

# Committee of Thirteen Report

January 13, 2009

The Committee of Thirteen of the Benton County Quorum Court met Monday, January 13, 2009 at 6:00 P.M. in the Quorum Court Room, County Administration Building, Third Floor, 215 East Central, Bentonville, Arkansas.

Present: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen, Douglas, Blaty, Winscott, Harrison, Stephenson

Others Present: County Judge David Bisbee, Richard McComas, Barbara Ludwig, Kathy Bannister

Media: Tabatha Hunter – Daily Record; Scarlett Simms – Morning News

JP Bob Stephenson called the meeting to order at 6 p.m.

## **AMENDED AGENDA**

County Judge David Bisbee addressed the Committee on two separate items.

Judge Bisbee reported on the three trucks ordered for the Road Department. He said that the vehicles were \$1,500 to \$2,000 below sticker price and \$3,000 below blue book price. He said that after George Nunnally could not fulfill the contract we went to the second bidder, which was legal and well intended. JP Moore stated that the sticker price for the trucks was \$30,000. Judge Bisbee listed the specs, including a 5-liter V8 engine, 4-speed 4-wheel drive, 4-door, 8-foot bed, and a power package for an additional \$1,000, which he explained is necessary because it includes the power side rearview mirror adjustment, which is a safety issue when towing equipment. He said that George Nunnally's price was lower than what could have been obtained through state bid, and the bid from the Tulsa dealer was \$2,500 higher.

JP Wolfe questioned why the vehicles were not bid through the State. JP Sandlin asked when the original bid was let, because the state bids have to be submitted at the first of the year, and even then only a limited number of vehicles are available. Judge Bisbee noted that even state bids were through a dealer in Little Rock, and he would like to spend the money in Benton County if possible. Richard McComas stated that if the vehicles had anything different on them other than what was listed on the state bid, that they had to be ordered. Richard McComas stated that we did not have to go to bid in order to use the state contract.

County Judge Bisbee reported Mr. Ecker is no longer with the county per agreement by both of them. He said Mr. Ecker resigned yesterday, and was very gracious in taking time to brief Judge Bisbee on ongoing projects. He added that Mr. Ecker served the country well, and that Mr. Ecker had started a lot of good programs for the county which he fully intends to continue, including the county clean up, shredding, drug burning. Judge Bisbee said that he would like to thank Mr. Ecker for his service. Judge Bisbee stated that during his first week and three days in office, he encountered difficulties, although he did not want to say they were bad difficulties, in being able to get information, understand what was happening, and in figuring out job descriptions, all in the Bogle Building, which houses the Environmental and Planning Departments and the Fire Marshall.

He said he is in the same position as the Quorum Court; he does not know if he needs a storm water ordinance or if he can do it by court order, nor does he know for sure if he has to do anything at all. He said he doesn't know if he is compliant with reports, or if there is a February 1 deadline. He said he does not know the ramifications of any of this, nor does he have the time to learn how to be a County Planner or an Environmental Officer quickly enough to be able to answer those questions and still run the county. Judge Bisbee stated that he would like to announce that on January 2, one of their former colleagues, Chris Glass, has agreed to go in to the Bogle Building, not permanently and not as the head environmental officer, but to supervise the entire building to contact the appropriate state and federal agencies, study the appropriate laws, to report back to the County Judge. He said he, the County Judge, could then report to the Quorum Court on what they need. Judge Bisbee said that Mr. Glass has the experience to do that, he has been a lawyer, a business man, a building contractor, construction lawyer, and came to here with Wal-Mart as a land lawyer. He said that everything Mr. Glass knows fits well with what he has asked him to do.

Judge Bisbee said that if Mr. Glass were hired at 90% of the midpoint of the salary range for the Environmental Officer, he would be making less than the Planning Director that he would be supervising. He said that since there is a vacancy in the position of Assistant County Administrator, he will bring Mr. Glass in, temporarily, at that salary. After Mr. Glass completes the job, Judge Bisbee stated that he will come back to the Quorum Court with a reorganization of some of his departments. He said at that time they will straighten out salaries, and who has what position. He said this is all intended to make his department more efficient, more user-friendly, and to save money. He said they are going to make sure that the Quorum Court knows what ordinances are needed due to state and federal regulations. He said he does not believe that any of them know exactly what is needed, and he is extremely uncomfortable with that.

