

## Committee of the Whole Report

June 14, 2016

The Committee of the Whole met Tuesday, June 14, 2016 at 6:00 p.m. in the Quorum Court Meeting Room, Benton County Administration Building, Third Floor, 215 East Central Avenue, Bentonville, Arkansas.

14 JPs Present: Sheridan, Shadlow, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Chiocco, Leadabrand, Meyers, Moore  
1 JP Absent: Moehring

Others Present: Assessor Linda Hambrick, Comptroller Brenda Guenther, Human Resources Manager Barbara Ludwig, Assessor-Elect Rod Grieve, JP-Elect Bob Bland

Media: Tom Sissom – Northwest Arkansas Democrat-Gazette

Committee of the Whole chair JP Moore called the meeting to order at 6:00 p.m.

### **PUBLIC COMMENTS**

None.

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

Motion passed by unanimous show of hands vote.

### **1. Resolution Request Authorizing the County Judge of Benton County to Apply for a Grant on Behalf of the Northeast Benton County Volunteer Fire-EMS Department (NEBCO FIRE-EMS); Sponsor: JP Tom Allen**

JP Moore read the resolution request by title only.

Comptroller Brenda Guenther stated that this is a pass-through grant; it is not going to require any funds from here but it does require the Quorum Court's approval to pass it through. The NEBCO Fire-EMS Department is applying for a replacement fire boat to be used on Beaver Lake. It will be the only one of its kind on the lake once it is purchased. It is going to cost \$350,000 and the one that have have now is broken down. They are asking for \$50,000 through the Arkansas Rural

Community Grant program and they are working on funding the other \$300,000 through other funding possibilities.

JP Allen said that he gave his approval to bypass the Finance Committee due to the timing and need of this request.

JP Allen made a motion to approve and forward this resolution request to the June 23, 2016 Quorum Court agenda, seconded by JP Adams.

JP Leadabrand asked why the Quorum Court has to give approval for this grant.

Brenda Guenther stated that the paperwork requires the approval of a city or county; the County Judge will sign the paper work, the funds will come to the county, and they will pass it on to them for the purchase. Benton County is a not-for-profit government entity that can apply for this and it does require the County Judge to do it.

Motion passed by unanimous show of hands vote.

**2. Resolution Request Authorizing the County Judge of Benton County to Apply for an Edward Byrne Memorial Assistance Grant through the Bureau of Justice Assistance; Sponsor: JP Tom Allen**

JP Moore read the resolution request by title only.

Comptroller Brenda Guenther stated that last year they received approximately \$11,500 that they ended up using for mobile tablets for the Sheriff's office. The Sheriff would like to purchase additional mobile tablets for the deputy's vehicles. She stated that they worked with the City of Rogers to get the funding. According to them, they can do it with what they have in their budget and it may not require a resolution. However, she is putting it through as a resolution so that the Quorum Court is aware of it.

JP Allen said that Chief Deputy Shawn Holloway has talked about this in previous meetings this year.

Brenda Guenther stated that they need about fifteen more units for their vehicles.

JP Allen made a motion to approve and forward this resolution request to the June 23, 2016 Quorum Court agenda, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

**3. Resolution Request Requesting the Arkansas Attorney General, Leslie Rutledge, to Consider Filing a Lawsuit Against The United States Department Of Labor for their Arbitrary Decision to Raise the Exempt Salary Minimum Threshold To \$47,476, Resulting in Undue Hardship to the Employees and Employers in the State of Arkansas; Sponsor: JP Jay Harrison**

JP Moore read the resolution request by title only.

JP J. Harrison said that this was brought up in the Legislative Committee meeting last night. He said that this is due to the executive order that the President has set about raising the threshold for the minimum wage and minimum of payments. He said that Barbara Ludwig brought this to their attention. He read from the resolution draft which says that it will affect “state and local governments, non-profits, and small to medium-sized businesses, through the necessity to increase salaries which in turn will cause a ripple-effect throughout each organization’s salary administration system.” He said that this is a resolution that they will send to the AAC asking the Attorney General to consider filing a lawsuit.

JP J. Harrison made a motion to approve and forward this resolution request to the June 23, 2016 Quorum Court agenda, seconded by JP Anglin.

JP Adams asked how many positions this will affect in the county.

Barbara Ludwig stated it will affect between 15-20.

JP Adams said that is less than 1% and asked who exactly it will affect.

Barbara Ludwig said it will affect the front-line supervisors, the IT people, certain managers, certain assistant directors, and at least one director.

JP Allen stated that he has been talking to Congressman Womack’s office and they opposed this as much as they could. He said that he is curious as to why there was not more national media coverage of this issue. He stated that this will affect the constituents; many of them will be personally affected by it at their jobs. He does not know if people are aware of it. He said that he is glad to see that the Legislative Committee has brought this forward as he believes more people need to pay attention to it.

