, job titles are not determinative of the applicability of this exemption.
    5. The (a)(1) exemption applies to any computer employee compensated on a salary or fee basis at a rate of not less than \$455 per week exclusive of board, lodging or other facilities, and the (a)(17) exemption applies to any computer employee compensated on an hourly basis at a rate not less than \$27.63 per hour.
    6. In addition, under either section 13(a)(1) or section 13(a)(17) of the Act, the exemptions apply only to computer employees whose primary duty consists of:
      - a. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
      - b. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
      - c. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
      - d. A combination of the aforementioned duties, the performance of which requires the same level of skills [29 CFR § 541.400].
- 10** Employees of amusement or recreational establishments are exempt from minimum wage and overtime if one of the following requirements is satisfied:
1. The establishment must not operate for more than seven months in any calendar year.
  2. During the preceding calendar year, the establishment's average receipts for any six months of that year must have been equal to or less than one-third of its average receipts for the other six months of that year [29 CFR § 779.385].

## Uniformed employees: Police and fire

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

prevent and detect crimes; (2) who has the power to arrest; and (3) who is presently undergoing, has undergone, or will undergo on-the-job training and/or a course of instruction and study that typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, community relations, medical aid and ethics [29 CFR § 553.211]

Volunteers are not considered “employees” for this purpose, however. No distinction is made between part-time and full-time employees.

This means that if you have four (4) or fewer than four (4) law enforcement officers (not including radio operators), the city does not have to pay overtime. You must be sure your officers receive a minimum of \$7.25 per hour for all hours worked in a work period.

**12** Cities and towns with fewer than five (5) paid firefighters, including the chief (if paid), are exempt from paying overtime to those employees who meet the following definition: An “employee in fire protection activities” means an employee, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel or hazardous materials worker who (1) is trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by a fire department of a municipality, county, fire district or state; and (2) is engaged in the prevention, control and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk [29 USCA § 203(y)].

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

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

**14** The FLSA provides a partial overtime exemption for law enforcement officers and firefighters who work a “work period” established by the city of no fewer than seven days and no more than 28 days. The city can establish separate work periods for the police department and the fire department. If the city fails to establish a work period, 207(k) does not apply and a fire or police employee working over 40 hours will accrue overtime compensation [29 CFR § 553.230].

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

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

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

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

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

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



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

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

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

The U.S. Supreme Court has held that a public employer may require its employees to use their accumulated compensatory time [*Christensen v. Harris County*, 529 U.S. 576, 120 S.Ct. 1655 (2000)]. If employees do not use accumulated compensatory time, the employer must pay cash compensation in some circumstances. In order to avoid paying for accrued compensatory time, Harris County, Texas, enacted a policy requiring its employees to schedule time off in order to reduce the amount of accrued compensatory time. The Court described Harris County's policy as follows: "The employees' supervisor sets a maximum number of compensatory hours that may be accumulated. When an employee's stock of hours approaches that maximum, the employee is advised of the maximum and is asked to take steps to reduce accumulated compensatory time. If the employee does not do so voluntarily, a supervisor may order the employee to use his compensatory time at specified times."

The Court held that, although § 207(o)(5) limits an employer's ability to prohibit the use of compensatory time when requested, that does not restrict the employer's ability to require employees to use compensatory time.

## Non-uniformed employees

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

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

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

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

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

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

The employee must be allowed to use his compensatory time when he desires unless it would unduly disrupt the city's operations to do so at that particular time. (For a discussion of requiring the employee to take accumulated compensatory time, see No. 16 above.)

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

*The authors gratefully acknowledge the invaluable assistance of former League law clerk Jennifer Carleton in the preparation of this article.*

# Counting heads—we can't all be above average

By Jim von Tungeln

Every 10 years, our cities—along with states, counties and regions—receive feedback in the form of the Decennial Census. For some, it is a time of chortling. For others, it can cause gloom and depression. It may not be the best way to measure the worth of a community, but it seems to be the way we do it.

For our state's cities, the Census results represent more than simply a box score. It means money—real money. Some cities will gain and some will lose a share of state turnback funds, which originate in a fixed pool distributed by population. Adding cruelty to misfortune is the fact that non-growth areas often possess the greatest need for assistance.

Mostly, though, population growth or decline simply determines bragging rights at the next annual convention.

Having worked and lived on both sides of the equation, I have watched the phenomenon of population change over a lifetime and offer a few items for thought. Perhaps they will offer some comfort to the non-gainers and some cautionary wisdom to the gainers.

For those who do not deal with the situation daily, it may first prove helpful to look at what constitutes population growth. Net migration and natural increase constitute the two ways in which the population of a place changes. Net migration is simply the difference in the number of folks moving in and the number of folks

moving out. Natural increase is determined by the fertility rate. Although the men and women in our state are stronger, better looking, and more romantic than those of lesser places, our fertility rate may be fairly consistent with theirs and doesn't contribute in a major way to population differences.

That leaves us with the major determinant: migration. There are many measurable factors that contribute to this. Some are controllable. Most are not.

The writer Lewis Mumford once said, "Trend is not destiny." Perhaps there is no greater truth in the matter of relative population growth. Our national figures support this statement.

Back in 1790, when the first census took place, listed among the top 10 urban areas were such behemoths as Salem, Mass., Newport, R.I., and Marblehead, Mass.

By 1800, Charleston, S.C., had replaced one of these and joined the elite 10.

Then in 1900, three other top 10 urban areas had been replaced by Buffalo, N.Y., St Louis and Cincinnati.

By 2000, four of the top 10 urban areas were Sun Belt cities that hadn't even existed when the first two counts occurred.

In our own state, and in our lifetime, we have seen trends shift from affluent, growing cities in the Cotton Belt to the explosive northwest quarter. Fayetteville, a part of this explosion, was described by architect

The 2010 Census did not prove kind to some perfectly valid communities in Arkansas' agricultural south.

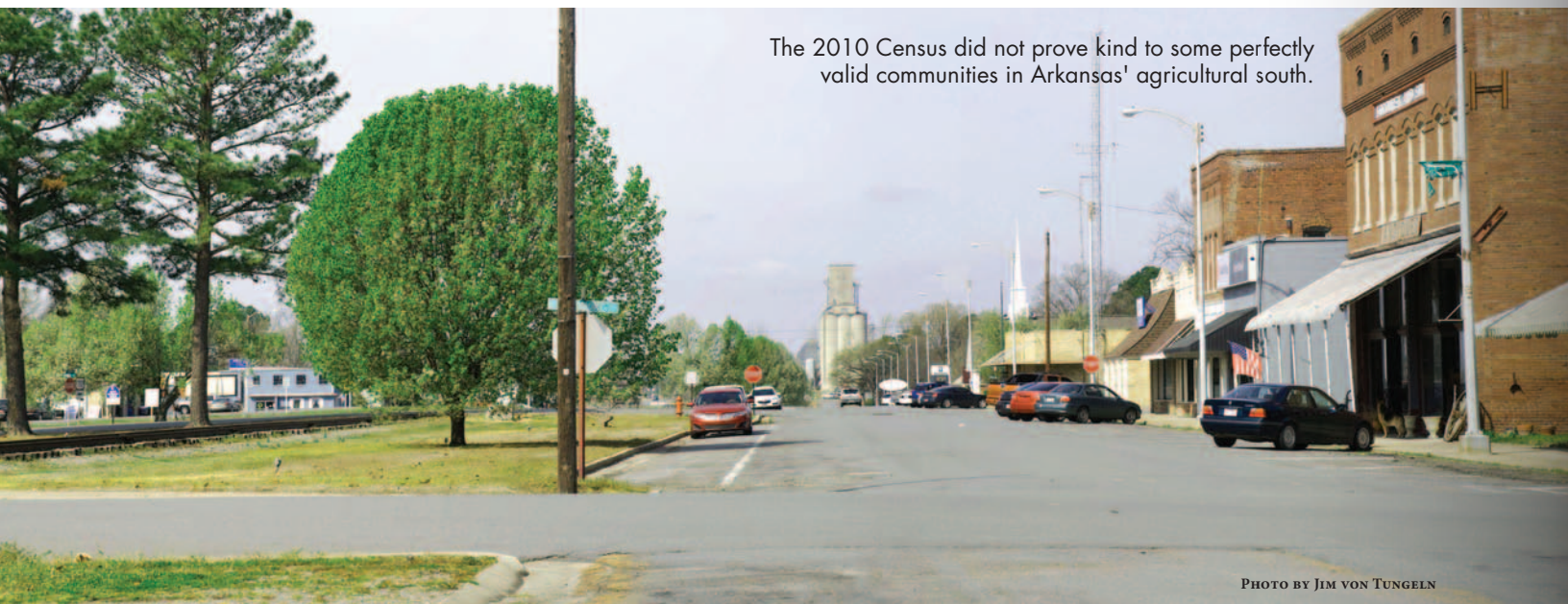


PHOTO BY JIM VON TUNGELN

Ed Stone in the 1950s as a “hotbed of tranquility.” Time does change things.

Economic conditions affect population growth at the national level and, it may be assumed, the local level as well. A look at the decennial changes during my lifetime shows a spike in our country’s growth rate during the prosperous 1950s. Smaller but noticeable spikes also occurred during the 1960s and 1990s.

