

MINUTES OF BENTON COUNTY QUORUM COURT  
**March 19, 2015**

A regular meeting of the Benton County Quorum Court was held on Thursday, March 19, 2015 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 Bob Clinard called the meeting to order

County Clerk Tena O'Brien called roll as follows:

13 JPs Present: Shadlow, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Curry, Leadabrand, Moore, Meyers, Moehring

2 Absent: Easley, Chiocco

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. JP Steve Curry led the prayer.

**CHANGES TO THE AGENDA**

None

**MINUTES:**

JP Jay Harrison made motion to approve the minutes of the February 26, 2015 Quorum Court meeting as distributed, seconded by JP Shirley Sandlin.

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Curry, Leadabrand, Meyers, Moehring  
3 Absent: Easley, Chiocco, Moore

Minutes approved.

**ELECTED OFFICIALS REPORTS:**

District Judge Ray Bunch expressed his frustration and concerns of the inability to have defendants from his court sent to jail. He stated that they are facing an emergency in their courtrooms.

Lengthy discussion was held on the problems that the District Judges are facing with the overcrowding at the jail.

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

Motion passed by unanimous show of hands vote.

**COUNTY JUDGE'S REPORT/COUNTY PROPERTY DISPOSAL REPORT:**

- Proposed location options for the new Benton County Justice Center was presented to the Public Safety Committee and discussion will continue at the next meeting.
- Progress has been made with AHTD working with us on the state highway access to the Bentonville West High School location in Centerton.
- Reconstruction is complete for the flood damaged roads with the exception of Cornith Bridge which has been delayed due to FEMA approval.

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- Engaging an engineering firm to formulate a repair strategy for the War Eagle Bridge and will bring a budget to the court for review, when an amount can be determined.
- Exterior waterproofing on the Sheriff's office is complete and the interior microbial removal is going very well. I am working with the Sheriff's Office on a conceptual plan to expand the jail in two areas and will have a construction budget soon.
- The March 2015 Property Disposal Report was reviewed.

**COMMITTEE REPORTS:**

JP K. Harrison reported that a Legislative Committee meeting was held March 12, 2015.

JP Jones reported that a Public Safety/Justice Facility meeting was held March 16, 2015.

JP Allen reported that a Finance Committee meeting was held March 02, 2015 and that sales tax revenues were up.

**PUBLIC COMMENTS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

JP Sandlin explained that the next five proposed resolutions are in connection with applying for an Arkansas Economic Development Program Grant.

- (1) Proposed Resolution Authorizing the Submittal of an Application for Arkansas Community and Economic Development Program Funds in the State of Arkansas: Sponsor: JP Shirley Sandlin

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

JP Sandlin made motion to adopt, seconded by JP K. Harrison

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-03.**

- (2) Proposed Resolution Affirming Benton County's Fair Housing and Equal Opportunity Policy; Sponsor: JP Shirley Sandlin

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

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

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-04.**

- (3) Proposed Resolution Affirming Benton County's Anti-Displacement Plan; Sponsor: JP Shirley Sandlin

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

JP Sandlin made motion to adopt, seconded by JP K. Harrison

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-05.**

- (4) Proposed Resolution Designating the Northwest Arkansas Economic Development District, Inc., as a Consultant to Assist the County in the Administration of a Grant under the Arkansas Community and Economic Development Program, If such a Grant is Awarded; Sponsor: JP Shirley Sandlin

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

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

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-06.**

- (5) Proposed Resolution Affirming Benton County's Policy Prohibiting the Use of Excessive Force by Law Enforcement Agencies within the County's Jurisdiction against Individuals Engaged in Non-Violent Civil Rights Demonstrations; Sponsor: JP Shirley Sandlin

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

JP Sandlin made motion to adopt, seconded by JP K. Harrison.

After some further discussion regarding using excessive force, a roll call vote was recorded as follows:

12 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Moore, Meyers, Moehring  
1 Nay: Leadabrand  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-07**

- (B) Proposed Resolution Confirming the Re-Appointment of Michael Caudill to the 9-1-1 Administration Board – Law Enforcement Position; Sponsor: JP Tom Allen

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

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

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-08.**

- (C) Proposed Resolution Declaring a Vacancy in the Office of County Assessor for Benton County; Sponsor JP Shirley Sandlin;

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

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

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-09.**

- (D) Proposed Resolution Appointing a Successor to Fill the Vacancy in the Office of County Assessor for Benton County;  
Sponsor JP Shirley Sandlin;

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

JP Sandlin asked that the applicants for the Assessor's appointment to introduce themselves and tell their qualifications, seconded by JP Allen.

Judge Clinard asked the court for a show of hands vote to allow the candidates present to speak.

Motion passed by a show of hands vote.

Georgia Beaver, Detrick Bengs, Patrick Carr, and Mary Lou Slinkard candidates for the Assessor's position told the court their qualifications, experience, and how their appointment to this position would benefit the employees and citizens of Benton County.

Linda Hambrick stated that she had spoke at the March 10, 2015 Committee of the Whole meeting and chose not to speak.

After several members of the court questioned the candidates as they outlined their qualifications and experience why they would be a good candidate, JP Sandlin stated that Glenn "Bear" Chaney had recommended that Linda Hambrick be appointed to the position.

Some discussion was held on how to proceed with the nomination.

JP Sandlin made a motion to go into Executive Session to discuss the appointment of a candidate, seconded by JP Curry.

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County Attorney George Spence reminded the court that they are not required to go into an executive session but are authorized to.

