

MINUTES OF BENTON COUNTY QUORUM COURT

September 22, 2016

A regular meeting of the Benton County Quorum Court was held on Thursday, September 22, 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 Clinard called the meeting to order.

Quorum Court Coordinator Keeshia DeShields called roll as follows:

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

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag and Jordon Joplin from Keypoint Church led the pray.

CHANGES TO THE AGENDA:

None.

MINUTES:

JP J. Harrison made motion to approve the minutes of the August 18, 2016 Quorum Court meeting as distributed, seconded by JP Chiocco.

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

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

Minutes approved as distributed.

ELECTED OFFICIALS REPORTS:

Russ Anzalone and John Brown gave a report about the new voting equipment. Russ Anzalone reported 11 counties throughout the state have purchased the equipment already and 46 counties are still waiting until Legislative allocates sufficient funds for the new equipment. He stated that we have sent in our request as Benton County to see what percentage we will receive from the state, but until that comes we will not know what to request from the Quorum Court in regards to funding. Russ Anzalone stated that with this new equipment, we would need three times the spaces to store the equipment and the new equipment will not have the tabulators so we would need 75 DS200, which would be the scanner and the counter. The DS200 are 55-gallon drums

that would need transportation to the different voting sites. Russ Anzalone reported that they have bought 125 electronic tablets to check people in electronically and the County Clerk's office have 25 for their early voting.

Russ Anzalone reported that for this 2016 General election we would still be using the electronic machines. He stated that we have had 150 transferred from those counties that have the new equipment. Russ Anzalone stated that he would have high school students at the election sites passing out the 7 constitutional items on the ballot this year, for the people to look over and read before they get up to the voting machines and there will be paper ballots still for those who wish to do it by paper as well.

JP Shadlow stated that when you came to us originally did you not know you would need all of this.

Russ Anzalone replied by stating we were not certain what the state was going to approve. They had three or four different equipment's and the state approved this equipment out of the ESNS.

JP Shadlow asked the question so we are not using the new equipment that we already approved and purchased at this time.

Russ Anzalone replied not at this time because the state has not given us the funding for it yet.

JP Allen stated that in Budget we put aside money when you found out and when we do find out the amount you will be able to use it. He stated what you are describing sounds like it will be a burden for 75 different election commissions around the county.

Russ Anzalone stated it is causing some difficulties and we have put our input in on the matter.

JP Allen stated his concerns are that there is going to be many problems. He stated we have to wait for the logistics now but we cannot have the equipment not show up for the elections.

JP Slinkard stated that as chair of the technology committee in the House of Representatives she had ESNS come and give a presentation on these and that she did not remember them looking like tabulators, they would have fit in the back of a car.

Russ Anzalone reported that they are working on something that looks like a tabulator but they are not working right now. He stated that the Federal Government and the state has also not approved them and this is why we are going with the DS200.

JP Slinkard stated that she visited with several other counties and they have started this system and seem to be working well for them. She commented they also stated they would need transportation as well.

JP Moehring asked the question out of the 11 counties do we know how much of the equipment was paid for by the state and how much was paid for by the county.

Russ Anzalone stated he did not know this and would find out for the JPs.

JP Moehring commented that he did not understand what was wrong with the old equipment.

Russ Anzalone stated that the equipment runs off XP and it has been outdated for 2 or 3 years. He stated if those were to go down then trying to find another that would work off XP would be very difficult.

JP Moore stated that Washington County has the new equipment and they used it in the school board election. He asked if they have been communicating with Washington County and their experience with these new mechanics.

Russ Anzalone stated that they have been and their experience so far has been fine. He stated that they have been in contact with Washington County and five other counties already using the new equipment.

John Brown stated that Washington County is very happy about their equipment and he believed that their Road Department transports the equipment to the voting sites.

JP Leadabrand stated that his concerns are that first the integrity of the systems are not good and second that no one is going to be able to read the full description of the seven constitutional issues in line waiting to vote.

County Judge Clinard stated that it was his understanding that the decision had already been made by the state of election board and it is not up for discussion. He stated it is done and there is nothing we can do to change it so we are going to have to move on with the systems. County Judge Clinard stated that he understood that the XP systems do not support the new systems but this was the first time he was hearing that they would need three times the space to have them stored.

