

## MINUTES OF BENTON COUNTY QUORUM COURT

**May 26, 2011**

A regular meeting of the Benton County Quorum Court was held on Thursday, May 26, 2011 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 Robert D. Clinard called the meeting to order.

Deputy Clerk Janet Reaves called roll as follows:

13 JP's Present: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Bill Rogers of the Word of Life Fellowship Church led the prayer.

### **CHANGES TO THE AGENDA:**

None

### **MINUTES:**

JP Hawkins made motion to approve the minutes of the April 28, 2011 Quorum Court meeting, seconded by JP Sandlin.

### **ELECTED OFFICIALS REPORT:**

None

### **COUNTY JUDGE'S REPORT:**

County Judge Bob Clinard stated that he had accompanied the Emergency Management Team and Sheriff's Department staff to the scene of the drowning accident on Butler Creek, and asked that the court pray for the victims and their families as this was a tragic accident.

Judge Clinard reported that: 1) The Road Department and FEMA have estimated flood damage at approximately \$960,000 for bridge replacements, road repair and re-construction. He added that they are taking all necessary steps to get the documentation that is needed to get the maximum reimbursement; 2) The County does not yet have a reliable cost estimate of the recent rain storm damage in the county, but that the costs may be in the \$250,000 range; 3) Benton County West Road Facility plans are in progress, the property has been purchased, the bids are to be let in June, and construction should start in July; 4) Juvenile Justice Center construction is ongoing with no major issues, and should be completed around February 15, 2012. He said the contractual completion date is March 3, 2012; 5) The Public Service Building remodeling plans are 60% complete and that the county will begin to receive bids in June; 6) Benton County Courthouse HVAC upgrades are almost complete, and the county is awaiting results of the U.S. Marshal Service safety and security survey of the facility; 7) New landscaping around the

Courthouse has been delayed because of the weather, and that the west and south side of the courthouse will have to be re-graded; 7) The County Hall meeting at Lost Bridge Village on May 17<sup>th</sup> was a success; 8) He stated that he supports County Attorney George Spence's report on the recommendations for the Election Commission and that those recommendations will be addressed at the next Commission meeting scheduled for June 1, 2011.

JP Moore asked if there was any chance that the Governor would be making a declaration for the additional rain storm damage. County Judge Bob Clinard stated that he does not believe that the damage will exceed the \$450,000 threshold necessary for a Disaster Declaration, so those costs will be coming from the county's coffers. He added that the county has five days to declare the storm damage and that tomorrow, May 27<sup>th</sup>, is the deadline.

JP Allen commented on how well the Benton County Alert system had worked during the last storm.

County Judge Bob Clinard stated that the county received multiple calls asking where people should go for shelter. He stated that Benton County does not have an official County Storm Shelter, and that the county needs to educate people on the steps they need to take to protect themselves and on personal preparedness. He added that the only designated shelter built under FEMA standards in the county is the Pea Ridge School system shelter, which holds 800 people.

**a) P.A.L Network Leadership Health Challenge**

County Judge Bob Clinard recognized David Nelson, CEO of P.A.L, who stated that "PAL" stands for Parent Advocate Leadership Network, Inc, which is a 501-(c) 3 nonprofit organization. He said the goal of the PAL Network Leadership Health Challenge is to make people more aware of the importance of the role that water plays in a healthy lifestyle. He noted that according to Alan Fortenberry, CEO of the Beaver Lake Water District, if something were to happen to the Beaver Lake water supply, the area would be in a critical situation within 4 days. He stated that the goal is to challenge city leaders, as well as county leaders, to participate in a six-month contest to improve their own health and wellness as role models for all citizens and children. He stated that the PAL Network Leadership Health Challenge is to challenge people to drink more water and to engage in simple, common sense, healthy habits.

County Judge Bob Clinard stated that as leaders we need to advocate people living healthier, eating healthier, and drinking more water. He stated it is serious to stay healthy, eat healthy, and be a positive role model. He stated that the challenge would not be discussed tonight, but would be addressed at a future committee meeting.

**COMMITTEE REPORTS:**

County Judge Bob Clinard announced that the Transportation Committee will meet Tuesday, May 31, 2011 at 6:00 p.m., and that the Finance Committee will meet Tuesday June 7, 2011 at 5:30 p.m.

**PUBLIC COMMENTS:**

None

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

Motion passed by unanimous voice vote.