A vast collection of other factors changes things as well. Seldom if ever, in my opinion, does any concerted effort on the part of the community affect those factors and thus effect the changes. They just happen, that’s all. They include social shifts motivated by events at the national, and sometimes even international, level. These factors are certainly beyond the ability of local governments to alter.

It must be noted that some cities are better at taking advantage of change than others. Some miss opportunities. There are so many legends about how one city or another missed a big deal that some may even be true. Who knows?

But there is nothing within the control of the average community that would allow it to spot an entrepreneur who might hit it big someday and then locate the headquarters of one of the largest corporations in the world in that city. My point is that we should neither flagellate nor aggrandize ourselves over events that are beyond our control.

Perhaps what we should do is work on the things in our communities that we can manage in anticipation of the next census.

For example, instead of obsessing about how to increase population by 10 percent, why not make plans to raise the income level of all existing citizens by 10 percent? Or why not reduce crime by 10 percent per year if that is a problem? It’s for sure that opportunity won’t come knocking on the door of a city whose citizens are afraid to go out at night.

The Delta city of Hazen keeps busy making the city more pleasant for those who do live there.

There are some cities that might even benefit by reducing the number of highly publicized flare-ups amongst the members of its governing body. Or how about increasing graduation rates or college entrance rates? Three towns in the southern part of the state, El Dorado, Arkadelphia and Sparkman, are working toward that.

Although more difficult to measure, improving a city’s physical appearance might certainly enhance its desirability as a place to live. Or, here’s a thought: Increase the amount of money spent with local businesses instead of via the Internet. I have nothing against companies that sell entirely on the Internet, mind you. I just don’t know of one that ever bought an ad for a high school yearbook.

The point is that these are goals over which any community might have control. Wouldn’t it be productive to concentrate on these and let the population take care of itself?



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



# Heber Springs forges international relations

By Sherman Banks

In October 2010, Mayor Jackie McPherson of Heber Springs, along with other members of the Heber Springs Rotary Club undertook a humanitarian mission to Omoa, Honduras. Finding that Omoa and Heber Springs had much in common, McPherson decided to explore the possibility of a Sister City relationship between the two cities.

Although there is a difference in cultures, Heber Springs and Omoa are cities that are similar in size; both cities stretch along a body of water, and both are tourism destinations as well as fishing communities.

Sister City relationships are customarily initiated mayor to mayor, and while working with the Heber Springs Rotary Club to maintain their contacts in Omoa, McPherson began communicating with the Honorable Ricardo Alvarado Escobar, mayor of the city of Omoa.

As a result of their communications, Mayor McPherson, the city council of Heber Springs, and the Heber Springs Rotary Club are preparing for a visit from Escobar and his delegation this April. The organizations are developing a program for the delegation's visit that highlights the industry, natural resources and educational system of Heber Springs. These same organizations are also working together to develop the criteria on

which Heber Springs' Sister City relationship with Omoa will be founded.

"The citizens of Heber Springs, Arkansas, and the citizens of Omoa, Honduras, envision a growing awareness and understanding of each other's cities and cultures," Mayor McPherson stated. "It is our hope that through this partnership, we will stimulate and foster educational and student exchanges and open avenues of economic, professional and political exchanges that will mutually benefit both cities."

As the Past President of Sister Cities International, I am very familiar with the process by which cities forge their Sister City relationships. I am working closely with Mayor McPherson to create the agreement that will be approved by both Heber Springs and Omoa in a formal signing in Heber Springs.



*If you would like the opportunity for your community to explore and establish a Sister City program, please email me at [sbanks@aristotle.net](mailto:sbanks@aristotle.net); write to P.O. Box 165920, Little Rock, AR 72216; or call 501-376-8193.*



Heber Springs Mayor Jackie McPherson, seated along wall at right, meets with city leaders in Omoa, Honduras, in October 2010. The Hondurans will return the visit this month.

# 88th General Assembly recesses after very good session

By Don Zimmerman, League Executive Director

**O**n Friday, April 1, the Arkansas General Assembly recessed the legislative session on all issues except determining the Congressional District boundaries. The 88th General Assembly is scheduled to adjourn sine die on or before April 27.

From the municipal perspective it was a very good session. Almost all of the League's package was adopted. It seems that no bad bills were adopted, or at least we haven't discovered them if they were. We will have a more complete report on the session after the final sine die adjournment.

The session produced a decrease in state taxes of approximately \$35 million—very rare in these tight budget times and a tribute to good state management. The decreases included a half-percent decrease in the state sales tax on groceries, a reduction in the used car tax, a reduction in the manufacturer's sales tax on utilities, a sales tax holiday for school shopping on an August weekend and some small income tax credits. The sales tax holiday and the used car tax reduction will reduce local sales tax revenues by approximately \$1.7 million statewide. General turnback was maintained and street revenues could increase in the future depending upon the outcome of elections on a five-cent diesel tax increase and a Constitutional Amendment with an associated half-cent sales tax increase. A new State Aid Street program will also be funded with a cent of fuel tax if the half-cent sales tax increase is enacted. This program will provide for 90 and

100 percent grants of approximately \$20 million annually for municipal streets. A Constitutional Amendment was proposed for municipal economic development improvements, and police and fire pension funding with bonds paid from increased local sales tax revenue.

There were also bills granting statutory "Home Rule" to cities of the second class and towns, changes in

election laws, downtown rehabilitation income tax credits, waterline purchase options, streamlined planning and zoning authority, soccer goal installation, economic development sales taxes, elimination of unnecessary runoff elections and many more.

Several more bills affecting municipal accounting laws were enacted. These bills came from a task force of municipal representatives the legislative audit staff assembled prior to the session and should improve municipal accounting and reporting procedures.

All of the new laws affecting municipalities will be compiled into a new *Acts Book* and will be available at the League's Convention in Hot Springs on June 15-17. Convention registration forms are on pages 14 and 15 in this issue.

On behalf of the League staff, we would like to thank all who took the time to communicate with your legislators on behalf of your cities and towns. We especially want to thank the legislators who listened to your requests and responded in such a favorable way. As I told a couple of the legislative committees, Arkansas and its cities and towns will be better as a result of this 88th General Assembly's actions.



PHOTO BY MARK POTTER

# Cities reach municipal milestones

Augusta this year marks 150 of incorporation, and eight cities and towns celebrate their centennials.

By Cathy Moran, League staff

## Augusta turns 150

Though founded in 1848 and first known to settlers as Chickasaw Crossing, Augusta in Woodruff County, was incorporated in 1861 and this year celebrates its sesquicentennial. One of the city's founding fathers, Thomas Hough, named the new community for his favorite cousin. A river town on the White River, Augusta saw a lot of steamboat travel from Memphis, St. Louis and New Orleans, and shipped cotton, lumber, corn and cattle from its port. They were so confident in the river traffic that when the Iron Mountain Railroad wanted to bring the rails through the middle of town, they declined, and they rails went westward. It was a decision they ultimately regretted and in 1887 the city built its own spur, the Augusta Tramway and Transfer Company, to connect to the main rail line. It was about one mile long—the shortest in the U.S.—and cost \$4,500. It was abandoned in 1958.

Rocky Tidwell is now mayor of this city of 2,199.

## CENTENNIAL CITIES

### Brookland

The city of Brookland in Craighead County is named for Archibald Brooks, who owned property at the site of the crossing of two railroad companies, Texas and St. Louis Railroad and Iron Mountain Railroad. He offered to donate land to the companies if they would erect a depot there, and Brookland was born. Brooks also became postmaster when the Post Office was established there in 1882.

Brookland was a center of commerce in north-central Craighead County. It contained a steam-powered saw and grist mills, a church and public school. Brookland shipped out cotton, furs, hides and cottonseed.

Kenneth Jones is mayor in this city of 1,642.

### Kensett

The city of Kensett in White County is named for a director of the Cairo and Fulton Railroad. The Searcy-West Point Railroad was constructed in 1872 and cars on this 10-and-a-half-mile line were drawn between Searcy and Kensett by engine, and between Kensett and West Point by horses.

Kensett was one of many farming communities in the county. In 1880 there were 2,319 farms in White County raising mostly cereals and vegetables, but also fruits like peaches, plums and strawberries. Lumber was also a big product in Kensett and surrounding communities, and the nearby Missouri and North Arkansas Railroad shipped lumber across the country. On a quiet night, it is said, you could hear the train from town until it went through the narrows—now under water—at Greer's Ferry.

Max McDonald is mayor of this city of 1,648.

### Letona

The town of Letona sprang up in the latter half of the 19th Century as an agricultural community, with livestock, cotton ginning, a grist mill, timber and saw milling industries on the side. Located near two railroads, it was in a great location for shipping. The town is noted for its big Elberta peaches and plentiful strawberries and radishes.

Sherrel Bennet is mayor in this town of 255.

### Shirley

In the mid and late 19th Century, communities everywhere lived and died by the railroad. When a nearby settlement was passed over by the railroad, the town of Shirley in Van Buren County was born when it got the train station. A well-liked man who was a representative of the Cotton Belt Railroad had an office at the station. His last name was Shirley, and they named the station and town after him.

Today Johnny Sowell is mayor in this town of 291.

