

MINUTES OF BENTON COUNTY QUORUM COURT

November 14, 2006

A Special Meeting of the Benton County Quorum Court was held on Tuesday, November 14, 2006, immediately following the regularly scheduled Committee of Thirteen Meeting at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

The meeting was called to order by County Judge Gary Black at 5:40 p.m. In the absence of County Clerk Mary Lou Slinkard, roll call was made by Deputy County Clerk Betsy Deaton.

13 JPs Present: Adams, Allen, Harrison, Hill, Moore, Sampier, Schindler, Sheridan, Stephenson, Summers, Tharp, Wolf, Wozniak

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag, and JP Tim Summers led the prayer.

County Judge Gary Black stated that the purpose of this meeting is to set the 2006 Tax Levy Rate for Benton County General Fund, County Road Fund, and Voluntary Tax for County Road and Benton County Historical Preservation Commission

PUBLIC COMMENTS:

Tom Seliga stated that it is ironic that he was able to lock his taxes in last week because he reached the age of 65, and got one step ahead, but now the Quorum Court is going to put him 4.9 steps behind. He said it does not seem right, and proposed changing the way the taxes are collected. He said the counties could get together and get a tax approved at the state level which would go directly to the counties, and give the citizens a half-cent break. He said the cities do not need the money like residents of the county do, and the county is paying for the cities now. He said they should look at it seriously before they jump into something they cannot turn around, because everyone knows that taxes are never taken off once they are passed.

Jeff Wynatt asked the Court to think about fiscal responsibility, because this millage increase amounts to a 16% raise in taxes, and he will not get any benefit because the area he lives in borders Madison County, and they are treated like they live in Madison County. He said when there is a shortfall, they should think about cutting back instead of reaching into the citizens' pockets. He said it is totally irresponsible, because the state is flush with money and the county is probably second in revenue within the state. He said he thinks they can make up the \$3 million-plus shortfall by cutting, and they should consider a bed tax which every other city in this country imposes. He said this is the wrong solution, and he resents the system which allows outgoing JPs to vote on next year's budget when they are not going to be here and it should be changed.

Bob Kossieck stated that he would also like to challenge County Judge Gary Black to get together with the rest of the County Judges in the state, and get a Resolution passed to change the sales tax structure so the county can get that one/half cent that it needs to operate. He said that things are not going to get better, they are going to get worse. He said the problem is that the burden is falling on the property owners, not on everybody, and he urged them to take the initiative.

Gary Finnigan stated that he would like to know how to get a question answered of an Elected Official in this forum. He said he is frustrated because this deck was already stacked, and he would like someone here with the courage of their convictions, to answer how they can in good conscience, if they treated the county affairs like you would treat your own household, during a period of declining revenues, justify increasing expenditures. He said he does not disagree with merit increase because he has had the privilege of working with some good people in the county, and some of them deserve merit increases. He said there are ways to find that money, but to add to your expenses and not trying to reduce them does not make good fiscal sense.

ITEMS OF BUSINESS

- (A) Proposed Resolution Authorizing a Property Tax Levy for Benton County General Fund and Benton County Road Fund for the Year 2006, To Be Collected in the Year 2007; Sponsor: JP Tim Summers

Deputy County Clerk Betsy Deaton read the proposed Resolution in full. JP Summers made motion for approval, seconded by JP Sheridan. JP Tharp asked for clarification regarding what Article 3 is referring to. JP Sheridan stated that the Voluntary Taxes are put on the tax bill and people may elect to pay them or not, but it is not included in the total. JP Schindler stated that the Historical Preservation Commission is not funded, but is starting to get some donations and it is hoped that they will receive some money from this voluntary tax. JP Allen stated that he did not recall discussing this, and asked if it was actually 4 mills. JP Sheridan repeated that it is voluntary, and you do not have to pay it unless you choose to. JP Allen stated that the language says "fixed and levied" so how could it be voluntary, and it just scares him. JP Adams stated that when the Commission was created the question was raised about it ever costing the county any money, and would they ever go to the taxpayers for money. He said the answer at that time was no, and now it looks like we are wanting to ask for more money. He said that is contrary to what they agreed to a year ago, and that dog just does not need to be hunting right now. JP Sheridan stated that his tax bill has had a voluntary tax on it every year, and you can either pay it or not, so he does not understand the problem with it being on there. JP Sampier stated that there have been various voluntary taxes on tax statements all his life. JP Tharp asked if they are voluntary, then it is a moot point, and why are they even on here.

County Clerk Mary L. Slinkard was recognized. JP Tharp stated that it is costing the taxpayers money, because it is coming through our offices so we are paying people to collect the money and distribute it. County Clerk Mary L. Slinkard stated that any tax has to be levied by the Quorum Court, and basically ends up being a donation by the taxpayer which is calculated based

on mills. She said that if a taxpayer wants to pay all or any part of that voluntary donation to those entities, they may. She said that many of the cities have voluntary taxes on various things. She said she was asked to add the Historical Preservation Commission at the same rate as the County Road Voluntary tax, which has been on the Levy Ordinance every year. JP Schindler stated that last year the County Road Voluntary Tax totaled \$68,000, and it is tax deductible, and taxpayers can pay all or part of it, or none of it. JP Allen stated that he has seen tax statements and was not questioning why it is on there, the wording just caught him off guard and he thanked County Clerk Mary L. Slinkard for the explanation.

JP Tharp stated that when he spoke with his constituents, they asked him when they were going to vote, and obviously they are not, because 13 people in this room are going to decide the fate of this Resolution tonight. He said he represents 11,000 people and he is not going to be voting for it because his constituents came to him and told him that they did not want more taxes. He said that he is one of five JPs who will be leaving because he did not win his election, and he is standing up for no more taxes. He said he promised his constituents when he was elected that he would support no more taxes, and here we are adding more taxes. He said he is concerned about what they are doing here, that Bella Vista made a decision to incorporate, and that is great for them, and they are also going to pay more taxes. He said that Benton County residents are footing the bill and \$3.7 million dollars is a lot of money. He stated that he did not think they have cut where they should be cutting, and he does not think they have to make a decision tonight.

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

9 yeas: Harrison, Moore, Sampier, Schindler, Sheridan, Stephenson,
Summers, Wolf, Wozniak
4 nays: Adams, Allen, Hill, Tharp

Proposed Resolution duly adopted and assigned No. **R-2006-22**.

County Judge Gary Black stated that since the next Quorum Court meeting falls on Thanksgiving, it will be changed to 5:00 p.m. November 30, 2006.

There being no further business to come before the court, upon motion and second the meeting was adjourned at 6:00 P.M.

Respectfully submitted,

Mary L. Slinkard
County Clerk

Prepared by: Betsy Deaton