

MINUTES OF BENTON COUNTY QUORUM COURT

December 20, 2007

On December 20, 2007 at 5:00 p.m., County Judge Gary Black re-convened the Session of the regular Quorum Court meeting of **November 29, 2007** and announced the re-convened business as follows:

- (A) Proposed Appropriation Ordinance Levying 2007 Taxes For Collection In The Year 2008 For Benton County, And Each City, School District And Special Tax Unit in Benton County, Arkansas; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed ordinance by title only. JP Summers made motion to approve, seconded by JP Stephenson. JP Summers stated that this ordinance is required every year to allow all of the taxing entities to collect their tax dollars.

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

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

Appropriation Ordinance duly adopted and assigned No. **O-2007-31**.

JP Hill made motion to adjourn the November 29, 2007 Quorum Court meeting, seconded by JP Summers. Motion passed by unanimous voice vote.

Meeting adjourned at 5:03 p.m.

MINUTES OF BENTON COUNTY QUORUM COURT

December 20, 2007

A regular meeting of the Benton County Quorum Court was held on Thursday, December 20, 2007 immediately following the adjournment of the November 29, 2007 Quorum Court meeting 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.

Deputy Clerk Betsy Deaton called roll as follows:

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

*1 absent: Glass

JP Wolf made motion to suspend the rules and read all ordinances by title only, except Item "E", which is an emergency ordinance, seconded by JP Summers.

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

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

1 absent: Glass

Rules suspended.

JP Wolf stated that as sponsor of Item "B", the proposed Regional Mobility Authority ordinance, she is removing it from the agenda.

The presiding officer led the pledge of allegiance to the flag. Reverend Galen Percy of the Radiant Life Church led the prayer.

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 November 29, 2007 as distributed, seconded by JP Hill. Motion to approve the minutes carried by unanimous voice vote.

*JP Glass entered the meeting.

COUNTY JUDGE'S REPORT:

County Judge Gary Black recognized Benton County Daily Record reporter Jennifer Turner, and thanked her for the excellent work she has done. Jennifer Turner stated that she will be teaching English in Costa Rica for two years.

County Judge Gary Black welcomed newly appointed JP Beverly Williams; stated that Deputy Prosecuting Attorney Brandon Carter will be serving as County Attorney tonight in the absence of

County Attorney Robin Green; announced the dates the courthouse shredder will be open to the public; and recognized Scott Van Laningham of the Northwest Arkansas Council, who stated that the Regional Mobility Authority agreement has been revised to address some concerns and will now go before the Committee of Thirteen in January in order to allow plenty of time for public review.

ELECTED OFFICIALS REPORT:

None

COMMITTEE REPORTS:

JP Moore reported that the Long Range Planning/Properties & Equipment Committee met on December 18, 2007 and heard a report from Judge Jay Finch explaining the Juvenile justice system in Benton County and the need for new facilities. He said the committee voted to request the County Judge to solicit proposals from architects on estimates for a new Juvenile Justice Center.

PUBLIC COMMENTS:

Don Day stated that he hopes the Quorum Court will continue to comply with the proposed ordinance amending Code Section 3-249 requiring that the distribution of ordinances and resolutions to be considered at Quorum Court meetings be no later than 6 days prior to the meeting, and thanked the JPs for the time they have spent in serving the county.

Tony Miltich spoke in support of a county wide land use plan, because they need proper residential development and limited industrial development in order to protect Beaver Lake. He added that he thought it would be short-sighted to eliminate the Planning Department as suggested by one of the JPs, because only the permitting process was mentioned as needing to be self-supporting. He also said that the planning professionals should be allowed to do their jobs and develop the video explaining the need for zoning, and if others have opposing views, they should develop their own separate presentation.

OLD BUSINESS:

None

NEW BUSINESS:

- (A) Proposed Resolution Authorizing the Application for a Grant and Participation in FY2008 Drug Court Discretionary Grant Program Available Through the U.S. Department of Justice; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed resolution in full. JP Summers made motion to adopt, seconded by JP Wolf. JP Summers urged everyone to support the resolution, because it will provide money to support the Drug Court program, which is badly needed.

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

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

Resolution duly adopted and assigned No. **R-2007-28**.

(C) Proposed Ordinance Amending Certain Sections of the *Code of Ordinances of Benton County* by Changing and Designating the Appropriate Elected Officials to Prepare the Tax Books; Prepare Collector's Final Settlement; Prepare the Tax Collection Data Report Required by the Assessment Coordination Department; and Requiring the Cooperation of Certain County Officials in the Compilation of Such Records and Reports; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed ordinance by title only. JP Summers made motion to adopt, seconded by JP Hill. JP Summers stated that this ordinance is necessary to comply with some new requirements of the state Assessment Coordination Department.

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

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

JP Summers made motion to suspend the rules and place on second reading, seconded by JP Hill.

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

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

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 further discussion, a roll call vote was recorded as follows:

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

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 further discussion, a roll call vote was recorded as follows:

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

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 Wolf.

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

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

Ordinance duly adopted and assigned **No. O-2007-32**.

(D) Proposed Ordinance to Amend Certain Sections of Chapter 2 of the *Code of Ordinances of Benton County, Arkansas* to Provide Clarification of the Order of Business for the Quorum Court; and for Other Purposes; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed ordinance by title only. JP Summers made motion to adopt, seconded by JP Stephenson. JP Summers stated that this ordinance will update the Code of Ordinances to accurately reflect how the Quorum Court conducts business.

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

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

JP Summers made motion to suspend the rules and place on second reading, seconded by JP Hill.

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

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

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 Hill.

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

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

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 further discussion, a roll call vote was recorded as follows:

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

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:

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

Ordinance duly adopted and assigned **No. O-2007-33**.

(E) Proposed Emergency Ordinance Amending Certain Sections of Chapter 70, Article II Et. Seq. of the Code of Ordinances of Benton County, Arkansas Regarding Sales and Use Tax and Definition of Single Transaction to Comply With Changes in Arkansas Law; to Declare an Emergency and For Other Purposes; Sponsor: JP Tim Summers

Deputy Clerk Betsy Deaton read the proposed emergency ordinance in full. JP Summers made motion to adopt, seconded by JP Stephenson. JP Summers stated that this is being adopted as an emergency because the new state law takes effect January 1, 2008, and will have very little overall effect on county sales tax revenue.

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

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

Emergency Ordinance duly adopted and assigned **No. O-2007-34.**

OTHER BUSINESS:

None

ANNOUNCEMENTS:

JP Summers announced that the Finance Committee will meet Tuesday, January 8, 2008 at 2:30 p.m., and the Committee of Thirteen will meet at 6:00 p.m.

JP Wozniak announced that the Environmental Committee will meet on Tuesday, January 8, 2008 at 5:00 p.m.

JP Moore announced that the Long Range Planning/Properties & Equipment Committee will meet on Tuesday, January 15, 2008 at 5:30 p.m.

JP Hobbs requested that every Quorum Court member read Act 389 which authorizes the creation of the Regional Mobility Authority in its entirety prior to the January 8th Committee of Thirteen meeting.

After motion and second, meeting adjourned at 5:45 p.m.

Respectfully submitted,

Mary L. Slinkard,
County Clerk

Prepared by: Betsy Deaton