



BENTON COUNTY
BENTONVILLE, ARKANSAS

QUORUM COURT AGENDA

WHEN: August 25, 2022

TIME: 6:00 p.m.

PLACE: Benton County Administration Building
Quorum Court Meeting Room – Third Floor
215 East Central, Suite 324
Bentonville, AR 72712

https://us02web.zoom.us/webinar/register/WN_KsgdlProRCODU7Ge2HiV8A

1. Call to Order
2. Roll Call
3. Pledge of Allegiance to the Flag
4. Prayer
5. Changes to the Agenda
6. Disposition of the Minutes of the July 27, 2022 Quorum Court meeting
7. Elected Officials' Reports
8. County Judge's Report/County Property Disposal Report
9. Committee Reports
10. Public Comments
11. Old Business
 - A. Third and Final Reading of Proposed Ordinance Providing for the Levy of a One-Fourth Of One Percent (0.25%) Sales and Use Tax Within Benton County, Arkansas; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Joel Jones
 - B. Third and Final Reading of Proposed Ordinance Calling a Special Election in Benton County, Arkansas on The Question of Levying a County-Wide One-Fourth Of One Percent (0.25%) Sales and Use Tax; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Joel Jones

- C. Third and Final Reading of Proposed Ordinance Calling a Special Election in Benton County, Arkansas on the Question of Issuing Bonds Under Amendment No. 62 To the Constitution of The State of Arkansas for The Purpose of Financing All or A Portion of The Cost of Jail Facilities; Levying A New One-Eighth Of One Percent (0.125%) Sales and Use Tax for The Purpose of Retiring Such Bonds; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Joel Jones
- D. Second Reading of Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0502, Fire Association, American Rescue Plan, Fund 3046; Sponsor: JP Susan Anglin

12. New Business

- A. Proposed Resolution of the Quorum Court of Benton County, Arkansas, Dedicating the County Administration Building in Honor of Benton County Judge Bruce Rutherford; Sponsor: JP Susan Anglin
- B. Proposed Resolution Authorizing the Application for A Grant and Participation in FY2022-2023 Division of Youth Services / Arkansas Coalition for Juvenile Justice (CFDA 16.540); Sponsor: JP Joseph Bollinger
- C. Proposed Resolution Granting a Waiver of the Policy as Established in Benton County Ordinance No. O-2018-58, Article 21, Section 21.06 Regarding Payment Within the Range in Department 0400 Sheriff, Fund 1000 and Ordinance No. O-2018-58, Article 21, Section 21.14 Regarding Limit of Promotion Increases in Department 0110, Planning, Fund 1000; Sponsor: JP Tom Allen
- D. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0304, Grants in Aid – Health, and 0502, Fire Services, American Rescue Plan, Fund 3046; Sponsor: JP Susan Anglin
- E. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Authorizing A Transfer of Funds Between Categories in Department 0415, Juvenile Detention, Fund 1000; Sponsor: JP Richard McKeehan

- F. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Authorizing Transfers and Additional Expenditures in Departments 0501-CenCom, and 0140-Community Risk Reduction, Fund 1000; Sponsor: JP Susan Anglin
- G. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0200, Road Grants/Storm Damages, Fund 2001; Sponsor: JP Richard Taylor
- H. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (2022 Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0108 - Facilities, American Rescue Plan, Fund 3046; Sponsor: JP Susan Anglin
- I. Proposed Appropriation Ordinance Appropriation Ordinance Establishing a Sub-Fund of County General to Be Called the “Public Facilities Board Holding Fund”- Fund 1050; Sponsor: JP Kurt Moore
- J. Proposed Ordinance Delegating the Responsibility for The Collection of Delinquent Circuit Court Fines, Fees, and Court Costs as It Pertains to The Arkansas Tax Interception Program.”; Sponsor: JP Susan Anglin
- K. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (2022 Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0418 – County Jail, American Rescue Plan, Fund 3046; Sponsor: JP Susan Anglin

13. Other Business:

- Changing Date of September Quorum Court meeting to September 29th.

14. Announcements

15. Adjournment

Respectfully submitted,

Betsy Harrell
County Clerk

MINUTES OF THE BENTON COUNTY QUORUM COURT

July 28, 2022

A regular meeting of the Benton County Quorum Court was held on Thursday, July 28, 2022 at the Benton County Administration Building, Bentonville, Arkansas, pursuant to proper call and notice.

County Judge Barry Moehring called the meeting to order at 6:00 p.m. County Clerk Betsy Harrell called roll as follows:

11 Present: Patrick, Farmer, Smith, Armas, Bollinger, Jones,
Todd, Homeyer, Moore, Noggy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

A legal quorum was present.

Media: Tracy Neal

The presiding officer led the Pledge of Allegiance. The opening prayer was led by JP Brian Armas.

CHANGES TO THE AGENDA:

None

MINUTES:

JP Farmer made motion to approve the minutes of the June 30, 2022 Quorum Court Meeting as distributed, seconded by JP Armas.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger, Jones,
Todd, Homeyer, Moore, Noggy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Minutes approved as distributed.

ELECTED OFFICIALS' REPORTS:

Sheriff Shawn Holloway reported that over the last 2 weeks the inmate count at the County Jail has averaged over 800, which is an increase of the 740 to 760 average that they were seeing when the jail expansion discussion first began several months ago, and they are still struggling to keep Jailer positions filled.

County Clerk Betsy Harrell reported that the annual Equalization Board session will begin Monday, August 1st. here in the Quorum Court room. Appointments may be made by calling the Assessor's Office and so far, the schedule is light.

COUNTY JUDGE'S REPORT:

Judge Moehring stated that he has no report this evening, and noted the property disposal report that is in the packet.

July Property Disposal Report

Description of County Property	Asset #	Department	Amt Rec'd	Date	Reason of Disposal	Court Order #
APC 20KVA UPS	50874	IT	\$ -	7/1/2022	Old/Outdated-no longer useful, sending to be recycled.	C2022-225A
2016 Dodge Charger	51074	Sheriff	\$ 13,125.00	6/28/2022	Total loss - Insurance proceeds	C2022-231
2016 Ford Explorer	51156	Sheriff	\$ 10,588.00	6/28/2022	Total loss - Insurance proceeds	C2022-231
2013 Dodge Challenger	51026	Sheriff/PA	\$ 10,000.00	6/28/2022	Total loss - Insurance proceeds	C2022-231
Scrap Metal	n/a	Road	\$ 622.50	7/1/2022	Scrap disposal - Alter Metal Recycling	C2022-244
(3) Humminbird Sonar	n/a	Sheriff	\$ -		Old/Outdated/No longer serviceable	C2022-245A
		Total	\$ 34,335.50			

COMMITTEE REPORTS:

JP Moore reported that the Committee of the Whole met last week and covered several items on tonight's agenda.

