

MINUTES OF BENTON COUNTY QUORUM COURT

April 24, 2009

A regular meeting of the Benton County Quorum Court was held on Thursday, April 23, 2009 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 David Bisbee called the meeting to order.

Deputy Clerk Janet Reaves called roll as follows:

13 JP's Present: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,
 Douglas, Blaty, Winscott, Harrison, Stephenson

A legal quorum was present.

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

A moment of silence was held in support of the men and women serving in the United States Armed Forces.

MINUTES:-

Deputy Clerk Janet Reaves noted three corrections to be made to the minutes of the March 19, 2009 meeting.

- (1) Page 3: Correction of spelling, "JESAP" instead of "JESEP"
- (2) Page 3: Old Business: Roll call vote 11 yeas, remove Stephenson name from yea vote.
Vote not counted. JP Stephenson voted nay.
- (3) Page 10: JP Hubbard and JP Wolf both announced the Personnel Committee meeting.

JP Wolf made motion to approve the Minutes of the March 19, 2009 meeting as corrected, seconded by JP Stephenson. Motion to approve the Minutes as corrected carried by voice vote.

CHANGES TO AGENDA

JP Moore made motion to remove Item "A" from the agenda, as he felt it had been adequately handled at the Committee of Thirteen. JP Stephenson stated that he felt that Item "A" should stay on the agenda. County Judge Dave Bisbee stated that the money doesn't transfer at this time and that the Comptroller does a clean up appropriation at the end of the year if needed and that this is not an ordinance or resolution. Comptroller Richard McComas stated we have always used the minutes of the Committee of Thirteen for back up documentation if needed, and that the reason for

doing this was to cut the expense of publishing multiple ordinances. JP Stephenson offered a substitute motion to leave Item "A" on the agenda, seconded by JP Wozniak
Motion passed by unanimous voice vote.

Judge Bisbee asked if there were any other changes to the agenda. There being none, approval of agenda passed by unanimous voice vote.

ELECTED OFFICIALS REPORT:

Collector Gloria Peterson reported that the 2008 tax statements are being mailed and that mortgage companies are beginning to send in payments.

COUNTY JUDGE'S REPORT:

County Judge Bisbee reported that he had talked with FEMA and the county could possibly get payment in excess of \$1.5 million dollars as soon as next week, he stated the Federal government has begun the process of reimbursing the county for its ice-storm debris cleanup and that late yesterday the county came into an agreement with the State Highway Department for removal of debris placed on state highways. He reported the State Highway Department only removes debris that fell on the highways, not the debris that has been placed alongside it, and that FEMA does not reimburse the State Highway Department. He said that FEMA has agreed with the county that the county was to pick up the debris that has been placed along side the highways. He stated that there are 168 miles of state highways in the unincorporated areas of the county, and that approximately half will need to be cleared, and that contractors working for the county will begin clearing the debris-laden highways Monday or Tuesday.

COMMITTEE REPORTS:

None

PUBLIC COMMENTS:

None

OLD BUSINESS:

None

NEW BUSINESS:

JP Wolf made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Harrison. Motion passed by unanimous voice vote.

- (A) Budget Adjustment for the Benton County Assessor Department
Sponsor: JP Marge Wolf.

JP Stephenson made motion to authorize funds up to \$16,000 to the Assessor's office for a market analysis study, seconded by JP Hubbard.

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

13 yeas: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen, Douglas, Blaty, Winscott, Harrison, Stephenson

Motion for budget adjustment approved.

- (B) A Resolution Authorizing the County Judge to Apply for a Substance Abuse and Mental Health Services Administration Grant to Expand Substance Abuse Treatment Capacity for Adult Drug Courts from the Department of Health and Human Services: Sponsor: JP Kurt Moore

Deputy Clerk Janet Reaves read the proposed resolution by title only. JP Moore made motion to adopt, seconded by JP Wolf.

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

13 yeas: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen, Douglas, Blaty, Winscott, Harrison, Stephenson

Resolution duly adopted and assigned **No. R-2009-08.**

- (C) A Resolution Authorizing Application and Acceptance of Funds Granted Through the U.S. Department of Justice, Office of Justice Program's (OJP) Bureau of Justice Assistance (BJA) Recovery Act – Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Sponsor: JP Kurt Moore.

Deputy Clerk Janet Reaves read the proposed resolution by title only. JP Moore made motion to adopt, seconded by JP Stephenson.

