

MINUTES OF BENTON COUNTY QUORUM COURT

October 22, 2009

A regular meeting of the Benton County Quorum Court was held on Thursday, October 22, 2009 at 6:00 p.m. at the Siloam Springs City Hall, 400 North Broadway, Siloam Springs, Arkansas, pursuant to proper call and notice.

County Judge David Bisbee called the meeting to order. Deputy County Clerk Betsy Harrell called roll as follows:

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

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Prayer was led by JP Bobby Hubbard.

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

CHANGES TO AGENDA

County Judge David Bisbee asked if there were any additions, corrections, or deletions to the agenda. Agenda approved by unanimous voice vote.

MINUTES

County Judge David Bisbee asked if there were any additions or corrections to the Minutes of the September 24, 2009 Quorum Court meeting. Seeing none, Judge Bisbee stated that the minutes would be filed as presented.

ELECTED OFFICIALS' REPORT:

Sheriff Keith Ferguson stated that he would like to comment on the ordinance to increase the daily fees charged to cities for housing inmates in the County Jail. He stated that he and County Judge David Bisbee have received phone calls indicating that the State is going to get on board with raising the rate of fees paid to the counties for housing state prisoners. He added that one of our representatives is going to address one of the legislative committees regarding the reimbursement rate on Tuesday, October 27, 2009 in Little Rock. County Judge David Bisbee stated that a memo has been sent to the JPs regarding the meeting and urged them to attend.

COUNTY JUDGE'S REPORT:

County Judge David Bisbee recognized the 4-H members present and asked them to introduce themselves and their parents. After reading a proclamation declaring October as National 4-H month in Benton County, he stated that he grew up near Clarion, Iowa, the birthplace of 4-H. He added that he was from a long line of heritage of 4-H and appreciates what the 4-H does.

County Judge David Bisbee stated that newly selected Dive Team Board members will be recognized at the November 10, 2009 Committee of Thirteen meeting.

COMMITTEE REPORTS:

JP Wolf announced that the Personnel Committee will be meeting Friday, October 23, 2009 at 2:30 p.m.

PUBLIC COMMENTS:

None

OLD BUSINESS:

JP Wolf made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Stephenson.

Motion passed by unanimous voice vote.

- (A) Third and Final Reading of Proposed Ordinance Amending Ordinance No. O-2008-26 Which Repealed Chapter 2, Article VII et seq. of *The Code Of Ordinances Of Benton County, Arkansas* Regarding Benton County Employment and Salary Administration Policy; Sponsor: JP Marge Wolf

Deputy County Clerk Betsy Harrell read the proposed ordinance by title only. JP Marge Wolf stated that this is the third and final reading of the ordinance, which establishes guidelines for variances in salary placement when hiring someone below the minimum requirements listed in the job description.

JP Wolf made motion to adopt, seconded by JP Stephenson.

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

- 11 yeas: Wolf, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,
Blaty, Winscott, Harrison, Stephenson
- 2 absent: Wozniak, Douglas

Appropriation Ordinance duly adopted on third and final reading and assigned No. **O-2009-37**.

- (B) Second Reading of Proposed Ordinance Amending Section 82 of Chapter 42 of *The Code Of Ordinances Of Benton County, Arkansas* to Increase the Daily Fee Charged to Municipalities For Housing Prisoners in the County Jail; and For Other Purposes; Sponsor: JP Bobby Hubbard

Deputy County Clerk Betsy Harrell read the proposed ordinance by title only. JP Hubbard stated this is the second reading of the ordinance and it has been thoroughly discussed in the Committee of Thirteen. He said this ordinance is to increase the daily fee charged to cities for housing inmates to \$40 per inmate. He added that our goal is not to overcharge the cities; we are basically trying to recoup our costs.

JP Hubbard made motion to adopt, seconded by JP Wolf.

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

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

Second reading passed.

NEW BUSINESS:

- (A) Proposed Resolution Authorizing the County Judge of Benton County to Apply For a Grant On Behalf of the Beaver Lake Fire Department Community; Sponsor: JP Tawnya Lewis

Deputy County Clerk Betsy Harrell read the proposed resolution by title only. JP Lewis stated that this would be a pass through grant and requires no matching funds from the county.

JP Lewis made motion for approval, seconded by JP Stephenson.

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

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

Resolution duly adopted and assigned **No. R-2009-19.**

- (B) Proposed Resolution of the Quorum Court of the County of Benton, State of Arkansas, Accepting the Audit Report For Benton County For the Period Ending December 31, 2007; Sponsor: JP Kurt Moore

Deputy County Clerk Betsy Harrell read the proposed appropriation ordinance by title only. JP Moore stated that the Quorum Court is required by law to approve a resolution stating that they have received and approved the Benton County Audit Report ending December 31, 2007.

