

MINUTES OF BENTON COUNTY QUORUM COURT

June 28, 2012

A regular meeting of the Benton County Quorum Court was held on Thursday, June 28, 2012 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 JPs 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. Pastor Bill Rogers of Word of Life Fellowship Church led the prayer.

CHANGES TO THE AGENDA:

None

MINUTES:

JP Winscott made motion to approve the minutes of the May 24, 2012 Quorum Court as distributed, seconded by JP J. Harrison.

Motion passed by unanimous vote.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGES REPORT:

County Judge Bob Clinard reported that: 1) They are continuing to plan and coordinate moving county offices out of leased spaces and into the vacated space in the Courthouse Tower East, with the Prosecuting Attorney's staff, Maintenance Department, and the Coroner's offices having completed their moves; 3) The Assessor's Annex Building construction is progressing, and they should occupy the building by July 15, 2012; 4) The Equalization Board space will be completed in a couple of weeks; 5) The new restrooms and office space at the Rogers annex building have been completed; 6) An Intergovernmental Cooperation Council meeting is scheduled for July 16, 2012 for discussion of the county wide Emergency Medical Services (EMS) study; 7) Road grading has been considerably reduced due to the lack of rain; 8) There have been considerable problems with the air conditioner unit in the Administration Building and discussion is underway to determine how we should proceed; 9) A decision on the Gravette annexation county court case will be ready tomorrow.

COMMITTEE REPORTS:

JP Winscott stated that a Public Safety Committee meeting will be held Friday, July 16, 2012 at 6:00 p.m. and that consultant Gary Ludwig with Ludwig Group LLC, will give present the Emergency Medical Service (EMS) study.

County Judge Bob Clinard stated that an Intergovernmental Cooperation Council meeting has been scheduled for July 16, 2012 at 10:00 a.m. at the Church of Christ Activity Center 811 N. Walton, Bentonville, AR.

JP Allen stated that the Finance Committee met June 5, 2012 and forwarded all of the items that are on the agenda tonight.

JP Allen announced that the Finance Committee will meet Tuesday, July 3, 2012 at 5:30 p.m.

JP Sandlin stated that Personnel Committee had met and that the items discussed are on tonight's agenda.

* JP Blaty entered the meeting.

JP Moore stated that the Committee of Thirteen met prior to the Quorum Court meeting and that Lezlie Ford was nominated as the Quorum Court representative to the Benton County Equalization Board and that the proposed resolution is on tonight's agenda.

PUBLIC COMMENTS:

None

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

Motion passed by unanimous vote.

OLD BUSINESS:

None

NEW BUSINESS:

(A) Proposed Resolution for a Memorandum of Intent between Benton County, Arkansas and Arkansas Electric Cooperative Corporation; Sponsor: JP Tom Allen

County Judge Bob Clinard stated that he has received notice from Michael Henderson, Vice President & Chief Financial Officer of Arkansas Electric Cooperative Corporation (AECC) that the Arkansas Department of Finance and Administration has turned down their request for a 95% tax abatement. He added that the agreement essentially exempted the corporations' share for planned environmental additions to the plant from the county's property taxes. He stated that the corporation would have paid the county about \$1.75 million over 32 yeas in lieu of those taxes. He stated we are looking at the unknown and that this is a serious issue for Benton County.

JP Douglas asked what business is it of DF&A what we do on the collection of property taxes in Benton County.

Further discussion was held on the state's decision to reject the proposal.

JP Winscott asked County Attorney George Spence to research the state law and report back to the court regarding the authority of the Department of Finance and Administration authority.

County Attorney George Spence stated that he would research the issue and report back to the court.

(B) Proposed Resolution Appointing a Quorum Court Representative to the Benton County Equalization Board to Fill a Vacancy for a Two-year Unexpired Term Expiring June 1, 2014; Sponsor: JP Tom Allen

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:

10 yeas: King, Winscott, J. Harrison, K. Harrison, Hawkins,
Sandlin, Douglas, Curry, Carr, Moore
1 nay: Allen
2 abstain: Jones, Blaty

Resolution duly adopted and assigned **No. R-2012-07.**

- (C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 44, Road Department, Fund 020; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen stated this proposed appropriation request passed through the Finance and the Committee of Thirteen and is to provide additional funds for work to be done in 2012 by the Road Department.

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-2012-34.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures Department 64, Circuit Judge Fryauf, Adult Drug Court Grant, Fund 461; Sponsor: JP. Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen stated this proposed appropriation was approved by the Finance Committee and the Committee of Thirteen and is to appropriate money for the Adult Drug Court for education and training expenses.

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

Appropriation Ordinance duly adopted and assigned **No. O-2012-35.**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) to Appropriate Additional Funds and Authorize Additional Expenditures Department 21, Prosecuting Attorney, Fund 440; Sponsor: JP. Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen stated that this was forwarded from the Finance Committee and the Committee of Thirteen with unanimous support and it is to appropriate \$20,000 for the remodeling costs in the old Juvenile Detention Center for the Equalization Board.

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-2012-36.**

OTHER BUSINESS:

None

ANNOUNCEMENTS:

JP Douglas announced that a Legislative Committee meeting will be held July 12, 2012 at 6:00 p.m.

JP Allen announced that a Finance Committee meeting will be held July 3, 2012 at 5:30 p.m.

ADJOURNMENT:

There being no further business to come before the court, upon motion and second, the meeting adjourned at 6:38 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk

Prepared by: Janet Reaves