

MINUTES OF THE BENTON COUNTY QUORUM COURT

July 26, 2018

A regular meeting of the Benton County Quorum Court was held on Thursday, July 26, 2018 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 Barry Moehring called the meeting to order at 6:00 p.m.

Quorum Court Coordinator Keeshia DeShields called roll as follows:

14 Present:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

A legal quorum was present.

The presiding officer led the pledge of allegiance and former Justice of the Peace Tim Summers gave the opening prayer.

CHANGES TO THE AGENDA:

None

MINUTES:

JP Adams made motion to approve the minutes of the June 28, 2018 Quorum Court meeting as distributed, seconded by JP Jones.

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

Minutes approved as distributed.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT/COUNTY PROPERTY DISPOSAL REPORT:

The County Judge's report:

- Announced that AAC Board of Director Brenda DeShields, the Benton County Justices of the Peace, along with himself, have all been invited to a conference at the White House on August 21, 2018.
- A ribbon cutting ceremony was held at the Benton County Rogers Office for the completion of its renovations.

The county property disposal report was presented as follows from the dashboard:

Description of County Property	Asset #	Department	Amt Rec'd	Date	Reason of Disposal	Court Order #
Dell OptiPlex 380 1JT81R1		Treasurer's Office	\$ -	7/9/2018	Disposed of Old Equipment-eSCO	C2018-222-A
HP 4250 Laser Jet Printer		Treasurer's Office	\$ -	7/9/2018	Disposed of Old Equipment-eSCO	C2018-222-A
Dell OptiPlex 755 625LWH1		Treasurer's Office	\$ -	7/9/2018	Disposed of Old Equipment-eSCO	C2018-222-A
Unprepared Iron		Road	\$ 526.40	7/13/2018	Scrap-TRG Rogers	C2018-228
Unprepared Iron		Road	\$ 3,410.40	7/13/2018	Scrap-TRG Rogers	C2018-228
Loose Tin and White Goods		Road	\$ 2,896.00	7/13/2018	Scrap-TRG Rogers	C2018-228
Loose Tin and White Goods		Road	\$ 2,180.80	7/13/2018	Scrap-TRG Rogers	C2018-228
Scrap Metal		Sheriff's Office	\$ 122.50	7/13/2018	Scrap-Rogers Iron and Metal	C2018-228
Scrap Metal		Sheriff's Office	\$ 53.57	7/13/2018	Scrap-Rogers Iron and Metal	C2018-228
			\$ 9,189.67			

COMMITTEE REPORTS:

JP Anglin stated that the Legislative Committee met and went through all the changes for the Planning Board and will be bringing it to the Committee of the Whole.

JP Adams stated that the Transportation Committee met on July 12th and had a presentation from Ozark Regional Transport, as well as the Quarterly Road Report. He stated that Regional Transit did say that they were not doing as well as before due to a fire they had, but said they are going to try and expand. He also stated that they did ask that the county continue to fund at least as much as they have been. He said he wanted to applaud Jay Frasier and his team for their great work!

Jay Frasier gave the Quarterly Road Report from the dashboard.

PUBLIC COMMENTS:

Mike Kalagias from Rogers stated that he is concerned about the large amount of unnecessary money being spent, as well as he feels they are sneaking a courthouse tax increase through by doing a special election during spring break.

Jacob Faught from Gentry stated that he likes the idea of the concealed carry ordinance but thinks they are painting a picture that's only for special people. He also stated that he thinks the inmate

video conference is more of a revenue stream rather than a prison reform, and needs to be looked at.

JP Adams made motion to suspend the rules and read all resolutions and ordinances by title only, seconded by JP Jeffcoat.

A roll call vote was recorded as follows:

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

Motion to suspend the rules passed.

OLD BUSINESS:

(A) Second Reading of Proposed Ordinance Approving a Plan to Allow Designated Licensees to Carry Concealed Handguns in Certain Areas of Some Buildings Owned by Benton County; Sponsor: JP Brent Meyers

JP Meyers stated that this ordinance went through two committees and the first reading.

JP Meyers made motion to approve the second reading, seconded by JP Adams.

JP Anglin asked if they have found out any information on the effect of our liability insurance with this.

Brenda Guenther replied that she contacted the AAC and spoke directly with Debbi Norman who indicated that there would not be an increase because of this type of change.

JP Anglin stated that she still raises the question of what happens if they have an accidental situation. She stated that she wants to know what would happen to the workmen's comp costs at that point. She stated that she still has concerns and knows that she is the only dissenting person, and she is not opposed to concealed carry, but is concerned about workplace violence. She stated that she still cannot support this, and did reach out to some of her constituents, and without sharing her view with them, some of them did not think it was a good idea. She stated that she has had some constituents reach out to her and say they think the metal detector is a great thing, but not the conceal carry. She stated that she still would not be supporting this.

