

JOURNAL OF PROCEEDINGS

Quorum Court
December 19, 2022

The last regular meeting of the year was held on Monday, December 19, 2022, at 5:00 pm. The meeting was held at Southern Heights Baptist Church in Berryville. The meeting was audio recorded and press notice had been sent out. One member of the Press was present with two others (CCN & KTHS) requesting copies of the audio recording. Both Prosecutor Tony Rogers and Deputy Prosecutor Steven Simmons were present for the meeting. County Judge Ronda Griffin asked JP Don McNeely to lead the group in prayer and the Pledge of Allegiance. Roll Call was conducted by County Clerk Connie Doss finding all members of the Quorum Court present. Also present were a few County-Elect officials as well as County officials. The Journal of Proceedings of the November 21, 2022, meeting was approved with a motion by JP Larry Swofford and seconded by JP Matt Phillips. There were no Committee reports. JP Chuck Olson asked to have a resolution added as letter "j". There was a second from JP Jack Deaton and the voice vote allowed for the addition of the resolution.

Public Comments brought back Robert Anderson with R&R Towing to continue the conversation of grievance with the Sheriff's Department. JP Jack Deaton said that the situation was out of the control of the Quorum Court. Also speaking was Phillip Kimball, Fire Chief with the Inspiration Point Fire District. He wanted to bring to the attention of the Quorum Court about their recent board elections and that their election procedures needed to be cleaned up. While he told the assembled that he represented the fire fighters and not the board, he commented that situation with the election has affected everyone including the "operational side". He was looking for clarification of the laws as they seemed to oppose one another. JP John Howerton said that the bylaws set up the rules. JP Chuck Olson said that they had an election, but procedures were loose and that regulations were needed. JP Harrie Farrow reiterated that if the rules were confusing then state statutes needed to be clarified. JP Don McNeely asked who made up the membership and who were the qualified electors able to vote. JP Chuck Olson said that this was not something that would be decided tonight. There was no business under Miscellaneous.

The agenda held several items of Old Business. The Quorum Court had a second and third reading of the ordinance that would allow the Circuit Clerk to designate the AAC to collect fines, fees, etc for delinquent accounts. JP Craig Hicks made the motion to accept and JP Duane Coatney seconded. The roll call vote was done with all in agreement. A motion to suspend the rules and read a third time was made by JP John Howerton and seconded by JP Jack Deaton. The voice vote was in favor with none dissenting. The ordinance was ready by title only the third time and a motion was made to accept by JP John Howerton and seconded by JP Duane Coatney. The motion carried and the ordinance approved.

An ordinance establishing the salaries of elected officials for 2023 was also approved after its second and third readings. JP Jack Deaton made the motion after the second reading by title only with a second from JP Matt Phillips. The motion carried with no one dissenting. JP John Howerton made a motion to set the rules aside for a third reading with JP Jack Deaton motioning for a second. The voice vote carried and the ordinance was read by title a third time. JP Jack Deaton and JP John Howerton made the motion and second to approve and the roll call vote passed the ordinance.

Also, in Old Business was the second and third reading of the ordinance for the NWAEDD. The same procedure as the other two ordinances were followed. JP Matt Phillips and JP Harrie Farrow motioned to approve for the second reading with all members voting to approve. The rules were suspended with a motion and second by JP John Howerton and JP Matt Phillips. The ordinance was read by title the third time with a motion by JP Jack Deaton and seconded by JP Matt Phillips. The roll call vote passed the ordinance.

The Budget Ordinance for 2023 was also handled in the same manner. The second reading was by title only with a motion made to accept by JP John Howerton and seconded by JP Matt Phillips. The roll call vote saw no dissention and no discussion. A motion to set aside the rules was accomplished with a motion and second and approved by voice vote. The third reading was by title only with a motion to accept by JP Jack Deaton and seconded by JP Matt Phillips. The budget ordinance was passed unanimously in both readings as well as the first reading held at the November meeting.

In New Business, there were several resolutions requiring approval. JP Craig Hicks made a motion to set aside the rules for reading the resolutions in full and to read them by title only. JP Jack Deaton seconded the motion and the voice vote approved the reading by title only of the resolutions. With that JP Harrie Farrow read by title the resolution to approve the appointments of Anita Engert and Joe Hill to the Carroll County Library Department Board of Trustees. The motion was made by JP Farrow and seconded by JP Roger Hall. The measure was approved unanimously.

A resolution was approved to appoint Chris Eagleson and Suellyn Frye to the Eastern District Ambulance District. JP Don McNeely read the resolution by title only and made the motion to accept. It was seconded by JP Roger Hall. In comments, JP McNeely said that he has known Mr. Eagleson since he moved to Carroll County. He said also that Mrs. Frye has helped the Ambulance District for many years. The roll call vote was unanimously accepted.

The Carroll County Airport Commission had two members that needed to be reappointed and those were approved. The motion to accept the resolution was made by JP John Howerton and seconded by JP Matt Phillips. It was also read by title only as previously approved and was a roll call vote with a unanimous decision.