JP Moore made motion for approval, seconded by JP Winscott.

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

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

Resolution duly adopted and assigned **No. R-2009-20.**

- (C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2008-33 (2009 Benton County Budget) To Create a New Fund To Be Named “SAMSHA Substance Abuse Treatment Drug Court Grant Fund” and Numbered No.462 In Department 01, To Amend *Schedule 1-Revenues By Fund* To Increase Revenues, and To Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Kurt Moore

Deputy County Clerk Betsy Harrell read the proposed appropriation ordinance by title only. JP Moore stated that this appropriation ordinance was to appropriate \$72,679 in grant funds for substance abuse treatment in the Adult Drug Court and had been forwarded from the Committee of Thirteen.

JP Moore made motion for approval, seconded by JP Stephenson.

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

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

Appropriation Ordinance duly adopted and assigned No. **O-2009-38.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2008-33 (2009 Benton County Budget) To Create a New Fund To Be Named “Safe Haven - Supervised Visitation and Safe Exchange Program Grant Fund” and Numbered No.471 In Department 01, To Amend *Schedule 1-Revenues By Fund* To Increase Revenues, and To Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Kurt Moore.

Deputy County Clerk Betsy Harrell read the proposed appropriation ordinance by title only. JP Moore stated this appropriation is for the expenditure of \$10,386 in 2009 grant funds for the Safe Haven-Supervised Visitation and Exchange Program and requires no matching funds from the county.

JP Moore made motion for approval, seconded by JP Stephenson.

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

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

Appropriation Ordinance duly adopted and assigned No. **O-2009-39.**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2008-33 (2009 Benton County Budget) To Create a New Fund To Be Named “Arkansas Economic Development Commission Septic System Installation Project Grant Fund” and Numbered No.192 In Department 01, To Amend *Schedule 1-Revenues By Fund* To Increase Revenues, and To Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Kurt Moore

Deputy County Clerk Betsy Harrell read the proposed appropriation ordinance by title only. JP Moore stated that this is a portion of a pass through grant for the expenditure of \$16,000 for the AEDC Septic System Installation Project and requires no matching funds from the county.

JP Moore made motion for approval, seconded by JP Wolf.

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2009-40.**

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2008-33 (2009 Benton County Budget) To Appropriate Additional Monies and Authorize Additional Expenditures in Department 61, Emergency Medical Services (VAS) Fund 150; Sponsor: JP Kurt Moore

Deputy County Clerk Betsy Harrell read the proposed appropriation ordinance by title only. JP Moore stated this is an appropriation of dues collected for the Emergency Medical Services District, and requires no county funds.

JP Moore made motion for approval, seconded by JP Lewis.

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2009-41**

OTHER BUSINESS:

County Judge David Bisbee stated that the regular meeting date for the Quorum Court meeting in November is on Thanksgiving and the December meeting date is on Christmas Eve. He stated that he would like to move both meeting dates up one week to the third Thursday in November and the third Thursday in December. He added that this still leaves ten days between meetings to give the County Clerk time to prepare the paperwork.

JP Stephenson made motion to accept the meeting date changes, seconded by JP Harrison.

Motion passed by unanimous voice vote.

County Judge David Bisbee stated that the meeting dates will be changed to November 19, 2009 at 6:00 p.m. and to December 17, 2009 at 6:00 p.m.

JP Stephenson stated that he would like for County Judge David Bisbee to address those in attendance about Quorum Court procedures, because they might have the impression that the agenda items do not receive thorough consideration.

County Judge David Bisbee stated that the Quorum Court first meets as the Committee of Thirteen to discuss all of the resolutions and ordinances that have been forwarded from the various small committees. He stated that the Committee of Thirteen then finalizes all of the agenda items and votes whether or not to forward them to the Quorum Court. He added that the Quorum Court finalizes the action in compliance with state law.

JP Moore stated that if the members of the public would like to address a certain issue which is coming up before the Quorum Court, the best and most constructive place would be at one of the small committee meetings or the Committee of Thirteen. He explained that usually by the time it gets to the Committee of Thirteen, it has been forwarded from at least one committee or possibly two, so if someone wants input into the formation of a policy, getting in at the earliest part of the process is probably the best way.

County Judge David Bisbee stated that the agenda for all meetings is posted on the Benton County website.

ANNOUNCEMENTS:

JP Moore announced that the second Finance/Budget meeting will be held Tuesday, October 27, 2009 at 5:30 p.m.

There being no further business to come before the court, upon motion and second the meeting adjourned at 6:31 p.m.

Respectfully submitted,

Tena O'Brien,
County Clerk

Prepared by: Janet Reaves