Four other cities and towns also celebrate their centennials this year, though our research turned up little information about their histories. They are: the town of Edmondson in Crittenden County, population 427; the city of Fouke in Miller County, population 859; the city of Hartman in Johnson County, population 519; and the city of Pangburn in White County, population 601.



The historic Woodruff County Courthouse in the heart of Augusta, the county seat.  
PHOTO COURTESY OF THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM

# NEWSLETTER

APRIL 2011

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

## "Shy lung" and the MRO

Spring is a time of celebrating and special occasions. Alcohol often plays a big role in these special events, and one area of concern that we often find during celebratory times is a "failure to cooperate" for alcohol testing. When a subject is apparently unable to provide sufficient air expiration for the alcohol breath-testing device, it is called a "shy lung" and the DOT regulates the way we must handle such an issue.

A medical evaluation for shy lung must provide good evidence of a medical condition that would have prevented the donor from providing an adequate breath specimen. Unsubstantiated statements by the tested donor regarding shortness of breath, hay fever, or other allergies, or an asthma attack will usually be insufficient.

Real shy lung is not common. It is usually the result of emphysema and generally easy to medically evaluate. A medical evaluation for shy lung should include a complete medical history including pertinent medical records, spirometry and/or chest x-rays. The MRO's responsibility is to evaluate whether there is a genuine medical problem or a refusal to take a test.

### Blind quality assurance testing

Under DOT Regulations, employers and C/TPAs are required to send blind specimens to the laboratories. Employers or small C/TPAs with fewer than 2,000 specimens per year are given dispensation from this requirement. So what is a blind specimen?

A blind specimen should be identical to a normal specimen when viewed at the laboratory. The lab must not know that the donor is fictitious.

All blind specimens are certified before submitting to the laboratory for analysis. The types of specimens to submit are: 75 percent must be negative; 15 percent positive for one or more of the five drugs involved in DOT testing; and 10 percent must either be adulterated with a substance cited by HHS guidance or substituted (having a specific gravity and creatinine out of range).

The MRO is not required to submit blind specimens. A'TEST does this service for our clients.

### MRO Guidance for Non-Regulated Testing

In Arkansas, the Voluntary Drug-Free Workplace Program provides employers with a discount for having a comprehensive drug testing program that mirrors the MRO Guidance for Non-Regulated Testing federal DOT program. Positive, substituted and adulterated test results require an MRO to review and report these results. Other non-regulated tests may choose to use an MRO; however, it is not a requirement by our state.

Private sector drug testing policies vary from industry to industry and state to state. Other considerations concerning policies and testing are: safety-sensitive employers, service companies, unionized and non-unionized companies, and employment-at-will situations.

You might wonder why an employer would consider an MRO for non-regulated testing. One reason is that the legal and technical standards implemented in federally mandated testing are sound; the company does not have to reinvent the wheel and can piggy-back on certified laboratories and battle-tested procedures. To a large degree companies have also relied on service providers and third-party administrators for guidance and to have consistent testing among DOT and non-regulated employees in their workforce.

The MRO is a help to employers by interviewing donors with questionable test results, issuing a final report, and maintaining files for audit or legal purposes. Because the MRO assumes this vital role in drug testing for DOT and non-DOT testing, employers are able to stay an arms length away from making testing decisions or being in a position where the donor might challenge them. The MRO is the gatekeeper for drug testing results and that remains a good thing for employers and their employees. MROs take specialized courses to prepare them for this serious role and continuing education is required.



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

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



# ECONomy



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# Rogers workshop studies green development

By John Slater

There was a great turnout at the Green Development Workshop, held March 10 in Rogers, which addressed water quality issues from land use changes. By implementing the principles and techniques from this workshop, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed.

The presenters were outstanding, and the sessions were enlightening. Dr. Jerry Farris, a professor with the Department of Biological Sciences and College of Sciences and Mathematics, Arkansas State University, explained about using trees and other vegetation to reduce erosion and minimize maintenance in riparian areas. Contrary to popular belief, vegetation not only restores streams, but also helps manage storm water more effectively than conventional methods such as expensive concrete storm drains.

Steve Auterman with Looney Ricks Kiss Architecture ([www.LRK.com](http://www.LRK.com)) presented several development projects and described how traditional neighborhood design can be tweaked to incorporate state-of-the-art sustainable and conservation design practices, including unconventional storm water management and restoration of streams while remaining sensitive to natural habitats and species.

J. Ritchie Smith of Ritchie Smith Associates ([rsaladesign.com](http://rsaladesign.com)) illustrated design and construction practices that will preserve trees and other vegetation cover on sites and enhance the appeal and value of the property. He discussed cases where tree preservation may not be the best option. Tree preservation starts in the planning stage, not the construction stage.

Jeremy Hudson and Chris Baribeau, multifamily developers whose background includes real estate development and property

management, discussed the rehab of ECO Modern Flats ([www.ecomodernflats.com](http://www.ecomodernflats.com)) using state-of-the-art sustainable and environmentally sensitive design practices, including unconventional storm water management and restoration of sensitive natural habitats as part of an infill redevelopment LEED certified project.

Steve Luoni, Director, University of Arkansas Community Design Center ([uacdc.uark.edu](http://uacdc.uark.edu)), is the Steven L. Anderson Chair in Architecture and Urban Studies. His work specializes in interdisciplinary public works projects combining landscape, urban and architectural design. He discussed how to design landscapes for urban storm water runoff. He and his group, along with many others, contributed content for the book *Low Impact Development—A Design Manual for Urban Areas*. This book, which has colorful graphics and photos, is a great read. It's designed for everyone, including property owners, developers, engineers and planners or to use as a guide for municipal governments that regulate infrastructure. The book can be purchased or downloaded from the website listed above.

The Crystal Bridges Museum of American Art in Bentonville ([www.crystalbridges.org](http://www.crystalbridges.org)) was recognized for exceptional work during construction of the museum to protect the forested valley, natural springs and urban trees. They made a commitment to environmental conservation and sustainability. Scott Eccleston, Director, Grounds and Trails, who accepted the award, stated that

the mission of Crystal Bridges Grounds and Trails is to “design and build trails that will excite the visitor’s imagination, encompass the history of this land, and embody the spirit of this great museum.” The natural setting is featured as part of the museum’s dedication to conservation and sustainability. The museum takes its name from the unique glass-and-wood building design, created



From left, Patti Erwin, Arkansas Forestry Commission; Scott Eccleston, Crystal Bridges Museum Grounds and Trails director; and Dr. Delia Haak, executive director of the Illinois River Watershed Partnership.



This bioswale in Fayetteville captures pollutants and reduces runoff flooding from the parking lot. The project was funded by the city's parks department and by a grant from the USDA Forest Service.

for the natural setting by world-renowned architect Moshe Safdie.

The Illinois River Watershed Partnership ([www.irwp.org](http://www.irwp.org)) is a diverse group of men and women who directly affect the water quality of the Illinois River. This group holds itself accountable by striving to improve the water quality of the Illinois River through personal endeavors, education, encouragement and positive reinforcement of fellow Illinois River Watershed residents.

The workshop was sponsored by the Illinois River Watershed Partnership, the University of Arkansas Division of Agriculture, the Arkansas Forestry Commission, the Arkansas Urban Forestry Council

and a grant from the Arkansas Natural Resources Commission and Region 6 EPA.

I want to thank Dr. Delia Haak, Executive Director of the Illinois River Watershed Partnership, for much of the content of this article.

#### **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](mailto:john.slater@arkansas.gov).*

## **AUFC Conference comes to Hot Springs**

The Arkansas Urban Forestry Council will hold their 20th Annual Conference, "Forests for All: Managing Modern Urban Forests," April 18-20 at the Clarion Resort on the Lake in Hot Springs. I encourage you to come early for the weekend and stay over after the conference to enjoy the natural beauty of the city I have called home for over 44 years.

For more information about the conference, contact Cathy at 1-800-958-5865, email [info@arkansastrees.org](mailto:info@arkansastrees.org), or visit the website [www.arkansastrees.org](http://www.arkansastrees.org).

—John Slater

# More spay/neuter options needed

Spaying and neutering is the surest way to reduce animal overpopulation in our communities, but cost and availability often make it prohibitive.

By Hedy Limke

I wish every pet owner could read the article in February's *City & Town* about animal hoarding written by Billy Grace, director of the North Little Rock Animal Shelter. It addressed what a problem animal hoarding can be, and really hit close to home. Here at the Jacksonville Animal Shelter we deal with these problems frequently.

So many hoarders have good intentions in the beginning when they take in animals to care for, rather than take them to shelters. But then the numbers can easily spiral out of control, and those animals are soon being kept in poor circumstances that aren't good for the animals or the hoarder. Malnourishment, overcrowding, neglect and disease are often the result of trying to keep too many animals.

This is yet another problem that could be eased by more people spaying and neutering their pets. In every city, there are also too many free-roaming cats and dogs that are not sterilized.

We do not have a low or no-cost spay and neuter clinic at our shelter, but depend on our local veterinarians who do the sterilizations when an animal is adopted. We get daily calls from the public asking us if we know anyone that will sterilize an animal for low cost, and we can only suggest they call local clinics for pricing information. Locally, sterilization can cost from \$100 to \$300, and that's not always affordable for everyone.