PUBLIC COMMENTS:

Charles Mays, Sheila Gallaher, Curtis Hathcock, and Jeff Wassman spoke against the proposed creation of a Beaver Lake Fire Improvement District.

Mike Kalagias spoke against the jail expansion proposal and sales tax election.

Following Public Comments, County Attorney George Spence briefed the court on the state statutes involved in the Beaver Lake Fire Improvement District proposal, what the county's role is in the process, and what some of the options are regarding action by the court. Several JPs expressed concern with the process that was taken by the Beaver Lake Fire Department Board of Directors, and indicated that they would rather see it go to a vote of the people affected.

Judge Moehring stated that there will be more opportunity for comments at future meetings as well as a public hearing to be scheduled at a later date.

OLD BUSINESS:

- A. Second Reading of Proposed Ordinance Providing for the Levy of a One-Fourth Of One Percent (0.25%) Sales and Use Tax Within Benton County, Arkansas; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Joel Jones

County Attorney George Spence stated that since the practice of reading proposed ordinances by title only was put in place by an actual ordinance, he does not feel any other action is necessary to continue doing so.

George Spence read the proposed ordinance by title only.

JP Jones reviewed the procedure of adopting three separate ordinances – the first to levy the ¼-cent tax for Operations and Maintenance, the second to put the question of the tax on the ballot for the voters to decide, and the third to vote on the 1/8th-cent tax to issue bonds to build the jail.

He added that in answer to some comments made earlier, the court has no authority to determine how the circuit judges conduct court, nor can they change state law to dictate how certain classes of crimes are dispensed. He said the issue they are facing is dire, and a smaller jail now would just leave them facing these same circumstances a few years down the road. He

listed all of the responsibilities regarding law enforcement and the court system placed upon the counties by state law, and said he believes this is the best way to fulfill those.

JP Jones made motion for approval, seconded by JP Farmer.

JP Smith asked for clarification of what the different ordinances are for, and said she is still challenged by the amount being asked for Operations and Maintenance, and the project will not be finished for 7 years, and the .25-cent is a deal breaker because it is covering something in whole that will not be finished for quite a while and she doesn't feel they have really assessed that situation.

Judge Moehring stated that from the time they get the design finished until they can begin to house inmates will be three years,

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

9 Yeas:	Patrick, Farmer, Armas, Jones, Todd, Homeyer, Moore, Nogy, Edwards
2 Nays:	Smith, Bollinger
4 Absent:	McKeehan, Allen, Anglin, Taylor

Proposed ordinance to be placed on August 25, 2022 Quorum Court agenda for third and final reading.

- B. Second Reading of Proposed Ordinance Calling a Special Election in Benton County, Arkansas on The Question of Levying a County-Wide One-Fourth Of One Percent (0.25%) Sales and Use Tax; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Joel Jones

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

JP Jones noted that even though it is titled "Special Election", it will be on the General Election ballot in November.

JP Jones made motion for approval, seconded by JP Armas.

10 Yeas:	Patrick, Farmer, Smith, Armas, Jones, Todd, Homeyer, Moore, Nogy, Edwards
1 Nay:	Bollinger
4 Absent:	McKeehan, Allen, Anglin, Taylor

Proposed ordinance to be placed on August 25, 2022 Quorum Court agenda for third and final reading.

- C. Second Reading of Proposed Ordinance Calling a Special Election in Benton County, Arkansas on the Question of Issuing Bonds Under Amendment No. 62 To the Constitution of The State of Arkansas for The Purpose of Financing All or A Portion of The Cost of Jail Facilities; Levying A New One-Eighth Of One Percent (0.125%) Sales and Use Tax for The Purpose of Retiring Such Bonds; And Prescribing Other Matters Pertaining Thereto; Sponsor: JP Joel Jones

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

JP Jones made motion for approval, seconded by JP Armas.

10 Yeas: Patrick, Farmer, Smith, Armas, Jones, Todd, Homeyer, Moore,
Nogy, Edwards
1 Nay: Bollinger
4 Absent: McKeehan, Allen, Anglin, Taylor

Proposed ordinance to be placed on August 25, 2022 Quorum Court agenda for third and final reading.

NEW BUSINESS:

A. Proposed Resolution Authorizing the County Judge of Benton County to Apply for an Edward Byrne Memorial Assistance Grant Through the Bureau of Justice Assistance; Sponsor: JP Joel Jones

0:29:00 – County Attorney George Spence read the proposed resolution by title only.

JP Jones made motion for approval, seconded by JP Edwards.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nogy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Resolution duly adopted and assigned **No. R-2022-19.**

B. Proposed Resolution Supporting the County Judge Entering into an Agreement with the City of Siloam Springs Related to Cell Phone Taxes and 9-1-1 Response; Sponsor: JP Joel Jones 7

0:30:14 – County Attorney George Spence read the proposed resolution by title only.

JP Jones made motion for approval, seconded by JP Homeyer.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nogy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Resolution duly adopted and assigned **No. R-2022-20.**

C. Proposed Resolution Ordering That a Special Election Be Held on November 8, 2022 Involving the Issue of the Sale of Alcoholic Beverages in Rogers, Arkansas; Sponsor: JP Ken Farmer

0:31:27 – County Attorney George Spence read the proposed resolution by title only.

JP Farmer made motion for approval, seconded by JP Todd.

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

10 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Edwards
1 Abstain: Noggy
4 Absent: McKeehan, Allen, Anglin, Taylor

Resolution duly adopted and assigned **No. R-2022-21.**

D. Proposed Resolution Ordering That a Special Election Be Held on November 8, 2022 Involving the Issue of the Sale of Alcoholic Beverages in Bentonville, Arkansas; Sponsor: JP Joel Jones

0:32:40 – County Attorney George Spence read the proposed resolution by title only.

