

SPECIAL FINANCE COMMITTEE REPORT

September 28, 2015

A Special Finance Committee meeting was held Monday, September 28, 2015, at 6:00 p.m. in the County Administration Building, Quorum Court Meeting Room, 215 East Central, Bentonville, Arkansas.

Committee Members Present: Allen, Moore, Jones, Chiocco, Moehring, Slinkard

Others Present: JPs Sandlin, Anglin, Meyers, Adams, County Judge Bob Clinard, Assessor Linda Hambrick, Circuit Clerk Brenda DeShields, Circuit Judge Doug Schrantz, Circuit Judge Xollie Duncan, Circuit Judge John Scott, Circuit Judge Brad Karren, Administrator of General Services John Sudduth, Comptroller Brenda Guenther

Media: Tom Sissom

Public Comments

Circuit Judge Doug Schrantz spoke regarding a recent letter sent to the quorum court from the six circuit court judges expressing their concerns regarding plans for a proposed new courts facility in downtown Bentonville. He said they have chosen to make their concerns known at this time because the quorum court seems to have settled on the downtown Bentonville location, and several problems exist with the preliminary plans that have been presented for this location.

Discussion: Courthouse Facilities

County Judge Bob Clinard stated that he agrees with all of the concerns expressed by the circuit judges, and believes that most of them have been addressed in the current proposals, but some of them cannot be addressed until they have architectural plans. He said that there is some uncertainty regarding the amount of future courtroom expansion that they need to plan for, and the level of security that the circuit judges are requesting.

JP Allen stated that the data that was used from NCSC indicated a need for up to eight or nine courtrooms, which both plans will accommodate.

Judge Clinard stated that they do not only have to consider courtroom space, but with each additional courtroom the space needs of the support offices increase as well, such as the Circuit Clerk, Prosecuting Attorney, and the judges' office staff.

He said that the question he was tasked to answer at this meeting was if a 100,000-square-foot facility would be adequate to meet the needs as they have been laid out. He said he believes the answer is yes, and went through the bracketed budgets for both of the downtown Bentonville proposals, ending with total costs of \$38.5 million for the new courthouse downtown, and \$40 million for the "G-2" proposal. He stated that the security enhancements and additional

dedicated parking noted by the circuit judges in their letter would add approximately \$7 million to both proposals.

Judge Clinard stated that there was no change to the \$26.7 million budget for the Highway 102 proposal, which provides adequate space for the facility, would not require as much “hardening” for security purposes because the location is more remote, and can be secured with fencing and barriers that would not be possible in the downtown locations.

JP Jones stated that all of the facilities have been designed with the security of the judges and court staff in mind, and he is not convinced that \$3 to \$4 million for hardening against the possibility of a bombing attack is necessary. He also expressed concern about the timing of the letter sent by the circuit judges, and stated that if they are not happy with the downtown location they should make that clear.

JP Adams stated that if they have reached a point where they want to step back and look at other options, they should consider using the property that extends from the courthouse tower to the east end of the property that the administration building currently occupies. He said it would provide a larger footprint for a courts facility, and the administration offices could be relocated to the property that is being proposed for the courts.

JP Meyers stated that he has opposed the downtown location since the beginning, and he does not see how they can justify spending millions of dollars to keep the courts downtown just to satisfy certain groups of people—that is just frivolous.

JP Allen stated that they do not have firm enough numbers at this point to call the decision to build in downtown Bentonville frivolous. He added that as far as construction being disruptive, construction noise occurs every day next to buildings where business is being conducted, and adjustments can be made.

JP Meyers noted that the difference in cost for the proposals has been consistent since the beginning.

JP Allen stated that this is the first time the hardening costs have been added.

JP Allen stated that he would like to see responses in writing outlining how each of the circuit judges’ concerns have been addressed. He added that the RFQ should stipulate that they are looking for someone with experience in courtroom design to consult with a local firm.

Judge Clinard stated that he would need some more definite direction before he could accurately describe the scope of work to be submitted to architects, such as which site they are looking at, what level of security is needed, how many courtrooms are needed, and how much future expansion they want to be included in the plan.

JP Allen stated that he would like for the design expert to tell them what they need based on NCSC data, rather than the county telling them what they want. He said this is the first time he has heard that we are going to need 14 to 17 courtrooms by the year 2030. He said the consultant would know what is being done elsewhere in the country, and he would like to get recommendations from them.

Judge Clinard stated that even if they are told they will eventually need 50 to 100 courtrooms, it does not necessarily mean they have to build them now, but they do need a plan that reaches into the future to address how they will be built when they are needed.

JP Anglin stated that she wants to be sure that the security and space needs for the Circuit Clerk were being addressed.

Judge Clinard stated that the NCSC data projected that the Circuit Clerk would need 6,500 square feet by the year 2030, and the current proposal includes 7,500 dedicated square feet.

JP Anglin stated that she just wants an expert to tell them that they did the right thing.

Circuit Clerk Brenda DeShields stated that there has been some indication during various discussions that the need for space in her office may be reduced in the future due to the digitizing of records. She said she wanted to make sure that the court is aware that the Administrative Office of the Courts has not approved the use of e-filing in Benton County until January of 2016, and even then, a hard copy of the file will still be maintained.

JP Moehring stated that with technology and non-traditional use of courtrooms, they have no idea what the courtrooms of the future may look like.

JP Jones made motion to forward to the October 13, 2015 Committee of the Whole Agenda, the court's desire for County Judge Bob Clinard to send out Requests for Qualifications for architects who specialize in the design of court facilities to work with a local architectural firm, seconded by JP Chiocco. JP Allen stated that he would like to add the stipulation that the scope of work be for the downtown location.

Motion passed by unanimous show of hands vote.

Public Comments

Jay Allen responded to an earlier comment regarding the potential for more grant money from the Walton Family Foundation. He said that the potential does exist, as long as the plan that is eventually decided upon meets the following three criteria: 1) The facility is located in downtown Bentonville; 2) The renovation needs of the historic courthouse are addressed; and 3) All entities within the county are aligned in support of one plan, including the county judge, the quorum court, the circuit court judges, and any other stakeholders. He said financing the project would be a difficult sell to the public under any circumstances, but it would be impossible if county officials were not all in alignment behind one plan.

Announcements

JP Sandlin announced that the Personnel Committee will meet September 29, 2015 at 6:00 p.m.

JP Allen stated that the next Finance Committee Meeting will be October 1, 2015 at 6:00 p.m.

Meeting adjourned at 7:42 p.m.