Russ Anzalone stated they would like to have the equipment with them and all stored together but that it did not have to be done that way, but that they do need to be stored in a climate-controlled room.

County Judge Clinard stated that they didn't have to decide tonight but they needed to get with him and tell him how much space they would need, how big the equipment would be, and the timing they would need this spaces.

COUNTY JUDGE'S REPORT/COUNTY PROPERTY DISPOSAL REPORT:

County Judge Clinard presented the County Judge's report as follows:

- Great River Engineering has completed the rehabilitation design for the War Eagle Bridge project. We are waiting on the required signatures from AHTD and the Federal Inspector for bridges. We may have those by the time of this meeting.
- The Benton County Historic Courthouse interior renovations per the Walton Foundation Grant are complete. The relocation back to the courthouse for the Prosecuting Attorney's office is scheduled for September 26. The exterior landscaping and event lighting is underway.
- The Benton County Jail Expansion project is progressing on schedule.
- We had the first meeting of the Work Group with Perkowitz/Ruth/Cromwell/Dewberry concerning the Courthouse options on Thursday evening.
- Wildcat bridge on old Hwy 68 was closed to traffic last week due to safety issues with the deteriorating conditions of the bridge.

The September Property Disposal Report was presented to the JPs from the dashboard.

COMMITTEE REPORTS:

JP Allen reported what was discussed at the Finance meeting. He stated that the Convience Center was doing well and the people in the county were receiving it really well. He stated that is was going so well they were looking at adding a Bella Vista site. JP Allen reported that we are tight on health care funding and have decided to leave it alone for now but would be keeping a close eye on it.

Brenda Guenther reported that for the sales tax we would be receiving \$715,000. She stated that this is \$47,000 more than it was last year at this time. Brenda stated that we are still on tract with the budget.

PUBLIC COMMENTS:

None

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

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

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

Motion to suspend the rules passed.

OLD BUSINESS:

None

NEW BUSINESS:

(A) Proposed Resolution Confirming The County Judge's Appointment of William L. Holley to The Planning Board, Board of Appeals, Position No. 1; Sponsor JP Slinkard

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

JP Slinkard made motion to adopt, seconded by JP Chiocco

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

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

Resolution duly adopted and assigned **No. R-2016-.39**

(B) Proposed Resolution Confirming The County Judge's Appointment of Michael L. Hooper to The Planning Board, Board of Appeals, Position No. 2; Sponsor JP Slinkard

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

JP Slinkard made motion to adopt, seconded by JP Leadabrand

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

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

Resolution duly adopted and assigned **No. R-2016-40**

(C) Proposed Resolution Confirming The County Judge's Appointment of Dietrich W. Bengs to The Planning Board, Board of Appeals, Position No. 3; Sponsor JP Slinkard

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

JP Slinkard made motion to adopt, seconded by JP Chiocco.

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

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

Resolution duly adopted and assigned **No. R-2016-41**

(D) Proposed Resolution Confirming The County Judge's Appointment of Matthew Zachary to The Planning Board, Board of Appeals, Position No. 4; Sponsor JP Sandlin

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

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

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

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

Resolution duly adopted and assigned **No. R-2016-42**

(E) Proposed Resolution Confirming The County Judge's Appointment of Mark Curtis to The Planning Board, Board of Appeals, Position No. 5; Sponsor JP Sandlin

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

JP Sandlin made a motion to adopt, seconded by JP Chiocco

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

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

Resolution duly adopted and assigned **No. R-2016-43**

(F) Proposed Resolution Confirming The County Judge's Appointment of Nate Bachelor to The Planning Board, Board of Appeals, Position No. 6; Sponsor JP J. Harrison

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

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

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

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

Resolution duly adopted and assigned **No. R-2016-44**

(G) Proposed Resolution Confirming The County Judge's Appointment of Joel Jones to The Planning Board, Board of Appeals, Position No. 7; Sponsor JP J. Harrison

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

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

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

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

Resolution duly adopted and assigned **No. R-2016-45**

(H) Proposed Resolution Confirming The County Judge's Appointment of Brandon Pinkerton to The Planning Board, Board of Appeals, Alternate Position No. 1; Sponsor JP Sandlin

