

# Committee of Thirteen Report

April 11, 2006

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, April 11, 2006 at 5:00 P.M. in the Quorum Court Room, County Administration Building, Third Floor, 215 East Central, Bentonville, Arkansas.

10 JPs Present: Adams, Harrison, Hill, Moore, Schindler, Sheridan, Stephenson, Summers, Tharp, Wolf  
3 Absent: Allen, Sampier, Wozniak  
Others Present: County Judge Gary Black, Assessor Shirley Sandlin, Richard McComas, Kathy Bannister, Travis Harp  
Media: Jennifer Turner – Daily Record, Joe Askins – Morning News

JP Tim Summers called the meeting to order at 5:00 p.m.

## **PUBLIC COMMENTS:**

None

JP Sheridan asked that Item 11 be added to the agenda, and stated that there is a medical situation in the Assessor's office that needs to be discussed.

## **NEW BUSINESS:**

### **1. Presentation: War Eagle Bridge Rehabilitation – Garver Engineering**

Assistant County Administrator Travis Harp introduced Frank McIllwain and Chris Wilbourn of Garver Engineering who gave a power point presentation on the condition of War Eagle Bridge and three options for rehabilitating it. Frank McIllwain described the detailed structural analysis that was performed, and described the three alternatives for repairing the bridge. Frank McIllwain said that in Option #1, the approach would be reconstructed, which is the number one factor in the low load rating and will involve replacing 120 feet of bridge and 150 feet of roadway. He said they would also encapsulate the stone piers, replace the timber decking, and improve the floor channel.

He said that Option #2 would increase the load rating to H-10, include all of the improvements in Option #1, and in addition they would remove and replace the rivets, and remove and replace the pins in all four vertical steel truss members. He added that the condition of the pins is the number two determining factor in the load rating.

He said that Option #3 would increase the load rating to H-15, and he believed that with a permit from the AHTD, fire trucks would be allowed emergency access to the bridge. He said that Option 3 will include everything in Option 1, and in addition they will install a ½ - inch cover plate on the floor of the bridge, remove and replace all 16 pins on the main tension members, replace the lower portion of the vertical truss compression members, and will require temporary shoring of the truss span, which increases the cost significantly.

JP Stephenson asked what the difference in lifespan would be between Options 2 and 3. Frank McIllwain stated that Option 3 would get the maximum lifespan out of the bridge. Chris Wilbourn stated that the bridge was built in 1907, and nothing they can do will create a new

bridge, but he thinks that Option 3 could extend its lifespan by 20 to 30 years. He said that Option 2 would increase it by 10 to 15 years, but the bridge would have to be watched more closely and inspected more often. Frank McIllwain listed the probable costs and project length for each option: Option 1 - \$806,752 and 8 months, Option 2 - \$915,975 and 10 months, and Option 3 - \$1,755,600 and 16 months. He said that they would try to schedule the work so that the bridge would not be closed for the entire duration of the project, but for periods of time throughout the project. JP Wolf asked if the bridge would be safe while it was being worked on, and stated that she did not want a band-aid that was not safe during the War Eagle Crafts Festival. Frank McIllwain stated that they would schedule the work so that the bridge would not be weakened during the Craft Fair. Travis Harp stated that the only option that would weaken the bridge was Option 3, while the pins are being replaced. JP Wolf noted that the bridge is on the Historical Registry and asked if they will try to preserve its historical integrity. Travis Harp and Frank McIllwain stated that they would.