Some shelters in surrounding cities provide this service to their community, and is open only to residents of those cities. In a perfect world, it would be great to have a vet on staff here to sterilize our animals and provide better service to the residents of Jacksonville.

Pulaski County plans to offer a mobile spay and neuter clinic to their residents this year. This service will be provided by the AFA's (Arkansas for Animals, Inc.) Mobile Animal Surgical Hospital (MASH).

The Prices are great—\$50 dollars for a dog under 75 lbs., or \$60 if they are bigger, and \$25 for cats. A spokesman from AFA told me that they are booked for the whole year.

That is wonderful, because that means a lot of animals will be sterilized this year, reducing the number of unwanted animals and making our communities more livable.

Solving the problem of animal overpopulation will take a never-ending effort of public awareness, combined with affordable and accessible veterinary services, as well as the sometimes-superhuman efforts of rescue groups and volunteers that work tirelessly for the animals.

*Hedy Limke is Animal Control Supervisor,  
Jacksonville Animal Shelter.*

## CALENDAR

**Arkansas Municipal League  
77th Annual Convention  
Wednesday-Friday  
June 15-17, 2011  
Hot Springs, Arkansas**

**Congress of Cities  
and Exposition 2011  
Tuesday-Saturday  
November 8-12, 2011  
Phoenix, Arizona**



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# Program supports in-home caregivers

Arkansas' growing elderly population prefers to age at home, and the Schmieding Home Caregiver Training Program helps ensure their healthcare needs are met.

By Claudia Beverly, Ph.D., R.N.

**W**e know that the overwhelming majority of seniors—89 percent, according to an AARP survey, for example—want to age in their own homes for as long as possible.

And in this state, according to the Arkansas Healthy Aging Report, in 2000, 14 percent of Arkansans were 65 years and older. By 2025 it is projected that Arkansas' percentage of older adults will increase to 24 percent, resulting in one out of every four Arkansans being 65 or older.

That's an entire population that will be counting on the standard of care giving necessary to keep them safe and healthier in their homes.

## Training program

The University of Arkansas for Medical Sciences (UAMS) and the Donald W. Reynolds Foundation are constantly looking for new ways to ensure the healthcare needs of older Arkansans are being met.

Developed in northwest Arkansas in partnership with UAMS, the Schmieding Home Caregiver Training Program aims to provide new opportunities for the elderly to stay in their homes as they age. It offers four levels of certification for paid caregivers and two workshops for those who provide care to their family members.

A \$3 million grant in 2009 from the Reynolds Foundation to the Arkansas Aging Initiative of UAMS has enabled an expansion of the Schmieding program throughout the state. The first site was established in Jonesboro in April 2010. Later that year one opened in Pine Bluff, and just this February the third one opened in Texarkana.

## Building a foundation

The Schmieding Home Caregiver Training Program was inspired by Lawrence H. Schmieding, who had struggled to find competent, compassionate home care for a brother with dementia.

In 1998, the Schmieding Foundation donated \$15 million to UAMS to establish and construct the Schmieding Center for Senior Health and Education in

Springdale. Working in partnership with the Arkansas Aging Initiative, a program of the UAMS Donald W. Reynolds Institute on Aging, the center developed a unique, high-quality caregiver training program specifically for older adults living in their homes.

After completing all four Schmieding certified courses, graduates become Geriatric Home Caregivers. Graduates are eligible to take the Certified Nursing Assistant (CNA) exam in the state of Arkansas. The four courses include Elder Pal (EP), Personal Care Assistant (PCA), Home Care Assistant (HCA) and Alzheimer's and Dementia Training (AD).

## Future model

Elder care touches everyone, and it will become more critical as our baby boomers grow older and as an increasing number of aging adults opt for living at home rather than a long-term care facility.

Since its inception, the Schmieding Center in Springdale has trained hundreds of home care workers and has been recognized outside of Arkansas. The Schmieding training method has garnered visits to Springdale from representatives of the International Longevity Center and prominent leaders in the fields of aging.

A recent Harris Interactive poll found that 77 percent of Americans hiring paid caregivers to work with elders in the home believed that these caregivers were formally trained. In fact, due to the lack of any consistent training standards for paid home caregivers, only an estimated 10 percent have formal caregiver training. If you or a loved one is like the vast majority of other aging Arkansans who prefer to age within their own home, take comfort in knowing there's a new generation of caregivers being educated to ensure those demands will be met.



*Claudia Beverly is Director of the Arkansas Aging Initiative and Associate Director of the Donald W. Reynolds Institute on Aging, UAMS.*

# ACCRTA scholarships available

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

A scholarship honoring the memory of Bill S. Bonner will be awarded to a first-year attendee in the certification program at the Municipal Clerks' Institute in September 2011.

Scholarships include: four local \$400 scholarships to attend the Municipal Clerks' Institute, Sept. 18-23, 2011, in Fayetteville; one \$400 scholarship for the Academy for Advanced Education, Sept. 21-22, 2011, in Fayetteville; and

one \$400 scholarship to attend the International Institute of Municipal Clerks (IIMC) annual conference, May 8-12, 2011, in Nashville.

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

Fill out the scholarship application below and return it to:

Linda Simpson, CAMC, CMC  
City Clerk / Treasurer  
City of Lake City  
P.O. Box 660  
Lake City, AR 72437

For more information, contact Scholarship Chairman Linda Smpson at 870-237-4431, or e-mail lakecitysimpson@yahoo.com

## 2011 APPLICATION FOR SCHOLARSHIP ASSISTANCE

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

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

Other related experience:

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

Education: H.S. \_\_\_ Graduate College (years) \_\_\_ Degree \_\_\_\_\_

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

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

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

How much does your municipality budget your department yearly for education? \_\_\_\_\_

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

I understand that if a scholarship is awarded to me, it must be used between Jan. 1, 2011, and Dec. 31, 2011, and that I must attend all sessions. Yes. \_\_\_\_\_

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

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CHECK THE SCHOLARSHIP FOR WHICH YOU ARE APPLYING:

\_\_\_ Municipal Clerks' Institute, Fayetteville—Sept. 18-23, 2011  
\_\_\_ Academy for Advanced Education, Fayetteville—Sept. 21-22, 2011  
\_\_\_ IIMC Conference, Nashville, Tenn.—May 8-12, 2011

**DEADLINE: April 2, 2011**  
**DEADLINE: April 2, 2011**  
**DEADLINE: March 2, 2011**

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



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- City's Web address

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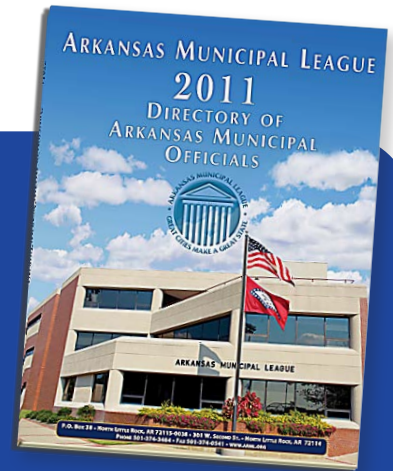
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# Changes to 2011 Directory, Arkansas Municipal Officials

Submit changes to *Whitnee Bullerwell*, [wvb@arml.org](mailto:wvb@arml.org).



## Ashdown

Delete SS DeWayne Merrell  
Add SS Mickey Bishop

## Bentonville

Delete PC James Allen  
Add PC Jon Simpson

## Briarcliff

Add AL Lawrence Henschel  
Delete MR James Hart  
Add MR Charles Menschik

## Caddo Valley

Delete MTG Third Thursday  
Add MTG Third Tuesday

## Cale

Delete M Bill Barham  
Add M Richard Martin  
Delete FC Danny Martin  
Add FC Kevin "Bubba" Miller  
Delete AL Danny Martin  
Add AL Dale Martin  
Delete AL Richard Martin  
Add AL (Vacant)  
Add E-Mail Glyndon@centurytel.net

## Camden

Delete C Sarah Mitchell  
Add C Donna Stewart  
Delete FC William Seaton  
Add FC Bobby Nutt

## Central City

Delete R/T Scott Shults  
Add R/T April Wilson

## Cove

Add FO Sharon Shook

## Donaldson

Add E-Mail donaldsoncity@catc.net

## Friendship

Delete R/T Linda Kerigan  
Add R/T Rebecca Martinez

## Grubbs

Delete R/T Kathy Tubbs  
Add R/T Ann Norris

## Huttig

Delete M Tomy Cole  
Add M Tony Cole

## Jennette

Delete MA 2333 Jeannette Rd.  
Add MA P.O. Box 135  
Delete PC James Raney  
Add PC Odel Brown  
Delete FC Sidney Lucas  
Add FC Thelma Thomas

## Marked Tree

Delete AL Carolyn Wages  
Add AL Steve Craig

## Paragould

Delete AIR E.T. Perdue  
Add AIR Roger Slayton

## Waldron

Delete PC Edward Avila  
Add PC Dave Miller

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# Summaries of attorney general opinions

Recent opinions that affect municipal government in Arkansas

From the Office of Attorney General Dustin McDaniel

## Council may remove health care benefits

Opinion: 2010-165  
 Requestor: Miller, Paul—State Senator  
 Can health care benefits that were placed in the city budget after the official has been elected be removed by a vote of the council or are the insurance benefits considered part of the individual’s salary? **RESPONSE:** A city council likely has general authority to remove health

care benefits during the official’s term without violating ACA § 14-42-113(a). Health insurance benefits probably are not included as “salary” under this statute, which prohibits a decrease in an elected or appointed official’s salary during the official’s term unless he or she requests the reduction.