JP Jones made motion for approval, seconded by JP Bollinger.

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

10 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Edwards
1 Abstain: Noggy
4 Absent: McKeehan, Allen, Anglin, Taylor

Resolution duly adopted and assigned **No. R-2022-22.**

E. Proposed Resolution Supporting the Purple Bike Trail Designation in Benton County; Sponsor: JP Dustin Todd

0:33:56 – County Attorney George Spence read the proposed resolution by title only.

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

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Noggy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Resolution duly adopted and assigned **No. R-2022-23.**

F. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0304, Grants in Aid – Health, American Rescue Plan, Fund 3046; Sponsor: JP Dustin Todd

0:35:24 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Todd stated that these are the water projects being funded from ARP money, including Benton County Water Authority #4, the City of Decatur, and the City of Garfield, and made motion for approval, seconded by JP Armas.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nagy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-28.**

G. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0400, Sheriff, Fund 1000; Sponsor: JP Ken Farmer

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Farmer made motion for approval, seconded by JP Jones.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nagy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-29.**

H. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0400, Sheriff, Fund 1000 And Department 0200, County Road, Fund 2000; Sponsor: JP Susan Anglin

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Armas made motion for approval, seconded by JP Todd.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nagy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-30.**

I. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Creating A New Fund Numbered 3757, “AOC Supplemental Juvenile Courts Grant”, Appropriating Additional Funds, and Authorizing Additional Expenditures in Various Departments and Funds; Sponsor: JP Ken Farmer

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Farmer made motion for approval, seconded by JP Jones.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nogy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-31.**

J. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (2022 Benton County Budget) To Provide for Full-Time Law Enforcement Officer Salary Stipends in Accordance with Act 224 Of The 2022 Fiscal Session of The Arkansas Legislature; Sponsor: JP Joseph Bollinger

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Bollinger made motion for approval, seconded by JP Jones.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nogy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-32.**

K. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0400, Ambulance Service, EMS County Levy Fund 3021, and American Rescue Plan, Fund 3046;
Sponsor: JP Joel Jones

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion for approval, seconded by JP Armas.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nogy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-33.**

- L. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0108, Facilities, Fund 1000; Sponsor: JP Tom Allen

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones stated that this is to appropriate the money for the plumbing repairs to the Administration Building which was authorized at the previous Committee of the Whole meeting, and made motion for approval, seconded by JP Armas.

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

11 Yeas: Patrick, Farmer, Smith, Armas, Bollinger,
Jones, Todd, Homeyer, Moore, Nogy, Edwards
4 Absent: McKeehan, Allen, Anglin, Taylor

Appropriation ordinance duly adopted and assigned **No. O-2022-34**.

- M. Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2021-50 (**2022** Benton County Budget) Appropriating Additional Funds and Authorizing Additional Expenditures in Department 0502, Fire Association, American Rescue Plan, Fund 3046; Sponsor: JP Susan Anglin

0:36:39 – County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Armas stated that this is coming from ARP funds, and the Association originally asked for 8 fire trucks and the decision was made to go forward with two tenders for a total of \$700,000, he thinks they are very much needed, and made motion for approval, seconded by JP Jones.

JP Todd stated that he would be voting against the appropriation, because it will come out of the \$10 million that has been set aside for the jail expansion, and it is not a good time to spend the money without knowing the outcome of the election in November. He added that they currently plan to fund two fire trucks in the 2023 Budget, and with the number of trucks in the fleet being lowered, hopefully that will help them catch up in the rotation of new equipment.

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

9 Yeas: Patrick, Farmer, Smith, Armas, Jones, Homeyer,
Moore, Nogy, Edwards
2 Nays: Bollinger, Todd
4 Absent: McKeehan, Allen, Anglin, Taylor

Failing to receive 10 votes in order to be adopted in one reading, the proposed appropriation ordinance will be forwarded to the August 25, 2022 Quorum Court agenda for second reading.

OTHER BUSINESS:

JP Moore asked about the building being closed due to an air conditioning problem. Judge Moehring said that the building itself was still open, although several departments in the building were closed due to the failure of a compressor, and gave details on the repairs that will be necessary.

JP Edwards raised the possibility of using ARP funds for the repairs. Judge Moehring stated that they are looking at putting it into the Trane contract that already has some ARP funds designated toward it.

JP Edwards asked when a city could submit a Sunday alcohol sales petition to have an election on the November General Election ballot. County Clerk Betsy Harrell stated that the deadline is August 30, so it would have to be submitted in time to have the resolution adopted at the August Quorum Court meeting.

Brief discussion regarding moving the September Quorum Court meeting to Sept. 29th, to be voted on at the August Quorum Court meeting.

ANNOUNCEMENTS:

August 9th – Finance Committee

August 16th – Committee of the Whole

August 25th – Quorum Court

Annual Association of Arkansas Counties meeting in Hot Springs, August 9th through 11th.

ADJOURNMENT:

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

Respectfully submitted,

Betsy Harrell

August 2022
Property Disposal Report

Description of County Property	Asset #	Department	Amt Rec'd	Date	Reason of Disposal	Court Order #
1986 Federal Motors Pumper	20260	Fire Services	\$ 2,350.00	8/9/2022	Old/Surplus Equipment/Purple Wave	C2022-246A
1981 Sutphen Deluge Pumper	20255A	Fire Services	\$ 1,150.00	8/9/2022	Old/Surplus Equipment/Purple Wave	C2022-246A
Scrap Metal	n/a	Road	\$ 663.60	7/27/2022	Scrap disposal - Alter Metal Recycling	C2022-260
		Total	\$ 4,163.60			

ITEM "11-A"
3RD Reading

ORDINANCE NO. O-2022-_____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE PROVIDING FOR THE LEVY OF A **ONE-FOURTH** OF ONE PERCENT (**0.25%**) SALES AND USE TAX WITHIN BENTON COUNTY, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Quorum Court of Benton County, Arkansas (the "County") has determined that there is a great need for an additional source of revenue to be used for one or more of the following: (a) to acquire, construct, improve, renovate, expand, equip, furnish, operate, staff and maintain all jail and law enforcement facilities and operations, and any facilities or improvements related thereto or in support thereof and (b) to pay and secure the repayment of bonds approved by the voters and issued by the County from time to time to finance jail and law enforcement facilities and any facilities or improvements related thereto or in support thereof ("Jail and Law Enforcement Bonds"); and

