

JOURNAL OF PROCEEDINGS
MISSISSIPPI COUNTY QUORUM COURT
May 23, 2023

The Quorum Court of Mississippi County, Arkansas, met in regular session at 6:00 p.m. in the Mississippi County Courthouse in Blytheville, Arkansas with Judge John Alan Nelson presiding. Justice Tobye McClanahan gave the invocation, which was followed by the Pledge of Allegiance.

The following members answered roll call:

Justice Ash
Justice Brown
Justice Burge
Justice Cullom
Justice Jackson

Justice Martin
Justice McClanahan
Justice McDonald
Justice White

Absent: Justices Hepler and Mangat. Also in attendance was County Attorney Jacob Holmes.

Justice White moved to dispense with the reading of the minutes as copies had been provided to the members. Justice Ash seconded the motion and the voice vote was unanimous.

In the treasurer's report, County Treasurer Peggy Meatte reported the interest rate at 1st National Bank in Blytheville on a \$100,000.00 CD was 4.50% for seven months. Sales tax revenue for the month of April was down a bit but continues to be one of the best in years.

Committee Reports:

Roads and Bridges Committee: Justice Ash reported the committee met on May 11, 2023 with Cody Shreve from the city of Osceola. Mr. Shreve presented a preliminary cost estimate from ARDOT on the costs of improvement to the intersection of US Hwy 61 and AR Hwy 140. The city requested \$225,000.00 from the county for the project. Following discussion, the request was tabled until further information could be obtained.

Sanitation and Solid Waste Committee: Justice McClanahan reported the committee met on May 12, 2023 and discussed

- Finances: over \$3,000,000.00 in CDs.
- Overdue accounts were better than the month before. Most were at least paying on them.
- Condition of the Scale House
- New dozer had been ordered and repairs on the D6 had begun, as well as on the front end loader trucks.

Personnel Committee: Justice McClanahan reported the committee met on May 12, 2023 and discussed travel expenses for in-state and out-of-state travel. The current rate is \$450.00 per night for out-of-state and \$400.00 for in-state. A motion was made and seconded to allow the Finance Committee to approve hotel rates above the

Fire, Police and Safety Committee: Justice Burge reported the committee met on May 12, 2023. Topics of discussion were:

- The county has fire protection, police protection, medical and air lift.
- 911 has updated their equipment.

- Contract for hyper-reach has been renewed.
- Question was raised of whether or not radios could be utilized for areas where cell phones didn't work
- Communication between healthcare and ambulances was not good and needed improvement.

Finance Committee: Justice White reported the committee met on May 15, 2023. Topics discussed were:

- Finances in good shape. Elected Officials under budget. County general currently has \$1,000,000.00, The county has \$9,500,000.00 in CDs and \$3,000,000.00 in landfill reserves.
- Stipend pay two deputies at the Sheriff's Department
- Back pay for Sheriff's Department deputy
- Judge Dan Ritchey's request to send two employees to a Drug Court Conference.
- Finance Director's request for new software.
- Coroner Karen Crane's request for the county to reimburse a funeral home for cremating an indigent county resident.
- Request from Circuit Clerk Leslie Mason for countertops for her office as well as the County Clerk's Office. She also requested permission to contact the millwork shop for this and other things needed in the courtrooms.

Planning and Development Committee: Justice White reported the committee met on May 18, 2023 with Clif Chitwood, Economic Development and Dr. Chris Cagle from ANC. Dr. Cagle had two requests:

1. \$80,552.08 for a Recruitment and Placement Specialist whose job would entail:
 - Maintaining a real-time recruitment plan to attract potential students to local area jobs and related ANC training programs.
 - Provide career counseling and advisement to students.
 - Develop and maintain close relationships with local employers to identify job opportunities.
 - Work as a liaison to faculty, staff, and local businesses, and industries to develop and maintain effective career-related programs, activities and events.
 - Maintain accurate records of student placement and employment outcomes.
 - Monitor the GREDF subsidized wage program.
2. \$64,000.00 for Working towards Wages. The redesigned program was tailored towards customer service entities such as retail and business sectors as well as the manufacturing/industry sector.

Both requests were approved by the committee.

New Business:

The clerk read an ordinance titled: AN ORDINANCE AMENDING ORDINANCE AMENDING O-2023-16. Following the reading, Justice Ash informed the court this ordinance required three readings and moved to suspend the rules and proceed to the second reading by title only, Justice White seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. Following the second reading, by title only, Justice Ash moved to once again suspend the rules and proceed to third reading by title only, Justice McClanahan seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White. Nay --- None; Absent --- Hepler and Mangat. Following the third reading by title only, Justice Ash moved for adoption, Justice Burge seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, , McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. O-2023-29 was adopted by the court.

The clerk was asked to read an ordinance titled: ORDINANCE AWARDING BACKPAY TO EMPLOYEE AT SHERIFF'S DEPARTMENT. Following the reading, Justice White moved for adoption, Justice Martin seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. O-2023-30 was adopted by the court.

The clerk was asked to read an ordinance titled: AN ORDINANCE TO COVER COSTS FOR CREMATION OF A COUNTY PAUPER. Following the reading, Justice White moved for adoption, Justice McClanahan seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. O-2023-31 was adopted by the court.