For full Attorney General opinions online, go to [www.arkansasag.gov/opinions/](http://www.arkansasag.gov/opinions/).

## The must-have reference for every city hall in Arkansas

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

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



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Phone \_\_\_\_\_

# Fairs & Festivals

- April 15-16, **STAR CITY**, 8th StarDaze Festival, 870-370-1903, [stardazefestival.com](http://stardazefestival.com)
- April 15-17, **MOUNTAIN VIEW**, 49th Arkansas Folk Festival, 870-269-8068, [www>YourPlaceintheMountains.com](http://www>YourPlaceintheMountains.com)
- April 16, **ALMA**, 25th Spinach Festival, 479-632-4127, [www.almaspinachfestival.com](http://www.almaspinachfestival.com); **ENGLAND**, 8th England Celebration, 501-231-5919
- April 18-23, **FORDYCE**, 31st Fordyce on the Cotton Belt Festival, 870-352-2055
- April 22-23, **CABOT**, 9th Strawberry Festival, 501-628-4044; **PERRYVILLE**, 7th Fourche River Days Festival, 501-889-1571, [perrycountychamber.org](http://perrycountychamber.org)
- April 22-24, **HEBER SPRINGS**, Springfest, 501-362-2444, [www.heber-springs.com](http://www.heber-springs.com)
- April 23, **RUSSELLVILLE**, Party in the Park, 479-968-2452, [www.arvartscenter.org](http://www.arvartscenter.org)
- April 29-30, **CALICO ROCK**, Ozark Riverfest, 870-297-4129, [www.calicorock.us](http://www.calicorock.us)
- April 29-May 1, **CONWAY**, 30th Toad Suck Daze, 501-327-7788, [www.toadsuck.org](http://www.toadsuck.org); **McNAB**, 10th Twin Rivers Festival, 870-896-2281; **SILOAM SPRINGS**, 37th Dogwood Festival, 479-524-6466, [www.siloamchamber.info](http://www.siloamchamber.info)
- May 6-7, **DARDANELLE**, 22nd Yell Fest, 479-229-3328, [www.dardanellechamber.com](http://www.dardanellechamber.com); **POCAHONTAS**, Founders Day, 870-758-1875
- May 7, **ALTUS**, 33rd Altus Springtime Gala, 479-468-4684, [www.altuscofc.com](http://www.altuscofc.com); **ASHDOWN**, 15th Whistlestop Festival, 870-898-2642, [www.littlerivercounty.org](http://www.littlerivercounty.org); **KINGSTON**, 29th Fair on the Square, 870-420-3731; **MELBOURNE**, 60th Pioneer Day, 870-368-4215, [www.mymelbournearkansas.com](http://www.mymelbournearkansas.com)
- May 13-14, **ATKINS**, 20th Atkins Picklefest, 479-641-2000
- May 14, **HORSESHOE BEND**, 25th Dogwood Days Festival, 870-670-4524, [www.horseshoebendarcc.com](http://www.horseshoebendarcc.com)
- May 19-21, **PARAGOULD**, 22nd Loose Caboose Festival, 870-240-0544, [www.loosecaboose.net](http://www.loosecaboose.net)
- May 20-21, **DERMOTT**, 28th Dermott Crawfish Festival, 870-538-5656, [www.dermottcrawfishfestival.com](http://www.dermottcrawfishfestival.com); **HARRISON**, 21st Crawdad Days Music Festival, 870-741-2659, [www.harrison-chamber.com](http://www.harrison-chamber.com); **MAGNOLIA**, 23rd Magnolia Blossom Festival and World Championship Steak Cook-off, 870-234-4352, [www.blossomfestival.org](http://www.blossomfestival.org); **TYRONZA**, 9th Stars & Stripes Festival, 870-487-2168

# Earthquakes: A fact & preparedness sheet

By Ron Crane

**A**rkansas is experiencing more earthquakes than in most previous years, especially in Faulkner County. Most of the earthquakes in this area are relatively small causing very little damage or injuries. However, a recent 4.7 magnitude earthquake occurred in the region that was felt in three different states, including Arkansas. It is quite possible to be injured during any earthquake, no matter how small the quake. Items around your house or office, such as books, mirrors, vases, and lamps can easily become flying objects, injuring you, family members and pets. Here are a few tips that can be applied to make your home or office more secure:

- Assess your home or office for objects that could fall during an earthquake.
- Move objects from the top of bookcases and shelves.
- Secure bookcases, beds and cabinets to the studs in your wall. (Do-it-yourself kits are available at many hardware stores.)
- Make sure your pets are safe and that you have a pet and livestock disaster plan.
- Ensure that you have a Stay Kit and a Go Bag should a major earthquake or other disaster occur. Stay Kits are used in the event you must remain in your home and Go Bags are used whenever you have to leave. These kits should have items such as board games, water, food, medication, and first aid gear.
- Teach your family basic first aid and ensure that you have a good first aid kit.

If an earthquake does occur, follow these tips from the U.S. Department of Homeland Security and FEMA. If indoors:

- DROP to the ground; take COVER by getting under a sturdy table or other piece of furniture; and HOLD ON until the shaking stops. If there isn't a table or desk near you, cover your face and head with your arms and crouch in an inside corner of the building.
- Stay away from glass, windows, outside doors and walls, and anything that could fall, such as lighting fixtures or furniture.
- Stay in bed if you are there when the earthquake strikes. Hold on and protect your head with a pillow, unless you are under a heavy light fixture that could fall. In that case, move to the nearest safe place.

- Use a doorway for shelter only if it is in close proximity to you and if you know it is a strongly supported, load-bearing doorway.
- Stay inside until the shaking stops and it is safe to go outside. Research has shown that most injuries occur when people inside buildings attempt to move to a different location inside the building or try to leave.
- Be aware that the electricity may go out or the sprinkler systems or fire alarms may turn on.
- DO NOT use the elevators.

If outdoors:

- Stay there.
- Move away from buildings, streetlights and utility wires.
- Once in the open, stay there until the shaking stops. The greatest danger exists directly outside buildings, at exits and alongside exterior walls. Ground movement during an earthquake is seldom the direct cause of death or injury. Most earthquake-related casualties result from collapsing walls, flying glass and falling objects.

If in a moving vehicle:

- Stop as quickly as safety permits and stay in the vehicle. Avoid stopping near or under buildings, trees, overpasses and utility wires.
- Proceed cautiously once the earthquake has stopped. Avoid roads, bridges or ramps that might have been damaged by the earthquake.

If trapped under debris:

- Do not light a match or lighter.
- Do not move about or kick up dust.
- Cover your mouth with a handkerchief or clothing.
- Tap on a pipe or wall so rescuers can locate you. Use a whistle if one is available. Shout only as a last resort. Shouting can cause you to inhale dangerous amounts of dust.

Want to know more about earthquakes? A free earthquake survival guide is available by visiting [www.earthquakecountry.info/roots](http://www.earthquakecountry.info/roots). If you feel an earthquake and want to report, go to [earthquake.usgs.gov/earthquakes/dyfi](http://earthquake.usgs.gov/earthquakes/dyfi).

*Ron Crane is Emergency Preparedness Manager,  
University of Arkansas for Medical Sciences,  
[rccrane@uams.edu](mailto:rccrane@uams.edu).*

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## Volunteer Community of the Year nominations open soon

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

To download the nomination form and instructions online, visit [www.arkansas.gov/dhs/adov](http://www.arkansas.gov/dhs/adov) and look for the link to "Community of the Year Awards."

Nominations will be accepted beginning in July. The nomination deadline is Sept. 30. Bonus points will be given to communities who submit volunteer hours to the Economic Impact of Arkansas Volunteers for 2010. If you have any questions about the nomination process, call 501-682-7540 and provide your name, address and telephone number.

## Vote for Officer Norman

The League would like to remind municipal leaders to vote for North Little Rock Police Officer Tommy Norman in his bid for the title of 2011 America's Most Wanted All-Star. Vote online at [www.amw.com/allstar](http://www.amw.com/allstar) between April 21 and May 8. See the full article on Officer Norman and learn more about the contest on page 10 in the March issue of *City & Town*.



## Big Flat gets Rural Services grant

Big Flat has received a Department of Rural Services grant of \$26,590, which will be used by the Big Flat Fire Department to purchase Jaws of Life, the *Baxter Bulletin* has reported.

The grant is part of \$700,000 in grants awarded to 11 rural communities across the state through the Rural Services Block Grant Program for 2011.

## LR metro area named second cleanest city

The Little Rock-North Little Rock-Conway metropolitan area has ranked second in the country on a survey by *Forbes* magazine of America's Cleanest/Least Toxic Cities, *OzarksFirst.com* reported March 22. Top honors went to the McAllen-Edinburg-Mission, Texas, metro area.

