

MINUTES OF BENTON COUNTY QUORUM COURT

November 21, 2013

A regular meeting of the Benton County Quorum Court was held on Thursday, November 21, 2013 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

County Clerk Tena O'Brien called roll as follows:

14 JPs Present: McKenzie, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin,
Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: * Hernandez

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Pastor Rob Alexander of New Heights Church led the prayer.

CHANGES TO THE AGENDA:

None

MINUTES:

JP J. Harrison made motion to approve the minutes of the October 24, 2013 Quorum Court Meeting as distributed, seconded by JP Jones.

Motion passed by unanimous voice vote.

Minutes approved.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT:

County Judge Bob Clinard reported that; 1) the Courthouse Feasibility study is still in progress with a completion date for mid to late December; 2) the new Gravette facility for the Collector, Assessor and Revenue offices is now open; 3) the USA Drug building purchase has been finalized and they have started making the necessary changes for occupancy by the Collector, Assessor, County Clerk and Revenue offices, and that they are putting together a solid construction budget; 4) the FEMA flood damage inspection team is continuing to assess damage to the roads and bridges from the August flood. He stated that the storm damage has been assessed at \$2.8 million, with another \$700,000 to \$800,000 expected.

JP Moore requested that County Judge Bob Clinard give an update on the Fisher Ford Bridge project.

County Judge Bob Clinard reported that the low bid of \$1,039,883 from a bridge construction company out of Iowa had been received and accepted. He added that an engineer has estimated the cost of the project at \$1,077,000. He stated that construction will start in November and that the project would take approximately one year. He added that the Colonel Meyer Bridge is now under construction, with a 125 working day schedule, and is expected to be completed in August.

COMMITTEE REPORTS:

JP Allen reported that the Finance Budget Committee had met November 19th and that a meeting has been scheduled for Monday, November 28, 2013 at 6:00 p.m.

JP Curry reported that the Transportation Committee had met on November 14th and that Administrator of Public Services Terry Nalley gave an update of the April flood damage and then presented a power point presentation outlining the details of the 2014 Road Plan program.

JP Curry reported that a presentation was made by Cody McSperitt of Pinnacle Propane on the costs to convert county vehicles to use propane.

PUBLIC COMMENTS:

None

OLD BUSINESS:

None

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

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

14 Yeas: McKenzie, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Hernandez

NEW BUSINESS:

(A) Proposed Ordinance Amending Sections 2-516, 2-517, 2-528 of the
Code of Ordinances of Benton County, Arkansas and Creating a New Code
Section 2-537, all Regarding Benton County Employment Policy;
Sponsor: JP Shirley Sandlin

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

JP Sandlin made motion to adopt, seconded by JP Curry.

JP Meyers stated that he could not vote for the ordinance as written; that he has issues with the wording in the employment policy allowing certificate pay for the county employees.

After further discussion was held on the changes to the Benton County Employment Policy ordinance, a roll call vote was then recorded as follows:

13 Yeas: McKenzie, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Moehring
1 Nay: Meyers
1 Absent: Hernandez

First reading passed.

(B) Proposed Appropriation Ordinance Levying 2013 Taxes for Collection in the Year 2014 for Benton County and Each City, School District, and Special Tax Unit in Benton County Arkansas; 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 discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Hernandez

Appropriation Ordinance duly adopted and assigned **O-2013-73**.

(C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Dept. 30, Emergency Services, Fund 010; Sponsor: JP Jay Harrison

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

JP J. Harrison made motion to adopt, seconded by JP Carr.

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

14 Yeas: McKenzie, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Hernandez

Appropriation Ordinance duly adopted and assigned **O-2013-74**.

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-67 (2013 Benton County Budget) to Transfer Funds from Dept. 17, Park Patrol Beaver Lake, Fund 350, to Dept 05, Sheriff Boating Safety Fund 160, and Authorizing a Transfer Between Categories and Line Items and Authorizing Expenditures Herein to Account for Transfers Made During the Budget Year 2013; Sponsor: JP Joel Jones

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

JP Jones made motion to adopt, seconded by JP Adams.

* JP Rey Hernandez entered the meeting.

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

15 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **O-2013-75**.

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Dept. 67, Jail, Fund 931; 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 Sandlin.

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

15 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **O-2013-76**.

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 23, Non-Departmental Maintenance, Fund 440; Sponsor: JP Joel Jones

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

JP Jones stated that this \$50,000 is to start the renovations in the building purchased for the Benton County Offices of Rogers.

JP Jones made motion to adopt, seconded by JP Adams.

County Judge Bob Clinard stated that this appropriation request is necessary to start the renovations to the new Benton County Offices of Rogers. He stated this facility will have approximately 70 designated parking places and will house the County Clerk, Assessor, Collector and the State Revenue office. He stated that the Revenue office will lease their space, and that the 3rd and Popular location will be vacated and the lease will end. He added that the 28th Street Collector and Assessor offices will also be closed.

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

15 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **O-2013-77**.

- (G) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Dept. 05, Sheriff, Fund 010;
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 K. Harrison.

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

15 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **O-2013-78**.

- (H) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) by Authorizing Transfers Between Funds and Appropriating Additional Funds to Various Funds and Departments for the Purpose of Giving a Christmas Salary Adjustment to Benton County Employees;
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.

JP Meyers made motion to amend the motion to include that the Justices of the Peace also receive the Christmas salary adjustment, seconded by JP Sandlin for discussion.

Discussion was held on JP Meyers' motion to include the Justices of the Peace in the Christmas Salary adjustment.

After several members of the court expressed their opposition to amend the motion, a roll call vote was then recorded as follows.

2 Yeas: Adams, Meyers

13 Nays: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Moehring

Motion to amend failed.

JP McKenzie made motion to amend the original motion to change the hire in date to July 1, 2013 and that employees hired by November 21, 2013 receive half of the proposed amount, seconded by JP Moore.

JP Allen stated that it does not matter when an employee started, at this time of year, with Christmas and the holiday season, everybody is going to be in the same situation.

Further discussion was held on amending the motion to change the employee's hire-in-date and the dollar amount for full and part-time employees, a roll call vote was then recorded as follows:

4 Yeas: McKenzie, J. Harrison, Sandlin, Moore

11 Nays: Hernandez, Allen, K. Harrison, Adams, Jones, Anglin, Chiocco, Curry, Carr, Meyers, Moehring

Motion to amend failed.

After further discussion on the original motion to appropriate funds to provide a Christmas Salary adjustment to the Benton County Employees, a roll call vote was then recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers

1 Nay: Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-79**.

Other Business:

None

Announcements:

County Judge Bob Clinard announced that the Annual County Employee Appreciation Thanksgiving Dinner will be held November 22, 2013 from 11:30 a.m. to 1 p.m. at the Methodist Church on 2nd Street in Bentonville.

JP Allen announced that a Finance Committee budget meeting will be held Monday, November 25, 2013 at 6:00 p.m.

Adjournment:

There being no further business to come before the court, upon motion and second the meeting was adjourned at 7:18 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk