

XOLLIE DUNCAN
CIRCUIT JUDGE

Teresa Rich, Trial Court Assistant
Cathy Gardisser, Court Reporter
Gary Armstrong, Bailiff
Linda K. Brauer, Court Orders Clerk

STATE OF ARKANSAS
CIRCUIT COURT DIVISION V

NINETEENTH JUDICIAL DISTRICT WEST



102 NE "A" Street
Bentonville, AR 72712

(479) 271-1024
FAX (479) 271-5706

September 10, 2014

Received

SEP 15 2014

Hight-Jackson Associates

Hight-Jackson Associates
Attn: Gary Jackson & Allie McKenzie
5201 Village Parkway, Ste 300
Rogers, AR 72758

Dear Mr. Jackson and Ms. McKenzie:

The six circuit judges want to express our appreciation for your diligent work on the facilities plans. We certainly appreciate being kept apprised of ideas and/or plans as they develop.

As the contact person designated for the judges, I have been asked to address in writing some of the concerns we expressed to you in our meeting on June 26, 2014.

As you are aware from our many conversations over the past several months, we have been unanimous in our desire to have all judges in one location. When the previous county administration was considering the Juvenile Justice Center, we made that request at that time and gave very detailed explanation regarding the reasons. Because the Arkansas Supreme Court, through its superintending control over circuit courts across the state, controls our division of cases, we are required on a bi-annual basis to review and adjust if necessary the allocation of our caseload among the 6 of us. Over the years, that has resulted in Division 3, which hears all juvenile cases, also hearing civil cases at times (including jury trials) and domestic relations cases (this is the current status). The judges, attorneys, circuit clerk, litigants, witnesses and jurors have had and continue to have ongoing problems as a result of Division 3 being physically removed from the rest of the judges and other judicial functions.

Obviously, our first and foremost concern can only be realized if the courthouse and all judicial personnel and support staff are moved to county property on Hwy 102 where the Juvenile facility is already built. The only other alternative would be to acquire sufficient real estate downtown to house all the judges and the Juvenile Detention Center so the Division 3 Court could be moved back to downtown. Another problem with keeping the courthouse downtown is the expense and security issues of moving prisoners from the jail on Hwy 102 for court appearances. Those two items will only increase with time.

The next major concern we have unanimously expressed is the parking problem downtown. Evidently we must agree to disagree that this is an issue since, despite our emphasis on it, none of the proposals presented by Hight-Jackson make any real effort to address it. In fact, the proposal as presented removes several of the existing parking spaces the county now enjoys. Nevertheless, it continues to be an ongoing and serious problem for us. It is our belief that neither the third floor of the Hotel 21c parking garage, nor the satellite parking lots on NE B and SW 2d Streets adequately or realistically provide any solution. Notably, both the new hotel and the new Neighborhood Market currently under construction include new parking garages to fulfill their needs.

The only option evidently left on the table now is to build downtown in phases beginning with remodel of the old jail, moving to construction of a new facility across 2d Street to the north and ending with remodel of the old courthouse. The very rough estimate of cost at this time is 37 million dollars. Besides leaving the judges and their staffs distributed in two or three different buildings (not counting the additional one at the Juvenile facility), we are doing nothing to decrease the cost of security personnel with this proposal. If anything, it will increase with the need for secure parking areas, not to mention the labyrinthine nature of the old building.

In addition to the staggeringly high cost in dollars of this proposal, we are also looking at a tremendous disruption of traffic, parking and courthouse functions in the downtown area for years while these three construction projects are underway.

We are certainly appreciative of the hard work that Allie McKenzie, Gary Jackson and others have done on this proposal and we realize it is a difficult

Page Three
September 10, 2014

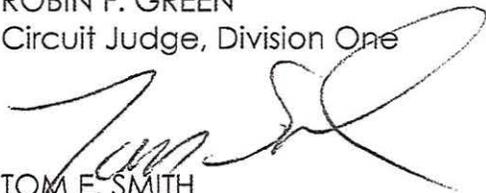
project given the existing conditions. And we sincerely believe that when Mr. Jackson represents that the exterior façade of the final product will make the appearance of the buildings a real gem for downtown, he can do that. However, we do not believe the proposal addresses the functional needs of the county judicial system.

At the close of the meeting, we were all able to unanimously agree (Downtown Bentonville representatives, judges, county judge, and architects) that something must be done to provide a safe and functional court system for the county. We are consistent in supporting that idea to the members of the quorum court. But, the judges were also united and unanimous in their belief that the proposal presented that day is not the solution for the county. If a project is to be phased in, and the price tag is this high for downtown for this inadequate final product, it may be more appropriate in our estimation to look at phasing in the project at the Hwy 102 location. The final product can address all the needs of the county, can be phased in without disrupting downtown or the court system, and the final price tag is not that much greater.

Sincerely,



ROBIN F. GREEN
Circuit Judge, Division One



TOM E. SMITH
Circuit Judge, Division Three



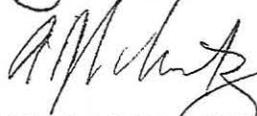
XOLLIE DUNCAN
Circuit Judge, Division Five



BRAD KARREN
Circuit Judge, Division Two



JOHN R. SCOTT
Circuit Judge, Division Four



DOUG SCHRANTZ
Circuit Judge, Division Six

cc Robert Clinard, Benton County Judge
Downtown Bentonville, Inc.