The Cleanest Cities list is an offshoot of the magazine's Most Toxic Cities list, released a month earlier. The lists are compiled based on measures of pollution and toxicity.

## Municipal properties up for National Register

Several municipal properties are among 12 that will be considered for nomination to the National Register of Historic Places when the State Review Board of the Arkansas Historic Preservation Program meets this month. Municipal properties up for nomination include the Keo Commercial Historic District at Keo, Arkadelphia Commercial Historic District at Arkadelphia, East Hamilton Avenue Historic District at Wynne, Greenwood Gymnasium at Greenwood, and Missouri Pacific Cabosse No. 928 at Bald Knob.

## Little Rock National Airport preps for growth

Crews in January began \$53.6 million of improvements to Little Rock National Airport's existing facilities, *Airport Improvement* magazine reported in a substantial article on the airport in its March/April 2011 issue. Phase 1 projects include a new two-story baggage matrix building and terminal renovations, a new inline baggage screening system, energy efficiency upgrades and surveillance enhancements. Paid for through passenger facility charge funds, Stimulus funds and matching airport cash, Phase 1 projects won't incur any debt, airport Executive Director Ron Mathieu says, and will help prepare the airport financially for Phase 2—a new terminal.

"We're making aggressive efforts to eliminate debt," Mathieu said. "After we're debt-free, we'll continue to put money from operating profits away to fund Phase 2 [the new terminal]."

"The [current] terminal was designed to accommodate 400,000 enplanements, and we're making it work for almost 1.2 million," Mathieu said. Design objectives for the new terminal focus on serving current levels of traffic more efficiently and accommodating projected traffic growth through 2030—potentially up to 2 million.

A new, more flexible lease agreement will allow the airport to keep more of its profits. In 2010, the airport earned a record \$8 million in profits. Under the previous agreement, \$6.5 million would have been distributed to the airlines. Under the new system, the airport keeps the profits.

To read the full article online, go to [AirportImprovement.com](http://AirportImprovement.com).



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# Announcing...

## Our New Voluntary Certified Continuing Education Program for 2011

The League's new Voluntary Certified Continuing Education Program continues in 2011 with a series of seminars covering topics helpful to municipal leaders. The first round of seminars held in late 2010 and early 2011 were a great success and drew capacity crowds to cover issues such as municipal finance and budgeting, personnel matters and municipal operations. Make plans now to participate this spring and summer.

**Who?** For Arkansas mayors and aldermen.

**What?** The certification plan is voluntary, approved by the Executive Committee, and consists of 21 hours of core topics.

**Why?** To increase the knowledge of local officials on how cities and towns function and equip them with the leadership skills needed to meet the challenges of the 21st Century.

**When?** The next seminar is Arkansas Local Government Structure: Who Does What in Local Government. The seminar will be held April 28 or 29 at League headquarters in North Little Rock.

**Where?** The April 28 or 29 seminar will be held at League headquarters in North Little Rock. Two remaining seminars will be held in June at the League's Annual Convention in Hot Springs.

Schedule and topics to be covered:

- Arkansas Local Government Structure: Who Does What in Local Government—April 28 or 29
- Municipal Land Use/Planning and Zoning—June 16
- Great Cities/Towns: Methods and Suggestions to Effectively Lead—June 17

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

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# Arkansas grew 9.1 percent Census shows

The results of the 2010 Census are in, and Arkansas' steady growth continues, if a bit slower than decades past.

By Phyllis Poché

Enacted in 1975, Public Law 94-171 (PL 94-171) directs the Census Bureau to provide the 50 states with redistricting data. It specifies that within a year following Census Day, the Census Bureau must provide the governor and legislative leadership in each state the data needed to redraw districts for the U.S. Congress and state legislatures.

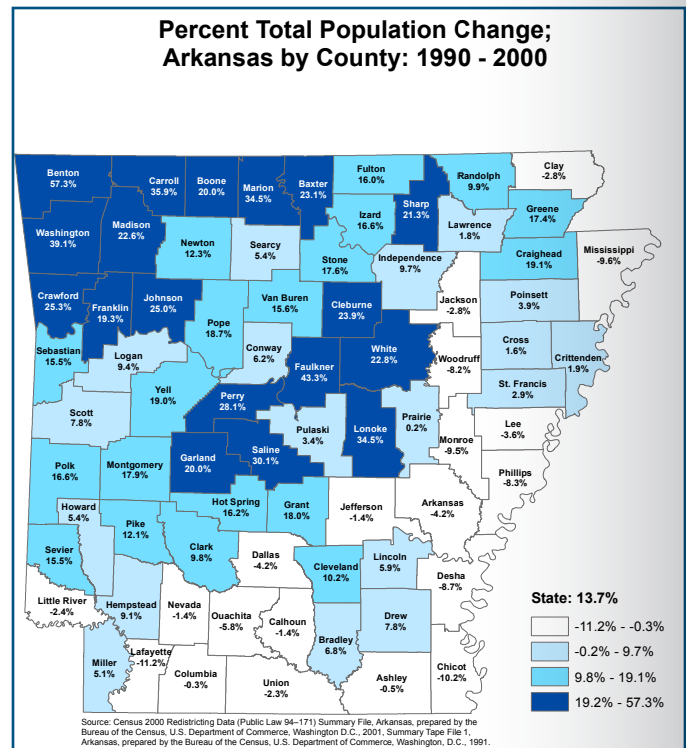
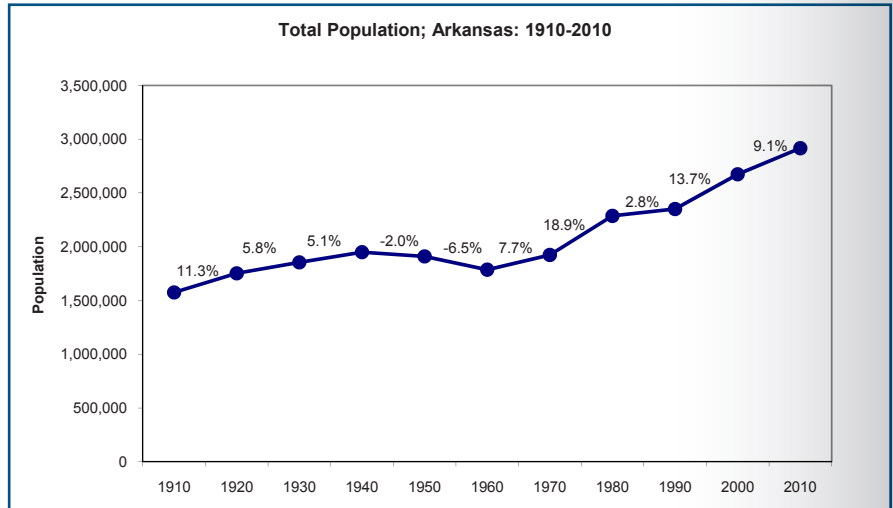
The anticipated summary results of the 2010 Census began Feb. 3 with the release of the Census Redistricting Data (PL 94-171) Summary File for Louisiana. Arkansas' redistricting data was released on Feb. 10. Arkansas was the sixth state to receive its data. The file contained summary statistics on population and housing subjects from the 2010 Census questionnaire.

Arkansas experienced growth during the last 100 years, increasing every decade except during the 1940 to 1960 period. Arkansas experienced growth of 9.1 percent in the last decade. While that is lower than the 13.7 percent growth experienced from 1990-2000, Arkansas continued to move closer to a population of 3 million.

While 52 percent of Arkansas' 75 counties experienced a population growth, only 13 had a growth rate higher than the overall state rate of 9.1 percent. Pulaski County remains the largest county with a population of 382,748. Its population grew by 5.9 percent since 2000. The other counties in the top five include Benton, with a population of 221,339 (44.3 percent increase); Washington, 203,065 (28.8 percent increase); Sebastian, 125,744 (increase of 9.3 percent); and Faulkner, 113,237 (increase of 31.6 percent).

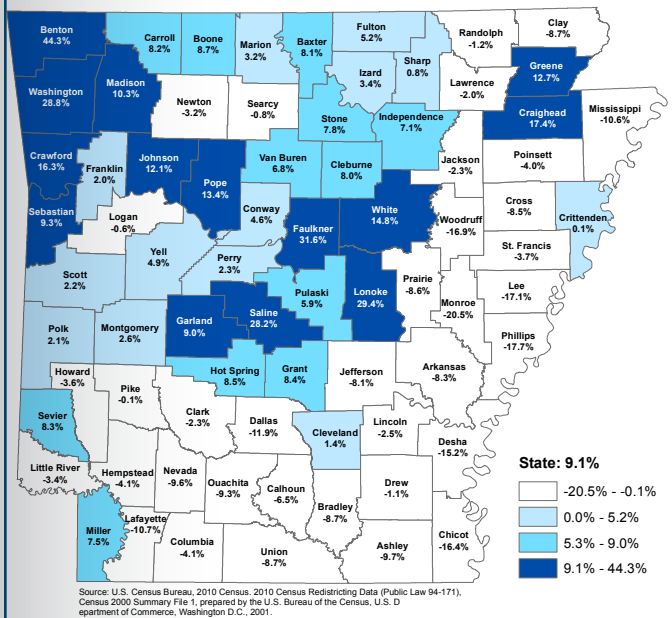
Almost half of Arkansas counties lost population during the past decade, ranging from a 20.5 percent loss in Monroe County to 0.1 percent in Pike. See the accompanying maps and graph for a visual representation overall state growth and the last two decades of population change in Arkansas counties.