The clerk read an ordinance titled: AN ORDINANCE APPROPRIATING FUNDS FOR THE MISSISSIPPI COUNTY INFRASTRUCTURE GRANT PROGRAM. Following the reading, Justice White moved to adopt, Justice Jackson seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. O-2023-32 was adopted by the court.

The clerk was asked to read an ordinance titled: ORDINANCE APPROPRIATING FUNDS FOR FINANCIAL MANAGEMENT SOFTWARE CONTRACT. Following the reading, Justice White moved for adoption, Justice Ash seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. O-2023-33 was adopted by the court.

The clerk was asked to read an ordinance titled: AN APPROPRIATION ORDINANCE TO FACILITATE A PASS-THROUGH LAW ENFORCEMENT STIPEND FROM THE STATE OF ARKANSAS. Following the reading, Justice White moved for adoption, Justice Ash seconded and the vote was: Aye --- Ash, Brown, Burge, Cullom, Jackson, Martin, McClanahan, McDonald and White; Nay --- None; Absent --- Hepler and Mangat. O-2023-34 was adopted by the court.

There being no further business to come before the court, Justice White moved to adjourn, Justice Ash seconded and the voice vote was unanimous. The meeting adjourned at 6:47 p.m.

Respectfully submitted:



Janice Currie
County Clerk/Secretary

QUORUM COURT
MISSISSIPPI COUNTY, ARKANSAS
Tuesday, June 27, 2023
Blytheville, Arkansas

**6:00 p.m. REGULAR SESSION OF QUORUM COURT IN THE CIRCUIT COURTROOM OF THE
Blytheville COURTHOUSE**

AGENDA

1. Call to Order
2. Prayer - Steven Blaney
3. Pledge of Allegiance
4. Roll Call
5. Reading/Approval of Minutes
6. Treasurer's Report
7. Extension Service Report - Ethan Brown, Wade Beach
8. Committee Reports
 - American Rescue Plan Meeting 6/6/023 Chairman Justice Molly Jackson
 - Finance Committee Meeting 6/20/2023 Chairman Justice Michael White
9. Resolutions:
10. Ordinances:
 - Ordinance – Crypto Mining/Data Mining
 - Appropriation Ordinance – Recruitment/Placement Specialist
 - Appropriation Ordinance - Working Toward Wages
 - Appropriation Ordinance – Construction in Progress Health Units
 - Appropriation Ordinance – Professional Services iParametrics
11. New Business
12. Old Business
13. Announcements
14. Adjourn

**AMERICAN RESCUE PLAN COMMITTEE MEETING
JUNE 6, 2023 1:30 ANNEX BUILDING**

ATTENDANCE: Chairman Justice Molly Jackson; Justice Tobye McClanahan; Justice Rick Ash; Justice Melinda Martin; Treasurer Peggy Meatte; Finance Kelli Jones; Judge John Alan Nelson; NEA Town Courier.

- 1. Meeting was called to order by Justice Molly Jackson. Justice Jackson handed out what had been appropriated and spent from the ARP funds. County Clerk and Circuit Clerk had \$250,000.00 appropriated for book restoration. Some book repair had not been billed. Humane Society building was paid from the ARP funds.**
 - 2. City infrastructure grant. Cities were being notified and would be drawing their money. Bill had been received from I Parametrics. \$2,200.00. Finance would be asked to appropriate and additional \$5,000.00 for future billing.**
 - 3. Health Units were appropriated \$1,200,000.00. Additional expenses had occurred. Recommendation to Finance was to appropriate an additional \$200,000.00 to the entire project. \$250,000.00 grant was good for a year.**
 - 4. Sheriff Cook had spent some of the money that was appropriated for vehicles. Senior Citizens Center vehicle had not been purchased. Justice Ash said they were not available at this time. An electric van was discussed. Cost \$50,000.00 to \$100,000.00. Justice McClanahan said a solution needed to be found. Judge Nelson asked if Source Well had been contacted.**
 - 5. Balance in ARP a little over \$6 million. \$2,369,000.00 had not been appropriated. Money needed to be committed by the end of 2024 and spent by the end of 2026. Committee needed to start thinking about how to commit the remaining money.**
 - 6. Judge Nelson mentioned a survey was needed for the Westminster project. A verbal agreement had been made to transfer the title. Cost of survey \$1,000.00. Grant received by Westminster was for the south end. City of Osceola wanted the county to help put in a street new subdivision. \$225,000.00 was asked by the City of Osceola to help with the intersection on 140.**
 - 7. Health Units had asked for temporary storage. The Humane Society building would be used.**
 - 8. Meeting adjourned.**
- Minutes submitted by: Cindy George**

**FINANCE COMMITTEE MEETING
JUNE 20, 2023 1:30 ANNEX BUILDING**

ATTENDANCE: Chairman Justice Michael White; Justice Neil Burge; Justice Drake Brown; Justice Cecil McDonald; Justice Tobye McClanahan; Justice Rick Ash; Finance Kelli Jones; Judge John Alan Nelson; NEA Town Courier Marcus McClain.

