

MINUTES OF BENTON COUNTY QUORUM COURT

**February 28, 2008**

A regular meeting of the Benton County Quorum Court was held on Thursday, February 28, 2008 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

County Judge Gary Black called the meeting to order.

In the absence of County Clerk Mary Lou Slinkard, Deputy Clerk Betsy Deaton called roll as follows:

12 JP's Present: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 Absent: Wolf

JP Summers made motion to suspend the rules and read all ordinances by title only, seconded by JP Hill.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Motion to suspend the rules passed.

The presiding officer led the pledge of allegiance to the flag. Prayer was led by Jeff Odom of Word of Life Fellowship.

A moment of silence was held in support of the men and women serving in the United States Armed Forces.

**MINUTES:**

JP Stephenson made motion to approve the Minutes of the regular meeting of January 24, 2008 as distributed, seconded by JP Williams. Motion to approve the minutes carried by unanimous voice vote.

**COUNTY JUDGE’S REPORT:**

County Judge Gary Black recognized Assistant County Administrator Travis Harp who is retiring at the end of the month, and presented him with a plaque thanking him for his 8½ years of service to Benton County, 6 months of which was spent serving as County Judge after being appointed to fill an unexpired term. Travis Harp stated that he has appreciated the opportunity to serve Benton County, he has worked with some very good people, and he has seen Benton County make a great deal of progress in the last several years.

County Judge Gary Black introduced new Veteran’s Services Officer Richard Hobeck, who thanked the County Judge for the opportunity to work with Benton County’s veterans, and noted that they will be working on 824 open cases.

County Judge Gary Black reported on the progress that the Road Department has made in cleaning up debris from the January storms, explaining that they had rented some heavy equipment to aid in the project which enabled them to perform the work for less than the \$430,000 estimate submitted by a private contractor. He said they will have a report of the exact costs for the March Committee of Thirteen meeting, and noted that the county will receive a 34% reimbursement from the State Department of Emergency Management.

**ELECTED OFFICIALS REPORT:**

Sheriff Keith Ferguson reported on the surplus supplies and materials the County Jail has received as part of the Federal inmate program. Sheriff Ferguson also gave a progress report on the construction of an auxiliary building at the County Jail. He said that the weather has put them slightly behind schedule, and although there has been some question as to whether or not they may use inmate labor, he believes they can since the Department of Corrections has used inmate labor on the majority of its projects.

**COMMITTEE REPORTS:**

JP Williams stated that the Building Permit Ad Hoc Committee met earlier in the evening to complete its review of the building permit and inspection fees, and will forward a recommendation for restructuring the fee schedule to the March 11, 2008 Committee of Thirteen agenda.

**PUBLIC COMMENTS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- (A) Proposed Resolution Authorizing The County Judge Of Benton County To Apply For A *Safe Havens Supervised Visitation And Safe Exchange Grant* From The United States Department Of Justice – Office Of Violence Against Women;  
Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed resolution in full. JP Moore made motion to adopt, seconded by JP Williams.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Resolution duly adopted and assigned **No. R-2008-01**.

- (B) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2007-30 (**2008** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures In Department 01, County Judge, Fund 010; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed appropriation ordinance by title only. JP Summers made motion to adopt, seconded by JP Moore. JP Summers stated that the purpose of this ordinance is to appropriate grant proceeds.

There being no further discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Appropriation Ordinance duly adopted and assigned **No. O-2008-07**.

- (C) Proposed Ordinance Authorizing The Issuance Of A Promissory Note To Provide Financing For The Acquisition Of Road Equipment And The Acquisition And Construction Of A Road Department Satellite Building; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed ordinance by title only. JP Summers made motion to adopt, seconded by JP Moore. JP Summers stated that financing the Road Department's 2008 equipment purchase was discussed during the budget process in October of 2007, and it is now time to finalize the paperwork. Assistant County Administrator Travis Harp was recognized and stated that they contacted several institutions to locate the best interest rate, which he expects to be approximately 4.3%.

