

MINUTES OF THE BENTON COUNTY QUORUM COURT

August 23, 2018

A regular meeting of the Benton County Quorum Court was held on Thursday, August 23, 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:

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

A legal quorum was present.

The presiding officer led the pledge of allegiance and Justice of the Peace Susan Anglin gave the opening prayer.

**CHANGES TO THE AGENDA:**

None

**MINUTES:**

JP Adams made motion to approve the minutes of the July 26, 2018 Quorum Court meeting as distributed, seconded by JP Sandlin.

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

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

Minutes approved as distributed.

**ELECTED OFFICIALS REPORTS:**

None

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

The County Judge's report:

- Announced that all Justices of the Peace have received name badge lanyards provided by Human Resources Director Amy Ochoa.
- Reported that the Road Department has started on North Wimpy Jones Road and that it should be built in the next 60 days or so. He stated that they have also completed a number of roads in the Beaver Shores area. He stated that as part of the State-Aid Program, the Road Department has chipped and sealed 7 miles of Mt. Olive and 3 miles of the West side of Bethlehem Road.
- Announced that the Road Department has started the build on Cripps Road that will lead to the Gentry Volunteer Fire Department.
- Announced the county's plan for the sale of the Benton County Bogle Building. He stated that on Friday they will have 3 or 4 open houses, and bids will be opened on September 7<sup>th</sup>. He noted that the county does have the option of refusing all bids.
- Announced that Bryan Beeson is working with all the elected officials on any storage needs at the new Rogers Annex building. He invited everyone to come and take a tour of the new facilities.

- Reported that the metal detectors have been installed in the Administration building, and they will operational by the next meeting.
- Reported that they have had good ongoing discussion about the West side EMS, and that their goal is to bring an update to the September 11<sup>th</sup> Committee of the Whole.

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 #
Large Open Sided Tent	N/A	Environmental Office	\$ 750.00	7/25/2018	Surplus Property	C2018-179-A
2015 Chevy Caprice	51053	Sheriff	\$ 9,000.00	6/21/2018	Traded in	C2018-207
2008 Dodge Van	51195	Sheriff	\$ 4,500.00	6/21/2018	Traded in	C2018-207
2014 Dodge Charger	51024	Sheriff	\$ 11,943.00	6/25/2018	Totaled/Insurance Settlement	C2018-208
Sale of Pallets	N/A	Sheriff	\$ 432.75	7/30/2018	Scrap NWP Inc.	C2018-243
Sale of Fired Rifle Shells	N/A	Sheriff	\$ 711.00	7/30/2018	Scrap TRG Rogers, LLC	C2018-243
Sale of Tin	N/A	Sheriff	\$ 114.00	7/30/2018	Scrap Rogers Iron & Metal Corp	C2018-243
Sale of Tin	N/A	Sheriff	\$ 67.20	7/30/2018	Scrap TRG Rogers, LLC	C2018-243
Tin and White goods	N/A	Road	\$ 1,744.20	7/30/2018	Scrap TRG Rogers, LLC	C2018-243
Sale of Iron	N/A	Road	\$ 1,275.00	7/30/2018	Scrap TRG Rogers, LLC	C2018-243
Loose Tin	N/A	Road	\$ 1,065.90	7/30/2018	Scrap TRG Rogers, LLC	C2018-243
Loose Tin & White Goods	N/A	Road	\$ 844.80	7/31/2018	Scrap TRG Rogers, LLC	C2018-251
			\$ 32,447.85			

**COMMITTEE REPORTS:**

Comptroller Brenda Guenther reported that the August sales tax has come out ahead year-to-year by \$65,000. She stated that year-to-date they are ahead by \$982,000. She stated that out of that amount they will be setting aside \$950,000. She reported that from the last 5 to 7 years they are trending upwards and are almost 17% higher than they were a year ago.

JP Allen reported that at the Finance Committee meeting they had a discussion on the proposed Sheriff's Department Radio System, and there would be more discussion to come. He stated that almost all the items on the agenda tonight do come through the Finance Committee.

**PUBLIC COMMENTS:**

None

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

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

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

Motion to suspend the rules passed.

**OLD BUSINESS:**

- (A) Third Reading of a 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

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

JP Meyers stated that this would be the final reading of the ordinance. He explained that it would allow employees and elected officials of the county to carry a concealed handgun in certain buildings.

JP Meyers made motion to adopt, seconded by JP Edwards.