- 1. Meeting was called to order by Justice Michael White. 42% of the year. All Elected Officials were within budget. \$1 million CD was purchased with a 5.3% interest rate for 12 months. County ranked 6th in sales tax collections in Arkansas. Judge's Office had been presenting the checks for the ARPA Grants.**
- 2. P & D requested an appropriation for Adrian Poole. \$80,552.08 to cover salary/fringe. Fiscal year 2024 plus March, April, May and the rest of 2023. Committee approved the request. Motion was made by Justice Cecil McDonald to appropriate the \$80,552.09 for the salary of Adrian Poole. Second was made by Justice Neil Burge. Motion passed.**
- 3. P & D requested an appropriation for the Working Towards Wages Program. \$64,000.00. Motion was made by Justice Neil Burge to appropriate \$64,000.00 for the Working Towards Wages Program. Second was made by Justice Cecil McDonald. Motion passed.**
- 4. Assessor Brannah Bibbs had zeroed old equipment that needed to be destroyed. Finance Committee agreed to dispose of the equipment. Court Order had been signed by Assessor Brannah Bibb, Judge John Alan Nelson and Collector Susan Short.**
- 5. ARP Committee requested without recommendation an additional \$200,000.00 for the Health Units and \$5,000.00 for I Parametrics. Additional costs had occurred for the Osceola Health Unit. Motion was made by Justice Cecil McDonald to appropriate the \$200,000.00 for the Health Units and \$5,000.00 for I Parametrics from ARP funds. Second was made by Justice Neil Burge. Motion passed.**
- 6. Auditors were working on the County audit. They did not like the way wire transfers were handled. There was no printed process. The County was asked to develop a printed process conducting wire transfers. An Ordinance would be needed to be passed when established.**
- 7. Bids for a cleaning service and the Senior Citizens vans had been published. Money was in the construction budget for cleaning. Justice White told Judge Nelson to go ahead and hire a service. Justice McDonald asked if a service was needed in Osceola.**
- 8. Judge Nelson handed out information on new legislation regarding crypto mining/data mining operations. Used to transfer and use information. One was being built near Leachville. Sample Ordinance attached. Noise measurements and reports would have to be filed with the County Clerk and County Judge if the Ordinance was passed. Judge Nelson**

thought the Ordinance needed to be presented at the Quorum Court meeting on June 27th. Motion was made by Justice Neil Burge to add the Ordinance to the agenda for the Quorum Court meeting on June 27, 2023. Second was made by Justice Drake Brown. Motion passed.

9. Justice White asked about signage for bicyclists. Judge Nelson said ARDOT wouldn't allow any signage on State highways.

10. Meeting adjourned.

Minutes submitted by: Cindy George

1
2
3
MISSISSIPPI COUNTY QUORUM COURT
ORDINANCE NO. O-2023-_____

4 **BE IT ENACTED BY THE QUORUM COURT OF MISSISSIPPI COUNTY,**
5 **ARKANSAS, AN ORDINANCE TO BE ENTITLED:**

6 *AN EMERGENCY ORDINANCE ADOPTING CERTAIN RULES AND REGULATIONS*
7 *CONCERNING EXTERNAL NOISE ATTENUATION OF DATA CENTERS AND TO PREVENT*
8 *NOISE DISTURBANCE IN MISSISSIPPI COUNTY AND WITHIN ITS UNINCORPORATED*
9 *LIMITS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES*

10 **WHEREAS**, the equipment associated with the cooling systems and generators required
11 to operate data centers generate broadband noise and low-frequency hums that result in noise
12 disturbance. Noise disturbance is the cause of degradation and may produce negative impacts on
13 public health, property and the environment; and

14 **WHEREAS**, noise attenuation should be an integral part of the design and construction of
15 data centers in order to prevent noise pollution and noise disturbance; and

16 **WHEREAS**, the county finds that the public interest is served by the prevention of
17 unreasonable noise emanating externally from the Data Centers and the provisions of this
18 Ordinance are enacted for the purpose of preserving and protecting the public health, safety,
19 welfare and property of the citizens of Mississippi County, Arkansas.

20 **THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF MISSISSIPPI**
21 **COUNTY, ARKANSAS, AS FOLLOWS:**

22 **ARTICLE 1. Purpose and Applicability**

23 All Data Centers constructed within this jurisdiction shall be designed and built to incorporate
24 external noise attenuation measures in order to minimize the impact of noise disturbance on the
25 residents of Mississippi County, Arkansas.

26 This ordinance shall apply to limit the noise disturbance originating within the unincorporated
27 limits of Mississippi County, Arkansas.

28 **ARTICLE 2: Definitions**

29 For the purpose of this Ordinance, the following definitions shall apply unless the context clearly
30 indicates or requires a different meaning:

- 31 1. *Ambient Noise*: The all-encompassing noise level associated with a given environment,
32 being a composite of sounds from all sources, excusing the alleged offensive noise, at the

1 locations and approximate time at which comparison with the alleged offensive noise is to
2 be made.