There being no further discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

First reading passed.

JP Summers made motion to suspend the rules and place the proposed ordinance on second reading, seconded by JP Stephenson. JP Summers stated that they have been aware of this for several months, and due to the variables involving the cost of the equipment and interest rates, he felt it would be a more practical and efficient business practice to adopt the ordinance in one meeting. There was some discussion regarding the fluctuation of interest rates.

There being no further discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Motion to suspend the rules passed.

Deputy Clerk Betsy Deaton read the proposed ordinance by title only. JP Summers made motion to adopt, seconded by JP Stephenson.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Second reading passed.

JP Summers made motion to suspend the rules and place the proposed ordinance on third and final reading, seconded by JP Stephenson.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Motion to suspend the rules passed.

Deputy Clerk Betsy Deaton read the proposed ordinance by title only. JP Summers made motion to adopt, seconded by JP Stephenson.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Ordinance duly adopted and assigned **No. O-2008-08.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2007-30 (**2008** Benton County Budget) Appropriating Additional Monies And Authorizing Additional Expenditures In Department 21, Prosecuting Attorney, Fund 010; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed appropriation ordinance by title only. JP Summers made motion to adopt, seconded by JP Stephenson. JP Summers stated that this is an annual software maintenance cost which was inadvertently left out of the Prosecuting Attorney's 2008 budget requests.

There being no further discussion, a roll call vote was recorded as follows:

12 yeas: Brown, Glass, Harrison, Hill, Hobbs, Hubbard, Moore,  
Stephenson, Summers, Williams, Winscott, Wozniak  
1 absent: Wolf

Appropriation Ordinance duly adopted and assigned **No. O-2008-09.**

**OTHER BUSINESS:**

JP Hubbard made motion to request a resolution authorizing the Sheriff to give retiring deputies the old version of the Benton County Sheriff's Office badges, seconded by JP Moore. JP Wozniak stated that former deputies who leave the department after several years of service, but are not necessarily retiring, should also be entitled to keep their badges. Sheriff Keith Ferguson was recognized and explained that a new badge was designed in 2004, and he would like to allow deputies to keep their badges as a memento of their service to the county, but the issue has been raised that he is giving away county property, so he is asking the Quorum Court to authorize him to give the badges to the deputies. JP Stephenson asked if there is a problem with the legality of a private citizen owning a Deputy Sheriff's badge, even though they can be purchased off the internet. Sheriff Ferguson stated that if a person used the badge to falsely represent himself as a law enforcement officer, they would be committing a crime, and added

that current officers also have an ID card to present with the badge. County Attorney Robin Green agreed to draft a resolution for the March 11 Committee of Thirteen meeting for consideration. Motion passed by unanimous voice vote.

JP Summers made motion to request that County Attorney Robin Green draft a resolution recognizing retiring Assistant County Administrator Travis Harp, seconded by JP Hobbs. Motion passed by unanimous voice vote.

JP Williams stated that Benton County will be instituting a new program called "Pyromeds" which will provide a method to safely dispose of unused pharmaceuticals, and a press conference will be held to introduce the program at 11:00 a.m. on Monday, March 3, 2008 in the Quorum Court meeting room. She added that the program will start on Saturday, March 8, 2008, in conjunction with the public shredding provided at the County Courthouse, and after that will be available at the Bella Vista Police Department.

**ANNOUNCEMENTS:**

JP Summers announced that the Finance Committee will meet Tuesday, March 4, 2008 at 2:30 p.m., and the Committee of Thirteen will meet Tuesday, March 11, 2008 at 6:00 p.m. JP Summers commended the County Judge and Road Department for their efforts in cleaning up the storm debris.

JP Moore announced that the Long Range Planning/Properties & Equipment Committee will be meeting on Tuesday, March 25, 2008 at 5:30 p.m.

There being no further business to come before the court, upon motion and second the meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Mary L. Slinkard,  
County Clerk

Prepared by: Betsy Deaton