WHEREAS, Title 26, Chapter 74, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") provides for the levy of county-wide sales and use taxes at the rate of 0.125%, 0.25%, 0.5%, 0.75% or 1%, or any combination thereof; and

WHEREAS, the purpose of this Ordinance is to levy a new county-wide sales and use tax at the rate of 0.25%, the net collections of which will be distributed only to the County and used for the purposes described above;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Benton County, Arkansas:

Article 1. Under the authority of the Authorizing Legislation, there is hereby levied a 0.25% tax on the gross receipts from the sale at retail within the County of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the County of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§26-53-101, et seq.), at a rate of 0.25% of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the "Sales and Use Tax"). The Sales and Use Tax shall be levied, and the net collections received after deduction of the administrative charges of the State of Arkansas and required rebates (the "Net Collections") shall be used for one or more of the following: (a) to acquire, construct, improve, renovate, expand, equip, furnish, operate, staff and maintain all jail and law enforcement facilities and operations, and any facilities or improvements related thereto or in support thereof and (b) to pay and secure the repayment of Jail and Law Enforcement Bonds. The Sales and Use Tax shall be levied and collected on the gross receipts, gross proceeds or sales price in the maximum amount allowed from time to time under Arkansas law, subject to

rebates and limitations as from time to time required by Arkansas statutes for certain single transactions.

Article 2. The Net Collections shall be distributed only to the County and not to the municipalities therein.

Article 3. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Article 4. This Ordinance shall not take effect until an election is held on the question of levying the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the levy of the Sales and Use Tax.

ADOPTED: _____, 2022.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Joel Jones

DATE ADOPTED: _____

Votes For: ____ Votes Against: ____

Abstain: ____ Present: ____ Absent: ____

ORDINANCE NO. O-2022-____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE CALLING A SPECIAL ELECTION IN BENTON COUNTY, ARKANSAS ON THE QUESTION OF LEVYING A COUNTY-WIDE **ONE-FOURTH** OF ONE PERCENT (**0.25%**) SALES AND USE TAX; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Quorum Court of Benton County, Arkansas (the "County") has passed on _____, 2022, Ordinance No. _____ (the "Tax Ordinance") providing for the levy of a **0.25%** sales and use tax within the County (the "Sales and Use Tax"); and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Benton County, Arkansas:

Article 1. There is hereby called a special election to be held on November 8, 2022, at which election there shall be submitted to the electors of the County the question of the levy of the Sales and Use Tax.

Article 2. The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

0.25% SALES AND USE TAX FOR JAIL
AND LAW ENFORCEMENT PURPOSES

Adoption of a **0.25%** local sales and use tax within Benton County, the net collections of which remaining after deduction of the administrative charges of the State of Arkansas and required rebates will be distributed only to the County and used for one or more of the following: (a) to acquire, construct, improve, renovate, expand, equip, furnish, operate, staff and maintain all jail and law enforcement facilities and operations, and any facilities or improvements related thereto or in support thereof and (b) to pay and secure the repayment of bonds approved by the voters and issued by the County from time to time to finance jail and law enforcement facilities and any facilities or improvements related thereto or in support thereof. The levy of the tax is not dependent on any bonds being approved or issued.

ITEM "11-B"
3RD Reading

FOR..... ☐

AGAINST ☐

Article 3. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for county elections and only qualified voters of the County shall have the right to vote at the election.

Article 4. The results of the election shall be proclaimed by the County Court, and such Proclamation shall be published one time in a newspaper published in the County and having a general circulation therein, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

Article 5. A copy of this Ordinance shall be (a) filed with the Benton County Clerk at least 70 days prior to the election date and (b) given to the Benton County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance and the Tax Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

Article 6. The County Judge and County Clerk, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Article 7. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Article 8. The provisions of this Ordinance are separable and if an article, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

ADOPTED: _____, 2022.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Joel Jones

DATE ADOPTED: _____

Votes For: ____ Votes Against: ____

Abstain: ____ Present: ____ Absent: ____

ORDINANCE NO. O-2022-_____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE CALLING A SPECIAL ELECTION IN BENTON COUNTY, ARKANSAS ON THE QUESTION OF ISSUING BONDS UNDER AMENDMENT NO. 62 TO THE CONSTITUTION OF THE STATE OF ARKANSAS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF JAIL FACILITIES; LEVYING A NEW **ONE-EIGHTH** OF ONE PERCENT **(0.125%)** SALES AND USE TAX FOR THE PURPOSE OF RETIRING SUCH BONDS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Quorum Court of Benton County, Arkansas (the "County") has determined that the County is greatly in need of jail facilities and facilities and improvements related thereto or in support thereof, including particularly, without limitation, new jail beds, sheriff's office, and healthcare facilities (collectively, the "Improvements"); and

WHEREAS, the County can finance all or a portion of the costs of the Improvements by the issuance of capital improvement bonds (the "Bonds") in one or more series in the maximum aggregate principal amount of \$ **167,000,000** under the authority of Amendment No. 62 to the Constitution of the State of Arkansas ("Amendment 62") and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"); and

WHEREAS, the Authorizing Legislation provides for the levy of one or more county-wide sales and use taxes at the rate of 0.125%, 0.25%, 0.5%, 0.75% or 1% or any combination thereof, but not to exceed 1% in the aggregate; and

WHEREAS, the County does not currently have a sales and use tax levied under the authority of the Authorizing Legislation; and

WHEREAS, the County can pay the principal of and interest on the Bonds from the proceeds of a new county-wide **one-eighth** of one percent **(0.125%)** sales and use tax to be levied under the authority of the Authorizing Legislation solely for that purpose; and

WHEREAS, the County may provide additional funds to pay or to further secure payment of the Bonds if a new county-wide **one-fourth** of one percent **(0.25%)** sales and use tax levied by Ordinance No. _____, adopted _____, 2022, for jail and law enforcement purposes, is approved by the voters; and