The five most populous incorporated places in Arkansas in 2010 were Little Rock, with a population of 193,524; Fort Smith, 86,209; Fayetteville, 73,580;



Springdale, 69,797; and Jonesboro, 67,263. Little Rock grew by 5.7 percent since the 2000 Census. Fort Smith grew by 7.4 percent, Fayetteville by 26.8 percent, Springdale by 52.4 percent, and Jonesboro by 21.2 percent.

### Percent Total Population Change; Arkansas by County: 2000 - 2010



occurred in Benton and Washington counties. More than half—55.6 percent—of the Hispanic or Latino population in Arkansas lives in Benton (34,283), Pulaski (22,168), Sebastian (15,445), and Washington (31,458) counties.

The Census State Data Center is the official representative of the U.S. Bureau of the Census in Arkansas. A State Data Center exists in all states plus the U.S. territories and Puerto Rico. The Arkansas lead agency is located in the Institute for Economic Advancement at the University of Arkansas at Little Rock and serves as a liaison between the Washington headquarters, the Kansas City Regional Office, and state and local governmental officials. Please contact us for more information. The Census State Data Center at IEA has the data, the staff, and the expertise to provide valuable guidance in the interpretation and use of census data. For more information, call us at 501-569-8530.

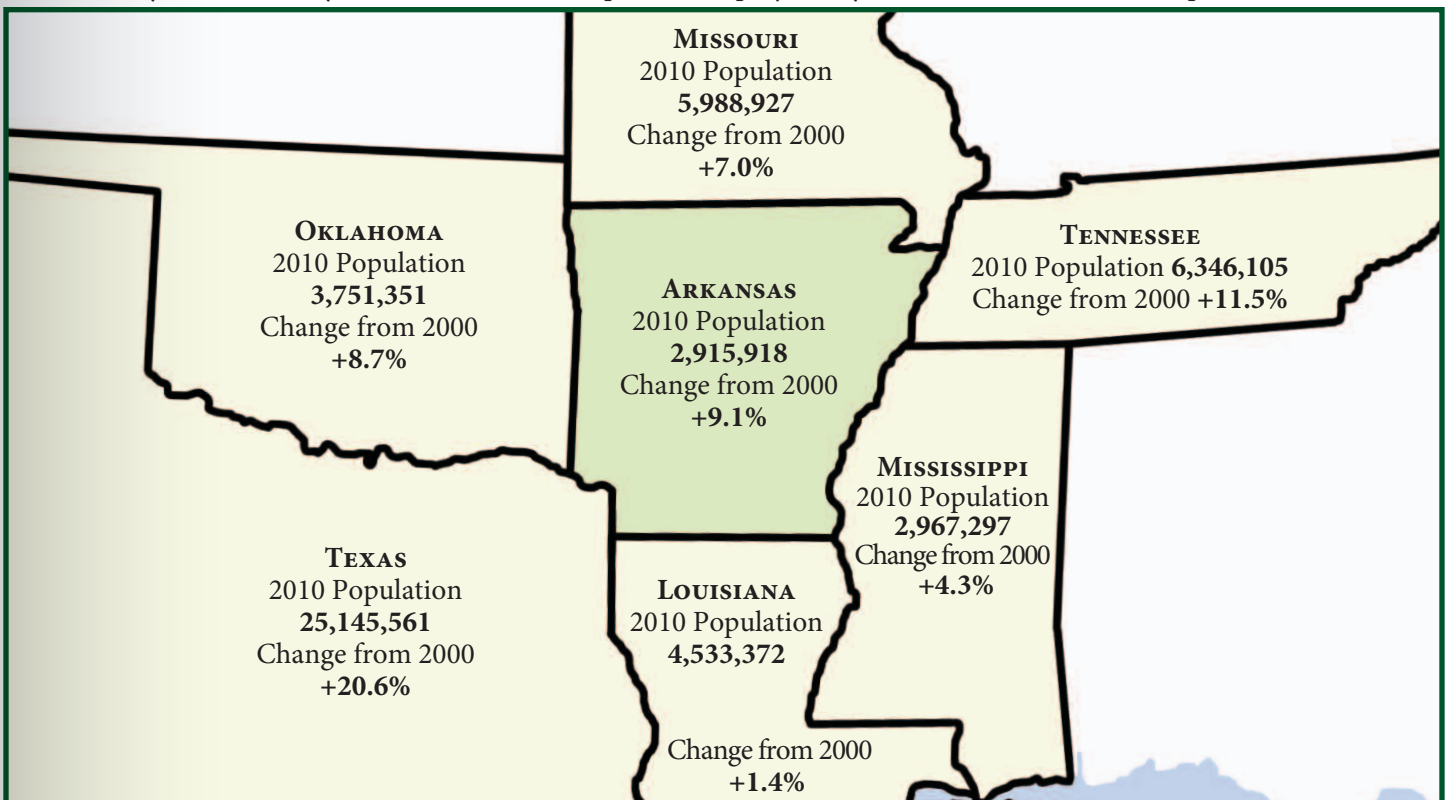


*Phyllis Poché is Director, Census State Data Center, UALR Institute for Economic Advancement, 2801 South University Ave., Little Rock, AR 72204-1099; 501-569-8530; pnpoch@ualr.edu.*

According to the 2010 Census, Hispanics—or Latinos of any race—increased by 114.2 percent (99,184) in Arkansas. Approximately 40 percent of the increase

## 2010 CENSUS: MAPPING ARKANSAS' GROWTH

This map shows Arkansas' growth rate based on the results of the 2010 Census as compared to growth rates of surrounding states. The *New York Times* has created an interactive that breaks down the numbers by state, county, race/ethnicity and more. See this map online at [projects.nytimes.com/census/2010/map](http://projects.nytimes.com/census/2010/map).





# Municipal Property Program



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

The Municipal Property Program’s 2010 annual meeting in November adopted rates according to the following scale for 2011. See the new rates below.

FIRE CLASS I	—	.0017	X	covered value	=	Premium
FIRE CLASS II	—	.0018	X	covered value	=	Premium
FIRE CLASS III	—	.0020	X	covered value	=	Premium
FIRE CLASS IV	—	.0021	X	covered value	=	Premium
FIRE CLASS V	—	.0022	X	covered value	=	Premium
FIRE CLASS VI	—	.0024	X	covered value	=	Premium
FIRE CLASS VII	—	.0026	X	covered value	=	Premium
FIRE CLASS VIII	—	.0028	X	covered value	=	Premium
FIRE CLASS IX	—	.0029	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.

# Local Option Sales and Use Tax in Arkansas



Source: Debbie Rogers, Office of State Treasurer

See also: [www.dfa.arkansas.gov](http://www.dfa.arkansas.gov)

Sales and Use Tax Year-to-Date 2011 with 2010 Comparison (shaded gray)								
Month	Municipal Tax		County Tax		Total Tax		Interest	
Jan.	\$35,123,247	\$34,674,109	\$35,666,555	\$35,450,558	\$70,789,802	\$70,124,667	\$27,640	\$60,271
Feb.	\$42,235,810	\$41,006,941	\$42,753,266	\$42,937,896	\$84,989,076	\$83,944,837	\$34,351	\$59,485
March	\$33,606,662	\$33,818,100	\$34,174,199	\$34,971,579	\$67,780,861	\$68,789,679	\$35,321	\$76,714
<b>Total</b>	<b>\$110,965,719</b>	<b>\$109,499,150</b>	<b>\$112,594,020</b>	<b>\$113,360,033</b>	<b>\$223,559,739</b>	<b>\$222,859,183</b>	<b>\$97,312</b>	<b>\$196,470</b>
Averages	\$36,988,573	\$36,499,717	\$37,531,340	\$37,786,678	\$74,519,913	\$74,286,394	\$32,437	\$65,490



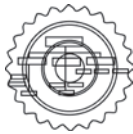


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**CHIEF OF POLICE**—Stamps is seeking applicants for the position of Chief of Police. RESPONSIBILITIES: administrative, patrol, investigative and training. Must work well with citizens, city council, mayor and city staff and have good communication skills, written and oral. REQUIREMENTS: Must meet all CLEST standards and pass pre-employment drug screening physical, psychological and background checks. EDUCATION: Must have a minimum of associate degree or equivalent and hold intermediate law enforcement certification and supervisory experience. Salary DOQ. Preliminary applications available at Stamps City Complex, 207 E. Antigo, Stamps, AR 71860; or call 870-533-4951.

**CITY ENGINEER**—City of Hot Springs is accepting applications for a City Engineer. Must possess a degree in Civil or Environmental Engineering with at least eleven years of progressive experience in engineering including responsible experience in water, wastewater and roadway operations and at least nine years experience in project and personnel management; must be a registered P.E. in the State of Arkansas; must possess a valid driver's license and a clean driving record. Submit application and resume to City of Hot Springs HR, 133 Convention Blvd., Hot Springs, Arkansas 71901 or online at [www.cityhs.net](http://www.cityhs.net) by March 16, 2011. The City of Hot Springs is an EEO employer.