Tom Sissom reporter for NWA Democrat Gazette stated, “that as County Attorney George Spence has said, you may go into executive session but the question that I would want you to consider is should you.” Tom Sissom stated that the Assessor’s position is one of the most of the important positions in county government, and the person that the court appoints to fill that position, will directly affect everyone in the county. He stated that he believes the people that you are to represent, have an absolute right to know, not just what position you take, but how and why you make it.

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

4 Yeas:	J. Harrison, Sandlin, Curry, Meyers
9 Nays:	Shadlow, Allen K. Harrison, Adams, Jones, Anglin, Leadabrand, Moore, Moehring
2 Absent:	Easley, Chiocco

Motion to go into executive session, failed.

JP Sandlin made motion to adopt the proposed resolution and appoint Linda Hambrick to fill the vacancy in the office of County Assessor, seconded by JP Curry.

After some further discussion on Linda Hambrick’s qualifications and experience, a roll call vote was recorded as follows:

13 Yeas:	Shadlow, J. Harrison, Allen, K. Harrison. Adams, Jones Sandlin, Curry, Leadabrand, Moore, Meyers Moehring
2 Absent:	Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-10**.

County Judge Robert Clinard called for a 5 minute recess.

Quorum Court meeting reconvened.

Judge Clinard administered the Oath of Office to Assessor Linda Hambrick.

Judge Clinard introduced District Judge Paul Bridges and asked the courts permission to allow him to address the court.

District Judge Paul Bridges apologized for not being present at the beginning of this meeting but that he had just finished court. District Judge Bridges expressed his frustration of the inability to have defendants from the courts sent to the jail. He stated that lately his hands are tied behind his back because the Sheriff has basically declared that he will not accept any misdemeanor commitments, and that he will not keep any misdemeanor cases that are booked in on warrants.

After much lengthy discussion was held for a solution to the problem stemming from the overcrowding of the jail, and how to provide additional space to house misdemeanor cases in the county jail; Judge Clinard stated that this is discussion can continue at a Public Safety meeting and that he will present a budget for additional space at the jail.

Further discussion was held on the need for additional space in the jail.

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- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2014-84 (**2015** Benton County Budget) to Appropriate Additional Monies and Authorize Additional Expenditures in Department 0418, Jail, Operations & Maintenance, Fund 3017; Sponsor: JP Barry Moehring

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

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

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

- 13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-14.**

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2014-84 (**2015** Benton County Budget) to Appropriate Additional Monies and Authorize Additional Expenditures in Department 0108, Non-Departmental, Fund 4000; 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 J. Harrison.

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

- 13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand,  
Moore, Meyers, Moehring  
2 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-15.**

- (G) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2014-84 (**2015** Benton County Budget) to Appropriate Additional Monies and Authorize Additional Expenditures in Department 0801, County Agent/Extension Office, Fund 1000; 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 Sandlin.

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

- 13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-16.**

- (H) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2014-84 (**2015** Benton County Budget) to Appropriate Additional Monies and Authorize Additional Expenditures in Department 0414, Adult Drug Court Discretionary Grant, Fund 3740; Sponsor: JP Barry Moehring

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

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

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-17.**

- (I) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2014-84 (**2015** Benton County Budget) to Amend *Schedule 1 – Revenues by Fund* by Authorizing a Transfer From County General, Fund 1000, to County Road, Fund 2000 and to Appropriate Additional Monies and Authorize Additional Expenditures in Department 0200, Road, Fund 2000; 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 Sandlin.

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
1 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-18.**

- (J) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2013-83 (**2014** Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items in Department 0418, Jail, Funds 3014 and 3017; 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 Sandlin.

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Chiocco, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-19.**

- (K) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O- 2014-84 (**2015** Benton County Budget) To Amend *Schedule 1 – Revenues by Fund* by Authorizing a Transfer from County General Fund, Fund 1000, to Capital Projects, Fund 4000; 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 Sandlin.

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

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13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Chiocco, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Appropriation Ordinance duly adopted and assigned **No. O-2015-19.**

(L) Proposed Resolution Expressing the Quorum Court's Opposition to Adoption at this Time of SB333 and SB757 of the Arkansas General Assembly Related to Property Rights; Sponsor: JP Susan Anglin

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

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

Lengthy discussion was held on the Quorum Court's opposition to SB333 and SB757.

JP Anglin stated that county officials need to try to improve communication with their legislators and with the Association of Arkansas Counties.

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

13 Yeas: Shadlow, J. Harrison, Allen, K. Harrison, Adams,  
Jones, Sandlin, Anglin, Curry, Leadabrand, Moore,  
Meyers, Moehring  
2 Absent: Easley, Chiocco

Resolution duly adopted and assigned **No. R-2015-11.**

**OTHER BUSINESS:**

None

**ANNOUNCEMENTS:**

County Clerk Tena O'Brien announced that Ronald Ridout, County Surveyor for 38 years and Bill Millager a former JP who was appointed to fill JP Marge Wolf 's position passed away.

JP Jones announced that a Public Safety/Justice Facility Committee meeting will be held Tuesday, April 07, 2015 at 6:00 p.m.

JP Allen announced that a Finance Committee meeting will be held Thursday, April 02, 2015 at 6:00 p.m.

**ADJOURNMENT:**

After motion and second, meeting adjourned at 8:38 p.m.

Respectfully submitted,

Tena O'Brien  
County Clerk  
Prepared by Janet Reaves