WHEREAS, the purpose of this Ordinance is to levy a sales and use tax at the rate of one-eighth of one percent (**0.125%**) on the receipts from the sales at retail within the County of all items which are subject to taxation under the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the receipts from storing, using, distributing or consuming within the County tangible personal property under the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§26-53-101, et seq.) (collectively, the "Sales and Use Tax") and to submit to the electors of the County the question of issuing the Bonds under Amendment 62 and the Authorizing Legislation at a special election to be called for that purpose;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Benton County, Arkansas:

Article 1. Under the authority of the Authorizing Legislation, there is hereby levied the Sales and Use Tax. The Sales and Use Tax shall be levied, and the net collections received after deduction of the administrative charges of the State of Arkansas and required rebates shall be used solely for the purpose of retiring or paying obligations with respect to the Bonds. The Sales and Use Tax shall be levied and collected on the gross receipts, gross proceeds or sales price in the maximum amount allowed from time to time under Arkansas law, subject to rebates and limitations as from time to time required by Arkansas statutes for certain single transactions. The levy of the Sales and Use Tax shall not take effect until the issuance of the Bonds is approved by the voters as provided herein.

Article 2. There is hereby called a special election to be held on November 8, 2022, at which election there shall be submitted to the electors of the County, the question of issuing the Bonds in one or more series under Amendment 62 and the Authorizing Legislation in the aggregate principal amount of not to exceed **\$167,000,000** to be payable, in whole or in part, from the net collections of the Sales and Use Tax.

Article 3. The question of issuing the Bonds shall be placed on the ballot for the election in substantially the following form:

JAIL FACILITIES BONDS AND
0.125% SALES AND USE TAX

An issue of bonds of Benton County in one or more series in the maximum aggregate principal amount of **\$167,000,000** to finance all or a portion of the costs of acquiring, constructing, improving, renovating, expanding, equipping and furnishing jail facilities, and facilities and improvements related thereto or in support thereof, including particularly, without limitation, new jail beds, sheriff's office, and health care facilities, and, in order to pay the bonds, the levy and pledge of a **0.125%** local sales and use tax within the County that will expire after the bonds have been paid or provision is made therefor in accordance with Arkansas statutes.

If the bonds are approved, there will be levied within the County a new 0.125% sales and use tax, the net collections of which remaining after deduction of the administrative charges of the State of Arkansas and required rebates will be used solely to retire or pay obligations with respect to the bonds in accordance with Amendment No. 62 to the Arkansas Constitution. In order to provide additional funds to pay or to further secure repayment of the bonds, the County may also pledge to the bonds the net collections of an additional county-wide 0.25% sales and use tax if such additional tax is separately approved by the voters. The issuance of the bonds is not dependent on the additional 0.25% sales and use tax being approved.

FOR..... ☐

AGAINST ☐

Article 4. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for county elections unless otherwise provided in the Authorizing Legislation and only qualified voters of the County shall have the right to vote at the election.

Article 5. The results of the election shall be proclaimed by the County Judge, and the Proclamation shall be published one time in a newspaper having a general circulation in the County, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

Article 6. A copy of this Ordinance shall be (a) filed with the Benton County Clerk at least 70 days prior to the election date and (b) given to the Benton County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

Article 7. The County Judge and County Clerk, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the issuance of the Bonds is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Article 8. If the Bonds are approved and issued, the County intends to negotiate with Crews & Associates, Inc., which has assisted the County in preparation of the Bond size and repayment structure, for the sale of the Bonds.

Article 9. The provisions of this Ordinance are separable and if an article, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

Article 10. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED: _____, 2022.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Joel Jones

DATE ADOPTED: _____

Votes For: ____ Votes Against: ____

Abstain: ____ Present: ____ Absent: ____

ITEM “11-D”
2ND Reading

APPROPRIATION ORDINANCE NO. O-2022-____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION
ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET)
APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING
ADDITIONAL EXPENDITURES IN DEPARTMENT 0502, FIRE
ASSOCIATION, AMERICAN RESCUE PLAN, FUND 3046

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY
OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund appropriations and expenditures are herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the following additional appropriations and expenditures as listed below:

FUND 3046– American Rescue Plan Fund

EXPENSE			Adjusted/	Transfer	New Budget
Dept.	Acct.	Title	Orig. Budget	Amount	Amount
0502	4005	Vehicles	-0-	<u>\$ 700,000</u>	<u>\$ 700,000</u>
		Totals	<u>\$ -0-</u>	<u>\$ 700,000</u>	<u>\$ 700,000</u>

ARTICLE 2. This appropriation from American Rescue Plan funds is for two fire trucks (\$350,000 each) requested by the Benton County Fire Association.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Susan Anglin

DATE ADOPTED: _____

Votes For: _____ Votes Against: _____

Abstain: ____ Present: ____ Absent: ____

RESOLUTION NO. R-2022-___

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION OF THE QUORUM COURT OF BENTON COUNTY, ARKANSAS, DEDICATING THE COUNTY ADMINISTRATION BUILDING IN HONOR OF BENTON COUNTY JUDGE BRUCE RUTHERFORD

WHEREAS, Benton County has been immeasurably and positively impacted by former Benton County Judge Bruce Rutherford due to his lifelong commitment to serve and represent the people of Benton County and by his leadership as a County Judge between the years of 1989-1996;

WHEREAS, during his time as County Judge, Mr. Rutherford initiated the building of the Benton County Administration building, was the driving force behind the project, built the building with no tax increases, and was still serving as County Judge when the building opened in 1996;

WHEREAS, the Administration building became the center of operations for County services and currently houses offices for the County Assessor, County Circuit Clerk, County Clerk, County Collector, County Treasurer, and County Judge;

WHEREAS, the Office of Emergency Communications, known as CENCOM, was established under Mr. Rutherford’s leadership as County Judge with the dispatch center going live on June 14, 1990; the creation of which established a center responsible for providing public safety communications services to Benton County and became a 24/7 first point contact in any emergency for the people of the County;

WHEREAS, Mr. Rutherford recognized the increasing growth of the Northwest Arkansas Region and was an active participant in the development of the Northwest Arkansas National Airport (XNA); he represented Benton County during the establishment of the Northwest Arkansas Regional Airport Authority on December 14, 1990 while serving as County Judge;