**CITY MANAGER**—City of Casper, WY—\$145,000 - \$180,000. For a complete job description and application materials, please visit the Prothman Company at <http://www.prothman.com/Current.htm>. Application deadline: 4/24/2011

**DIRECTOR OF FINANCE**—The City of Jacksonville is seeking candidates for the position of Director of Finance. The Director manages the accounting, financial and internal control functions for the City and coordinates the preparation of the annual budget. Successful candidates will have a Bachelor's Degree in Accounting, Finance, Business Administration or a related field, or twenty (20) years of senior-level management experience. Professional governmental finance experience is preferred; CPA, CGFM or CPFO is preferred. Salary is up to \$72,200 DOE. Position open until filled. Applications may be obtained at City Hall, #1 Municipal Dr or [www.cityofjacksonville.net](http://www.cityofjacksonville.net) EOE

**ELECTRICAL ENGINEER**—The City of Benton Utilities is accepting applications for Electrical Engineer. This position involves shared responsibility for the successful management and operation of the city-owned electric utility. Requirements include a bachelor's degree in engineering, and any experience in the power utility industry or related business would be helpful. The successful candidate will grow to be a key member of the management team and will assist in planning for future electric services and negotiating effective solutions. An application, complete job description, and benefit summary can be printed from the City of Benton website at [www.benton.ar.gov](http://www.benton.ar.gov). Application with cover letter should be mailed to the Human Resources Department, P. O. Box 607, Benton, AR 72018-0607. Equal Opportunity Employer

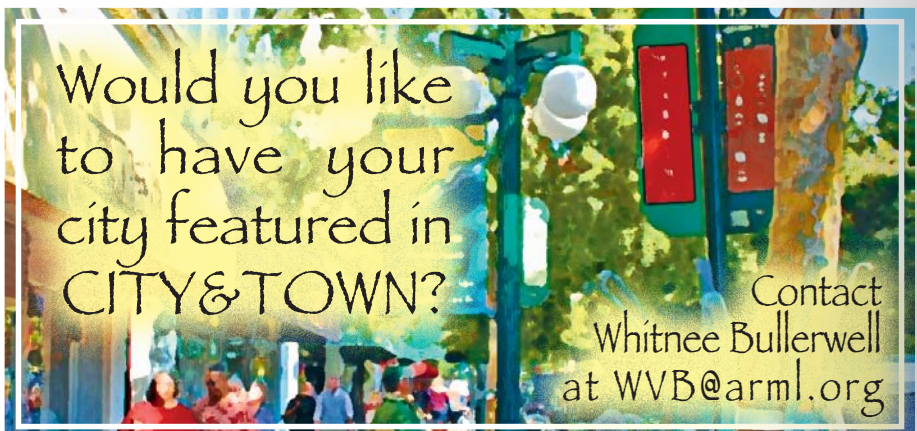
**FOR SALE**—Cave City has for sale a 2003 Crown Victoria Police cruiser 93,000 miles, fully equipped with light bar, siren, siren controller, cave, corner strobes, and a super nice metal console. The light bar was replaced less than a year ago with a Whelen 8n strobe. Car is excellent shape and was well maintained, Asking \$5,000.00 OBO. Email questions to [ccpd@indco.net](mailto:ccpd@indco.net) or call (870)283-5011.

**PATROL OFFICER**—The city of Dumas is accepting applications for the position of Patrol Officer. Applications are available at the Dumas Police Department, 149 E. Waterman. Equal Opportunity Employer.

**POLICE CHIEF**—The city of Marianna, Arkansas is accepting applications for a Police Chief. Applicant(s) must meet certification requirements. Applications may be picked up at Marianna City Hall - 35 S. Poplar St. - Marianna, AR 72360 Monday thru Friday from 8:00 a.m. - 5:00 p.m. Applications/resumes can be mailed or delivered to the same address. For additional information call 870-295-6089.

**STREET SUPERINTENDENT**—The City of Malvern is a rapidly growing community with a population of over 10,300 whom is seeking a highly qualified professional to direct its streets and parks department. The Street Department has a staff of 14 personnel. The City of Malvern is an Equal Opportunity Employer. Applications & a job description can be picked up at the Human Resources Dept., 506 Overman St, Malvern, AR. 72104 or on our website @ [www.malvern.gov](http://www.malvern.gov). Submit applications by April 15th, 2011 to Virginia Harrison, City of Malvern Human Resources Director, 506 Overman St., Malvern, AR 72104. Phone 501-332-6403.

**WATER/WASTEWATER MANAGER**—Arkadelphia is seeking qualified candidates for the position of Water and Wastewater Manager. Responsibilities include the management, planning, administrating and overseeing the affairs of the Arkadelphia Water and Sewer utilities. Send resume and salary requirements to: Jimmy Bolt, City Manager, 700 Clay Street, Arkadelphia, AR 71923. Applications accepted until April 15, 2011. For complete job description and qualifications, visit [www.cityofarkadelphia.com](http://www.cityofarkadelphia.com). EOE. No phone calls please.



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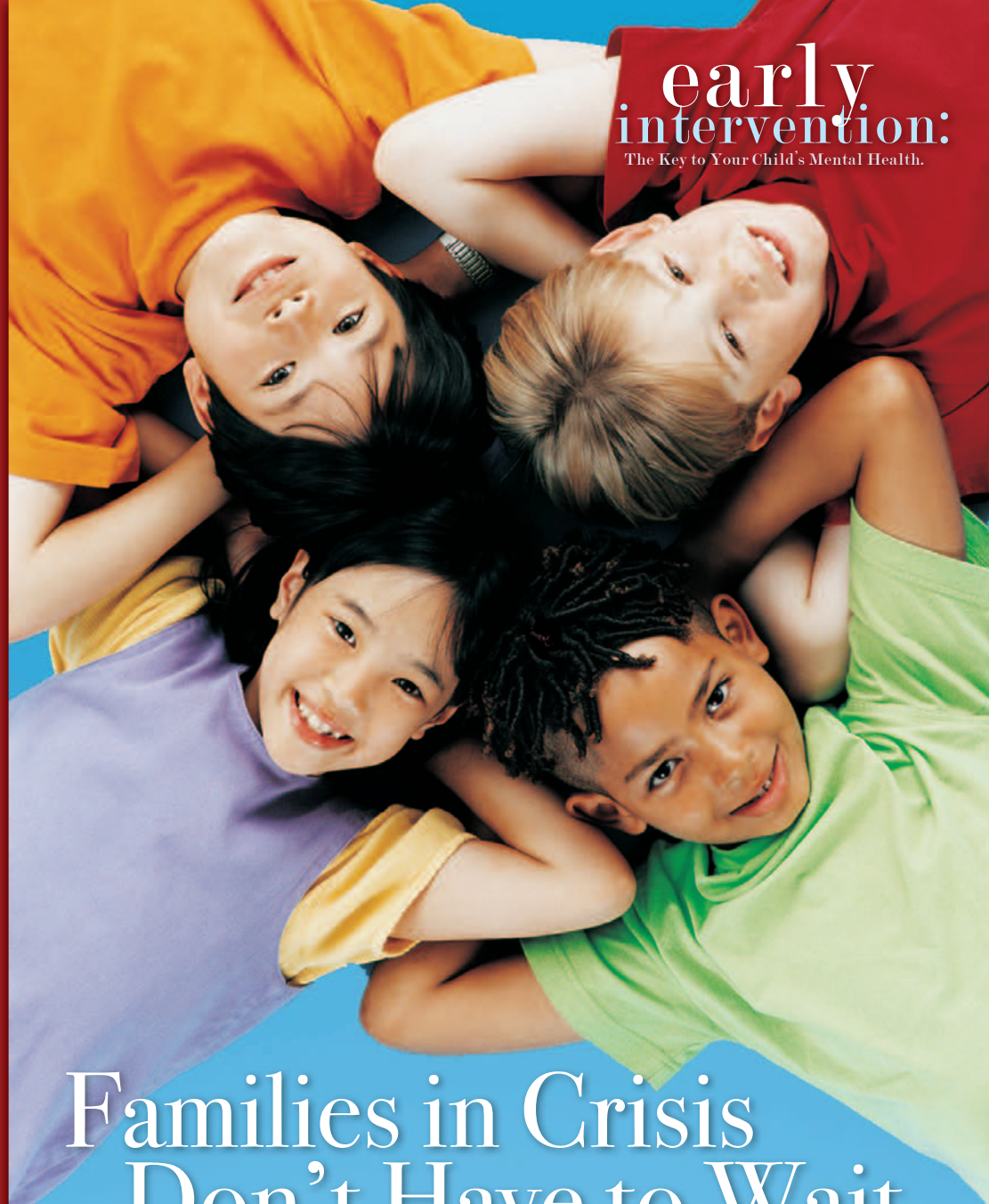
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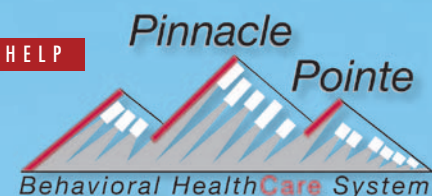
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