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

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

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

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

Resolution duly adopted and assigned **No. R-2016-46**

(I) Proposed Resolution Confirming The County Judge's Appointment of Nick Jewett to
The Planning Board, Board of Appeals, Alternate Position No. 2; Sponsor JP Sandlin

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

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

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

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

Resolution duly adopted and assigned **No. R-2016-47**

(J) Proposed Resolution Confirming The County Judge's Appointment of Kim Wilkins to
The Planning Board, Board of Appeals, Alternate Position No.3; Sponsor JP J. Harrison

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

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

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

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

Resolution duly adopted and assigned **No. R-2016-48**

(K) A Resolution Amending Resolution R-2015-31, Which Authorized the County Judge of
Benton County to Apply For an FY 2015 Economic Development Administration Grant
for Construction of the Spanker Creek Bridge Project, To Increase The Amount of the
Estimated Cost of The Project and To Increase the County's Required 50% Project
Match; Sponsor JP Jones

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

JP Allen made motion to adopt, seconded by JP Moehring

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

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

Resolution duly adopted and assigned **No. R-2016-49**

(L) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) To Appropriate Additional Monies and Authorize Additional Expenditures in Department 0200, Road Department, Fund 4000; Sponsor JP Jones

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

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

Ordinance duly adopted and assigned **No. O-2016-44**

(M) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items in Department 0400, County Sheriff, Fund 3410

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

JP J. Moehring made motion to adopt, seconded by JP Chiocco

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

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

Ordinance duly adopted and assigned **No. O-2016-45**

(N) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) To Amend Schedule 1- Revenues by Fund Authorizing a Transfer From General Fund, Fund 1000 to Capital Projects, Fund 4000; Department 0418; and Authorizing Additional Expenditures Listed Herein; Sponsor JP Slinkard

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

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

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

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

Ordinance duly adopted and assigned **No. O-2016-46**

(O) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) To Create Department Number 0304, Fund 49000, To Be Entitled "Siloam Springs Childcare Grant," and To Amend Schedule 1-Revenues by Fund to Reflect An Increase In Revenues and Expenditures Therein; Sponsor JP Moehring

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

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

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

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

Ordinance duly adopted and assigned **No. O-2016-47**

(P) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) To Appropriate Additional Monies and Authorize Additional Expenditures in Department 0418, Jail, Fund 4000; Sponsor JP Chiocco

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

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

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

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

Ordinance duly adopted and assigned **No. O-2016-48**

OTHER BUSINESS:

County Judge Clinard stated that there has been some discussion in the newspaper about the former county employee and those them county has not been forth coming with information. He asked Brenda Guenther and George Spence to give a brief report on this matter.

Brenda Guenther stated at this time it is still under investigation so we are not able to say a whole lot about the mater. She stated that she did visit with AAC and the State on insurance coverage and they stated we do have some coverage.

George Spence stated we are being closed mouth about this because of the advice I gave to everyone. The reason this was suggested is first we do not want to do anything to hinder the investigation and second we do not want to repeat things that we thing we heard. He stated we do not want to put miss information out there we want it to be solid. George Spence stated that at some point we would bring a report forward with the amounts that were involved.

County Judge Clinard stated that we are fully cooperating with the investigating authorities. He stated we have our books open and everything they ask for we have been providing.

ANNOUNCEMENTS:

JP Allen stated the first budget meeting has been canceled.

County Judge Clinard reported on November 3 the State Agricultural Comities will be holding a pesticide collection at the Decatur and Garfield road departments. Anyone can bring their pesticide to the road departments and they will gather them and dispose of them properly.

JP Anglin stated that people who want to know more about the ballot issues can go to uaex.edu or University of Arkansas Public Polices and they present the pros and cons of the issues. People can also get a card from the County Clerk's office and has cards with the information about the website.

JP Sandlin stated that she has also seen the ballot issues in the newspaper at least twice so they are out there for people to look over.

ADJOURNMENT:

After motion and second, the meeting adjourned at 7:04 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk

Prepared by: Keeshia M. DeShields