

Committee of Thirteen Report

April 15, 2009

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, April 14, 2009 at 6:00 p.m. in the Quorum Courtroom, County Administration Building, Third Floor, 215 East Central, Bentonville, Arkansas.

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

Others Present: County Judge David Bisbee, Assessor Bill Moutray, Collector Gloria Peterson, Coroner Daniel Oxford, Director of Public Services Chris Glass, Director of Public Safety Greg Hines, Comptroller Richard McComas, HR Manager Barbara Ludwig, Grants Administrator Kathy Bannister, County Health Director Loy Bailey

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

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

JP Stephenson stated that Items #2 and #6 on the agenda would be deleted, and that Gary Jackson of Hight-Jackson Associates, PA will be making a presentation on the Health Department building in Siloam Springs and Judge Schrantz's courtroom.

PUBLIC COMMENTS:

Don Day commented on public comment procedures.

NEW BUSINESS:

Resolution Request: Department of Justice – SAMSHA – Drug Court Grant

JP Stephenson stated that this is a request for a resolution authorizing application for a grant which was forwarded from the Finance Committee.

JP Sandlin made motion to forward to the April 24, 2009 Quorum Court agenda, seconded by JP Winscott

Motion passed by unanimous voice vote.

Resolution Request: Sheriff's Office – Justice Assistance Grant

JP Stephenson stated that this is another resolution authorizing a grant application, which was forwarded from the Finance Committee.

JP Wozniak made motion to forward to the April 24, 2009 Quorum Court agenda, seconded by JP Wolf.

Motion passed by unanimous voice.

Request for Approval of Budget Adjustment for Market Analysis – Bill Moutray

Assessor Bill Moutray stated that this request is for approval for a budget adjustment of up to \$16,000 for a Market Analysis requested by the Equalization Board. Comptroller Richard McComas stated that the transfer will not be made until end of year, and then only if needed.

Request for approval forwarded to the April 24, 2009 Quorum Court agenda by unanimous voice vote.

Resolution Request: Wage Adjustments – Sheriff’s Office

JP Stephenson stated that this item was forwarded by the Personnel committee. JP Wolf stated that the wage adjustments are in the Sheriff’s office, and one is due to a change in grade, and the other is for internal equity purposes.

JP Wolf made motion to forward to the April 24, 2009 Quorum Court agenda, seconded by JP Hubbard.

Motion passed by unanimous voice vote.

Ordinance Request: Department Reorganizations – County Judge, Collector, Sheriff, County Clerk.

JP Stephenson stated that this was forwarded by the Personnel Committee. JP Wolf stated the committee intended to address the County Judge’s reorganization separately from the other changes, so two ordinances should have been drafted.

JP Sandlin made motion to forward to April 24, 2009 Quorum Court agenda, seconded by JP Wolf.

Discussion held on changes of job titles, job descriptions, restructuring of the judges office, deleting positions, creating new positions, renaming of positions, and position requirements.

JP Douglas made motion to table the motion until the ordinance is put into two separate ordinances, seconded by JP Lewis.

HR Manager Barbara Ludwig explained how the ordinance was created and stated that the changes in the job descriptions requested by the Personnel Committee have been made, but job descriptions are not a part of Schedule 4.

JP Sandlin stated that once job descriptions have been established and approved by the JESAP and Personnel committees, and the salary structures approved by the court, that it is up to the elected official to follow to the job description guidelines, or they are out of compliance at that point.

County Judge Dave Bisbee stated that the Arkansas Constitution states that the Quorum Court will set the number of employees and the pay ranges and that the Judge or Elected Officials have the authority to hire individuals. He said Benton County has chosen to use the JESAP system to establish the pay ranges and that this is an appropriation ordinance, which just amends Schedule 4 that was passed in December as part of the 2009 Budget.

Further discussion was held on making the ordinance two separate ordinances and the changes to be made. Deputy Clerk Betsy Harrell stated that she could provide the two separate ordinances by the end of the meeting. Comptroller Richard McComas stated that we have always encouraged combining two like kind ordinances to conserve costs and that these will be identical ordinances.

JP Douglas stated that he would like to withdraw his motion to table, JP Lewis declined.

JP Stephenson stated that they needed to address the motion to table item number five (5) on the agenda until clarification has been made.

Motion to table failed by unanimous voice vote.

JP Allen offered a friendly amendment to JP Sandlin’s original motion to separate the draft ordinance into two separate ordinances as discussed, with the first one ending after Fund 130 on page two of original draft, seconded by JP Hubbard.

JP Stephenson stated that they will delay further discussion until after the presentation, when the two separate draft ordinances are available.

Presentation on Siloam Springs Health Clinic Building by Gary Jackson, Hight-Jackson Associates

Gary Jackson stated that he is here as a volunteer at no cost, has looked at the Siloam Springs Health Clinic, and has found several areas of concern. He said that the building is old and made of stone, but that it is a very sturdy building from outside appearance, with plenty of access to the public parking lot. He listed several

problems, including: 1) the building is a very narrow and restrictive, and expansion is not a possibility; 2) the lighting is insufficient; 3) the plumbing and the furnace are inadequate; 4) the floor joists have been propped up but not secured, and the shims under the joists have evidence of termite damage; 5) the crawl space is hard to get into and is propped up by blocks; 6) there are cracks in the interior walls from settling and that the current walls are not appropriate for a health clinic; 7) the wooden windows have rotted and will need to be replaced with insulated windows; 8) at one place the building floor line is two and half feet below the street, so when it rains, water will back up into the building. He added that the front of the building needs maintenance, there are some rotten boards, and the roof needs to be inspected. He added that he was also concerned with the electrical capacity, but with all said, the building does have lots of potential.