JP Anglin stated she has continued to receive unsolicited comments from citizens who are not in support of this ordinance, and she would like to go on record stating that she does not support it either. She stated that research does not show this being the best idea in a work place environment. She stated that she is concerned about the increase in liability costs because of situations that could occur with work place violence, and that the county lacks planning and training for conflict resolution. She stated that even though this is an at will work place, a tragedy of work place violence could or would occur before a person could be fired for issues of negative behavior or reactions at work. JP Anglin stated that the employee survey did not answer the questions she would like to have seen. She reminded them that the survey was only 36.51% (92 voters) to allow the concealed carry for police officers and sheriff's deputies only; and 39% (100 voters) to allow concealed carry for all employees. She stated that she respects each of them and their constituents who support this ordinance, but that she feels she also represents those who do not share the view of supporting this ordinance, and she will continue to oppose it with a clear conscience.

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

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

Ordinance duly adopted and assigned **No. O-2018-30**.

- (B) Second Reading of a Proposed Ordinance Amending Certain Sections of Benton County Ordinance No. O-2017-52 Regarding Benton County Employment and Salary Administration Policy.

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

JP Sandlin explained that this is the second reading for a variety of items that have been voted on at past meetings. She explained that the first section of this ordinance includes the acknowledgment of the drug and alcohol-free work policies. She explained that the second section is adjusting all the wording for the employee handbook.

JP Sandlin made motion to approve the second reading; seconded by JP Chiocco.

JP Jones stated that it was his understanding that County Attorney George Spence has some concerns and slight modification he would like to make to the ordinance. He stated that if they were going to go back and look at the changes, he would again like to bring up that this will put them on a slippery slope because it is removing the quorum court as a check on the appropriation of money.

County Attorney George Spence explained that he became concerned when he read an article in the newspaper about a comment being made on this ordinance. He stated that giving the elected officials too much freedom in making their own salary decisions could cause the county some liability issues. He stated that they might have to explain why a salary was set at a certain rate and that is why they need checks and balances set up.

He proposed two changes:

Amend Section 21.14 and Section 21.22. to say, "so long as it does not exceed the maximum for the employee's salary grade." He explained that he would just be adding some clarity to the section to say that they cannot ever go above the maximum for an employee's salary grade. George Spence stated that he also has some concerns with the language "check with Human Resources." He explained that he would like to make it very clear to the court that this is fine, but that there is no

legal requirement for approval from the Human Resource Department. He stated that he does not want them to have the illusion that this is a checks and balance. He stated that in considering this ordinance he knows that all of the Justices of the Peace are thinking about it in relation to the current elected officials they have now. He stated that he knows the current ones are responsible, but asked them to think about all the elected officials they have seen over the last 10 to 15 years. He stated that overall, he does recommend they make the two section changes, and as for the rest of the ordinance, he is sending out a warning.

JP Edwards stated that when they originally started to talk about this it was to address the new hires and new positions. He stated that they wanted to fix the elected officials having to come to the quorum court for waivers in policy. He stated that in his opinion, in doing that they have opened a whole new can of warms. He stated that this ordinance is not only impacting new hires but also impacts salary raises in 6 months of hire, promotions during the year, and is now all down to the maximum. He stated that he can now hire someone in right off the bat at their midpoint to keep everyone happy and then 6 months later can maximize their pay. He stated that as this is written currently, he would have to vote no on this ordinance.

JP Edwards made motion to strike everything under Article 4 for further review and renumber Articles 5 and 6, seconded by JP Jones.

JP Sandlin asked if they are proposing to take all of Article 4 changes back to the Personnel Committee.

JP Edwards stated that his motion is not specifically stating that but it is probably where it should return to.

JP Sandlin asked if they would like to put a hold on the whole ordinance since they are anticipating a Personnel Committee meeting on September 18<sup>th</sup>.

JP Edwards responded that certain items within the ordinance did not need to be revisited.

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

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

Motion passed.

JP Sandlin made motion to approve the first reading of the ordinance as amended, seconded by JP Chiocco.

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

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

First reading passed.

**NEW BUSINESS:**

(A) Proposed Resolution Confirming the County Judge's Re-appointment of Nick Jewett to the Planning Board, Board of Appeals, Position No. 1; Sponsor: JP Adriane Carr

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

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

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

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

Resolution duly adopted and assigned **No. R-2018-18.**

- (B) Proposed Resolution Confirming the County Judge's Re-appointment of Dietrich Bengs to the Planning Board, Board of Appeals, Position No. 3; Sponsor: JP Adriane Carr

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

JP Carr made motion to adopt, seconded by JP Bland.