JP Adams stated that he was amazed that the engineering of 100 years ago was able to produce a bridge that has lasted this long, but that the technology available today could only expand its lifespan 20 or 30 years. He asked if Option 1 could increase the lifespan more if traffic on the bridge were limited to passenger vehicles only. Chris Wilbourn stated that Option 1 will only maintain the bridge, and it would have to be inspected frequently. JP Adams asked if the cost effectiveness of building a new bridge at another location had been studied. Travis Harp stated that the probable cost on a project like that would be between \$4 and \$6 million, because in addition to the bridge, the county would have to purchase land and build the roadway to the bridge. JP Tharp stated that since the bridge will be altered from its original appearance anyway, perhaps they should look at somehow incorporating the structure into a new bridge that could support all types of traffic. Travis Harp stated that the original intent of the project was not to restore the bridge to be historically accurate, because that cannot be done, but to get it restored to the point that it could be usable. He added that his preference was Option 2, because Option 3 did not add that much to the lifespan for the amount of money it cost. He said as far as getting the load rating up to H-15, or 30,000 pounds, a fully loaded fire truck weighs 50,000 pounds, and if they need to get over the bridge they can do that now. He said that rarely happens because fire departments are located on both sides of the bridge, and trucks would only need to cross it to assist another department in a major fire. He also added that since they are using federal funds, and the bridge is on the Historical Registry, the historical people will have to approve the plans. JP Stephenson asked how far the detour is for a truck that cannot cross the bridge. Travis Harp stated that it is about 12 miles. JP Moore stated that if they upgrade the bridge to handle fire trucks, then there will be no way to keep feed trucks and RV's off of it. Travis Harp stated that they will not change the height restrictions on the bridge, but are only trying to get the bridge to its optimal safe condition.

JP Tharp stated the only reason they are talking about this bridge is because the Old War Eagle Mill is there, and cited examples of other bridges in the county being closed or replaced when they deteriorated to this point. Travis Harp stated that the Arkansas Highway Department is the authority that closes the bridges, and everyone in the state is having a problem keeping bridges open.

JP Stephenson asked if this option has been discussed with the residents of the War Eagle area. Travis Harp stated that it had not. JP Stephenson asked if they were on a time restriction for making a decision tonight. Travis Harp stated they could forward the matter to the Quorum Court so there could be more discussion and public input, or they can hold off and study it for

awhile. JP Summers stated that he would like more feedback from people who live in the area. Travis Harp stated that the bridge is well-known all over the country, and the people who live there want it restored.

JP Stephenson made motion to forward the proposal to the Quorum Court, seconded by JP Moore. JP Stephenson stated that he wanted to be sure that they had plenty of input from the public. Chris Wilbourn stated that if Option 2 is selected, the first step will be to do ultrasonic testing of the pins to see if they need to be replaced. JP Summers stated that it sounded like they were not ready for a decision tonight anyway. Chris Wilbourn stated that there is no unknown in Option 3 because the pins will all be replaced anyway.

Travis Harp stated that the grant they are applying for is in the amount of \$640,000 and 15% of that will be kept by the State of Arkansas as an administration fee. He said the County has received \$104,000 from the State, so the County's cost will be between \$250,000 and \$300,000. Comptroller Richard McComas was recognized and he confirmed those figures, and added that these are cost estimates, and the project still has to be let out for bid. Frank McIllwain stated that the engineering costs are included in the estimates.

JP Tharp stated that it seemed they were moving rapidly and he was not sure he had enough information to make a decision at this point. JP Wolf stated that she did not think they should forward the proposal to the Quorum Court, because they will have to vote on it. She asked if there was a deadline that they had to meet in order to use the grant. Travis Harp stated that there was no deadline, but they have to have the Resolution passed in order to get the ball rolling on the Federal funds. JP Sheridan asked what the cost will be for the ultrasonic testing of the pins. Chris Wilbourn stated that it would cost \$17,500 and was included in the Option 2 estimate. Motion failed—4 votes in favor, 5 votes against.

JP Schindler made motion to refer the proposal to the Long Range Planning/Properties Committee, to allow for more discussion and public input. Motion passed by unanimous show of hands vote.

## **2. Discussion: Public Facilities Board Bond Issue – Ralph Williams**

Ralph Williams stated that he is asking the Quorum Court to pass a Resolution approving a bond issue by the Public Facilities Board to provide permanent financing for a multifamily housing project in Bentonville, as they have done several times in the past. JP Adams made motion to approve and forward to the April 27, 2006 Quorum Court meeting, seconded by JP Moore. JP Stephenson asked if this would affect the County's ability to borrow money. Ralph Williams said that he did not think it would be a detriment, but would contact the County's bond counsel and have a definite answer to that question before the April Quorum Court meeting. Motion passed by unanimous show of hands vote.