The Green Forest Library Board recommended the reappointment of Teresa Swallow. It was read by title only by JP McNeely. The term of 5 years was approved with a motion by JP McNeely and seconded by JP Roger Hall. The roll call vote was unanimously accepted.

A motion was made by JP Jack Deaton and seconded by JP Harrie Farrow to accept the recommendations to appoint Joe Jenquine and Chuck Olson to the Commissioners of Sylvan Shores. The vote was unanimously accepted.

A motion was made by JP Harrie Farrow and seconded by JP John Howerton to approve the resolution to reappoint Katie Zerr to the Eureka Springs Library Board. The motion carried.

JP Larry Swofford made a motion to approve the levying of taxes for the County, Municipals, and Schools. JP Matt Phillips seconded the motion. With the added Section 3, the ordinance could be read the one time. JP Farrow asked about any changes and County Clerk Connie Doss reported that there would be rollbacks of taxes in the Eureka Springs and Berryville School Districts. The roll call vote was conducted with all approving the ordinance.

The Green Forest Library had requested a job title change by taking the position of Assistant Librarian to Assistant Library Director. JP Jack Deaton explained that there are not budgetary differences, but simply a change in the job. JP Don McNeely made the motion to accept the ordinance with a second by JP Jack Deaton. The vote was unanimously accepted.

The County Clerk's office had made a request to add a deputy clerk position to the office. JP Matt Phillips made the motion to accept with a second from JP Craig Hicks. JP Hicks commented that this was discussed at length in the budget committee and that the position was needed because of the substantially busy office that it is. JP Jack Deaton also said that this is a multi-task position. The roll call vote was unanimously accepted.

JP Chuck Olson ultimately withdrew the resolution that would confirm temporary appointments to the Inspiration Point Rural Fire District Commissioners. Deputy Prosecutor told the Justices that the Resolution as written was illegal because the Judge nor the Quorum Court could change the terms of the offices and that it was set by law or by their bylaws. He said that the group had their election and it was the ministerial duty of the Judge to accept the election and appoint the newly elected members. It would be up to the people of that district to bring cause to remove the commissioners at that point. Without a second to JP Olson's motion, the matter was dropped and JP Olson withdrew the resolution for consideration.

In JP Comments, JP Craig Hicks thanked Ronda Griffin for stepping in to finish the term of Sam Barr as County Judge. He also spoke about the three JPs who would be leaving at the end of the term, December 31, 2022. JP Don McNeely had served for 16 years, JP Chuck Olson had served for 6 years and JP Larry Swofford had served for 30 years. The Justices echoed their thank you's and personal wishes. JP McNeely also thanked outgoing Circuit Clerk Marilyn Ferrier, Vicky Hopper, and Ronda Griffin. JP Larry Swofford asked that perhaps the Quorum Court would start looking at the capacity situation at the Detention Center as it had been reported to him that it works at 85% capacity and a new wing would take time.

In Judge's comments, Judge Griffin reviewed the accomplishments of her short time and also reviewed inventory items that had been removed from inventory. Those include: 2008 Ford Explorer – sold at auction \$5,700, 2014 Ford Explorer interceptor sold at auction \$6,500, 2007 Chevy Tahoe sold at auction for \$3,500. The ES Library had an old computer that had been destroyed, the Circuit Clerk also had an old computer to be destroyed, Elections had a tablet replacement by the Secretary of State, Circuit Clerk E and W had odds n' ends that had no inventory tags, but had been destroyed. The Collector had replaced the server and the old one was destroyed by Apprentice. The Sheriff's department had a totaled vehicle. With that, JP Matt Phillips offered a motion to adjourn the meeting with a second by JP Duane Coatney. After the meeting, plaques were given to those Justices leaving and a group photo was taken.

Taken out of inventory per County Judge's Office:

Sheriff's office - 2016 Ford interceptor Vin #7977 – **no court order – total loss to copart salvage**

2008 Ford Explorer Vin #2356 (\$5,700 Purple Wave – Buyer Brent Koliha), 2014 Ford Explorer Vin # 6165 (\$6,100 Purple Wave – Buyer Renaldo Sanchez), 2014 Ford Explorer Vin #6089 (\$6,500 Purple Wave – Buyer Samuel Garcia) **Court Order 22-09**

Circuit Clerk – all inventory 0 value

Dell Optiplex 9010, SN B2XCBY1, Cannon Image Formula DR501C SN DD314480, Brother HL-21 SN U61944L8J153111, Lexmark MS312dn, HP Laserjet P1505N SN VND3C09664 – **Court Order 22-19**

Dell Vostro 220 Computer System x6 – SN 4557514321, SN 00196-054-290-661, SN 4557747601, SN 455741393, SN 455737453, SN 4557514321, Windows 7 Pro Workstation SN 1261 – **Court Order 22-05**

Election Commission – Express Poll Tablet SN 5G0350978 – replaced at no charge - **Court Order 22-20**

Eureka Springs Library - Dell Desktop Optiplex SN JJQWB42 – **Court Order 22-04**

Collector – Poweredge T3320 Intel Xenon Server SN 672FXG2 – equipment destroyed – **Court Order 22-18**