

Committee of the Whole Report

August 09, 2016

The Committee of the Whole met Tuesday, August 09, 2016 at 6:00 p.m. in the Quorum Court Meeting Room, Benton County Administration Building, Third Floor, 215 East Central Avenue, Bentonville, Arkansas.

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

Others Present: Assessor Linda Hambrick, County Judge Bob Clinard, Circuit Clerk Brenda DeShields, Circuit Judge Doug Schrantz, Administrator of General Services John Sudduth, Comptroller Brenda Guenther, Sheriff's Office Captain Lynn Hahn, Assessor-Elect Rod Grieve, Office of Emergency Management Director Mike Dixon, District 11 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 motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

JP Jones made motion to move Item #11 to first on the agenda, seconded by JP Chiocco

Motion passed by unanimous show of hands vote.

11. Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) to Appropriate Additional Monies and Authorizing Additional Expenditures in Department 0418, Capital Projects Fund, Fund 4000; Sponsor: JP Joel Jones

John Sudduth stated that Project Engineer Greg Anderson Sheriff's Office Captain Lynn Hahn are present to answer any questions.

JP Moore asked for a quick briefing from the Finance Meeting on why this is request is being made.

John Sudduth responded that it has been discovered that the equipment they were using is obsolete.

JP J. Harrison commented this is due to a change in jail standards, and asked if there are any other issues where we are not meeting jail standards. Captain Hahn responded that this will be meeting the standards and he has not seen any other issues or violations.

JP Meyers asked why the number of isolation cells was reduced from 8 to 2.

Captain Hahn responded that at the last meeting, the question was raised about how it was done in Washington County, and they only have one cell and don't use it very often. He said while it may not be mandated, it is recommended. They are going to provide only one for male prisoners and one for females, so this should reduce the cost some.

JP J. Harrison stated that one thing he would like to see is a definite yes or no as to whether or not we are required to have this, adding that he is not saying he would not vote for it, but it would be good to know the requirements.

Captain Hahn stated that it is not in the jail standards or in the Arkansas Department of Health regulations, but the CDC has a section that highly recommends it. This could save us on inmate healthcare and reduce the potential for lawsuits.

JP Allen stated that in the Finance meeting they were told this was something they had to do, as opposed to something that would be good to do.

Captain Hahn stated that that was what he was told two hours before the meeting, and asked Greg Anderson if he knew of any law requiring it.

Greg Anderson stated that he has not found a law requiring it, but thinks this is a good idea. He said the jail standards refer to meeting the Arkansas Department of Health standards, which state that if you have more than 50 inmates, you are required to test for airborne diseases. If someone comes back positive, and you plan on keeping them in your jail, then you are required to provide them therapy.

JP Allen asked how this would impact the budget, and if we need to spend as much as we are throwing in.

John Sudduth stated to keep in mind that this was not just for the isolation units, but also for the increase in costs for the rooftop units and HEPA filter systems.

JP J. Harrison stated that if this is not a liability issue, then maybe it should wait until budget time. Greg Anderson responded that he is not an attorney, but that he thinks they could be looking at a liability issue.

JP Jones commented that he sees that it has been taken down from 8 to 2 cells but does not see a difference in the cost, and asked John Sudduth if he would be pulling together all the complete numbers.

John Sudduth responded that there will be big difference due to reducing the number of cells from 8 to 2, but there is still going to be a need because of the HEPA system and replacing the UV lights.

JP Jones responded that the only thing he recalled being discussed in the Finance Meeting were the isolation units, but tonight we are hearing that this money is covering more. He stated that he wants a breakdown of dollar and cents for every cost associated with his project, prior to next Thursday's Quorum Court meeting.

John Sudduth stated that they are working on it and would provide it.

Greg Anderson stated that we should have them by next Thursday; he is waiting on some information from his contractors.

JP Moore asked if this money would be in addition to the money budgeted last year for a rooftop unit.

John Sudduth responded they still have that money, but it is just not enough money to cover all the costs.