## **3. Resolution Request – Federal Aid High Priority Funds for War Eagle Bridge**

Grants Administrator Kathy Bannister stated that the Arkansas Highway/Transportation Department asked that this Resolution be passed, which states the county's intent to participate in the Federal Highway Funds program. JP Adams made motion to approve, and forward the request to the April 27, 2006 Quorum Court meeting, seconded by JP Harrison. JP Moore stated that this Resolution was necessary to get the ball rolling on the War Eagle Bridge project. Motion passed by unanimous show of hands vote.

#### **4. Resolution Request – Application for Science and Technology Grant From the Environmental Protection Agency**

Grants Administrator Kathy Bannister stated that they are asking for a Resolution authorizing application for a \$300,000 grant from the Environmental Protection Agency. JP Sheridan made motion to approve, and forward the request to the April 27, 2006 Quorum Court meeting, seconded by JP Stephenson. JP Stephenson asked what the grant was for. GIS Coordinator Elizabeth Bowen was recognized and explained that it was a water quality study grant. JP Stephenson asked how many agencies are currently monitoring the water quality in Beaver Lake, and what the County hoped to accomplish by spending \$300,000 just because it is there. Elizabeth Bowen stated that there are numerous agencies studying the issue, and the county staff hopes to add the information from those groups to the data that they will obtain through their study. She said they will also be doing a pollution point source thermal imaging study, to identify source pollution around Beaver Lake, such as septic systems which might be leaking. JP Stephenson asked which County department would be in charge. Elizabeth Bowen stated that she would be the project manager, and Environmental Services would be involved, along with several agencies such as the USGS, the Corps of Engineers, and the EPA. JP Stephenson asked if the ADEQ in Little Rock would be involved. Elizabeth Bowen stated that they were on her list of contacts. JP Stephenson stated that they do not even clean up their own mess. JP Adams asked if accepting the grant would obligate the County to hire more staff. Elizabeth Bowen stated that the grant does not support adding any staff members beyond the project. JP Adams asked if it would require adding more people to the county payroll, and would the cost of those people be more than the amount of the grant. Elizabeth Bowen stated that there could be additional people added to the county, but it would be inclusive in the grant. JP Tharp stated that it sounds like the study might provide information that might have been helpful to the Environmental Committee in dealing with some of the issues it has had to face this year. He said if it would give the county information that it could use instead of having to rely on the “experts” that they are constantly hearing from, then he was in favor of it. JP Wolf asked if the grant was renewable. Elizabeth Bowen stated that it was a one-time research grant to provide the policy makers with information to make decisions. JP Sheridan asked if the grant required matching funds. Elizabeth Bowen stated that it did not. Motion passed by unanimous show of hands vote.

#### **5 Ordinance Request – Setting Fees for Media Materials**

JP Summers stated that this was an ordinance to set fees for media materials in the various offices. JP Sheridan made motion to approve and forward the ordinance to the April 27, 2006 Quorum Court meeting, seconded by JP Wolf. JP Adams asked if this would be in conflict with FOIA laws which prohibit charging for electronically transmitted data. Elizabeth Bowen stated that they are not charging for the information, but for the time and bandwidth required to make it available, and FOI requests are treated separately. JP Wolf stated that she would like to recognize Joe Askins of the Morning News. Joe Askins stated that he has had to pay for certain FOI information. JP Adams stated that he was referring to certain electronically transmitted data that you cannot require someone to pay for. Assessor Shirley Sandlin was recognized and stated that certain requests are not FOI-able, such as requests from outside the state. She said that they are simply trying to offset some of the expenses with a standard ordinance. JP Wolf stated that most municipalities and cities are already doing this. JP Tharp stated that he wanted to be sure

these are fees already being charged and not new fees. JP Summers stated that they are not. Motion passed by unanimous show of hands vote.

**6. Ordinance Request – Appropriating Funds and Authorizing Transfers in Various Departments – 2006 Budget**

JP Summers stated that this was forwarded from the Finance Committee, and they pay the unemployment taxes when they are billed. He added that they have saved several thousand dollars over the last several years by doing it this way. JP Stephenson made motion to forward the request to the April 27, 2006 Quorum Court meeting, seconded by JP Harrison. Motion passed by unanimous show of hands vote.

