

Committee of Thirteen Report

March 10, 2009

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, March 10, 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, Comptroller Richard McComas, County Clerk Tena O'Brien, Collector Gloria Peterson, Director of Public Service Chris Glass, Director of Public Safety Gregg Hines, and Grants Administrator Kathy Bannister

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

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

PUBLIC COMMENTS:

None

NEW BUSINESS:

1. Resolution Request: Authorizing Application for Economic Development Grant

Grants Administrator Kathy Bannister reported on a resolution request authorizing application for an Economic Development Grant. She stated that she is working with the Health Department to qualify low to moderate income individuals to replace septic systems and that there is no county match required for this grant. She explained that the other two resolutions go with this grant application, and are required by HUD regulations. One resolution is an Anti-displacement plan for low/moderate income housing and the other is an Anti- Violence policy, which is a policy prohibiting the use of excessive force by law enforcement agencies. Application for this grant requires the passage of these resolutions. She said that even though the displacement plan is required, we won't be moving people. She said we can apply for up to \$200,000, but we have to verify their income and until we meet with them we will not know who and how many qualify. JP Blaty asked why HUD requires the Anti- Violence policy if there is a way to change wording in the resolution, who determines what excessive force is, and what force is allowed. JP Wozniak stated that it is a judgment call and all situations are different with what is needed for the situation. JP Moore made a motion to forward resolution request to the March 19, 2009 Quorum Court agenda, seconded by JP Wolf.

Motion passed by unanimous voice vote.

2. Resolution Request: Authorizing Application for Gallatin Volunteer Fire Department Grant

Kathy Bannister stated this is a resolution authorizing the County Judge of Benton County to apply for a Grant on behalf of the Gallatin Fire Department for turn out gear. The Gallatin Fire Department must go through the County to apply for the Grant and is asking for \$4,600.00. She stated that the fire department has raised the matching funds. JP Allen made motion to forward the resolution request to the March 19, 2009 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous voice.

3. Appropriation Ordinance Request: Budget Adjustment – Collector

County Collector Gloria Peterson stated this appropriation ordinance request is for the purchase of a new Folder/Inserter machine used for mailing individual Tax Statements. She introduced Financial Administrator Sarah Daniels who explained the prepared budget comparison by year and the costs accrued for mailing out tax statements. Comptroller Richard McComas stated that no additional funds are being requested and that this is a transfer of funds. JP Winscott made motion to forward appropriation ordinance request to the March 19, 2009 Quorum Court agenda, seconded by JP Wolf.

Motion passed by unanimous voice vote.

4. Appropriation Ordinance Request: Budget Adjustment – County Clerk Automation Fund

County Clerk Tena O'Brien stated the appropriation ordinance request is for a 15-ft mobile shelving unit located at the old St Mary's Hospital which was purchased by the Jones Trust. She said the shelving is to be used in the Roger's satellite office where the County Archivist is located. She stated that a new unit of this type would cost \$38,500, but we have the opportunity to purchase this 6-year old unit for \$6,000 with an additional \$6,712 needed for installation. She stated the funds would come out of the County Clerk's Automation Fund. Discussion was held about the advantages of purchasing the shelving unit. JP Wolf made motion to forward appropriation ordinance request to the March 19, 2009 Quorum Court agenda, seconded by JP Hubbard.

Motion passed by unanimous voice vote.

5. Appropriation Ordinance Request: Budget Adjustment – Sheriff – SO & VC Task Force Grant Fund

Richard McComas stated this item went before the Finance Committee and is an adjustment to Department 05, Sex Offender and Violent Crimes Task Force grant that was awarded last year. He said this appropriation will decrease the budget \$12,603 from what was originally budgeted. Richard McComas stated that the amount of the transfer will be inclusive of any funds received. JP Moore made motion for the budget adjustment to be forwarded to the March 19, 2009 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous voice vote.

6. Appropriation Ordinance Request: Budget Adjustment – County Road Miscellaneous Equipment Purchases

County Judge Dave Bisbee stated this item has been through the Finance and Long Range Machinery & Equipment committees. He explained that this would allow funds to be available to buy used equipment at auctions or at a fire sale situation. He stated that the \$50,000 would be a separate account and would be used for items on the equipment list, such as dump trucks, bull dozers or other equipment. JP Wolf asked if this would be additional money. Judge Bisbee that it would be additional money, a separate line item, and would be coming out of excess funds. He added that he would contact the Finance and Equipment

chairpersons if at all possible. JP Moore made motion that the appropriation ordinance request be forwarded to the March 19, 2009 Quorum Court agenda, seconded by JP Wolf.
Motion passed by unanimous voice vote.

