

MINUTES OF BENTON COUNTY QUORUM COURT

June 23, 2016

A regular meeting of the Benton County Quorum Court was held on Thursday, June 23 2016 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 Bob Clinard called the meeting to order.

Deputy Clerk Betsy Harrell called roll as follows:

13 JPs Present: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 JPs Absent: Shadlow, Chiocco

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag and the prayer.

CHANGES TO THE AGENDA:

None.

MINUTES:

JP J. Harrison made motion to approve the minutes of the May 26, 2016 Quorum Court meeting as distributed, seconded by JP Slinkard.

JP Leadabrand noted that the minutes were not posted on the dashboard.

JP Anglin pointed out that the minutes had been emailed to all members on Friday of the previous week.

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

12 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Moore, Meyers, Moehring

1 nay: Leadabrand

2 Absent: Shadlow, Chiocco

Minutes approved as distributed.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT/COUNTY PROPERTY DISPOSAL REPORT:

County Judge Bob Clinard reported that:

- Great River Engineering is working on the rehabilitation design for the War Eagle Bridge project. They are waiting on a review of the 90% drawings, and will report to the court when that is completed. The tentative bid date is August 9, 2016.
- The Benton County Historic Courthouse interior renovations per the Walton Foundation Grant are in progress. The relocation back to the courthouse for the Prosecuting Attorney's office is scheduled for the middle to end of September.
- Benton County Jail Expansion project is underway and progressing.
- Perkowitz & Ruth/Cromwell/Dewberry has completed the needs assessment study phase one report for the Benton County Justice Facility. A discussion of phase two of the report will be discussed at the Finance Committee on July 7.
- The paving of the county roads leading to the new West High School is complete.

Comptroller Brenda Guenther noted that the only item on the June Property Disposal Report is a member of the K-9 unit named "Hydro", who has retired along with his handler/partner.

JP Moore requested a report on the results of the last county auction. Brenda Guenther reported that the overall sales were \$126,000, \$38,000 of which was for other cities. She said the Prosecuting Attorney Drug Fund received \$18,200, the General Fund received \$43,500, and non-General Funds received \$26,500.

COMMITTEE REPORTS:

JP Allen reported that the Finance Committee met on June 2, 2016. He said the committee heard a report from the NEBCO volunteer fire department, which resulted in one of the items on tonight's agenda, and voted to transfer \$2.8 million from unspent appropriations from 2015 to Capital Reserves. He said they also heard a report on the Convenience Center Pilot Program, which seems to be a success.

JP K. Harrison reported that the Legislative Committee met on June 13, 2016 and forwarded two items to tonight's agenda – the proposed ordinance adopting the recodification of the Code of Ordinances, and the proposed resolution to the Arkansas Attorney General regarding the new overtime rules.

JP Jones stated that the Public Safety Committee met on June 7, 2016 to discuss phase one of the courts facility needs study, which has been forwarded to the Finance Committee.

County Judge Bob Clinard noted that FEMA has been extremely slow to pay the county for repairs to the county roads from the recent flood damage, and the work cannot be done until they receive the project work orders from FEMA.

JP Sandlin stated that the Personnel Committee met on June 21, 2016, and the items discussed have been forwarded to the Finance Committee.

PUBLIC COMMENTS:

None

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

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

13 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 Absent: Shadlow, Chiocco

Motion to suspend the rules passed.

OLD BUSINESS:

None

NEW BUSINESS:

- (A) Proposed Resolution 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

County Attorney George Spence read the proposed resolution by title only.

JP Allen recognized Comptroller Brenda Guenther, who explained that the grant funds will be used for a replacement fireboat to be used on Beaver Lake, and \$50,000 of the total cost of \$300,000 will come from a GIF grant that passes through the county.

JP Allen made motion to adopt, seconded by JP Sandlin.

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

13 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 Absent: Shadlow, Chiocco

Resolution duly adopted and assigned **No. R-2016-31.**

- (B) Proposed Resolution 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

County Attorney George Spence read the proposed resolution by title only.

JP Allen recognized Comptroller Brenda Guenther, who explained that this grant is for \$10,500 and will be used to purchase four mobile tablets for use by the Sheriff's Department.

JP Allen made motion to adopt, seconded by JP J. Harrison.

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

13 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 Absent: Shadlow, Chiocco

Resolution duly adopted and assigned **No. R-2016-32**.

- (C) Proposed Resolution 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

County Attorney George Spence read the proposed resolution by title only.

JP J. Harrison said that this resolution is a request to the Arkansas Attorney General to file suit against the executive order issued by the President to raise the minimum threshold for overtime pay. He said it would cause harm to more people than it would help. He noted that Benton County is the first county to take this step, and he hopes that other counties will follow our lead.

JP J. Harrison made motion to adopt, seconded by JP K. Harrison.

JP Allen asked there had been any coordination of efforts undertaken with other counties and our legislators.

Brenda Guenther said that this would be sent to the Arkansas Association of Counties as well as the Arkansas Attorney General once it is adopted.

County Judge Bob Clinard noted that Congressman Womack will be holding a town hall meeting at the Lowell City Hall on Wednesday, June 29th at 8:30, so that would be a good time to speak to him specifically about this issue.

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

13 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 Absent: Shadlow, Chiocco

Resolution duly adopted and assigned **No. R-2016-33**.

(D) Proposed Ordinance Adopting By Reference Codification of the Ordinances of Benton County, Arkansas; Sponsor: JP Mary L. Slinkard

County Attorney George Spence read the proposed ordinance by title only.

JP Slinkard stated that this ordinance is required to adopt by reference the recodification of the county's ordinances. She said that publication of a notice is required after the second reading, and it will require three readings.

JP Slinkard made motion to adopt, seconded by JP J. Harrison.

JP Meyers asked if there is something available which shows the changes that have been made. County Attorney George Spence said that this ordinance is to acknowledge that the ordinances have been codified, and that no changes were made except to add the ordinances adopted since the last recodification.

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

13 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 Absent: Shadlow, Chiocco

First reading passed.

(E) Proposed Appropriation Ordinance 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

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones stated that this appropriation is to transfer returned appropriations from the 2015 budget into the Capital Projects Fund, as they had discussed doing during budget talks last year.

JP Jones made motion to adopt, seconded by JP Adams.

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

13 Yeas: Sheridan, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Slinkard, Leadabrand, Moore, Meyers, Moehring

2 Absent: Shadlow, Chiocco

Appropriation ordinance duly adopted and assigned **No. O-2016-25**.

OTHER BUSINESS:

None

ANNOUNCEMENTS:

JP Allen announced that the Finance Committee would be meeting on July 7, 2016 at 6:00 p.m.

JP Adams announced that the Transportation Committee would be meeting on July 11, 2016 at 6:00 p.m.

JP Anglin reminded the court that they had all received an invitation to the 26th Annual Conservation Dinner at the Arvest Community Room on July 12, prior to the Committee of the Whole meeting.

ADJOURNMENT:

After motion and second, meeting adjourned at 6:29 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk

Prepared by: Betsy Harrell