

## MINUTES OF BENTON COUNTY QUORUM COURT

**November 18, 2010**

A regular meeting of the Benton County Quorum Court was held on Thursday, November 18, 2010 at 6:00 p.m. 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 David Bisbee.

Deputy Clerk Janet Reaves called roll as follows:

12 JPs Present: Millager, Sandlin, Lewis, Brown, Hubbard, Moore, Allen,  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 Absent: Wozniak

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Prayer was led by Pastor Bill Rogers of Work of Life Fellowship Church.

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

### **Changes to the Agenda**

County Judge David Bisbee asked if there were any additions, corrections, or deletions to the agenda. There being none, the agenda was approved as presented.

### **MINUTES:**

County Judge David Bisbee asked if there were any additions or corrections to the Minutes of the October 28, 2010 Quorum Court meeting. County Judge David Bisbee stated that the minutes would be filed as presented.

### **ELECTED OFFICIALS' REPORT:**

None

**COUNTY JUDGE’S REPORT:**

County Judge David Bisbee stated that the appointment of Mindy A. Campbell to the Benton County Historical Preservation Commission needs to be confirmed by the Quorum Court.

JP Stephenson made motion to confirm the appointment of Mindy A. Campbell to the Benton County Historical Preservation Commission, seconded by JP Sandlin

Motion passed by unanimous voice vote.

County Judge David Bisbee stated that the information needed for the County Clerk to levy the taxes has not been received for all of the school districts and communities for the Quorum Court to vote on and at the end of this meeting the court will recess until the December 16, 2010 Quorum Court meeting to levy those taxes. He stated that it is mandatorily by law that taxes are to be levied at the November Quorum Court meeting.

**COMMITTEE REPORTS:**

JP Moore stated at the November 09, 2010 Budget/Finance Committee meeting the committee forwarded the new 2011 budget the December 14, 2010 Committee of Thirteen agenda.

**PUBLIC COMMENTS:**

Joel Jones of Bella Vista commented on the Election Commission’s request to purchase software from E S& S.

Chris Nugey of Rogers expressed concerns on the Election Commission’s request for the appropriation request to purchase software.

Duane Neal of Bentonville commented on the Election Commission.

Mike Seviak of Bentonville expressed his concerns of the Election Commission.

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

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- (A) Proposed Resolution Authorizing the Offering of Water Revenue Refunding Bonds to Finance the Costs of Refunding the County’s Water Revenue Bonds (Benton County Water District No.1- Refunding Water Tank Construction Project) Series 2002; Authorizing the Execution

A Bond Purchase Agreement; Authorizing the Loan of the Proceeds of Such Bonds to Benton County Water District No. 1; and Prescribing Other Matters Pertaining Thereto; Sponsor: JP Dan Douglas

County Attorney George Spence read the proposed resolution by title only. JP Douglas stated this is for refinancing of bonds, with not cost to the county. JP Douglas made motion for approval, seconded by JP Stephenson.

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

12 yeas: Millager, Sandlin, Lewis, Hubbard, Moore,  
Allen, Douglas, Blaty, Winscott, Harrison, Stephenson  
1 absent: Wozniak

Resolution duly adopted and assigned **No. R-2010-20**

- (B) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2009-46 (**2010** Benton County Budget) to Create a New Fund Entitled “GIF Fire Protection Grant Fund” Numbered Fund 484 and To Appropriate Additional Monies and Authorize Additional Expenditures in Department 01, GIF-II Fire Protection Grant Fund, Beaver Lake Fire Department, Fund 484; Sponsor: JP Kurt Moore

County Attorney George Spence read the proposed ordinance by title only. JP Moore JP Moore made motion to adopt, seconded by JP Lewis.

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

12 yeas: Millager, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 absent: Wozniak

Appropriation Ordinance duly adopted and assigned **No. O-2010-48.**

- (C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2009-46 (2010 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 05, Sheriff’s Office, Fund 160; Sponsor: JP Kurt Moore

County Attorney George Spence read the proposed appropriation ordinance 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:

12 yeas: Millager, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 absent: Wozniak

Appropriation Ordinance duly adopted and assigned **No. O-2010-49**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2009-46 (2010 Benton County Budget) to Amend Schedule 1 – Revenues by Fund by Authorizing Transfers from Jail Fine Fund 931 to Capital Projects Fund 440 Listed Herein to Account For Transfers Made During the Budget Year 2010;  
Sponsor: JP Kurt Moore

County Attorney George Spence read the proposed appropriation ordinance by title only. JP Moore made motion to adopt, seconded by JP Lewis.

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

12 yeas: Millager, Sandlin, Brown, Lewis, Hubbard, Moore, Allen  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 absent: Wozniak

Appropriation Ordinance duly adopted and assigned **No. O-2010-50**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2009-46 (Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Fund 010, Department 23; Sponsor: JP Kurt Moore

County Attorney George Spence read the proposed appropriation ordinance by title only. JP Moore made motion to adopt, seconded by JP Stephenson.

12 yeas: Millager, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 absent: Wozniak

Appropriation Ordinance duly adopted and assigned **No. O-2010-51.**

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2009-46 (Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in

Fund 440, Capital Expenditures, Department 35;  
Sponsor: Kurt Moore

County Attorney George Spence read the proposed appropriation ordinance by title only. JP Moore made motion to adopt, seconded by JP Winscott

County Judge David Bisbee stated that the rest of the funding for the Juvenile Justice Center will be in the 2011 Budget that you will vote on at the December 16, 2010 Quorum Court meeting.

JP Winscott recognized Chris Schnurbusch, Division Manager with Crossland Construction, who then presented to the Quorum Court members detailed drawings and site plan for the Juvenile Justice Center.

JP Brown stated that because of placing a bid on the project that he was rescuing himself from voting.

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

11 yeas: Millager, Sandlin, Lewis, Hubbard, Moore, Allen,  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 abstain: Brown  
1 absent: Wozniak

Appropriation Ordinance duly adopted and assigned **No. O-2010-52**

- (G) Proposed Resolution Authorizing a Property Tax Levy for Benton County General Fund and Benton County Road Fund for the Year **2010** to be Collected in the Year **2011**

County Attorney George Spence read the proposed resolution by title only. JP Moore stated that the Voluntary tax on the road and personal property situated for the Benton County Historical Preservation Commission levy has been changed from 2.0 mills to .2 mills because of a surplus of funds. JP Moore made motion to adopt, seconded by JP Sandlin.

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

12 yeas: Millager, Sandlin, Brown, Lewis, Hubbard, Moore, Allen,  
Douglas, Blaty, Winscott, Harrison, Stephenson  
1 absent: Wozniak

Resolution duly adopted and assigned **No. R-2010-21.**

**OTHER BUSINESS:**

None

**ANNOUNCEMENTS:**

There being no further business to come before the court, upon motion and second the November Quorum Court meeting was recessed until the December 16, 2010 meeting to be held at 6:00 p.m.

Meeting recessed at 6:29 p.m.

Respectfully submitted,

Tena O'Brien  
County Clerk

Prepared by: Janet Reaves