WHEREAS, he testified to the great need of investing into infrastructure in a hearing before the Committee on Public Works and Transportation House of Representatives 101st Congress second session in Springdale, Arkansas on September 8, 1990; Mr. Rutherford testified to ask for supplement funding for the Highway Trust Fund to build an interstate linking Interstate 40 and Interstate 44 and to complete a connection on U.S. Highway 412 between Siloam Springs and Tontitown for the purpose of commerce and increased safety; his testimony highlighted the need to improve solid waste disposal in an environmentally safe and ecologically sound manner and the need for a rural water system to ensure safe water for Benton County residents;

WHEREAS, as County Judge he was actively involved with the construction of the current Benton County Jail facilities; he toured jails along with the County Sheriff to determine the best attributes of a facility to house inmates and create a safe, secure, and humane environment for both staff members and inmates;

WHEREAS, additionally Mr. Rutherford spent more than six years between 1982-1988 as a Benton County Deputy Sheriff working on criminal investigations including investigating homicides, burglaries, and thefts, in addition to working as a patrol officer, and achieved the rank of sergeant in both patrol and criminal investigations;

WHEREAS, Mr. Rutherford continued to serve Benton County as a criminal investigator for the Prosecuting Attorney’s Office starting in 2007 until his passing in 2017; he investigated numerous crimes, obtained evidence, and sought justice for victims.

NOW THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF BENTON COUNTY, STATE OF ARKANSAS.

ARTICLE 1. That the County Administration building is hereby dedicated in honor of Bruce Rutherford; the Quorum Court recognizes Mr. Rutherford as a dedicated public servant, elected official, and deputy sheriff committed to improving the lives of residents of Benton County; additionally, the Quorum Court recognizes Mr. Rutherford as a compassionate and caring advocate for the growth and stability of Benton County and Northwest Arkansas. A plaque will be mounted onto the building to recognize the legacy of Mr. Rutherford.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK
SPONSOR: JP Susan Anglin
Date Adopted: _____
Votes For: _____ Votes Against: _____
Abstain: _____ Present: _____ Absent: _____

RESOLUTION NO. R-2022-

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON,
STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE APPLICATION FOR A GRANT AND
PARTICIPATION IN FY2022-2023 DIVISION OF YOUTH SERVICES /
ARKANSAS COALITION FOR JUVENILE JUSTICE (CFDA 16.540)

WHEREAS, the Benton County Quorum Court supports the application of grants to aid
in alternatives to detention and is titled APAC Supplemental Grant;

WHEREAS, the purpose of this application for funding is to enhance the Juvenile
Probation APAC re-entry services for residential care;

WHEREAS, the funding for this program is requested at \$12,350; and

WHEREAS, the county will satisfy the match requirement with in-kind services by
utilizing county for services directly related to Juvenile Probation.

ARTICLE 1. That the County Judge is hereby authorized to submit an application for the
FY2022-23 Division of Youth Services Juvenile Justice Grant and the Quorum Court hereby supports
and approves of such grant applications.

ADOPTED this ____ day of August 2022.

APPROVED:

ATTEST:

BARRY MOEHRING, COUNTY JUDGE
DATE SIGNED: _____

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Joseph Bollinger

ADOPTED: _____

Votes for: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

RESOLUTION NO. R-2022-__

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION GRANTING A WAIVER OF THE POLICY AS ESTABLISHED IN BENTON COUNTY ORDINANCE NO. O-2018-58, ARTICLE 21, SECTION 21.06 REGARDING PAYMENT WITHIN THE RANGE IN DEPARTMENT 0400 SHERIFF, FUND 1000 AND ORDINANCE NO. O-2018-58, ARTICLE 21, SECTION 21.14 REGARDING LIMIT OF PROMOTION INCREASES IN DEPARTMENT 0110, PLANNING, FUND 1000

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1: That a waiver of the policy as previously established in Ordinance No. O-2018-58, Article 21, Section 21.06 regarding payment within the range is hereby granted for the following position, as it relates to the Benton County Budget (Ordinance No. O-2021-50).

Fund – 1000

Department 0400 – Sheriff:

Supervisor – Auto Maintenance:

Waiver to allow employee to be hired over the maximum as set by Ordinance No. O-2021-50 (Fiscal Year 2022 Budget Ordinance). Grade 11 – Maximum \$56,566.34 – Requesting pay of \$68,640

ARTICLE 2: That a waiver of the policy as previously established in Ordinance No. O-2018-58, Article 21, Section 21.14 regarding limit of promotion increase is hereby granted for the following position, as it relates to the Benton County Budget O-2021-50.

Fund – 1000

Department 0110 – Planning:

Director of Planning:

Waiver to increase salary for employee from \$58,293.04 to \$67,037.00 due to promotion from Senior Planner (Grade 15) to Director of Planning (Grade 22) as set by Ordinance No. O-2021-50 (Fiscal Year 2022 Budget Ordinance).

ARTICLE 3: That any new appropriations and other budgetary adjustments that may be necessary to effect the purpose of this resolution will be included in a 2022 Budget Appropriation Ordinance. (None required for these two requests).

APPROVED:

ATTEST:

BARRY MOEHRING, COUNTY JUDGE
DATE SIGNED: _____

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Tom Allen

ADOPTED: _____

Votes for: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. O-2022-__

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET) APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING ADDITIONAL EXPENDITURES IN DEPARTMENT 0304, GRANTS IN AID – HEALTH, AND 0502, FIRE SERVICES, AMERICAN RESCUE PLAN, FUND 3046

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund appropriations and expenditures are herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the following additional appropriations and expenditures as listed below:

FUND 3046 – American Rescue Plan Fund

EXPENSE			Adjusted/	Approp.	New Budget
Dept.	Acct.	Title	Orig. Budget	Amount	Amount
0304	3103	Grants in Aid -			
		Centerton Utilities	\$ -	\$ 1,000,000	\$ 1,000,000
0502	3103	Hickory Creek Fire Dept.	\$ -	\$ 27,275	\$ 27,275
0502	3103	Hwy. 94 Fire Dept.	\$ -	\$ 44,925	\$ 44,925
TOTALS				<u>\$ 1,072,200</u>	<u>\$ 1,072,200</u>

ARTICLE 2. This appropriation of \$1,072,200 from American Rescue Plan funds is for a Centerton Utilities water project and to purchase air compressors for the Hickory Creek and Hwy. 94 Volunteer Fire Departments.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Susan Anglin

DATE ADOPTED: _____

Votes For: _____ Votes Against: _____

Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. O-2022-____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET) AUTHORIZING A TRANSFER OF FUNDS BETWEEN CATEGORIES IN DEPARTMENT 0415, JUVENILE DETENTION, FUND 1000

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund appropriation and expenditure is herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the additional appropriation and expenditures as listed below.

