

Committee of Thirteen Report

October 09, 2012

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, October 09, 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.

Discussion; Proposed Resolution Request – To Support the Constitutional Amendment #1 to Authorize a \$1.3 Billion Statewide Bond

County Judge Bob Clinard stated the Proposed Constitutional Amendment #1 would authorize a \$1.3 billion statewide bond for the continued construction of a four-lane highway network connecting all parts of Arkansas, and it will also provide turn back revenue to cities and counties for local transportation-related projects, including the improvement of county roads and bridges. He stated that the bond issue will be financed by a temporary 1/2¢ sales tax that will be collected statewide, but there will not be a tax increase on groceries, medicine or gasoline, and that the temporary tax will be abolished after the bonds are paid off. He added that during that period, cities and counties will share equally over \$700 million in new state turn back revenue.

Road Department Director Scott Stober presented a power point presentation showing the yearly cost to maintain Benton County's dirt roads. He stated that the road work to be done with the additional funding would have a cost of \$12,651,631.44 for the additional equipment, fuel, labor and materials over

the 10 year period, with the current road plans and the additional funding; they would improve approximately 985 miles with 385 being additional miles.

Lengthy discussion was held on the proposed state-wide highway bond issue and the additional road work that could be completed with the additional funding received.

JP Douglas stated that about 24 percent of the money will be coming to Benton County, and that the proceeds from the additional tax would pay for improvements to the state's four-lane highway with additional money being designated for use by cities and counties. He added that it would six-lane (Interstate 540) from Fayetteville to Bentonville, build the Bella Vista By-pass at least two lanes, and at least part of the (U.S.) 412 bypass around Springdale, over to where the Regional Airport is looking at building an access road and that the program would greatly benefit Benton and Washington counties.

Further discussion was held on the Proposed Resolution to show support and the recommendation to the voters of the county the passage of the Proposed Constitutional Amendment #1 state-wide highway bond issue

No action was taken by the committee.

Resolution Request: Environmental Protection Agency, Region 6 Environmental Education Grant

JP Allen stated this resolution request is to authorize the approval and acceptance of a grant through the Environmental Protection Agency, Region 6 Environmental Education Grant to translate environmental brochures, advertisements and paperwork to Spanish in an effort to connect with the Hispanic population.

Allen stated this is a \$1,500 grant with a 25% match that is already in the budget.

JP Allen made motion to approve and forward the resolution request to the October 25, 2012 Quorum Court agenda, seconded by JP Jones.

Some discussion was held on the Region 6 Environmental Education Grant to translate environmental brochures, advertisements and paperwork to Spanish.

Motion carried by a show of hands vote.

9 in favor: King, Winscott, J. Harrison, Jones, Sandlin, Blaty, Curry, Moore

4 opposed: Douglas, Hawkins, K. Harrison, Carr

Resolution Request: Maysville Community Grant

JP Allen stated this resolution request is to authorize the County Judge to apply for a grant on behalf of the Maysville Community to install a new roof on the Maysville Community Center.

JP Allen made motion to approve and forward the resolution request to the October 25, 2012 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous show of hands vote.

Resolution Request: Setting 2012 Millage Rate for County Road and County General

JP Carr made motion to approve and forward the resolution request to the October 25, 2012 Quorum Court agenda, seconded by JP J. Harrison.

Discussion was held on the procedure for setting the millage rate for County Road and County General.

JP Allen stated that he would like for it to note in the minutes that from now on the resolution request for setting the millage rate be presented at the Finance meeting for discussion.

Motion passed by unanimous show of hands vote.

Resolution Request: Declaring Aerial Photography to be a Professional Service

JP Sandlin stated that this resolution request is to declare aerial photography to be a professional service and to eliminate the requirement that the County competitively bid professional services, since aerial photography is a service.

Administrator of General Services Elizabeth Bowen stated they are requesting that aerial photography be considered a professional service so that it does not have to be bid each year.

County Attorney George Spence stated that generally in counties, all governmental entities are required to bid commodities, and commodities can be either items or services. He stated that the exception to bidding commodities for personnel services is generally something that is provided by an individual. He stated that it is the policy of the State of Arkansas that state agencies shall follow the procedures stated in ACA 19-11-401 that competitive bidding shall not be used for the procurement of legal, architectural, engineering construction management, and land surveying professional consultant services, and that Aerial Photography requires a certain amount of skill.

Lengthy discussion was held on aerial photography services provided to Benton County and eliminating the competitively bid requirement for the service.

JP Sandlin made motion to approve and forward the resolution request to the October 25, 2012 Quorum Court agenda, seconded by JP Curry.

Motion passed by unanimous show of hands vote.

PUBLIC COMMENT:

Pat Adams, Rogers, Arkansas commented on the need for aerial photography in Benton County.

Appropriation Ordinance Request: Information System, Dept. 49

JP Allen stated this appropriation ordinance request is to purchase a wireless bridge to the Courthouse Building.

JP Allen made motion to approve and forward the appropriation ordinance request to the October 25, 2012 Quorum Court agenda, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

Appropriation Ordinance Request: Road, Dept. 44

JP Allen made motion to approve and forward the appropriation ordinance request to the October 25, 2012 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous show of hands vote.

JP Allen stated that he would like to make an informal motion with a show of hands from the court to support Comptroller Sarah Daniels to go ahead and expend the funds to take care of payment for the equipment purchase, and to make that expenditure prior to this appropriation ordinance request passing through the Quorum Court, seconded by JP Sandlin.

Motion passed by unanimous show of hands vote.

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

JP Allen stated this appropriation ordinance request is for the purchase of four HVAC replacement units for the Courthouse Tower.

JP Allen made motion to approve and forward the appropriation ordinance request to the October 25, 2012 Quorum Court agenda, seconded by JP Jones

Motion passed by unanimous show of hands vote.

OTHER BUSINESS

County Judge Bob Clinard reported that the Public Service Commission held a meeting in Little Rock concerning the Flint Creek Power Plant. He stated that lengthy discussion was held on the decisions by the Attorney Generals Office, and the Public Service Commission to turn down the rate increase made by SWEPCO and Arkansas Electric Cooperative Corporation (AECC) to do the requirements provided by the Federal Environmental Protection Agency (EPA) to the Flint Creek Power Plant.

Lengthy discussion was held on the Public Service Commission decision, and the effect that losing the SWEPCO and Arkansas Electric Cooperative Corporation (AECC) Flint Creek Power Plant would have on the surrounding communities.

PUBLIC COMMENTS

None

ANNOUNCEMENTS

JP Allen announced that the Finance Budget Committee will meet on Monday, October 22, 2012 at 6:00 p.m.

JP Jones announced that the Benton County Fall Cleanup would be held Saturday, October 13, 2012.

JP Sandlin announced that the Personnel Committee will meet on Tuesday, October 16, 2012 at 6:00 p.m.

ADJOURNMENT

Upon motion and second meeting adjourned at 8:25 p.m.