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

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

Resolution duly adopted and assigned **No. R-2018-19.**

- (C) Proposed Resolution Confirming the County Judge's Re-appointment of Matthew Zachary to the Planning Board, Board of Appeals, Position No. 4; Sponsor: JP Adriane Carr

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

JP Carr made motion to adopt, seconded by JP Bland.

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

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

Resolution duly adopted and assigned **No. R-2018-20.**

- (D) Proposed Resolution Confirming the County Judge's Re-appointment of Nate Bachelor to the Planning Board, Board of Appeals, Position No. 6; Sponsor: JP Susan Anglin.

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

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

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

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

Resolution duly adopted and assigned **No. R-2018-21.**

- (E) Proposed Resolution Confirming the County Judge's Re-appointment of Brandon Pinkerton to the Planning Board, Board of Appeals, Alternate Position No. 1; Sponsor: JP Susan Anglin.

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

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

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

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

Resolution duly adopted and assigned **No. R-2018-22.**

- (F) Proposed Resolution Confirming the County Judge's Re-appointment of Ann Duker to the Planning Board, Board of Appeals, Alternate Position No. 2; Sponsor: JP Susan Anglin.

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

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

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

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

Resolution duly adopted and assigned **No. R-2018-23.**

- (G) Proposed Resolution Urging the Arkansas General Assembly to Authorize and Fund an Additional Circuit Judge Position for the Nineteenth Judicial District – West; Sponsor: JP Tom Allen.

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

JP Allen stated that Circuit Court Judge Schrantz has come to give a brief presentation on the request for an additional judgeship for Benton County.

Circuit Court Judge Schrantz gave a PowerPoint Presentation from the dashboard showing the projected increase in population and the number of case filings in Benton County.

He stated that because of the growth in Benton County he is asking the quorum court to support the resolution requesting the addition of a new judgeship in Benton County. He stated that there would be five presentations before the Judicial Resources Assessment Committee in Little Rock tomorrow morning. He stated that if they are successful in getting the Legislature to agree to a new position it would probably be subject to election in 2020, with the position taking office in 2021.

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

JP Bryant stated that considering the statistics that he provided, could they have a chance at receiving more than one.

Circuit Court Judge Schrantz stated that there is always that chance. He stated that there are some factors that would be coming into play that make this the optimum time for this process to take place throughout the state. He stated that he has been told that there are a number of judges that are going to retire before the next cycle.

JP Allen reminded them that this is something that is timely. He stated that they actually now have something that they can put before the voters in regards to a possible sales tax increase.

County Judge Moehring stated that he supports this.

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

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

Resolution duly adopted and assigned **No. R-2018-24.**

- (H) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) to Amend Schedule 1 – Personnel and Compensation Authorization by Adding Positions, Deleting Positions, and Changing Grades in Various Departments and Funds; Sponsor: JP Joel Jones

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

JP Jones stated that there have been some position changes within Schedule 4, but at this time no budget changes. He stated that they are deletions and additions that typically line up with each other.

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

JP McKenzie asked what the net savings was. He asked if they were adding position where positions had been deleted.

Brenda Guenther replied that there are no additional people being added. She stated that they are deleting one from the 9-1-1 Administration, but explained that does not come out of the General Fund, but out of a separate fund. She stated that this is mostly addressing title changes and adding and subtracting if it is a title change.

JP Jones stated that he wanted to be more specific about that and that there are two deletions in Fund 2000, County Roads; deleting one Senior Asset Control position and adding one Safety/Asset Control position; and deleting one Mapper Researcher position in Fund 3020. He stated that otherwise they are one for one. He explained that if there is a deletion there is an addition or a title change. He stated that they are down 2 positions overall.

JP Bland asked for clarification if this would take effect immediately.

Brenda Guenther replied, yes.

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 Nay: Bland

Appropriation Ordinance duly adopted and assigned **No. O-2018-31**.

- (I) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items; Appropriating Additional Monies, and Authorizing Additional Expenditures in Various Departments and Funds 1000 and 3020; Sponsor: JP Joel Jones.

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

JP Jones stated that this is the appropriation ordinance that goes along with the previous Schedule 4 changes. He stated that they have a slight movement of money from Fire Services and Planning, and a net reduction of \$15,000 in 9-1-1 Administration.

JP Jones 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 Nay: Bland

Appropriation Ordinance duly adopted and assigned **No. O-2018-32**.