- 3 2. *Data Center*: A facility constructed and operated that is engaged in storage, management,
4 processing, and transmission of digital data, including facilities used for cryptocurrency
5 mining, which houses networked computer systems along with supporting equipment such
6 as batteries, back-up power generators, HVAC and cooling systems.
- 7 3. *Decibel (dB)*: A unit for measuring the volume of a sound, equal to twenty (20) times to
8 the base 10 (10) of the ratio of the pressure of the sound measured to the referenced
9 pressure, which is twenty (20) micropascals (twenty (20) micronewtons per square meter.)
- 10 4. *Mechanical Equipment*: The networked computer systems along with supporting
11 equipment such as batteries, backup generators, and cooling systems housed on the Data
12 Center's property.
- 13 5. *Noise Attenuation*: The reduction of noise levels through the use of sound-absorbing
14 material, architectural design techniques, and/or any other suitable means.
- 15 6. *Noise Disturbance* is any sound which:
 - 16 a. Endangers or injures the safety or health of humans or animals; or
 - 17 b. Annoys or disturbs a reasonable person of normal sensitivities; or
 - 18 c. Endangers or injures person or real property.
- 19 7. *Person*: An individual, association, partnership, or corporation, including any officer,
20 employee, department, or agency.
- 21 8. *Property Line*: An imaginary line along the ground surface, and its vertical extension,
22 which separates the real property owned by one person from that owned by another person,
23 but not including intra-building real property divisions.
- 24 9. *Sound*: An oscillation in pressure, particle displacement, particle velocity or other physical
25 parameter, in a medium with internal forces that causes compression and rarefaction of that
26 medium. The description of sound may include any characteristic of such sound, including
27 duration, intensity and frequency.
- 28 10. *Sound Level*: The weighted sound pressure level obtained by the use of s sound level meter
29 and frequency weighting network, such as A, B, or C as specified in American National
30 Standards Institute specifications for sound level meters (ANSI SI. 4-1971, or the latest
31 approved revision thereof). If the frequency weighting employed is not indicated, the A-
32 weighting shall apply.
- 33 11. *Sound Level Meter*: An instrument which includes a microphone, an amplifier, RMS
34 detector, integrator or time averager, output meter, and weighting networks used to
35 measure sound pressure levels.

36 **ARTICLE 3: Noise Attenuation Requirements**

37 Before a Data Center has commenced construction or operating within this jurisdiction, the
38 property owner and operator proposing to build a Data Center shall comply with the following:

1 1. *Notice Requirements*

- 2 a. The property owner and operator must notify all residents within a half-mile radius
3 of the parcel, including any affiliated homeowners association operating within the
4 half-mile radius, that the property owner and operator intends to build and operate
5 a Data Center on the property. The notice required in this section must be mailed
6 to all postal addresses and homeowners association addresses contained within a
7 half-mile radius extending from the property line where the proposed Data Center
8 will be built. Proof of notification shall be filed with the county clerk's office within
9 30 days of providing notice. The property owner and operator must notify the
10 County Judge that the property owner and operator intends to build and operate a
11 Data Center. The notification must include the location for the proposed data center.

12 2. *Noise Study Requirements*

- 13 a. The property owner of the lands upon which the Data Center is to be located shall
14 conduct a sound study performed by a third-party acoustic engineer to document
15 baseline sound levels in the area of the proposed Data Center, including noise levels
16 measured at the property line in eight locations (north, south, east, west, northeast,
17 northwest, southeast, southwest.) The report of the study must include sound
18 mitigation recommendations based on the results of the sound study. The property
19 owner must provide a copy of the report of the study to the county judge and file
20 with the county clerk within 30 days of completion of the report.

21 3. *Noise Attenuation Plan Requirements*

- 22 a. The property owner must consult with a third- party architectural or design firm to
23 develop a building plan that includes necessary noise attenuation measures in order
24 to prevent the external sound level emanating from the Data Center from exceeding
25 the sound level limitations below which will be considered a noise disturbance. The
26 building plan is not required to adopt any or all of the noise attenuation
27 recommendations so long as the plan includes noise attenuation measures that the
28 architectural or design firm deems adequate to be in compliance with this
29 Ordinance. Noise attenuation measures may include but not limited to:
30 i. Soundproofing walls, screens, panels, fences, or enclosures
31 ii. Buffer yards
32 iii. Other noise attenuation measures recommended by the third-party acoustic
33 engineer
34 b. Mechanical equipment must be shown on any proposed plan and must be fully
35 screened on all sides. Mechanical equipment not screened by a facade of the
36 building must be screened by a visually solid fence, screen wall or panel, or parapet
37 wall and constructed with a design, materials, details, and treatment compatible
38 with those used on the nearest facade of the building.

- 1 c. The property owner must provide a copy of the building plan to the county judge
2 and file with the county clerk within 30 days of completion of the plan prior to
3 construction.
4 d. Any additions, changes, or expansions of the Data Center must comply with the
5 noise attenuation requirements of this Ordinance and must be designed and
6 submitted to the county judge and filed with the county clerk within 30 days of
7 completion of the report.