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

13 yeas: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen, Douglas, Blaty, Winscott, Harrison, Stephenson

Resolution duly adopted and assigned **No. R-2009-09.**

- (D) A Resolution Granting a Waiver of the Policy as Established in Sec. 2-534 of *The Code of Ordinances of Benton County* Regarding Payments Within the Salary Range for Various Positions in **Department 05, Sheriff's Office, Fund 010**; Sponsor: JP Marge Wolf.

Deputy Clerk Janet Reaves read the proposed resolution by title only. JP Moore made motion to adopt, seconded by JP Wolf.

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

13 yeas: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,
 Douglas, Blaty, Winscott, Harrison, Stephenson

Resolution duly adopted and assigned **No. R-2009-10.**

- (E) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2008-33 (2009 Benton County Budget) to Amend Schedule 4 Personnel and Compensation Authorization by Adding Positions and Deleting Positions, Changing Grades of Certain Positions: and Changing Job Titles of Certain Positions in Various Funds and Departments: Sponsor: JP Marge Wolf

Deputy Clerk Janet Reaves read the proposed Appropriation Ordinance by title only. JP Marge Wolf made motion to adopt, seconded by JP Winscott.

JP Hubbard stated that he likes that the plan saves money and creates a construction manager which the county needs, but that he has a problem with eliminating the Planning Director, the Assistant County Administrator position, and the Director of Environmental Services, and that he objects to dropping the requirement of a bachelor's degree for the two new directors' positions. JP Moore stated that he does not like creating a job description to fit a person instead of picking a person to fit a job description. JP Douglas stated that he does not like some aspects of the plan, but it will make the departments work as efficiently as they did before the reorganization and that it will create accountability and save the taxpayers' money.

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

9 yeas: Wozniak, Wolf, Sandlin, Moore, Allen, Douglas, Winscott,
 Harrison, Stephenson

4 nays: Brown, Lewis, Hubbard, Blaty

Appropriation Ordinance duly adopted and assigned **No. O-2009-13.**

- (F) An Appropriation Ordinance Amending Appropriation Ordinance No. O-2008-33 (**2009** Benton County Budget) to Amend Schedule 4 Personnel and Compensation Authorization by Adding Positions and Deleting Positions: Changing Grades of Certain Positions: and Changing Job Titles of Certain Positions in Various Funds and Departments: Sponsor: JP Marge Wolf

Deputy Clerk Janet Reaves read the proposed Appropriation Ordinance by title only. JP Wolf made motion to adopt, seconded by JP Sandlin.

JP Stephenson stated that something had been said about a two percent increase in the maximum wage and questioned what had become of that. HR Manager Barbara Ludwig stated that they are now studying the range in total instead of looking at the maximum, but it is on hold for the time being and is not in this ordinance. JP Moore asked if this was another situation where we were adjusting the job description to fit the individual. JP Wolf stated that when looking at the position and the requirements for the position, it was realized that the person who has been chosen to fill the position had meet the certification and experience requirements.

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

13 yeas: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,
 Douglas, Blaty, Winscott, Harrison, Stephenson

Appropriation Ordinance duly adopted and assigned **No. O-2009-14.**

(G) An Ordinance Creating Procedures with Regard to the Disposition of
 Unclaimed Corpses.

Deputy Clerk Janet Reaves read the proposed Ordinance by title only.

JP Wozniak stated that this ordinance would lessen the time frame for County Corner Daniel Oxford to dispose of unclaimed corpses.

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

13 yeas: Wozniak, Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,
 Douglas, Blaty, Winscott, Harrison, Stephenson

First reading passed.

JP Wozniak requested that the proposed ordinance be allowed to go through the normal process of three separate readings and be read at the next two Quorum Court meetings.

County Judge Dave Bisbee stated that the proposed ordinance would be placed for second reading on the May 28, 2009 Quorum Court agenda.

OTHER BUSINESS:

None

ANNOUNCEMENTS:

JP Wozniak stated that the Environmental Committee meeting will be held on Tuesday, May 5, 2009 at 4:30 p.m.

JP Harrison stated that the Long Range Planning Machinery & Equipment meeting will be held on Monday, April 27, 2009 at 5.00 p.m.

JP Moore stated that the Finance Committee meeting will be held on Tuesday, May 5, 2009 at 5:30 p.m.

There being no further business to come before the court, upon motion and second the meeting adjourned at 6:40 p.m.

Respectfully submitted,

Tena O'Brien,
County Clerk

Prepared by: Janet Reaves