Judge Bisbee introduced Chris Glass to the court. He said that some might question the fact that they were opponents in the primary election for County Judge. He said that several people who ran for County Judge discovered that they had a lot in common, were like-minded, and actually became friends. JP Stephenson recognized JP Winscott. JP Winscott stated that he would like clarification on how they are to use the County Attorney; because he has some questions that he needs answered by an attorney, and would appreciate some direction from the County Judge on this matter. Judge Bisbee reported that the county contracted with George Spence to serve as out County Attorney for 60 days, and Quorum Court members are to call Mr. Spence with any questions. He said the reason he Mr. Spence has agreed to do that, is because he feels that the county would be better served by contracting for legal services instead of hiring a full time attorney. Judge Bisbee urged the Quorum Court members to call Mr. Spence with any questions they had, and to use him as they would any County Attorney, because that is the only way that they will have a good test to know if it works or not.

JP Stephenson added that Mr. Spence had called to let him know that he was unable to attend the meeting, due to a conflict, because he also serves as attorney for the Bentonville School Board which is also meeting tonight, but had offered to send his partner if JP Stephenson felt it was needed. Judge Bisbee acknowledged that he had called him also.

JP Wolf asked Judge Bisbee if he had discussed switching out the positions for Chris Glass with Human Resources Manager Barbara Ludwig, and stated that as Chair of the Personnel Committee it was her responsibility to ask. Judge Bisbee replied that he had, and that he has made very few moves unilaterally. He said if it does not play out as he hopes, he could end up short \$10,000 at the end of the year. He said that he may come back and ask for a reorganization, and may ask for some new titles, but hopefully will be able to just move money from here to there. JP Wolf noted that if Mr. Glass were still sitting on the court, he would be asking if this is going to cost the county any money.

Judge Bisbee reported that he has accepted the resignations of two members of the Planning Board – Tim Sorey and Mark Gray, and he thinks it is because they were doing business with the county and the state auditors took exception to that. He added that if the court or the public has any recommendations to fill those positions he would appreciate them.

**PUBLIC COMMENTS:**

None

**NEW BUSINESS:**

**1. Resolution Request: Application for Safe Havens Grant.**

JP Wincott made motion to approve the resolution as submitted, and forward it to the January 22, 2009 Quorum Court agenda, seconded by JP Moore.

Motion passed by unanimous show of hands vote.

**2. Ordinance Request: 2008 Budget Adjustments – Various Departments**

JP Stephenson recognized Richard McComas to address any questions regarding the budget adjustments. JP Moore made motion to forward budget adjustments to the January 22, 2009 Quorum Court agenda, seconded by JP Sandlin.

JP Douglas questioned if the county has a travel policy of sharing rooms where appropriate to cut down on travel expense. Richard McComas stated not at this time. JP Stephenson stated that would be an issue for the Personnel committee to discuss. JP Douglas noted that sharing rooms in the case of Judge Finch’s conference could potentially save \$2,600.

JP Wincott asked what monies are new monies to existing budget. Richard McComas reported that \$3,114 for Judge Finch is new money, but the rest is carried over from 2008 to 2009 budget. JP Stephenson pointed out that the \$3,114 is for the Drug Court’s travel and convention expense in order to fulfill the requirements of a \$200,000 grant. JP Wolf made motion to forward the ordinance request to the January 22, 2009 Quorum Court agenda, seconded by JP Sandlin. Motion passed by a unanimous show of hands vote.

**3. Ordinance Request: Amend Code of Ordinances – JP Per Diem**

JP Wolf made motion to forward to the January 22, 2009 Quorum Court agenda, seconded by JP Sandlin. JP Wincott questioned if this was included in the budget. Richard McComas stated that it was, but they need to go through the formality since it is addressed in a separate ordinance.

Motion passed by unanimous show of hands vote.

**OTHER BUSINESS:**

None

**ANNOUNCEMENTS:**

JP Wolf announced that the Personnel Committee will meet on Thursday January 22, 2009 at 4:00 p.m.

**PUBLIC COMMENTS:**

None

After motion and second the meeting was adjourned at 6:24 p.m.