

MINUTES OF BENTON COUNTY QUORUM COURT

October 23, 2008

A regular meeting of the Benton County Quorum Court was held on Thursday, October 23, 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 Harrell called roll as follows:

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

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

Motion passed by unanimous voice vote.

The presiding officer led the pledge of allegiance to the flag. Prayer was led by Mark Lindstrom of the First Church of the Nazarene.

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 September 25, 2008 as distributed, seconded by JP Hill. Motion to approve the minutes carried by unanimous voice vote.

COUNTY JUDGE'S REPORT:

County Judge Gary Black pointed out that all of the former County Judges' portraits have been restored and reframed, and thanked Bedford Photography and Johnny Haynie for their assistance on the project.

County Judge Gary Black stated that the Equalization Board has handled the volume of appeals well, and there are approximately 30 to 40 County Court cases pending to hear appeals of those decisions, which have to be completed by November 17.

County Judge Gary Black reported that the Gailey Hollow and Logan Road projects are nearing completion, and will total six miles of new road and a low-water bridge. He also reported that the satellite Road Department yard next to the NEBCO Fire Department is almost done, and will be a

real benefit for the community and Road Department employees. He added that he hopes future Quorum Courts will see the benefits of having satellite yards and add at least one more on the western side of the county, noting that he is aware of a piece of land that the owner would be willing to donate.

County Judge Gary Black reported that the survey has been completed on the 57-acre tract of county property on Highway 102, and there is an additional 7-acre tract on the west side about which there are some questions concerning the deed, and County Attorney is researching it. He added that the survey also revealed that the county's fence had encroached on the landowners to the east, and it has been taken care of.

He said that the Finance Committee had discussed fuel purchase practices at their last meeting, and he has determined that the most recent fuel purchase was made last week at \$2.78 per gallon for diesel and \$2.36 for gasoline so the current practice seems to be working well.

County Judge Gary Black notified the Quorum Court of the disposal of county property through the transfer of some roller shelving to Pike County, adding that he and the County Assessor have agreed that the shelves are of no value or use to Benton County.

ELECTED OFFICIALS REPORT:

Deputy Clerk Tena O'Brien reported that 8,352 people have voted early, and over 2,000 absentee ballots have been mailed out. She also reported that since September 1, the County Clerk's office has processed 7,094 new voter registrations, along with 5,737 address changes, for a total of 12,831 cards processed. She said that there has been a great turnout for early voting, with no problems, and she appreciates the staff and all of the overtime hours they have worked.

County Attorney Robin Green noted that the Election Commission had to ask Ozark Regional Transit to relocate temporarily their bus stop to a point 100 feet from the door of the county offices in Rogers, because they are allowing candidates to place campaign materials on the buses.

COMMITTEE REPORTS:

None

PUBLIC COMMENTS:

Jenny Woodmancy commented on problems she is having with drainage on her property, stating that she and her pets have developed health problems due to the mold caused by water standing in her yard, and that she has been unable to get the County Road Department to fix it.

OLD BUSINESS:

- (A) Third and Final Reading of Proposed Ordinance Amending Certain Sections of Chapter 2, Article VII et seq. of the *Code of Ordinances of Benton County, Arkansas* Regarding Benton County Employment and Salary Administration Policy; Sponsor: JP Robert Stephenson

Deputy Clerk Betsy Harrell read the proposed ordinance by title only. JP Stephenson made motion for approval, seconded by JP Hubbard.

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

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

Ordinance duly adopted and assigned **No. O-2008-26.**

NEW BUSINESS:

- (A) Proposed Resolution of the Quorum Court of the County of Benton, State of Arkansas, Accepting the Audit Report For Benton County For The Period Ending December 31, 2006; Sponsor: JP Tim Summers

Deputy Clerk Betsy Harrell read the proposed Resolution in full. JP Stephenson made motion for approval, seconded by JP Hill. JP Stephenson stated that the Resolution was proposed and modified at the last Committee of Thirteen meeting.

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

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

Resolution duly adopted and assigned **No. R-2008-18.**

- (B) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2007-30 (2008 Benton County Budget) To Amend *Schedule 1 – Revenues By Fund* in the 2008 Benton County Budget To Reflect Additional Revenues Received From the Department Of Justice Discretionary Grant Program; To Create a New Fund Entitled “Adult Drug Court Grant Fund” Numbered **Fund 461**; To Appropriate Monies to be Received From Said Grant; And To Authorize Expenditures Therefor In Department 64, Circuit Court- Division III, Fund 461; Sponsor; JP Tim Summers

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

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2008-27.**

- (C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2007-30 (2008 Benton County Budget) To Amend *Schedule 1 – Revenues By Fund* in the 2008 Benton County Budget To Reflect Additional Revenues Received From Voluntary Tax Payments; To Create A New Fund Entitled “Benton County Historical Preservation Commission” Numbered **Fund 980**; To Appropriate Monies Received; And To Authorize Expenditures Therefor In Department 01, Benton County Historical Preservation Fund, **Fund 980**; Sponsor: JP Tim Summers

Deputy Clerk Betsy Harrell read the proposed ordinance by title only. JP Wolf made motion to adopt, seconded by JP Hill.

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2008-28**.

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2007-30 (**2008** Benton County Budget) To Create A New Department in County General, Fund 010 To Be Named “Circuit Court Division VI” And Numbered **No. 60**, And To Appropriate Additional Monies And Authorize Additional Expenditures Therein; Sponsor: JP Tim Summers

Deputy Clerk Betsy Harrell read the proposed ordinance by title only. JP Stephenson made motion to adopt, seconded by JP Hill. JP Glass asked if this takes care of all of the expenses for the new courtroom addition. Richard McComas stated that it does.

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2008-29**.

- (E) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2007-30 (**2008** Benton County Budget) To Amend *Schedule 4 Personnel And Compensation Authorization* By Adding Two Positions In Department 64, Circuit Court – Division III, Drug Court, Fund 461; Sponsor: JP Tim Summers

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

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2008-30**.

OTHER BUSINESS:

Deputy Clerk Betsy Harrell stated that the date of the December Quorum Court meeting needs to be clarified, because the date was incorrectly recorded in the September 25, 2008 minutes. JP Hobbs made motion to hold the meeting on Thursday, December 18, 2008, seconded by JP Hubbard.

County Attorney Robin Green noted that the November Committee of Thirteen meeting is scheduled for November 11, which is a county and state holiday. Alternate meeting dates were discussed. It was noted that Chair Tim Summers is not present, and should be consulted. Deputy Clerk Betsy Harrell stated that she would contact JP Summers and notify the Court of the November Committee of Thirteen meeting date.

Motion passed by unanimous show of hands vote.

ANNOUNCEMENTS:

There being no further business to come before the court, upon motion and second the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Mary L. Slinkard,
County Clerk

Prepared by: Betsy Harrell