**OLD BUSINESS:**

- (A) Third and Final Reading of Proposed Ordinance Establishing a County Depository Board; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed ordinance by title only. JP Allen made motion to approve, seconded by JP Sandlin.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Ordinance duly adopted and assigned **No. O-2011- 20.**

- (B) Third and Final Reading of Proposed Ordinance Amending Certain Sections of Chapter 2 of the *Code of Ordinances of Benton County, Arkansas* Concerning the Hiring or Termination of the County's Director of Information Systems and Changes to the County's Computer Systems; Sponsor: JP Tom Allen

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

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Ordinance duly adopted and assigned **No. O-2011- 21.**

**NEW BUSINESS:**

- (A) Proposed Resolution Confirming Appointments By the County Judge To the Northwest Arkansas HIV Clinic Board; Sponsor: Quorum Court

County Attorney George Spence read the proposed resolution by title only. County Attorney George Spence stated that the appointees by Benton County to the Northwest Arkansas HIV Clinic Board are Norman Tubbs, Jamee Perryman, and G. Bruce Waldon, MD. JP Douglas made motion to adopt, seconded by JP Sandlin.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-11.**

- (B) Proposed Resolution Appointing H. LeRoy Thompson as the Quorum Court Representative To the Benton County Equalization Board For a Three-Year Term; Sponsor: Quorum Court

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

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-12.**

- (C) Proposed Resolution Appointing Pam Underwood as the Quorum Court Representative To the Benton County Equalization Board For a Three-Year Term; Sponsor: Quorum Court

County Attorney George Spence read the proposed resolution by title only. JP Sandlin made motion to adopt, seconded by JP J Harrison.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-13.**

- (D) Proposed Resolution Authorizing the Application For a Grant and Participation in FY2011 Drug Court Enhancement Grant Program Available Through the U.S. Department of Justice; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed resolution by title only. JP Allen made motion to adopt, seconded by JP Carr.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-14.**

- (E) Proposed Resolution Authorizing the Application For a Grant and Participation In FY2011 Coverdell Forensic Science Improvement Grant Program Available Through the U.S. Department of Justice; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed resolution by title only. JP Allen made motion

to adopt, seconded by JP Jones.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-15.**

- (F) Proposed Resolution Authorizing the Application for a Grant and Acceptance of Funds Granted Through the National Historical Publications and Records Commission; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed resolution by title only. JP Allen made motion to adopt, seconded by JP Jones.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-16.**

- (G) Proposed Resolution Authorizing Application and Acceptance of Funds Granted Through the Office of Community Oriented Policing Services (COPS) FY 2011 Child Predator Program (CSPP) Grant; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed resolution by title only. JP Allen made motion to adopt, seconded by JP Sandlin.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-17.**

- (H) Proposed Resolution of the Quorum Court of the County of Benton, State of Arkansas, Accepting the Audit Report For Benton County For the Periods Ending December 31, 2008 and December 31, 2009; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed resolution by title only. JP Allen made motion to adopt, seconded by JP Sandlin.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Resolution duly adopted and assigned **No. R-2011-18.**

- (I) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2010-56 (2011 Benton County Budget) Appropriating Additional Monies In Department 05, Sheriff's Office, Fund 010; JP Tom Allen

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

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2011-22.**

- (J) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2010-56 (2011 Benton County Budget) To Create a New Fund To Be Named "FY09 Citizen Corps Program (CCP) Grant Fund" and Numbered No.298 In Department 30, Department Of Emergency Management, To Amend *Schedule 1-Revenues By Fund* To Increase Revenues, and To Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Tom Allen

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

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2011-23.**

- (K) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2010-56 (2011 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures In Department 68, CenCom, Fund 010; Sponsor: JP Tom Allen

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

JP Douglas recognized Centerton Mayor Bill Edwards and asked him what his thoughts were on the Reverse 9-1-1 BCAlert system. Centerton Mayor Bill Edwards stated that the 9-1-1 BCAlert system has been well-received in the community, but that it needs to be promoted better, and it would be a great asset. He added that the City of Centerton has approved participation through the end the year 2011.

County Judge Bob Clinard stated that the system is operating at a level regarded as highly successful, with about 70% percent of the calls made during emergency situations being received.

Administrator of General Services Elizabeth Bowen stated that there is an option to opt out of a certain time slot, but that the option does not apply when there are tornado alerts.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2011-24.**

- (L) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2010-56 (2011 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures In Department 05, Sheriff's Office, Fund 010; JP Tom Allen

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

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2011-25.**

- (M) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2010-56 (2011 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures In Department 47, Rural Fire Services, Fund 010; Sponsor: JP Tom Allen

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

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2011-26.**

- (N) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2010-56 (2011 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures In Department 49, Information Systems, Fund 010; Sponsor: JP Tom Allen

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

County Judge Bob Clinard stated that this appropriation ordinance is for the video monitors and a security camera for an updated system for the Quorum Court room.

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

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2011-27**.

**OTHER BUSINESS**

None

**ANNOUNCEMENTS:**

JP Allen announced that the Finance Committee will meet June 7, 2011 at 5:30 p.m.

There being no further business to come before the court, upon motion and second the meeting adjourned at 6:53 p.m.

Respectfully submitted,

Tena O'Brien,  
County Clerk

Prepared by: Janet Reaves