Fund 1000 – Juvenile Detention			Approved Budget	Appropriation Amount	New Budget Amount
Dept.	Acct.	Title			
Expense					
0415	3094	Meals & Lodging	\$ 5,000	\$ (200)	\$ 4,800
0415	4004	Machinery/Equipment	<u>\$ 23,450</u>	<u>\$ 200</u>	<u>\$ 23,650</u>
		Totals	\$ 28,450	-	\$ 28,450
		Net Effect		<u>\$ -0-</u>	

ARTICLE 2. This appropriation is to transfer \$200 from Meals & Lodging (Other Services) to Machinery & Equipment (Capital) in Juvenile Detention due to the higher-than-expected cost of a new Washer/Dryer unit. No net budget effect.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK
SPONSOR: JP Richard McKeehan
DATE ADOPTED: _____
Votes For: _____ Votes Against: _____
Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. O-2022-____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET) AUTHORIZING TRANSFERS AND ADDITIONAL EXPENDITURES IN DEPARTMENTS 0501, CENCOM, AND 0140, COMMUNITY RISK REDUCTION, FUND 1000

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund expenditures are herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the following transfers of monies between funds and the additional appropriation and expenditure as listed below.

Fund 1000 – CenCom

Revenue			Approved	Appropriation	New Budget
Dept.	Acct.	Title	Budget	Amount	Amount
0501	1001	Salaries	\$1,654,681	\$ (10,000)	\$1,644,681
0501	1006	Social Security			
		Matching	\$ 135,733	\$ (765)	\$ 134,968
0501	1007	Retirement Matching	<u>\$ 271,759</u>	<u>\$ (1,532)</u>	<u>\$ 270,227</u>
		Totals	<u>\$2,062,173</u>	<u>\$ (12,297)</u>	<u>\$2,049,876</u>

Fund 1000 – Community Risk Reduction

Expense			Approved	Appropriation	New Budget
Dept.	Acct.	Title	Budget	Amount	Amount
0140	1001	Salaries	\$ 242,880	\$ 10,000	\$ 252,880
0140	1006	Social Security			
		Matching	\$ 18,581	\$ 765	\$ 19,346
0140	1007	Retirement Matching	<u>\$ 37,210</u>	<u>\$ 1,532</u>	<u>\$ 38,742</u>
		Totals	<u>\$ 298,671</u>	<u>\$ 12,297</u>	<u>\$ 310,968</u>

ARTICLE 2. This appropriation is to transfer appropriated funds from CenCom to Community Risk Reduction in order to train a new Building Inspector who is replacing a retiring Building Inspector. No additional budgetary impact as the funds are available from vacant CenCom positions.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE
DATE SIGNED:_____

ATTEST:

BETSY HARRELL, COUNTY CLERK
SPONSOR: JP Susan Anglin
DATE ADOPTED:_____
Votes For: _____ Votes Against:_____
Abstain:____Present:____Absent:_____

APPROPRIATION ORDINANCE NO. O-2022-____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET) APPROPRIATING ADDITIONAL MONIES AND AUTHORIZING ADDITIONAL EXPENDITURES IN DEPARTMENT 0200, ROAD GRANTS/STORM DAMAGES, FUND 2001

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund appropriation and expenditures are herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the additional appropriation and expenditures as listed below:

FUND 2001 – ROAD-STORM DAMAGES GRANT FUND

Dept.	Acct.	Title	Orig/Adjusted Budget	Appropriation Amount	New Budget Amount
REVENUE					
0000	7010	State Grants	<u>-0-</u>	<u>\$183,535</u>	<u>\$183,535</u>
		TOTALS:	<u>\$ -0-</u>	<u>\$183,535</u>	<u>\$183,535</u>
EXPENSE					
0200	2035	Hazard Mitigation			
		Grant Expense	<u>\$215,413</u>	<u>\$244,715</u>	<u>\$460,128</u>
		TOTALS:	<u>\$215,413</u>	<u>\$244,715</u>	<u>\$460,128</u>
NET EFFECT:				<u>(\$61,180)</u>	

ARTICLE 2. This appropriation is for the ADEM Hazard Mitigation Grant (75% State and 25% County match) awarded for the Gailey Hollow Road Drainage Project for the award year July 1, 2022 – June 30, 2023.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Richard Taylor

Date Adopted: _____

Votes For: _____ Votes Against: _____

Abstain: _____ Present: _____ Absent: _____

Item “12-H”

APPROPRIATION ORDINANCE NO. O-2022-__

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET) APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING ADDITIONAL EXPENDITURES IN DEPARTMENT 0108 - FACILITIES, AMERICAN RESCUE PLAN, FUND 3046

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund appropriations and expenditures are herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the following additional appropriations and expenditures as listed below:

FUND 3046– American Rescue Plan Fund

EXPENSE			Adjusted/	Transfer	New Budget
Dept.	Acct.	Title	Orig. Budget	Amount	Amount
0108	2033	Building/Improvements			
		Maintenance/Repair	\$457,104	\$ 90,000	\$547,104
		Totals	\$457,104	\$ 90,000	\$547,104

ARTICLE 2. This appropriation from American Rescue Plan funds is for emergency air compressor replacement of non/functional A/C units at the Administration Building; total cost for compressors, drives, and off-hours installation estimated at \$90,000.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Susan Anglin

DATE ADOPTED: _____

Votes For: _____ Votes Against: _____

Abstain: ____ Present: ____ Absent: ____

ORDINANCE NO. O-2022-__

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE ESTABLISHING A SUB-FUND OF COUNTY GENERAL TO BE CALLED THE “PUBLIC FACILITIES BOARD HOLDING FUND”- FUND 1050

Article 1. Affirmation. It has come to the attention of the Quorum Court that there is a need to be established a fund on the books of the county as a sub fund of the County General Fund [#1000] to hold certain funds that have come into the possession of the County from the Public Facilities Board established previously by the Quorum Court, but which Board has ceased to operate.