JP Anglin asked if when they are done with this process, would it take care of all the other problems within the jail.

John Sudduth responded that with the way the plan has been presented to him, it would.

JP Leadabrand asked several questions on the different aspects of the treatment of inmates when they get sick, and how it has been done up to this point.

JP Jones made motion to forward to the August 18, 2016 Quorum Court agenda, with the stipulation that the full breakdown of costs be provided prior to the meeting, seconded by JP Sandlin

JP Allen stated that he would not vote for the unit until he had a clear break down.

Motion passed with a show of hands vote – 12 in favor and 1 against (Leadabrand)

1. Resolution Request: Adopting the Benton County Hazard Mitigation Plan for Benton County; Sponsor: JP Joel Jones

JP Jones made motion to approve this resolution request and forward it to the August 18, 2016 Quorum Court agenda, seconded by JP Chiocco.

JP Sandlin asked if there are any drastic differences from the plan that was in place before. Director of Emergency Management Director Mike Dixon responded that it really has not changed that much; it has just been updated.

JP Moehring asked how long ago they had received it and if they are facing a deadline. Director of Emergency Management Mike Dixon stated that the reason it is on the agenda tonight is because they do have a short time frame as the deadline is mid-September. The process had to go through many different people and departments.

JP Moehring asked if there are other entities in the plan who have to approve it, and does every county do their own plan. Mike Dixon stated that the other entities do have to approve it, and every county has adopts their own resolutions.

JP Allen asked if they have to have a plan in place in order to get any fund for help when there is a disaster.

Mike Dixon responded that there are certain projects that we would not be eligible for anymore if there is not a plan in place.

JP Allen asked if we have been at any risk during the last two years.

Mike Dixon commented that we have not; once we received the grant which funded development of the plan and entered into that contract, we were covered.

JP Moore asked if this would give us money if there were a disaster.

Mike Dixon stated that yes it does cover us.

JP Moehring asked how many entities in the county have done this so far.

Mike Dixon stated that as of today, he has not received any of the resolutions, but this is FEMA's deadline, not our own.

JP Leadabrand commented that there is a lot of information but we still do not know much about it, and asked for some examples to show us what this is about. He stated that we know it needs to be approved because of the need for money, but asked if there is any other reason for it to be approved. Mike Dixon explained how the plan was developed, from doing a very lengthy analyses of the hazardous waste plan, to gathering input from the public community and from the various emergency response departments, while following FEMA's guidelines.

JP K. Harrison stated that this plan came before them two years ago, when they appropriated the funds to pay for the development of the new one. He said that is okay with it and thought everyone should read through it.

JP K. Harrison called for the vote.

Motion passed by a show of hands vote: 12 in favor, 1 against (Leadabrand)

2. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Authorizing a Transfer of funds Between Categories and Line Items; Departments 0400 & 0418, Sheriff & Jail, Fund 1000, Sponsor: JP Joel Jones

JP Jones stated that Comptroller Brenda Guenther has explained that the final numbers came in lower than expected, so they just need to approve \$350 for the vehicle instead of \$8,900, and they will move it into the small equipment fund because of the smaller amount.

JP Jones made motion to forward to the August 18, 2016 Quorum Court agenda as amended, seconded by JP K. Harrison.

Motion passed by unanimous show of hands vote.

3. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) To Amend Schedule 1- Revenues by Fund and to Appropriate Monies and Authorize Additional Expenditures in Department 0415, Juvenile Detention, Fund 3700; Sponsor: JP Joel Jones

JP Jones made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Chiocco.

Motion passed by unanimous show of hands vote.

- 4. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items; Department 0500, Emergency Services, Fund 3601; Sponsor JP Joel Jones**

JP Jones made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Chiocco.

Motion passed by unanimous show of hands vote.