8 **4. Post Completion Noise Study Requirements**

- 9 a. Upon the Data Center's completion, the Data Center operator must conduct a post-
10 construction noise study performed by a third-party acoustic engineer to document
11 noise levels emanating from the Data Center when mechanical equipment is
12 running at full capacity, including all HVAC units and generators necessary for
13 peak operation. Noise levels are to be measured at the property line in the original
14 eight locations used during the baseline study. The Data Center operator must
15 provide a copy of the report to the county judge and file with the county clerk within
16 30 days of completion of the study.
17 b. The Data Center shall not begin operations until the completion of the post-
18 construction noise study and submission to the county judge and county clerk as
19 required above. In order for the Data Center to be in compliance, the noise study
20 results must show that its operation is in compliance with this Ordinance. If the
21 results show that the Data Center is not in compliance with this Ordinance, the Data
22 Center will be unable to commence operation until the required noise attenuation
23 measures and noise limitations are met.
24 c. Furthermore, the Data Center operator must conduct annual noise studies under the
25 baseline and post-construction studies specifications in accordance with
26 subsections (a) and (b) above. The Data Center operator must provide the results to
27 the county judge and file with the county clerk within 30 days after the anniversary
28 date of the first sound study report.

29 **ARTICLE 4: Procedure for Measurement**

30 All tests shall be conducted according to the following procedures:

- 31 1. *Complaint Driven*: When the measurement is the result of a complaint, measurements will
32 be taken at the property line of the receiving property.
33 2. *Normal Monitoring*: When the measurement procedure is in the normal course of
34 monitoring sound, the measurements will be taken at the real property line of the source of
35 the sound.
36 3. *Outdoor Conditions*: No outdoor measurements must be taken while winds exceed
37 (including gusts) 15 miles per hour; under conditions that will allow the sound level meter

1 to become wet; or when the ambient temperature is out of range of tolerance on the sound
2 meter.

- 3 4. *Calibration*: The sound level meter must be verified and calibrated according to the
4 manufacturer's specifications immediately prior to taking the measurements.
- 5 5. *Meter Placement*: The sound level meter must be placed a minimum of four feet above the
6 ground or from any reflective surface. The microphone must be pointed at the sound
7 source.
- 8 6. *Measurements*: Measurements must include "high", "average", and "low" readings. If the
9 sound level meter does not provide these multiple readings, a minimum of three separate
10 measurements must be taken at a single location at varying time intervals. The average
11 sound level reading shall be used to determine whether there has been a violation of this
12 Ordinance.
- 13 7. *Monitoring Report*: The report for each measurement session must include:
 - 14 a. The day, date and time of the measurements,
 - 15 b. Date and time of recent calibration,
 - 16 c. Temperature and wind speed the time of measurement,
 - 17 d. Identification of the monitoring equipment,
 - 18 e. Location, land use, and description of the source,
 - 19 f. Location and land use of the listener, and
 - 20 g. Sound level measurements.
- 21 8. *Extraneous Sounds*: If there are extraneous sound sources that are unrelated to the
22 measurements and increase the monitored sound level, the measurement shall be postponed
23 until these noises subside.

24 **ARTICLE 5: Noise Limitations**

25 It shall be unlawful for any Data Center to make, or continue to cause or permit to be made or
26 continued, noise levels constituting a noise disturbance. For the purposes of this section, the
27 external noise level emanating from Data Centers shall be deemed disturbing to a person,
28 reasonably calculated to disturb the peace and unreasonably offensive and injurious to the public,
29 or their property, if the sound level is:

- 30 1. 65 dBA or higher during the hours of 8 A.M. to 10 P.M. or 55 dBA or higher during the
31 hours of 10 P.M. to 8 A.M. (as determined by a third-party acoustic engineer) measured at
32 the property line of the receiving property.
- 33 2. The standard which may be considered in determining whether a violation of this
34 Ordinance exists includes but is not limited to the following:
 - 35 a. The level or volume of the noise
 - 36 b. The time of day or night the noise occurs
 - 37 c. The duration of the noise
 - 38 d. Whether the noise is recurrent, intermittent or constant

- 1 e. Whether proper and reasonable noise attenuation methods were followed and
2 maintained

3 **ARTICLE 6: Violations**

- 4 1. Any or all of the following persons may be held responsible for noise violations:
5 a. The person operating the equipment or creating the noise;
6 b. The person who employs the person operating the equipment or creating the noise
7 at the time of the violation;
8 c. The person who owns or rents the property where the violation occurs.
9 2. The following acts, and the causing thereof, are declared to be in violation of this
10 Ordinance:
11 a. The sound level emanating from the Data Center exceeds 65 dBA or higher during
12 the hours of 8 A.M. to 10 P.M. or 55 dBA or higher during the hours of 10 P.M. to
13 8 A.M. measured at the property line of the receiving property.
14 b. The noise attenuation measures provided in the design plan to the county judge are
15 not incorporated in the construction of the Data Center.
16 c. Any of the required sound study results are not filed with the county judge and the
17 county clerk within 30 days of completion of the report.
18 d. The building plan is not filed with the county judge and the county clerk within 30
19 days of completion of the plan prior to construction.
20 e. Failure to act in accordance with any other provision of this Ordinance.
21 3. All data centers shall be in compliance with the requirements of this Ordinance before
22 commencing operation; failure to do so will be deemed in violation of this Ordinance and
23 result in an injunction and/or a stay in commencing operation.