- (J) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0103, Treasurer, Fund 3000; Sponsor: JP Joel Jones.

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

JP Jones stated that this is an appropriation to bring on an additional person to replace someone who has a lot of specific knowledge about the accounting software who will be retiring at the end of this year. He stated that this would be to bring in the new employee so that they can train until the end of the year.

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

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2018-33**.

(K) 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 Department, Fund 1000; Sponsor: JP Joshua Bryant.

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

JP Bryant stated that this allows the IT department to move some monies around to purchase a vehicle from the Collector's Office. He stated that there are no real changes to the budget, and this was approved by Finance and the Committee of the Whole.

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

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2018-34**.

(L) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0414, Juvenile Court Division 3, Fund 3028; Sponsor: JP Joel Jones.

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

JP Jones stated that this is to appropriate some additional monies for drug screening in the Adult Drug Court. He stated that this is a revolving account, in which the county pays for the drug screening up front and the Adult Drug Court members have to reimburse the county as part of the program. He stated that the more people they have in the program the more money goes out all at the same time and they need make the account slightly larger.

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

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2018-35**.



- (M) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0500, Emergency Services, Fund 3601; Sponsor: JP Joshua Bryant.

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

JP Bryant stated that this is the \$35,000 State Homeland Security Grant Fund that was unspent from last year. He stated that they have approved this in Finance and Committee of the Whole.

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

JP Meyers asked how long they can delay spending the grant monies.

Brenda Guenther replied that this grant does have a certain period in which the money does run out, and probably runs from July 1 to June 30. She stated that usually there is some crossover from year to year.

JP McKenzie asked what they are wanting to purchase with this money.

OEM Director Robert McGowen replied that they purchased a device that can detect and identify substances, and explained that all purchases have to be approved by the State before coming to them at the county level.

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2018-36**.

- (N) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2017-58 (2018 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0480, Juvenile Probation, Fund 1000; Sponsor: JP Susan Anglin.

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

JP Anglin stated that this is appropriating grant dollars to be used in the Juvenile Detention Alternative Initiative Program, and that this has passed through Finance and Committee of the Whole.

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

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

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

Appropriation Ordinance duly adopted and assigned **No. O-2018-37**.

- (O) Proposed Ordinance Amending the Planning Code by Reference; Sponsor: JP Susan Anglin.

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

JP Anglin stated that what is being presented tonight has been through two separate meetings of the Legislative Committee, and covers several changes in Chapters 2 through 6 which are being recommended by the Planning Board. She stated that there were several people who were not in attendance at the Committee of the Whole and asked if they would like Planning Director Taylor

Reamer to go over some of the changes. She stated that she does not want anyone to be left with any questions about this and wants them to have a clear understanding of it.

JP Anglin made motion to approve first reading, seconded by JP Sandlin.

JP Bryant stated that there is one section of this ordinance that he feels is important to get passed. He stated that he would like to suspend the rules and approve this in one meeting. He explained that there are normally two or three septic issues at each Planning meeting. He stated that he thinks it is important to nail this down with three readings.

JP Allen stated that he thought that was something that was addressed in the ordinance.

JP Bryant replied that it is addressed, but it will take three readings to adopt it, and then it will not take effect until 30 days after that. He stated that he is just wanting to take Section 8, on pages 4 through 7, and pass it tonight.

JP Allen stated that they cannot take out one section.

County Attorney George Spence stated that they could do that but he does not think they could accomplish that tonight. He suggested that they create a separate ordinance which could be done next month. He stated that he would be uncomfortable pushing it forward without having it laid out in advance.

JP Bland stated that he agreed with JP Bryant and thinks that this is something they need to figure out as expeditiously as possible.

JP Jones stated that what he is hearing is that this is something that they are really needing to pass tonight. He stated that they would basically need an ordinance like the one they have before them to provide for this exact change, or a document with that change by reference.

County Attorney George Spence stated that he could pull out that section and that instead of it being adopted by reference, the change would be provided for in the ordinance itself. He stated that if that is something they want to do, he would suggest they take a brief recess and he and Taylor Reamer can get together and prepare one.

County Judge Moehring stated that instead of taking a recess he would like to go on to Other Business and come back to this once they have completed the ordinance.

#### **OTHER BUSINESS:**

JP Carr stated that at the last Finance Committee they had a presentation from the Sheriff's Department about the county wide AWIN Radio System, and she has received multiple unsolicited comments from her constituents who would be impacted by this issue. She stated that she would like to have an opportunity to have a discussion on this issue, and asked if they could have a Public Safety meeting so they could talk about it and also give the public opportunity to provide their input. She stated that she is just throwing this out there to see what they all think.