Article 2. Establishment of Fund. There is hereby created on the books of the Benton County Treasurer and the books of the Benton County Comptroller a fund to be known as the Public Facilities Board fund with a fund number of 1050.

Article 3. Operation of Fund. The Public Facilities Board Fund shall hold the funds until clarity can be achieved concerning their disposition and such fund. The Public Facilities Board Fund is subject to all the normal county budgeting, appropriation and expenditure regulations of Arkansas Code Annotated, Title 14 and the County Financial Management System.

ADOPTED this _____ day of _____, 2022.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK
SPONSOR: JP Kurt Moore
Date Adopted: _____
Votes For: _____ Against: _____
Abstain: _____ Present: _____ Absent: _____

ORDINANCE NO. O-2022-____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE DELEGATING THE RESPONSIBILITY FOR THE COLLECTION OF DELINQUENT CIRCUIT COURT FINES, FEES, AND COURT COSTS AS IT PERTAINS TO THE ARKANSAS TAX INTERCEPTION PROGRAM."

Section 1. Affirmation: WHEREAS, the Quorum Court of Benton County recognizes the challenges facing the county official/agency/department designated to collect circuit court fines, fees, restitution, and court costs under Ark. Code Ann. §16-13-701 (hereafter collectively referred to as "fines").

Section 2. Legislative Intent: WHEREAS, the Quorum Court deems that additional appropriate and lawful steps are necessary to aide in the collection of circuit court fines under Ark. Code Ann. §16-13-709.

Section 3. Designated Authority: WHEREAS, the Quorum Court is specifically authorized under Ark. Code Ann. §16-13-709 to delegate the responsibility for the collection of delinquent fines assessed in the circuit and/or district court to a private contractor, and the private contractor may collect a commission, under a written contract, from the total amount of fines owed by a defendant who is delinquent.

NOW THEREFORE BE IT ORDAINED BY THE QUORUM COURT OF BENTON COUNTY, ARKANSAS:

That the Quorum Court, under its authority granted under Ark. Code Ann. §16-13-709 hereby delegates the responsibility for the collection of delinquent fines (as defined under Ark. Code Ann. §16-13-701) assessed in circuit court to the Association of Arkansas Counties, a private contractor, properly registered and bonded with the Secretary of State in accordance with Ark. Code Ann. §16-13-709, and its employees, agents, and subcontractors. They are to assist with the process known as Tax Interception.

The County Judge of Benton County may enter into a contract with the Association of Arkansas Counties on behalf of Benton County, or may join with other elected officials of the County in entering into any such contracts related to their area of responsibility, in accordance with the terms and provisions set forth in Ark. Code Ann. §16-13-709, designating the Association of Arkansas Counties and its employees, agents, and subcontractors as the private contractor responsible for tax intercept for the collection of delinquent circuit court fines.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Susan Anglin

DATE ADOPTED: _____

Votes For: _____ Votes Against: _____

Abstain: ____ Present: ____ Absent: ____

Item “12-K”

APPROPRIATION ORDINANCE NO. O-2022-__

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:

AN APPROPRIATION ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. O-2021-50 (**2022** BENTON COUNTY BUDGET) APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING ADDITIONAL EXPENDITURES IN DEPARTMENT 0418 – COUNTY JAIL, AMERICAN RESCUE PLAN, FUND 3046

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. The following fund appropriations and expenditures are herein approved and adopted as an amendment to the **2022** Benton County Budget, and Appropriation Ordinance No. O-2021-50 shall be amended to authorize the following additional appropriations and expenditures as listed below:

FUND 3046– American Rescue Plan Fund

EXPENSE			Adjusted/	Transfer	New Budget
Dept.	Acct.	Title	Orig. Budget	Amount	Amount
0108	3006	Medical, Dental &			
		Hospital Services	<u>\$1,150,000</u>	\$ 40,000	<u>\$1,190,000</u>
		Totals	<u>\$1,150,000</u>	<u>\$ 40,000</u>	<u>\$1,190,000</u>

ARTICLE 2. This appropriation from American Rescue Plan funds is for the Jail inmate medical contract with Turn Key, and will fund an additional 40 hours per week of Licensed Nursing staff and 20 additional hours of clerk coverage being requested by the Sheriff’s Office due to the increased number of inmates. The additional cost of \$10,000 per month will begin effective September 1, totaling \$40,000 through the remainder of the current fiscal year.

APPROVED:

BARRY MOEHRING, COUNTY JUDGE

DATE SIGNED: _____

ATTEST:

BETSY HARRELL, COUNTY CLERK

SPONSOR: JP Susan Anglin

DATE ADOPTED: _____

Votes For: _____ Votes Against: _____

Abstain: ____ Present: ____ Absent: ____

2022

CALENDAR YEAR

OCTOBER

CALENDAR MONTH

SUNDAY

FIRST DAY OF WEEK

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29 September Quorum Court	30	01
02	03	04 Budget Meeting	05	06 Budget Meeting	07	08
09	10 Budget Meeting	11 Finance Committee / Budget Meeting -	12	13 Budget Meeting	14	15
16	17 Budget Meeting Hold if necessary	18 Committee of the Whole / Budget Meeting (if necessary)	19	20	21	22
23	24	25	26	27 October Quorum Court	28	29
30	31	01	02	03	04	05

2022

CALENDAR YEAR

NOVEMBER

CALENDAR MONTH

SUNDAY

FIRST DAY OF WEEK

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	01	02	03 November Finance	04	05
06	07	08 Election Day	09	10 Committee of the Whole	11 Veteran's Day Holiday	12
13	14	15	16	17 November Quorum Court	18	19
20	21	22	23	24 Thanksgiving Holiday	25 Thanksgiving Holiday	26
27	28	29	30	01	02	03
04	05	06	07	08	09	10

2022

CALENDAR YEAR

DECEMBER

CALENDAR MONTH

SUNDAY

FIRST DAY OF WEEK

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	01	02	03
04	05	06 Finance Meeting	07	08	09	10
11	12	13 Committee of the Whole	14	15	16	17
18	19	20 December Quorum Court	21	22	23 Xmas Eve Holiday	24
25	26 Christmas Holiday	27	28	29	30	31
01	02	03	04	05	06	07