24 **ARTICLE 7: Penalties**

- 25 (1) Any person(s), firm, corporation, partnership, association, owner, occupant, agent or
26 anyone having ownership in the subject property or supervision or control over the Data
27 Center that violates or fails to comply with any provision of this Ordinance, shall be guilty
28 of a misdemeanor.
- 29 (2) Upon conviction of such violation, any offending party shall be punished by fine of \$1,000
30 for any one specified offense or violation, or double that sum for repetition of the offense
31 or violation. If the act prohibited is continuous in time, the fine or penalty for allowing the
32 continuance thereof, in violation of this Ordinance, shall be \$500 for each day that it may
33 unlawfully continue. If the prohibited act continues after conviction of violation, an
34 injunction in court of proper jurisdiction to abate the nuisance and violation of the
35 Ordinance may be sought and awarded.

1 (3) The county or any citizen shall be entitled to pursue all legal and equitable remedies
2 available under the law in order to abate the nuisance and compel compliance with this
3 Ordinance, including injunctive relief and any civil damages the court deems appropriate.
4

5 (4) Until the Data Center is in compliance with this Ordinance and required noise attenuation
6 measures are implemented and noise limitations met, the data center shall cease operations.

7 **ARTICLE 8: Severability**

8 If any provision of this Ordinance is found to be invalid by the decision of any court of competent
9 jurisdiction, such invalidity shall not affect the remaining sections, phrases, and provisions of this
10 Ordinance which remain valid and enforceable.

11 **ARTICLE 9: Emergency Clause**

12 The Quorum Court finds that the immediate implementation of this ordinance is necessary for the
13 preservation of the public's peace, health, safety, welfare, and property, an emergency is hereby
14 declared to exist and that this Ordinance is to be in effect immediately after its adoption.
15

16 PASSED AND APPROVED this _____ day of June, 2023.

17
18
19 DATE: _____

APPROVED:

JOHN ALAN NELSON, COUNTY JUDGE

22 ATTEST:
23 _____

24 JANICE CURRIE, COUNTY CLERK
25 & SECRETARY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

MISSISSIPPI COUNTY QUORUM COURT

APPROPRIATION ORDINANCE NO. O-2023-_____

*AN APPROPRIATION TO FUND THE SALARY AND FRINGE BENEFITS FOR THE
RECRUITMENT AND PLACEMENT SPECIALIST AT ARKANSAS NORTHEASTERN
COLLEGE*

WHEREAS, an appropriation to the FY 2023 budget is needed in order to fund the salary and fringe for a Recruitment and Placement Specialist at Arkansas Northeastern College; and

WHEREAS, the position is to be funded \$60,000.00 for FY 2024 as well as \$20,552.08 for the months of March, April, May and June of the 2023 fiscal year; and

WHEREAS, the funding request is attached as Exhibit A; and

WHEREAS, the Finance Committee has reviewed and approved these appropriations.

NOW, THEREFORE, be it enacted by the Quorum Court of Mississippi County, Arkansas, that:

I.

The following appropriations/modifications are hereby made for the FY 2023 budget:

SLOT/ACCOUNT #	DESCRIPTION	AMOUNT
3414.0129.3104	Recruitment/Placement Specialist	\$80,552.08

II.

All appropriations previously authorized, approved, and made as to all other offices, departments, and agencies of county government, and all other funds not hereinabove changed, are to remain as previously appropriated. Detailed provisions of said appropriations are reflected in the schedule of specific items listed by account numbers within the category for each office and filed in the Office of the County Court Clerk.

5 III.
6

7 This Ordinance, being an appropriation ordinance, shall be in full force and effect
8 immediately from and after its passage and approval by the County Judge.
9

10
11
12
13 DATE: _____
14

APPROVED:
15

16 _____
17
18 JOHN ALAN NELSON, COUNTY JUDGE
19

20
21 ATTEST:
22

23
24 _____
25
26 JANICE CURRIE, COUNTY CLERK
27 & SECRETARY



Request for Support for Recruitment and Placement Specialist

During the recent Chime Solutions project, Adron Poole, a new employee hired by the Arkansas Northeastern College to recruit workers, demonstrated a strong ability to recruit applicants, particularly members of underserved communities possessing the ability to pass drug screening. Although the Chime Solutions project has ended, ANC desires to continue employment of Mr. Poole's skill set in conjunction with Mississippi County through the Great River Economic Development Foundation. Mr. Poole has a background in sales and in the steel industry, in addition to pastoring a local church. The Recruitment and Placement Specialist is responsible for recruiting for local jobs, related ANC credit/non-credit programs and ultimately placing students into the local workforce. This position will continue to work collaboratively with Great River Economic Development Foundation, ANC's faculty, staff, and community partners, a new and existing business/industry to identify job opportunities and develop relationships with employers to provide placement opportunities for students and graduates.

The Recruitment and Placement Specialist will have the following duties:

- Maintain a real-time recruitment plan to attract potential students to local area jobs and related ANC training programs
- Provide career counseling and advising services to students to assist them in identifying career goals and the academic and short-term/non-credit programs that support their objectives
- Develop and maintain close relationships with local employers to identify job opportunities and provide job placement services to recruits
- Work as a liaison with faculty, staff, and local business and industries to develop and maintain effective career-related programs, activities, and events
- Maintain accurate records of student placement and employment outcomes in conjunction with supporting staff and monitor the GREDF subsidized wage program

Funding:

For the fiscal year 2024 (7/1/23 – 6/30/24) we are requesting funding from GREDF for the proposed salary and fringe in the amount of \$60,000.

