

MINUTES OF BENTON COUNTY QUORUM COURT
SPECIAL MEETING

August 12, 2014

A special meeting of the Benton County Quorum Court was held on Tuesday, August 12, 2014 immediately following adjournment of the Committee of the Whole meeting 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.

Quorum Court Coordinator Janet Reaves called roll as follows:

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

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. JP Patrick Carr led the prayer.

County Judge Bob Clinard reported that counties in Arkansas are not required by statute to provide ambulance service to the unincorporated areas of the county. He stated that the providers who provide ambulance service to the county are prohibited from subsidizing the costs incurred by going out into the county. He stated that the county and the providers need a mutually agreeable contract with those entities to provide ambulance service.

County Attorney George Spence stated that resolutions by state law require affirmative votes from nine justices' of the peace to pass, and that at the last Quorum Court meeting both resolutions failed to pass. He stated that at the July Quorum Court meeting the two-tenths (0.2) of one mill increase garnered only seven "yes" votes and the resolution on the \$40 annual per household fee district received only six "yes" votes. He stated that the deadline to have the ballot measures approved and sent to the Election Commission to be placed on the November 4, 2014 General Election ballot is August 26, 2014.

JP Allen asked if those in the North East Benton County (NEBCO) EMSD district would be affected by the two-tenths (0.2) of one mill increase, or the \$40 annual fee for Emergency Medical Services (EMSD) funding.

County Judge Bob Clinard stated that the NEBCO district would not be subject to the \$40 per household fee but that they would be subject to the two-tenths (0.2) of one mill property tax increase. He stated that the court's decision tonight is to put one, or both, or neither one of these issues on the ballot for the vote of the people. He stated if we do not present something for a vote to the people or that the people do not vote for some type of financial support for ambulance service, then the Quorum Court will have to make the decision.

PUBLIC COMMENT

Mike Clifford of Bentonville stated that the county needs to pay for the ambulance service. He said that since the proposed \$40 fee would only pay half of the money needed, the county should put the two-tenths (0.2) of one mill increase up for a vote.

Sue Elverson of Pea Ridge expressed her opinion on placing the two-tenths (0.2) of a mill increase and the \$40 per household fee on the 2014 General Election ballot.

Theresa Pockrus of Gentry gave a list of projects and services that voters in Benton County have supported, including libraries, parks, fire pensions, and a new county administration building. She stated that the county should give voters a choice between the two-tenths (0.2) of one mill increase and the \$40 per household fee and put both on the ballot and give everyone the opportunity to vote.

Accounting Manager Mike Crandall reported that the \$40 per household fee would generate approximately \$527,000 or about half of the cost, and that the two-tenths (0.2) of one mill would generate approximately \$834,034.

JP J. Harrison made motion to read all resolutions and ordinance by title only, seconded by JP Carr.

Motion passed by unanimous show of hands vote.

NEW BUSINESS

Proposed Resolution Referring an Ordinance of the Quorum Court
Establishing an Ambulance Service Improvement District to The
Electors of the District at the November 4, 2014 General Election;
Sponsor: JP Michele Chiocco

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

JP Chiocco made motion to approve the proposed resolution referring Ordinance No. O-2014-51 to levy up to two-tenths (0.2) of one mill on real and personal property within Benton County to the electors of the proposed district at the November 4, 2014 General Election, seconded by JP Carr.

JP Jones stated that he is willing to vote for both; we need to put something on the ballot for the people to vote on.

JP McKenzie stated that he is concerned that there would less of a chance of passing anything if both ordinances are put on the ballot.

JP Allen stated that he has a problem having both items on the ballot, and that regardless of what happens, there should be only one item on the ballot. He stated that he wants the public to understand that the \$4 property tax increase is based on a \$100,000 home, and that the two-tenths (0.2) of one mill increase is in increments of \$100,000. He stated that he still tends to agree with the \$40 per household fee.

JP Hernandez stated that we should give the voters a chance to vote, and to put both the two-tenths (0.2) of one mill increase and the \$40 per household fee ordinances on the ballot.

Further discussion was held on placing both ordinances on the November 04, 2014 General Election ballot for a vote.

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

11 yeas: Hernandez, J. Harrison, K. Harrison, Adams, Jones,
Anglin, Chiocco, Curry, Carr, Moore, Meyers
3 nays: McKenzie, Allen, Moehring
1 absent: Sandlin

Resolution duly adopted and assigned **No. R-2014-24.**

Proposed Resolution Referring an Ordinance of the Quorum Court
Establishing an Emergency Medical Services District to the Electors
of the District at the November 4, 2014 General Election

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

JP Allen made motion to approve the proposed resolution referring Ordinance No. O-2014-52 establishing a \$40 per household fee to fund Emergency Medicals Services (EMS) for the unincorporated portion of Benton County to the electors of the proposed district at the November 4, 2014 General Election, seconded by JP J. Harrison.

JP McKenzie stated that since the proposed millage increase has passed and since he believes that having one thing on the ballot gives it a better chance of passing, he will vote against the fee.

JP Moehring stated that he is in favor of the \$40 per household fee since the issue is not a countywide issue. He stated that the vast majority of runs into the county are for county residents, and that they are making a mistake to attempt a countywide millage. He said that 85% of the ambulance calls outside the cities are made to the residences, and that the residents of the area needing the service should bear the cost, not city residents who have already been taxed to pay for the municipal ambulance services.

After further discussion was held on supporting the proposed resolution establishing a \$40 per household fee to fund Emergency Medical Services (EMS) a roll call was then recorded as follows:

13 yeas: Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones,
Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 nay: McKenzie
1 absent: Sandlin

Resolution duly adopted and assigned **No. R-2014-25.**

County Attorney George Spence stated that he will ask the Election Commission to develop a ballot title for the two funding plans.

Other Business

None

After motion and second, meeting adjourned at 7:45 p.m.

Respectfully submitted,

Tena O'Brien

County Clerk

Prepared by: Janet Reaves