JP Bland stated that he has also received a lot of unsolicited feedback, adding that he was curious as to why this did not go to Public Safety before it went to the Finance Committee.

JP Jones stated the radio system in general was discussed at Public Safety approximately a year to a year-and-a-half ago, and the financing has been worked on continually since then. He stated that it did not come back to Public Safety because it had already moved forward to the Finance Committee. JP Jones stated that maybe it should have gone back to Public Safety, but thinks that the timing hit them a little close and they wanted to bring it forward. He stated that if it is the will of the court and the members of the Public Safety Committee, they can call a meeting. He stated that based on some of the incentives offered by Motorola they need to get the meeting scheduled pretty quickly before the next Finance Committee.

JP Carr stated that she feels a Public Safety meeting is needed so they can be more educated on the matter, as there are several new players in the game, adding that she does not like feeling like she is being pressured into doing something.

JP Allen stated that they have requested that this not move forward from the Finance Committee until they can get more information on it. He stated that the committee is not going to be pressured into anything as far as timing is concerned. He stated that they do have their recommendations from the Sheriff's Department, the County Judge, and Robert McGowen. He stated that the County Judge and Robert McGowen were both on board with Motorola's proposal, but not on board with

the software that was included. He stated that he agrees they do need more discussion. He stated that after discussing it with the County Judge and Brenda Guenther, he thinks it would be wise for them to discuss this more and he does not have a problem with them having a Public Safety meeting.

JP Edwards stated that he has no problem with a Public Safety meeting. He stated that the Finance meeting is the week after next and it will be discussed at that meeting. He stated that if the Public Safety committee does not meet next week then all those same comments can be made at Finance as well. He stated that Finance gets a little broader than just how are they going to pay for it, they tend to discuss if it is a good idea or not. He stated that a lot of times they discuss this before they even determine if they can pay for it or not.

JP Bland stated that he would like to hear from more options than just Motorola. He stated that he did a ride along with the Sheriff's Office and a deputy was having difficulty finding service. He stated that he knows this is a need, but this is a big chunk of the budget and it is important that they have vetted any alternatives they can.

JP McKenzie stated that they need to take the time it deserves. He stated that this is a big expenditure and they should not rush through this.

JP Edwards asked if they could get a representative here from Fayetteville. He stated that it is one thing to have the sales group tell them how well it works but it is another to hear it from people who use the equipment and the system.

JP Anglin stated that the perception from some of the people she has heard from is that they are not really considering some of their rural firefighters, and that they are just as important in this as the Sheriff's Department.

Resumption of Item (O) and additional proposed ordinance (Item P)

(P) Proposed Ordinance Amending the Planning Code; Sponsor: JP Bland.

County Attorney George Spence read the proposed ordinance in its entirety.

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

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

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

First reading passed.

JP Bryant made motion to suspend the rules and place the proposed ordinance on second reading, seconded by JP Jones.

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

13 Yeas: McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin, Anglin, Bland, Carr, Moore, Edwards  
2 Nays: Chiocco, Meyers

Motion passed.

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

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

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

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

Second reading passed.

JP Bryant made motion to suspend the rules and place the proposed ordinance on third and final reading, seconded by JP Jones.

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

13 Yeas: McKenzie, Bryant, Hayes, Allen, Jeffcoat, Adams, Jones, Sandlin,  
Anglin, Bland, Carr, Moore, Edwards  
2 Nays: Chiocco, Meyers

Motion passed.

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

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

JP Bland asked how this would affect items at the next Planning Board meeting that are addressed by this code; would the ordinance go into effect immediately.

Taylor Reamer replied that it would take 30 days to go into effect. He explained that the items that are currently being addressed by the board or who are in the application process would still be under the old process. He stated that after the 30 days, the applications will no longer be affected.

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

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

Ordinance duly adopted and assigned **No. O-2018-38**.

County Attorney George Spence stated that one thing he would like to note is that it is not 30 days from tonight, it is 30 days from the date of publication, which will be submitted by the County Clerk's Office.

Item (O) Proposed Ordinance Amending the Planning Code by Reference;  
Sponsor: JP Bland.

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

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

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

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

First reading passed.

**ANNOUNCEMENTS:**

None

**ADJOURNMENT:**

After motion and second, the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Tena O'Brien  
County Clerk

Prepared by: Keeshia DeShields