7. Appropriation Ordinance Request: Final 2008 Budget Adjustment

Richard McComas stated this appropriation ordinance request was taken to the Finance Committee and is for year-end budget adjustments. He said this appropriation ordinance authorizes a transfer of funds between categories and line items, appropriates additional monies, and authorizes additional expenditures in various funds and departments. The total new money is \$179,300 with \$200 going to General Fund, \$179,000 for the County Health Insurance Fund, and \$100 for Jail Court Fund. JP Wolf made motion that the appropriation ordinance request be forwarded to the March 19, 2009 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous voice vote.

8. Appropriation Ordinance Request: 2008 Unemployment Taxes

Richard McComas stated this appropriation is to pay unemployment claims for 2008. He said we are on the reimbursement method for paying our unemployment taxes. The total appropriation for all department claims is \$102,400.83 and of that \$79,971.09 is for the General Fund, \$2,169 for the Collector Fund, \$6,213.377 the Assessor Fund, \$10,516.17 for County Road Fund, and \$3,530.80 for the Public Defender. He explained that eight years ago we switched from the percentage method to the reimbursement method, which has saved about \$225,000.a year. JP Moore made motion that the appropriation ordinance request be forwarded to the March 19, 2009 Quorum Court agenda, seconded by JP Harrison.

Motion passed by unanimous voice vote.

OTHER BUSINESS:

Judge Bisbee stated that it came to light last week that the courtroom that the county has spent \$160,000 on doesn't work and that the Circuit Judge has asked for it to be rebuilt. He stated that you cannot put a jury in there; the jury box is way too small, and there is not enough space for the jurors to be able to move. He said the Judge has no way to call an attorney to the bench because they cannot get there, cannot have a side bar, the clerk cannot see the witness, and the judge cannot see the clerk. He said that although the courtroom has only been up and running since January, it will need to be torn out and rebuilt. JP Allen asked how something like this could be built. JP Hubbard stated this is what we get when we have an environmental office in charge of a building project. JP Wolf stated that she is disappointed and cannot think of a meeting that was had where they were not questioning the information given. She stated that the judge kept assuring them that everything was going perfect. JP Winscott stated that he wanted this to be the last time we see this project. Discussion was had about the courtroom regarding what work could be done, how the work should be done, and what permits would be required. Judge Bisbee stated he had secured an estimate to remodel the courtroom from Custom Carpentry in Rogers for \$16,500. Committee members requested that a licensed architect examine the building and send the project out to bid to ensure that the county receives the best possible rate on the project even though state law says that the County Judge may hire services up to \$20,000. Judge Bisbee stated that he wanted full disclosure and will let bids. JP Moore asked how long this would take to get done, and what we would do for a court room. Judge Bisbee stated that it would be two to three weeks to start on the work and the judge could use the Quorum Court room for court. JP Sandlin asked how long is the lease on the building and how much more are we going to spend on a building we don't own. JP Stephenson referred to the project as

the “courtroom of doom” and said that it has been screwed up since day one. More discussion was held among the members for the steps needed to get the court room finished.

County Administrator Chris Glass reported on the Public Health Clinic in Siloam Springs and stated that the building also needs additional work and should be sent out for bid. He stated after walking through the building with a contractor they found numerous problems, including rotten floors, sewer system problems, inadequate heating, plumbing problems, and that it only has a 20-gallon hot water heater. He said the building is a beautiful building, and a historical building, but the interior is lacking and asked the committee to approve an architect to go there and look at that building. JP Wolf stated that Loy Bailey told us this was a turn key building and that they just have to add a little more to the original quote of \$4,600. JP Stephenson asked how the building was purchased, was there a realtor involved, a property owner’s disclosure statement and did the building have a termite inspection. He stated that they need to know how it was purchased and from whom. Chris Glass stated that there was a broker/realtor involved and that he should be able to get all of that information. More discussion was had regarding concerns with the building and whether the building had ever been inspected and what was disclosed when purchased. JP Allen stated that his recommendation is to get the same architect we will be using for the court room to go look at the building in Siloam Springs. The Committee of Thirteen accepted JP Allen’s recommendation by acclamation.

Lengthy discussion was had by Committee of Thirteen members and County Judge Bisbee with regards to time allowance to dispense the agenda to the members of the Quorum Court and to the other committees, items being turned in and added to the agenda in a proper time frame and the other duties of the committees. JP Hubbard made a motion that all appointments for applications come to the Committee of Thirteen before going to the Quorum Court for confirmation, seconded by JP Wolf. JP Stephenson noted that if items to be added to an agenda are not turned in within a certain time frame, they can wait until the next meeting. JP Wolf stated we need to remember that the Committee of Thirteen is a working meeting. Motion passed by unanimous voice vote.

ANNOUNCEMENTS:

JP Wolf announced that the Personnel Committee will meet on Wednesday, March 25, 2009 at 3:30 p.m. and that a JESAP meeting will be held on Friday, March 20, 2009 at 9:30 a.m.

JP Winscott announced that the Long Range Planning/ Real Estate & Building will meet on Thursday, April 9, 2009 at 5:30 p.m.

After motion and second the meeting adjourned at 7:45 p.m.