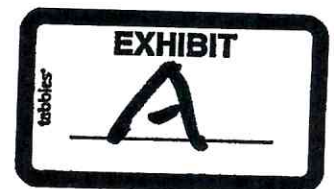
Fiscal Year 2024:

Salary	Fringe	Total	Request
\$46,350	\$17,144	\$63,494	\$60,000

We are also requesting GREDF to continue funding of the remaining FY 2023 salary and fringe for this position totaling \$20,552.08 for March 2023 – June 2023.

Remaining Salary & Fringe Totals FY 2023

Month	Salary + Fringe
March	\$5138.02
April	\$5138.02
May	\$5138.02
June	\$5138.02
Total Requested	\$20552.08





WORKING towards WAGES

Course Description:

This program is designed to help students develop the skills necessary to succeed in the modern workplace. Through a combination of lectures, group activities, and individual assignments, students will learn about topics such as effective communication, teamwork, problem-solving, time management, and professionalism. Students will also complete the Arkansas WAGE™ Employability Certificate under the ANC Adult Education Program. .

Course Duration:

WORKING towards WAGES is a modularized program that has milestones to earn stipends. Total program hours will vary depending on the students. Each module has a facilitator that will help one-on-one with instruction. Approximately 120 hours to complete all four modules and final testing.

Learning Objectives:

By the end of these modules students should be able to:

1. Demonstrate effective communication skills in various workplace contexts.
2. Manage their time and prioritize tasks effectively. Understand the importance of professional conduct and demonstrate appropriate workplace behavior.
3. Demonstrate customer service skills as it relates to employment and an effective workplace.
4. Demonstrate math and literacy skills to earn the Arkansas WAGE™ Employability Certificate

National Certificates Earned

- National Career Readiness Certificate
- OSHA 10 - General Industry
- WAGE
- First Aid CPR





Stipend information for completion of Modules & Milestones:

- Module 1 - WORK Program Core \$50.00
- Module 2 - WAGE Program (Adult Education) \$100.00
 - Milestone - Adult Education Gain \$25.00
 - Milestone National Career Readiness
 - Bronze \$50.00
 - Silver \$100.00
 - Gold \$150.00
 - Platinum \$300.00
- Module 3 - Customer Service \$75.00
- Module 4 - Industrial Foundation \$50.00
- Module 5 - Interview & Employment \$300.00

Additional Services Available to Participants if Approved:

- Food pantry
- Career Pathways
 - Gas Vouchers
 - Day Care Vouchers
- Career Closet

GREDF Request for the WORKING towards WAGES Program:

Request GREDF \$64,000

In anticipation of serving 80 county residents for the *WORKING towards WAGES* program, ANC is requesting \$800 per person in stipends. Stipends will be given at the end of each module completion if a student meets 80% of the competencies. This revised WORK program is approximately 120 hours and is highly individualized per person. An individual may finish the program in less than 120 hours by hitting all of the modules and milestones. This redesigned program is tailored towards customer service entities such as retail and business sectors as well as the manufacturing/industry sector. *WORKING towards WAGES* program will begin July 1, 2023.

Staff

<p>Michael Smith Work+WAGE Coordinator Phone: 1-870-780-1270 Email: msmith@smail.anc.edu Office location: T113</p>	<p>Torian Bell Work+WAGE Instructor Phone: 870-284-0763 Email :tbell@smail.anc.edu Office location: T220</p>	<p>Adron Poole Work+WAGE Instructor/Recruiter Phone:870-762-5534 Email: apoole@smail.anc.edu Office location:T110</p>
<p>Michelle Chapman Work+WAGE Instructor Phone: 870-763-6222 Email: mchapman@smail.anc.edu Office location:</p>	<p>Michael Graham Adult Education Director Phone: 870-763-6222 Email: mgraham@smail.anc.edu Office location:</p>	<p>Stacey Walker Dean Customized Training Phone: 870-838-2966 Email: swalker@smail.anc.edu Office location: T108</p>



WORK Core Module 1	WAGE Module 2	Customer Service / Retail Module 3	Industry Module 4	Final Testing
Orientation, Goal Setting, Program Info	Wage Orientation	Basic Business Finance	OSHA 10	National Career Readiness
ANC Wrap around services	Pretest - Tabe*	Security of information	First Aid CPR	Tabc Post Test
Pretest - Tabe*	Creating Email	Phone Etiquette	Quality Concepts	
One Stop Career Assessments*	Establish Contact with Career Coach	Communication Skills	Applied Math*	
Cultural Competencies	Career Coach meeting & interview	Emotional intelligence		
Mock Interview*	Save and upload document	Professionalism		
Computer Skills*	Career interest inventory			
Keyboarding*	Real life Arkansas - career explorations			
	Computer Skills*			
	Create accepting invites			
	Keyboarding using typing.com *			
	Work Skills			
	Register w/ Arkansas Workforce			
	Mock Interview*			
	Money Skills*			
	Contact your instructor			
	Customer Service quiz			
	Post-test			

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

MISSISSIPPI COUNTY QUORUM COURT

APPROPRIATION ORDINANCE NO. O-2023-_____

*AN ORDINANCE FUNDING THE "WORKING TOWARDS WAGES"
PROGRAM AT ARKANSAS NORTHEASTERN COLLEGE*

WHEREAS, the County wishes to fund the "WORKING Towards WAGES" program at Arkansas Northeastern College; and

WHEREAS, the program is designed to help students develop the skills necessary to succeed in the modern workplace; and

WHEREAS, the program is modularized in nature, containing milestones where one may earn stipends; and

WHEREAS, more information about the program may be found in the attachment labeled "Exhibit A"; and

WHEREAS, the County wishes to appropriate \$64,000.00 in order to fund this program; and

WHEREAS, the Finance Committee has reviewed and approved these adjustments.

