

ORDINANCE NO. O-18-34

FILED

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED:

2018 JUN 26 AM 9 22

SA J. SMITH
GARLAND COUNTY CLERK

“AN ORDINANCE AUTHORIZING THE FILING OF A LIEN FOR THE COSTS OF EMERGENCY ABATEMENT AND CLEAN UP OF OFFENSIVE, HAZARDOUS AND UNSANITARY CONDITIONS AT 117/126 ARCADE STREET, HOT SPRINGS, ARKANSAS. DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, Mrs. M. Garfield Hutchinson is the owner of record of certain real property situated in Hot Springs, Garland County, Arkansas. more particularly described as follows:

LAYMAN'S DESCRIPTION: 117/126 Arcade Street

GARLAND COUNTY PARCEL: 200-53901-006-000

WHEREAS, offensive, hazardous and unsanitary conditions existed on the property to such degree as to constitute a public health hazard and an imminent safety hazard to life or property, creating a need for emergency abatement by Garland County pursuant to Garland County Ordinances 0-17-34 and 0-07-22, as authorized by Arkansas Code Annotated 14-14-813:

WHEREAS, Garland County performed emergency abatement and clean up on said property and expended \$17,022.55 in equipment use, man hours, and disposal costs, pursuant to the Affidavit of Expenses attached hereto and incorporated herein as Exhibit 1.

WHEREAS, Garland County is authorized by Ordinances 0-17-34 and 0-07-22, as authorized by Arkansas Code Annotated 14-14-813 to assert a lien for the costs of abatement and clean up,

WHEREAS, notice of intent to assert a lien and notice of the date and time of the public hearing in this matter has been provided by certified mail and regular mail to the owner of record, to any other persons listed for notice purposes regarding this parcel in the Garland County assessor's records, and such notice has been posted on the property.


NOW THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS:


SECTION 1. That Garland County, by its appropriate official or designee, is hereby authorized to file and record a lien against the above property in the amount of \$17,022.55, plus costs, together with the costs of collection.


SECTION 2. That the Quorum Court hereby certifies \$17,022.55, plus costs, together with the costs of collection to the Garland County Tax Collector to be placed on the tax books as a lien on the above described property and collected accordingly.

SECTION 3. That time is of the essence and an emergency is hereby declared to exist and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Garland County, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 25th day of June, 2018.

ATTEST: 
Sarah Smith
Garland County Clerk

APPROVED: 
Rick Davis
Garland County Judge

SPONSOR:  DATE: 6/25/18

AFFIDAVIT OF RICK DAVIS

My name is Rick Davis. I am the Garland County Judge and I am the chief administrative officer for Garland County government. I hereby certify that the information attached is an accurate record of Garland County's expenses in the emergency abatement of the premises at 117/226 Arcade Street, Hot Springs, Garland County, Arkansas.

Further Affiant says not

Rick Davis

Rick Davis, Affiant

5-3-18

Date

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) §
COUNTY OF GARLAND)

I hereby certify that on this day before me personally appeared RICK DAVIS, to me well known to be the person described in who executed the foregoing statement duly acknowledged before me, and that he executed the same for the purposes therein expressed.

SUBSCRIBED and SWORN to before me, a Notary Public, this 3 of May, 2018.

Cyndi Spakes

Notary Public

My commission expires:

11/23/23



ARCADE STREET CLEAN-UP

Garland County Road Department	9,066.47
Garland County Landfill	7,896.50
Garland County Environmental Inspections	<u>59.58</u>
	17,022.55

Labor

Date	Name	Reg Hrs	OT Hrs	Reg	OT	Amount
02/27/18	GEORGE ALFORD	8.00	0.00	12.51	18.77	100.08
02/27/18	THOMAS L BARTSCH	8.00	0.00	15.81	23.72	126.48
02/27/18	WESLEY R GRAVES	8.00	0.00	15.81	23.72	126.48
02/27/18	LUKE MAXWELL	8.00	0.00	11.12	16.68	88.96
02/27/18	SHAQUILLE VAUGHN	8.00	0.00	10.39	15.59	83.12
02/28/18	GEORGE ALFORD	7.00	0.00	12.51	18.77	87.57
02/28/18	THOMAS L BARTSCH	7.00	0.00	15.81	23.72	110.67
02/28/18	WESLEY R GRAVES	7.00	0.00	15.81	23.72	110.67
02/28/18	D. DEWAYNE HELMS	7.00	0.00	17.78	26.67	124.46
02/28/18	TONY L PIKE	7.00	0.00	12.51	18.77	87.57
02/28/18	SHAQUILLE VAUGHN	7.00	0.00	10.39	15.59	72.73
03/01/18	D. DEWAYNE HELMS	7.00	0.00	17.78	26.67	124.46
03/01/18	TONY L PIKE	7.00	0.00	12.51	18.77	87.57
03/02/18	D. DEWAYNE HELMS	7.00	0.00	17.78	26.67	124.46
03/02/18	JOSEPH HOOPER	6.00	0.00	14.15	21.23	84.90
03/02/18	HERBERT NELSON	6.00	0.00	14.15	21.23	84.90
03/02/18	TONY L PIKE	7.00	0.00	12.51	18.77	87.57
03/02/18	JEFFREY D VANCE	6.00	0.00	14.15	21.23	84.90
03/05/18	LARRY AULT	5.00	0.00	21.43	32.15	107.15
03/05/18	THOMAS L BARTSCH	7.00	0.00	15.81	23.72	110.67
03/05/18	ISIDRO CERRILLO	7.00	0.00	15.45	23.18	108.15
03/05/18	D. DEWAYNE HELMS	7.00	0.00	17.78	26.67	124.46
03/05/18	LUKE MAXWELL	7.00	0.00	11.12	16.68	77.84
03/05/18	HERBERT NELSON	4.00	0.00	14.15	21.23	56.60
03/05/18	TONY L PIKE	7.00	0.00	12.51	18.77	87.57
03/05/18	SHAQUILLE VAUGHN	7.00	0.00	10.39	15.59	72.73
Labor Total....						2,542.72