**7. Ordinance Request – 2005 Clean Up Ordinance (Transfers in Line Items and Categories and Additional Appropriations)**

Comptroller Richard McComas stated that the additional appropriations from County General totaled \$46,000. JP Summers stated they did this routinely every year after all of the invoices were received. JP Stephenson made motion to forward the request to the April 27, 2006 Quorum Court meeting, seconded by JP Sheridan. Motion passed by unanimous show of hands vote.

JP Summers called a 5-minute recess.

Meeting reconvened.

JP Summers stated that the press had left the meeting, and recognized two students from Northwest Arkansas Community College who were observing the meeting for a government class.

**8. Discussion: 2005 Clean Up Ordinance (Fund to Fund Transfers)**

Comptroller Richard McComas stated that this was a clean up ordinance involving several transfers from one fund to another that they do every year, and they would receive the document in the Quorum Court packet. JP Adams made motion to forward the ordinance to the April 27, 2006 Quorum Court meeting, seconded by JP Stephenson. Motion passed by unanimous show of hands vote.

**9. Discussion: Grand Jury Proceedings – Impact on Budget (Judge Clinger and Circuit Clerk’s Offices)**

Comptroller Richard McComas stated that it may be necessary for Judge Clinger to hire a temporary employee if his regular court reporter is used during the Grand Jury proceedings, and he had wanted to make the Quorum Court aware that he might have to spend up to \$2500. JP Stephenson made motion to advise Judge Clinger that they understood, and that he should hire the temp if he needs to, seconded by JP Sheridan. Motion passed by unanimous show of hands vote.

**10. Discussion: Courthouse Boiler Replacement**

JP Summers reminded the Committee that the county does not maintain a fund for equipment replacement, and the courthouse boiler has to be replaced. He said that they will need to authorize the project to be bid out. JP Sheridan made motion to begin the bid process on the

courthouse boiler replacement, seconded by JP Schindler. Comptroller Richard McComas stated that the estimated cost for the whole project is approximately \$80,000. JP Moore stated that switching the system from steam to hot water circulation, they no longer have to have a technician with an Arkansas Boiler Operator Certificate. Motion passed by unanimous show of hands vote. JP Stephenson asked if there would be any merit to establishing a depreciation reserve as opposed to the method that they presently employ. Richard McComas stated that the way they have been doing it seems to work fine, and in his experience if there is a fund set aside to replace things, more things end up getting replaced.

**11. (Added Item) Request to Waive 90-day Waiting Period for Insurance Eligibility – Assessor Shirley Sandlin**

JP Sheridan stated that there is a medical situation in the Assessor's office that needs to be addressed. Assessor Shirley Sandlin stated that a member of her staff was notified shortly before 5 p.m. that she will be losing ARKids coverage for her child at the end of April because her income is too high. She explained that the person has worked in her office since October as a temporary employee, but was hired as a permanent employee about 2 months ago, so she is still 30 days shy of being eligible for the County's health insurance. Human Resources Director Barbara Ludwig stated that she normally would not have recommended bringing this up to the Committee, but they have in the past waived the 90-day requirement for employees in the Prosecutor's Office who were State employees and then switched to the County. JP Summers stated that she could get temporary coverage from an insurance agency. Barbara Ludwig stated that they would explore other options, but wanted the Committee to be aware that they may be coming to the Quorum Court to ask for a waiver of the 90-day waiting period for eligibility. JP Summers expressed concern about setting a precedent, and JP Stephenson stated that he would be adamantly opposed to it. JP Sheridan suggested that Shirley Sandlin gather more information about other options and send an email to the JPs if they are going to need any further action. Richard McComas pointed out that the employee would have been hired months ago, but she was employed through a temporary agency, and the county would have had to pay a penalty to hire her, which has in the past been against county policy.

**OTHER BUSINESS:**

None

**ANNOUNCEMENTS:**

JP Summers announced that the dinner hosted by Downtown Bentonville will be rescheduled due to the conflict with the Regional Economic Development Summit, but it would not affect the regular Quorum Court meeting on April 27, 2006.

JP Schindler encouraged all the JPs to attend the Economic Summit at the Clarion on April 27, 2006.

JP Moore announced that there would be a Candidate's Forum on Thursday, April 13, 2006.

The meeting was adjourned at 6:55 p.m.