- 5. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton county Budget) Authorizing a Transfer of Funds between Categories and Line Items; Department 0502, Fire Services, Fund 1000; Sponsor: JP Michelle Chiocco**

JP Chiocco made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

- 6. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) to Appropriate Additional Monies and Authorize Additional Expenditures in Department 0108, Maintenance, Fund 1000; Sponsor: JP Michelle Chiocco**

JP Chiocco made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Meyers.

Motion passed by unanimous show of hands vote.

- 7. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2014-84 (2015 Benton County Budget) to Amend Schedule 1- Revenues by Fund by Authorizing a Transfer from County General, Fund 1000 to Jail Operations & Maintenance, Fund 3017; Sponsor: JP Joel Jones**

Brenda Guenther explained that the auditor has requested a change in the way revenue from the Sheriff's pay phone fund is being documented, so they will need to make this change in both the 2015 and 2016 budgets.

JP Jones made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP J. Harrison.

Motion passed by unanimous show of hands vote.

8. 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 Jail Operations & Maintenance, Fund 3017; Sponsor: JP Joel Jones

JP Jones made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Chiocco.

Motion passed by unanimous show of hands vote.

9. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items; Department 0400, Sheriff, Fund 3015; Sponsor: JP Joel Jones

Brenda Guenther stated that this is another change requested by the auditor, in order to more accurately reflect how the Sheriff's Drug Buy fund is administered, and this will also need to be done for the 2015 and 2016 budgets.

JP Jones made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Chiocco.

Motion passed by unanimous show of hands vote.

10. Appropriation Ordinance Request: Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items; Department 0400, Sheriff, Fund 3015; Sponsor; JP Joel Jones

JP Jones made motion to forward to the August 18, 2016 Quorum Court Agenda, seconded by JP Chiocco.

Motion passed by unanimous show of hands vote.

OTHER BUSINESS

A letter from County Judge Bob Clinard was presented from the dashboard.

JP Jones told everyone that he had talked to the Judge and that he had no problem with talking about the study and seeing what we wanted. The County Judge did say that we could talk to the architects but that they will not be here but wouldn't don't be here but for just the meetings.

JP Jones stated that he would like the first Public Safety meeting to be between the committee, but after the next meeting held maybe we could have some representative of the architects come and talk about what their plan is. He stated that the letter for the County Judge was to help with some of the concerns we pointed on in the last meeting.

JP Allen responded with who has been selected to go to the work group out of the JPs.

JP Jones stated that the County Judge had called and asked him.

JP Allen responded with him having no problem with JP Jones being the representative who wanted to go but that maybe we should look at talking among ourselves to pick the person who goes to this Work Group and would fit the position best. Stated he thought that maybe JP Moehring would be the best since it looks like he may be the next County Judge and has experience in that field

JP Sandlin commented that she agrees that JP Moehring did have a vested interest but JP Jones is the Public Safety chair.

JP Leadabrand stated that he felt the same things were being talked about from the past and that we just need to get this done

JP Jones stated that the County Judge has said that all meetings are public meetings.

JP Moehring commented that he is not lobbying for the position, but that he does have concerns about Phase I, and now Phase II. He said we need to be able to have a platform as Quorum Court members. We are the last firewall for this to go through so we need to have as much input as possible. Stated that he already had some concerns in this study. We need to approve the front end or we may not like the end results.

JP Anglin commented that we need to get on with this and JP Jones will be setting up the meetings.

Judge Schrantz stated the Work Group complete process is to do the study, sit down and see what they will need within the building and the space that will be needed. Stated he thought that he though they need to let the people who will be using the building go through their process.

ANNOUNCEMENTS

JP Allen stated that the Finance Committee meeting has been moved from September 1st to September 8th.

JP Adams stated that the Transportation Committee Meeting is tentatively scheduled for September 6.

JP Jones stated that the Public Safety Meeting is tentatively scheduled for September 1, 2016.

PUBLIC COMMENTS

Sue Elverston commented that she felt like there was a bait and take, but is backing Judge Schrantz.

ADJOURNMENT

JP Moore declared the meeting adjourned at 7:29 p.m.