Equipment

Date	No	Description	Qty	Rate	Amount
02/27/18	359	INTERNATIONAL 7400 TRUCK	7.00	30.75	215.25
02/27/18	268	BELSHE TRAILER	7.00	11.25	78.75
02/27/18	409	CAT MINI EXCAVATOR 308E, CAT308ECR	7.00	43.00	301.00
02/27/18	358	INTERNATIONAL 7600 TRUCK	7.00	30.75	215.25
02/27/18	360	INTERSTATE 30 DLE TAGALONG TRAILER	7.00	11.25	78.75
02/27/18	402	CAT TRACKHOE, MODEL 305.5E CRA	7.00	72.00	504.00
02/27/18	396	FORD F250 PICKUP	7.00	20.80	145.60
02/28/18	359	INTERNATIONAL 7400 TRUCK	7.00	30.75	215.25
02/28/18	268	BELSHE TRAILER	6.00	11.25	67.50
02/28/18	409	CAT MINI EXCAVATOR 308E, CAT308ECR	6.00	43.00	258.00
02/28/18	358	INTERNATIONAL 7600 TRUCK	6.00	30.75	184.50

2012

Complaint# 002306

Road Name ARCADE LN

Received 02/28/2018

02/28/18	360	INTERSTATE 30 DLE TAGALONG TRAILER	6.00	11.25	67.50
02/28/18	402	CAT TRACKHOE, MODEL 305.5E CRA	6.00	72.00	432.00
02/28/18	396	FORD F250 PICKUP	6.00	20.80	124.80
03/02/18	411	MACK DUMP TRUCK, MODEL CHU613	6.00	71.50	429.00
03/02/18	410	MACK DUMP TRUCK, MODEL CHU613	6.00	71.50	429.00
03/02/18	400	INTERNATIONAL 7400 SBA 6X4 DUMP TRUCK	6.00	71.50	429.00
03/05/18	359	INTERNATIONAL 7400 TRUCK	6.00	30.75	184.50
03/05/18	268	BELSHE TRAILER	6.00	11.25	67.50
03/05/18	409	CAT MINI EXCAVATOR 308E, CAT308ECR	6.00	43.00	258.00
03/05/18	411	MACK DUMP TRUCK, MODEL CHU613	4.00	71.50	286.00
03/01/18	398	CAT TRACKHOE 316E	7.00	72.00	504.00
03/01/18	403	DODGE RAM 1500 PU	7.00	19.45	136.15
03/02/18	398	CAT TRACKHOE 316E	7.00	72.00	504.00
03/02/18	403	DODGE RAM 1500 PU	7.00	19.45	136.15
02/28/18	403	DODGE RAM 1500 PU	7.00	19.45	136.15
03/05/18	403	DODGE RAM 1500 PU	7.00	19.45	136.15
03/02/18	345	CHEVROLET FLATBED TRUCK SC3	5.00		0.00
Equipment Total....					6,523.75

Total Project Cost.... 9,066.47

Garland County Landfill Cleanup of property for Storm water

Employees	HR'S	Equipment	Amount
Rick Beideck	16	Mack Roll/Off 22/48	
Edward How	8	Mack Roll/Off 22/48	
Cliff Roger	8	Mack Roll/Off 22/48	
Berry McBroom	10	Mack Roll/Off 22/48	
Billy Sawyer	8	F250/11 Yard dumpster	
Man Hours Total			\$715.36
 The Tonnage amount received	 211.32 @34. A ton		 Waste Total \$7181.14
			Grand Total \$7896.50