JP K. Harrison asked Barbara Ludwig to send this to her counterparts in the cities so they can see the resolution. Their city councils may want to do something similar to send to the municipal league and to the Attorney General.

JP Sandlin said the Chamber of Commerce should get it, too.

Barbara Ludwig said that she called Congressman Womack’s office to find out where the bill was in Washington. They said it was introduced on the floor and sent to the Education and Workforce Committee. This committee had a hearing on Monday so she called their office today. The committee spokesperson said they will probably have more hearings and then they will recess at the end of July. They are well aware that it will become effective in December; the committee is adamantly opposed to this new ruling.

JP Adams asked if there is a way for states to opt out of it.

Barbara Ludwig said no, because it is a federal regulation. She also added that this topic was forwarded from the April Legislative Committee to the Personnel Committee and she will have estimates on the impact this will have at the Personnel Committee meeting on June 21, 2016.

JP Adams said, as they go into the budget process, they will have to take this into account.

Barbara Ludwig stated that it will not impact 2016 too much because it will not go into effect until December 01, 2016 and will probably be absorbed into the operating budgets of those

departments. Her first run estimate was \$55,000 a year in increased overtime and increasing some people's wages to the new threshold.

Motion passed by unanimous show of hands vote.

#### **4. Appropriation Ordinance Request Amending Appropriation Ordinance**

**No. O-2015-69 (2016 Benton County Budget) to Amend Schedule 1 – Revenues by Fund by Authorizing a Transfer from County General, Fund 1000 to Capital Projects, Fund 4000; Sponsor: JP Joel Jones**

JP Moore read the appropriation ordinance request by title only.

JP Jones stated that this is the appropriation for turnback monies that they talked about last year and early this year to put it all into the Capital Projects fund. This way it is there to be used for upcoming projects.

JP Jones made a motion to approve and forward this appropriation ordinance request to the June 23, 2016 Quorum Court agenda, seconded by JP Adams.

JP Leadabrand stated that this is a large amount of money with the \$1.3 million and now the \$2.8 million.

Comptroller Brenda Guenther stated that the \$1.3 million is an original budgeted transfer to the Capital Projects fund. They always do approximately 10% of the sales tax revenues and then they did an additional \$500,000. This \$2.8 million is taking the ending budget, less the actuals net revenue, and that is the amount of unexpended appropriations. The \$1.3 million was not what the net revenue was but the net transfer.

JP Moore stated that it was built into last year's budget as a transfer.

Motion passed by unanimous show of hands vote.

#### **5. Ordinance Request Adopting by Reference Codification of the Ordinances of Benton County, Arkansas; Sponsor: JP Shirley Sandlin**

JP Moore read the ordinance request by title only.

JP Sandlin stated that she inadvertently got put on this ordinance but JP Slinkard should be the sponsor.

JP Slinkard stated that this came out of the Legislative Committee last night. By law, the county must adopt by reference the new codification or revisions to the code book. It also requires that a notice of the intent of the Quorum Court to adopt by reference of the code be published after the second reading.

JP Slinkard made a motion to approve and to place this ordinance request on first reading on the June 23, 2016 Quorum Court agenda, seconded by JP Sandlin.

JP Meyers asked if they publish what changes were made from the old code book to the new one.

JP Slinkard said no; they codified all of the ordinances into those sections

JP Meyers said that JP Slinkard brought up some changes last night.

JP Slinkard said that was something different. She said the only way to tell the differences is to compare the old book to the new book. She stated that this has to be done at a minimum of every five years. The 2010 supplement was five years old when it was sent for recodification.

JP Jones said that this allows them to say that they have codified the ordinances, they have received the new book, and they are going to approve it.

JP Slinkard reiterated that this ordinance requires them to send a notice of the intent of the Quorum Court to adopt the code by reference to be published after the second reading and prior to the final adoption. She stated that the County Clerk's office and the County Attorney are preparing that notice to be published after the second reading.

Motion passed by unanimous show of hands vote.

#### **OTHER BUSINESS**

None.

#### **ANNOUNCEMENTS**

Comptroller Brenda Guenther stated, in regard to the Edward Byrne grant, that there was a public hearing notice in yesterday's paper that they had to have published. She stated that it all has to be done by June 30th and requested that this be noted in the meeting minutes.

JP Allen announced a Finance Committee meeting on July 07, 2016.

JP Sandlin announced a Personnel Committee meeting on June 21, 2016.

#### **PUBLIC COMMENTS**

None.

#### **ADJOURNMENT**

JP Moore declared the meeting adjourned at 6:20 p.m.