

Committee of Thirteen Report

December 8, 2009

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, December 8, 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, Director of Public Safety Greg Hines, Election Commission Chair Bill Williams, County Attorney George Spence

Media: Tabatha Hunter – Daily Record

JP Stephenson called the meeting to order at 6:00 p.m.

JP Allen made motion to amend the agenda to add “Discussion of Fisher Ford Bridge” as Item #2, seconded by JP Lewis. Motion carried by voice vote.

PUBLIC COMMENTS:

Robin Tumey distributed a handout and spoke in opposition to all-electronic voting and the purchase of 200 used electronic voting machines for \$360,000

Susanne Jessup spoke in opposition to the purchase of the electronic voting machines

(1) Resolution Request: Benton County Public Facilities Board (Bella Vista Village Project-Water Revenue Bonds): Sponsor: JPs Wozniak and Blaty

JP Wozniak explained that the Bella Vista POA is applying for tax-free bonds and needs the backing of a government entity. He stated that there is no financial liability to the county in approving the resolution, and that David Menz and Attorney Ralph Williams are present to answer any questions. David Menz listed other bonding projects that he has been involved in and explained that since the City of Bella Vista does not have a facilities board, the POA needs the backing of a government entity in order to get the bonds tax-free. Mr. Menz stated that the project will allow for new waterlines and pump stations and will be paid back with water revenues.

JP Wozniak made a motion to forward the proposed resolution to the December 17, 2009 Quorum Court meeting, seconded by JP Blaty.

Chair JP Stephenson asked the clerk to read the proposed resolution in its entirety. Deputy County Clerk Janet Reaves read the proposed resolution in its entirety.

Motion to forward the proposed resolution to the December 17, 2009 Quorum Court meeting carried by voice vote.

(2) Discussion: Fisher Ford Bridge

Public Safety Director Greg Hines reported that the County Judge was unable to attend tonight because he is out of town attending a funeral. Greg Hines distributed an information packet regarding all bridges in Benton County. He introduced Ron Petree of Garver Engineering, who has been asked to determine if it is feasible to apply for a low-water bridge crossing at the Fisher Ford Bridge location. He said the Corp of Engineers would require a study of any potential wetlands that could be disturbed and an additional flow study determining the effects a low water bridge would have on the flow of the Illinois River at the bridge location. He said their estimate of the cost for the application is \$19,890. He said they will also need approval from the Arkansas Game & Fish Commission, so there are many hurdles to cross.

Greg Hines stated that their packets contain a 2002 study performed by Garver Engineering, which estimated the cost of reopening the bridge to a 3-ton capacity at \$233,000 at that time. JP Moore asked if the options available are to build a low water bridge or to repair and reopen the existing bridge, because a new span done to state standards is cost-prohibitive. He asked if Mr. Petree had any idea what it would cost to do an analysis of the bridge sufficient to estimate the cost of repairing the bridge to the point of reopening it. He said that a very rough estimate would be around \$15,000. He said they might consider asking the State Highway Department to do their own analysis, which would be sufficient to give a bid for either the price of a new bridge or the cost to repair. Greg Hines stated that the county paid \$5,000 for the entire year of state inspection costs, so for them to do an analysis on a bridge that is not part of the critical infrastructure will most likely cost that same amount. He said he will look into it, and report to the Quorum Court if the State is interested, then they can find out how much and when.

After further lengthy discussion and questions, JP Wolf made motion to go forward with asking the State for a recommendation of replacing or repairing Fisher Ford Bridge, along with a timeline, seconded by JP Sandlin.

Motion carried by voice vote.

Further discussion was held regarding railroad car bridges and the impact on residents of the other three bridges that have been closed in the county (Colonel Meyers, Chamber Springs, and Kinchloe).

(3) Approval of Minimum Cash Reserve - \$9.5 Million

Richard McComas stated that he just wanted confirmation that the county would hold \$9.5 million in reserves and anything above that would go into Capital Projects. JP Wozniak asked where the money is coming from, when they have cut \$1 million from the budget, have a hiring freeze on, and did not give county employee raises. JP Stephenson stated that he is not concerned about county employee raises. Richard McComas explained that \$4 million is a rollover from previous years, \$3.5 million is what is available in operating funds, and \$2 million is being held in a "Census fund" for emergencies, lawsuits, etc. JP Sandlin questioned if an ordinance is needed. Richard McComas stated that an ordinance is not required; he just wanted to make sure the Quorum Court understands that anything in excess of \$9.5 million will go into the Capital Projects fund.

A show of hands vote was taken for approval of maintaining a cash reserve of \$9.5 million:

11 yeas, 2 nays (Wozniak, Wolf)

(4) Appropriation Ordinance Request: Collector's Office-Transfer of Funds)

JP Moore stated that the Collector is requesting a transfer of funds to allow for remodeling of her satellite office located at 300 Poplar Street in Rogers. He stated that no new monies are required. Richard McComas noted that this will actually be a savings in the 2010 budget, because the money will be spent this year instead of next.

JP Moore made motion that the proposed appropriation ordinance be forwarded to the December 17, 2009 Quorum Court agenda, seconded by JP Winscott.
Motion carried by unanimous voice vote.

(5) Appropriation Ordinance Request: Tax Levy Ordinance

JP Moore stated that the Quorum Court is mandated to annually adopt a tax levy ordinance and this ordinance reflects the millage rate change for County General fund to 5.0 mills and 1.9 mills for the County Road fund. He explained that this ordinance also levies the millage rates for all of the taxing entities located in Benton County.

JP Moore made motion to forward this proposed appropriation ordinance to the December 17, 2009 Quorum Court agenda, seconded by JP Winscott.

Motion passed by voice vote.

11 yeas, 2 nays (Wozniak, Wolf)

(6) Appropriation Ordinance Request: 2010 Budget

JP Moore stated that Quorum Court is mandated to pass an annual budget in the month of December.

JP Moore made motion that this proposed ordinance be forwarded to the December 17, 2009 Quorum Court agenda, seconded by JP Lewis.

County Attorney George Spence noted that the proposed ordinance needs to be amended to include the word "Appropriation" in the title, before being presented to the Quorum Court. Motion passed by voice vote.

OTHER BUSINESS:

JP Hubbard asked if the Center For Nonprofits purchase was forwarded to the next Quorum Court. County Attorney George Spence restated the motion that was passed requesting an appropriation ordinance for the purchase of the interest in the Center For Nonprofits. JP Stephenson said that the minimum-security barracks was also forwarded, along with a proposal to purchase a building on Highway 12. JP Hubbard stated that it seems like there is a lot more to discuss since they have the new proposal to purchase part of the Center For Nonprofits instead of leasing.

JP Winscott stated that the Center For Nonprofits proposal was very general, with details yet to be worked out. He asked if any additional negotiations have taken place, and would that information be available for the Quorum Court members prior to the next Quorum Court meeting. County Attorney George Spence reported that they are working as quickly as he can on the matter, and will try to get the information to them as soon as possible.

JP Hubbard asked if the County Judge has developed a comprehensive plan detailing how purchasing the Center For Nonprofits space plays in with the old buildings, because it seems odd to him to purchase a new building without knowing what they will be using the old buildings for.

County Attorney George Spence stated that there has been more discussion about that, but he did not know any details.

ANNOUNCEMENTS:

None

PUBLIC COMMENTS:

None

ADJOURNMENT:

Upon motion and second the meeting adjourned at 7:30 p.m.