Discussion was held on the condition of the Siloam Springs Health Clinic building, if there was any evidence of mold, the expenditures already incurred on the building, the costs for the needed repairs, and other possible uses for the building.

Health Department Director Loy Bailey stated that the building could function for the Health Clinic and that it was an upgrade from what they had before. He stated that the Health Department staff had developed the floor plan in a way they thought was very functional. He added that there were no signs of mildew, but that his department can do a mildew check. He said that they knew the windows would be an issue, but they had planned for county maintenance to do the work, and that at no point time were they trying to mislead anyone. He said they want the clinic to be the best possible for the cliental and staff, and that they do not want to put anyone at risk in a situation or environment that would be otherwise. He said they feel like the building has a lot of potential and that they can make it work at this time. The public on the west side of the county have done without public health services for quite some time and they had hoped to be in this site by December.

JP Allen made motion to authorize County Judge Dave Bisbee to engage Gary Jackson of Hight-Jackson Associates to prepare a proposal to make the Siloam Springs Health Clinic building suitable for a health department, seconded by JP Wolf

Motion passed by unanimous voice vote.

Presentation on Court Room Occupied by Judge Doug Schrantz by Gary Jackson of Hight-Jackson Architect PA

Gary Jackson reported the problems in Judge Schrantz's courtroom, stating that the main problem is that the courtroom is not wide enough, but that can be resolved easily by moving the existing wall intact out to line up with the end of jury room. He listed several possible solutions to the problems in the courtroom layout including: 1) building a simple carpeted platform at the end of the second tier of the jury box for a handicapped juror, then unbolting the chairs, (which are too big for the space and need to be replaced sometime in the future); 2) lowering the railing in front of the judge to just above countertop height and doing the same for the witness stand, leaving the wall intact with new railing on the top; and 3) moving the clerk off the platform and over to the side, which would give the attorneys access to the bench. He said that the heat and air system also needs to be looked at, but it could be just a balancing issue. He said these are all fairly minor changes that can be resolved very quickly without too much expenditure, and will basically require a good finish carpenter.

Judge Bisbee stated that he would get bids from contractors and report back to the committee, and that he thought that the drawing provided by Gary Jackson would provide enough detail for the contractors to do their estimates.

Ordinance Request: Department Reorganizations-County Judge Part (1)

JP Stephenson stated that the amendments to Schedule 4 are now being addressed as two separate issues.

JP Wolf made motion to forward an ordinance amending Schedule 4 to reflect changes in the County Judge's offices to the April 23, 2009 Quorum Court agenda, seconded by JP Sandlin.

Judge Bisbee stated that the reorganization plan calls for the elimination of the Director of Planning, the Director of Environmental services and the Assistant County Administrator and the addition of two Directors of the Public Service and Safety. He said this would save the county roughly \$73,000 a year by reducing the size of his staff. Judge Bisbee stated that Chris Glass will oversee Planning, Environmental, and Maintenance while

Greg Hines will handle the Road Department and the Juvenile Detention Center. JP Sandlin noted that each County Judge has their own individual management style.

Further discussion was held on job descriptions and the structure of the County Judge's office.

Motion to forward passed with 7 votes in favor, (Wozniak, Wolf, Sandlin, Allen, Winscott, Harrison, Stephenson) and 5 votes opposed (Brown, Lewis, Hubbard, Douglas, Blaty).

Ordinance Request: Department Reorganizations-Collector, Sheriff, County Clerk Part (2)

JP Stephenson stated that this request was also forwarded from the Personnel Committee. JP Wolf stated that this ordinance will address several other changes to Schedule 4 in the offices of the County Clerk, the County Collector, and the Sheriff's office.

JP Sandlin made motion to forward to the April 23, 2009 Quorum Court agenda, seconded by JP Wolf.

Motion passed by unanimous voice vote.

Ordinance Request: An Ordinance Creating Procedures with Regard to the Disposition of Unclaimed Bodies.

JP Wozniak stated that the Environmental Committee has discussed the ordinance, which was drafted by County Attorney George Spence, and that Coroner Daniel Oxford is present if anyone has any questions. Seeing none, JP Wozniak made motion to forward to the April 23, 2009 Quorum Court agenda, seconded by JP Wolf.

Motion passed by unanimous voice vote.

OTHER BUSINESS:

Judge Bisbee stated that his office wanted to do a better job communicating with the Quorum Court members, and to please provide them with their preference for the best time to be contacted.

Director of Public Services Chris Glass announced that there is a Planning Board vacancy and they would like to solicit some recommendations from the justices from the western side of the county, specifically JPs Hubbard, Moore, and Stephenson.

ANNOUNCEMENTS:

JP Winscott announced that the Long Range Planning/Real Estate and Buildings Committee will meet on Thursday April 16, 2009 at 5:30 p.m.

JP Wozniak announced that the Environmental Committee will meet on Tuesday May 5, 2009 at 4:30 p.m.

JP Harrison announced that the Long Range Planning/ Machinery & Equipment will meet on Monday April 27, 2009 at 5:00 p.m.

PUBLIC COMMENTS:

Bob Kossieck stated that he felt that the committee should consider changes to the protocol of getting the agenda items for committee meetings posted out to the public, so members of the public would have adequate time to review them before the meetings.

Don Day commented on the \$16,000 fee for the appraisal requested by the Equalization Board and the new laws limiting authority of the Board of Equalization.

Upon motion and second the meeting adjourned at 8:30 p.m.