NOW, THEREFORE, be it enacted by the Quorum Court of Mississippi County, Arkansas, that:

I.

The following appropriations/modifications are hereby made for the FY 2023 budget:

SLOT/ACCOUNT #	DESCRIPTION	AMOUNT
3414.0129.3105	WORKING Toward Wages	\$64,000.00

II.

All appropriations previously authorized, approved, and made as to all other offices, departments, and agencies of county government, and all other funds not hereinabove changed, are to remain as previously appropriated. Detailed provisions of said appropriations are reflected in the schedule of specific items listed by account numbers within the category for each office and filed in the Office of the County Court Clerk.

5
6 III.

7 This Ordinance, being an appropriation ordinance, shall be in full force and effect
8 immediately from and after its passage and approval by the County Judge.
9

10
11
12
13 DATE: _____
14

15 APPROVED:
16
17 _____
18 JOHN ALAN NELSON, COUNTY JUDGE
19
20

21 ATTEST:
22
23
24 _____
25

26 JANICE CURRIE, COUNTY CLERK
27 & SECRETARY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

MISSISSIPPI COUNTY QUORUM COURT
APPROPRIATION ORDINANCE NO. O-2023-_____

*AN ORDINANCE FUNDING THE ONGOING HEALTH
DEPARTMENT CONSTRUCTION PROJECTS*

WHEREAS, certain appropriations are needed in order to fund the ongoing Health Department construction projects at both the Osceola and Blytheville units; and

WHEREAS, there have been certain change orders for the Osceola Health Unit project, which includes more sheetrock replacement than initially expected, that total approximately \$85,000.00; and

WHEREAS, an additional \$115,000 shall be appropriated to fund any future essential change orders should they arise; and

WHEREAS, the Finance Committee has reviewed and approved these adjustments.

NOW, THEREFORE, be it enacted by the Quorum Court of Mississippi County, Arkansas, that:

I.

The following appropriations/modifications are hereby made for the FY 2023 budget:

SLOT/ACCOUNT #	DESCRIPTION	AMOUNT
1006.0300.4006	Construction in Progress	\$200,000.00

II.

All appropriations previously authorized, approved, and made as to all other offices, departments, and agencies of county government, and all other funds not hereinabove changed, are to remain as previously appropriated. Detailed provisions of said appropriations are reflected in the schedule of specific items listed by account numbers within the category for each office and filed in the Office of the County Court Clerk.

4
5
6 III.

7 This Ordinance, being an appropriation ordinance, shall be in full force and effect
8 immediately from and after its passage and approval by the County Judge.
9

10
11
12
13 DATE: _____

APPROVED:

14
15
16
17 _____
18 JOHN ALAN NELSON, COUNTY JUDGE
19
20

21 ATTEST:

22
23
24 _____
25
26 JANICE CURRIE, COUNTY CLERK
27 & SECRETARY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

MISSISSIPPI COUNTY QUORUM COURT
APPROPRIATION ORDINANCE NO. O-2023-_____

AN APPROPRIATION TO PAY iPARAMETRICS, THE COUNTY'S ARP CONSULTANT, FOR PROFESSIONAL SERVICES

WHEREAS, an appropriation of an additional five thousand dollars to the FY 2023 budget is needed in order to pay the County's ARP consulting firm, iParameters; and

WHEREAS, this appropriation shall be paid from the County's ARP Funds; and

WHEREAS, the Finance Committee has reviewed and approved these appropriations.

NOW, THEREFORE, be it enacted by the Quorum Court of Mississippi County, Arkansas, that:

I.

The following appropriations/modifications are hereby made for the FY 2023 budget:

SLOT/ACCOUNT #	DESCRIPTION	AMOUNT
1006.0111.3009	Professional Services	\$5,000.00

II.

All appropriations previously authorized, approved, and made as to all other offices, departments, and agencies of county government, and all other funds not hereinabove changed, are to remain as previously appropriated. Detailed provisions of said appropriations are reflected in the schedule of specific items listed by account numbers within the category for each office and filed in the Office of the County Court Clerk.

5
6 III.

7 This Ordinance, being an appropriation ordinance, shall be in full force and effect
8 immediately from and after its passage and approval by the County Judge.
9

10
11
12
13 DATE: _____
14

15 APPROVED:
16
17 _____
18 JOHN ALAN NELSON, COUNTY JUDGE
19
20

21 ATTEST:
22
23
24 _____
25
26 JANICE CURRIE, COUNTY CLERK
27 & SECRETARY