

## Committee of Thirteen Report

September 11, 2012

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, September 11, 2012 at 6:00 p.m. in the Quorum Court Room, County Administration Building, Third Floor, 215 East Central, Bentonville, Arkansas.

12 JPs Present: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Sandlin, Douglas, Blaty, Curry, Carr, Moore

1 Absent: Jones

Others Present: County Judge Bob Clinard, Road Department Director Scott Stober, Director of Construction, Facilities, & Maintenance John Sudduth, Administrator of Public Safety Marshal Watson, Administrator of General Services Elizabeth Bowen, Comptroller Sarah Daniels, County Attorney George Spence

Media: Tom Sissom - Daily Record

Chair Kurt Moore called the meeting to order.

### **PUBLIC COMMENTS**

None

JP J. Harrison made motion to suspend the rules and read all resolutions and ordinances by title only, seconded by JP Carr.

Motion passed by unanimous show of hands vote.

### **Resolution Request: Sale of Alcoholic Beverages in Springdale, Arkansas**

JP Allen questioned how a measure allowing Sunday liquor sales might affect Benton County, which is still a dry county even though a ballot measure to change that is on the November 6 General Election.

JP Douglas made motion to move Item "A" to the last item on the agenda, seconded by JP Blaty.

Motion passed by unanimous show of hands vote.

### **Ordinance Request: Appeal Process – Nuisance Ordinance**

JP Winscott made motion to approve and forward ordinance to the September 27, 2012 Quorum Court agenda, seconded by JP Douglas.

JP Winscott stated that this ordinance would add an appeal process to the current ordinance to recover costs related to remediating unsanitary conditions with regard to orders designating properties for cleanup.

JP Douglas stated there is no appeal process in the present ordinance, and that it is important that there is a cost-effective and reasonable way to address these issues for the citizens.

Motion passed by unanimous show of hands vote.

**Appropriation Ordinance Request: Coroner, Dept. 27**

JP Allen stated this appropriation ordinance request is to transfer \$5,900 for the purchase of a DNA drying cabinet to be used by the Coroner's Office.

JP Allen made motion to approve and forward the appropriation ordinance to the September 27, 2012 Quorum Court agenda, seconded by JP Douglas.

Motion passed by unanimous show of hands vote.

**Appropriation Ordinance Request: County Judge, Dept. 01**

JP Allen stated this appropriation ordinance request is for seed money for the Arkansas Visitation and Exchange Center (AVEC), which offers support to victims of domestic violence and their children through supervised visits, to get back into operation. JP Allen stated that County Attorney George Spence sent out a memorandum with regard to this appropriation, in which he states that the county is not permitted to donate county assets to a private corporation, including charitable organizations, unless it is providing a service for the county. He added that a contract will need to be drafted between the county and AVEC which the County Judge would then oversee. He stated that they will have to address the bidding issue because the amount in question is more than \$20,000, but that competitive bidding will have to be waived because there is no one else that provides this kind of service.

JP Allen made motion to approve and forward the appropriation ordinance to the September 27, 2012 Quorum Court agenda, seconded by JP Curry.

JP Sandlin stated that professional services do not have to be bid out.

Further discussion was held on funding the Arkansas Visitation and Exchange Center (AVEC) through the end of the year.

Motion passed by unanimous show of hands vote.

**Appropriation Ordinance Request: Non-Dept./ Maintenance, Dept. 23**

JP Allen stated this appropriation ordinance request is to adjust the 2012 Budget to include \$200,000 for the replacement of the HVAC units on the County Administration Building.

JP Allen made motion to approve and forward the appropriation ordinance to the September 27, 2012 Quorum Court agenda, seconded by JP Douglas.

Motion passed by unanimous show of hands vote.

**Appropriation Ordinance Request: Judge Fryauf, Dept. 64-Court Improvement Judicial Leadership Team Grant**

Comptroller Sarah Daniels stated this Court Improvement Judicial Leadership Team Grant is for expenditures associated with a child advocate seminar to be held in October.

JP Allen made motion to approve and forward the appropriation ordinance to the September 27, 2012 Quorum Court agenda, seconded by JP Sandlin

Motion passed by unanimous show of hands vote.

**Resolution Request: Ordering an Election be held for the Sale of Alcoholic Beverages in Springdale, Arkansas**

JP Allen made motion to forward the resolution to the September 27, 2012 Quorum Court agenda, contingent that County Attorney George Spence answer questions before the resolution is approved, seconded by JP Carr.

Motion passed by unanimous show of hands vote.

**OTHER BUSINESS**

County Judge Bob Clinard explained the proposed division of the \$300,000 to the seven cities that provide ambulance service to the unincorporated areas of the county along with Northeast Benton County Fire Department. He stated they have taken into consideration a lot of factors including transports, projected transports, level of service, service area, response time, and the previous distribution to the providers, and added that these numbers are not set in stone. He stated that the Finance/Budget Committee will take this into consideration for the 2013 Budget. He stated that not one provider has said that they are even considering cutting off services to the county residents, and that they applaud the Quorum Court for moving this forward.

County Judge Bob Clinard stated that County Attorney George Spence is researching the law, but it appears that the Quorum Court could form an Emergency Medical Services district under a provision of the state law. He stated that the Quorum Court could establish such districts and levy a fee on residents of the district to pay for ambulance service. He stated that the fees would go into effect unless they were challenged and rejected in an election called by a referendum.

JP Winscott asked County Attorney George Spence to give the committee an update on his research of the law to form an Emergency Medical Service district.

Lengthy discussion was held on the recommended \$300,000 allocation for Emergency Medical Services (EMS) for the 2013 budget.

**PUBLIC COMMENTS**

Susan Anglin of Centerton stated that she had never given any thought that they did not have EMS service. She stated they have always been taken care of by the Rural Fire Department and the Volunteer First Responders, and that as a person out in the county she wants service.

**ANNOUNCEMENTS**

None

**ADJOURNMENT**

Upon motion and second meeting adjourned at 7:10 p.m.