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

13 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Chiocco, Carr, Moore, Meyers, Edwards
1 Nay:	Anglin
1 Absent:	Bland

Second reading passed.

NEW BUSINESS:

(A) Proposed Resolution Certifying Local Government Endorsement of Business to Participate in the Tax Back Program (as Authorized by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003); Sponsor: JP Joel Jones

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

JP Jones stated that as discussed in the Finance Committee and Committee of the Whole, this is the tax back for the third tower in Lowell for the JB Hunt building.

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

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

Resolution duly adopted and assigned **No. R-2018-16**.

(B) Proposed Resolution Granting a Waiver of the Policy as Established in Section 2-501 of the Code of Ordinances of Benton County Regarding Rate of Pay in Circuit Court Division II - Department 0402; Sponsor: JP Joel Jones

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

JP Jones stated that this was discussed at the Finance Committee and Committee of the Whole and this is a waiver in pay for the expansional circumstances that Circuit Judge Karren is facing in his court.

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

JP Bryant asked if there was any other discussion about any other Circuit Judges and their staff being underpaid.

Brenda Guenther replied that she did get a call from Circuit Judge Schrantz to have an analysis done.

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

Resolution duly adopted and assigned **No. R-2018-17**.

(C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0402, Circuit Court Division II, Fund 1000; Sponsor: JP Joel Jones

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

JP Jones stated that this is the appropriation for the monies for what was just passed.

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

JP Allen stated that they are all concerned about opening this up for others. He stated that he thinks that Judge Karren has made a very good presentation and was very specific for what the need is for. He stated that in his opinion this does not open the door for everyone to be reviewed and to come forth with requests for pay raises. He stated that just because one gets approved, it does not mean that any others will be. He stated that he wanted to send the message that this is not opening the door for everyone.

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

Appropriation ordinance duly adopted and assigned **No. O-2018-26**.

(D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items in Department 0115, Computer/IS, Fund 1000; Sponsor: JP Joshua Bryant

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

JP Bryant stated that this is to move money over so that the IT department can make a purchase for a stop gap measure for increased server space that they need for the department.

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

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

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Appropriation ordinance duly adopted and assigned **No. O-2018-27.**

(E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017- 58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0200, County Road, Fund 2000; Sponsor: JP Mike McKenzie

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

JP McKenzie stated that this is to appropriate money that the county received from the Federal Hazard Mitigation and Bank Stabilization programs. He stated that Jay Frasier spoke about this in the Road report and stated that they are using this money to buy additional material.

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

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

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Appropriation ordinance duly adopted and assigned **No. O-2018-28.**

(F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017- 58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0415, Juvenile Detention Center, Fund 3700; Sponsor: JP Joel Jones

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

JP Jones stated that this is the grant award for some of the JDC shelter work.

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

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

Appropriation ordinance duly adopted and assigned **No. O-2018-29**.

(G) Proposed Ordinance Amending Certain Sections of Benton County Ordinance No. O-2017-52 Regarding Benton County Employment and Salary Administration Policy;
Sponsor: JP Shirley Sandlin

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

JP Sandlin stated that this has gone through the Personnel Committee and Committee of the Whole. She stated that part of it will match up with what is being doing through the AAC.

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

JP Allen stated that this covers more then the marijuana issue, it also covers getting rid of the restriction of salary increases to the midpoint of the salary range.

Brenda Guenther stated that there are three policy changes being addressed.

JP Sandlin stated that these had heavy discussion and it is being proposed that if the elected official has the money in their budget and they feel that the employee is meeting expectations then they have the ability to use their budgeted monies without coming back to the Quorum Court.

JP Jones stated that he has some concerns on them doing this because it will change their budget without approval from the quorum court. He stated that it will go into the next year by the way they budget, and stated that he trusts the current elected officials will do the right things at the right times. He stated that he thinks this should be done by trust, then verified, and reminded them that Brenda Guenther stated that she would bring a report to the Finance Committee each month.

JP McKenzie stated that he is speaking in favor of the elected officials being able to do this. He stated that the quorum court sets the budget, but that the elected officials are the ones voted in to run their offices, and they are closer to their individual situation than the committee is. He stated that he thinks this is a good thing.

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

14 Yeas:	McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Chiocco, Carr, Moore, Meyers, Edwards
1 Absent:	Bland

First reading passed.

OTHER BUSINESS:

None

ANNOUNCEMENTS:

JP Moore reminded all the Justices of the Peace about the 50th Annual AAC Conference August 8-10, 2018, to be held in Rogers.

JP Allen announced that there would be a Budget Committee meeting held on Monday, July 30, 2018 at 6:00 p.m.

ADJOURNMENT:

After motion and second, the meeting adjourned at 7:03 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk

Prepared by: Keeshia DeShields