

Journal of Proceedings  
Carroll County Quorum Court  
April 18, 2023

The Quorum Court of Carroll County, Arkansas, held their regular meeting at the Eastern District Courthouse in Berryville, AR. The scheduled time of the meeting was at 5:00pm and the meeting began on time with the Invocation and Pledge of Allegiance led by JP Kellie Matt. The meeting was audio recorded although the recording device stopped prematurely at the beginning of the meeting and was restarted as quickly as it was discovered. The device was on electrical power, so the reason is unknown. The local press was also advised of the meeting, sent the agenda and a copy of the new business items as is customary. Two members of the Press requested a copy of the recording for this meeting and the March meeting which was sent via email. The meeting was gavelled to order by County Judge David Writer and roll call was taken by County Clerk Connie Doss. All members of the Quorum Court were present. The gallery was once again filled with citizens and several elected officials and members of the Press sat in the jury seating area. County Clerk Doss welcomed newly appointed JP Francisco Pedraza – District 8 during roll call. The Journal of Proceedings from the March 21, 2023, meeting was approved with a motion to accept from JP John Howerton and a second from JP Jack Deaton. The Journal was approved by voice vote.

Under Committee Reports, JP Howerton updated everyone about the Eastern District Judicial Steering Committee’s agreement upon an architectural firm to begin the process. JP Howerton reiterated that while the decision to sign a contract was not within the purview of their jurisdiction, he commented that the County Judge was in agreement with the recommendation. A call has been made, but the Judge’s office has not heard back from them as yet.

JP Jack Deaton asked that an item be added to the agenda as “h”. JP John Howerton seconded the motion and the voice vote approved the addition of the emergency ordinance as item “h”.

Under Public Comments, Ms Suellen Frye with CERT updated the Justices that the Citizens Corp Council will be having a new training session beginning May 1<sup>st</sup> that will last for a couple of weeks and culminate with a May 20<sup>th</sup> disaster drill. She encouraged anyone to attend.

Aaron Strain of county road 905 spoke of his concerns with the wind turbine farm that is proposed near him on Hwy 103 S, Green Forest. While not totally against it as he sees the value in some, he is not happy with the close proximity to his home. He moved here from southeast Texas and purchased 20 acres. He asked if the Quorum Court had jurisdiction and reiterated that the wind farm impedes his view of the area as was the reason he purchased the land. JP Jerry King asked how far the nearest turbine would be from his home and Mr. Strain responded that it would be within one mile.

At this point the recording prematurely stopped. However, public comments continued with Gary Wright who spoke of the future of elections, specifically on the county level and the need to purge voter registration rolls. He also said that he thought there needed to be three forms of ID required to vote, there should be debates before any election and the county should return to paper ballots versus use of machines. He also noted that election day should be a national holiday.

Georgia Carlson when moving to the area looked at alternative energy sources for her home and had “checked out” the numbers for wind. She cited a University of Arkansas study that said for wind turbines to be viable (profitable), the wind speed had to be between 12-18 mph

and upward to 29 mph. She said that this area was far below that at about 9mph. She said there had to be Federal money going in “somewhere”.

Monica Peterson and her family will be living next to a wind turbine and reported that “not everyone was in it for the money” as when she and her husband purchased the property there was a contract tied to it that they let expire. She said that the wind turbines would impede their enjoyment of their land and that living downstream would affect the creek that her children play in and the animals use for drinking. She asked, “Who will take care of them when everything gets sick?”. She said this was a moral situation. JP Harrie Farrow asked further about the poisons/toxicity that Ms. Peterson spoke of and Ms. Peterson replied about the breakdown of the blades, their disposal process of burial, and that would leech into the ground.

Lynette Harris cited that she is a registered voter of Carroll County and was opposed to the wind farm. As a real estate agent she noted that property values will go down. People move to the area for the beauty and that consideration should be given to how this will affect everyone.

At this point, JP Roger Hall, said that the wind speed was just not in this area. He asked how the wind turbine company (Scout Clean Energy) was going to make any money.

Retired County Judge Richard Williams, who also lives on county road 905, reported that the wind farm company did not have a public forum style meeting, but had tables set up. He had done research on what might be done to at least manage/regulate the wind farm. He spoke of an ordinance to manage the wind farm and that Buffalo County, NE, had done that saying that he had a copy if anyone wanted to read it. He said that the whole county would need to be included in any regulations and he thought that the wind farm right now had a lot of control. He thought that the contracts had to be 25-40 pages. JP Jerry King asked if the ordinance had any regulations as to the distance of structures and Mr. Williams said that he thought it was 5 miles from the turbine to the property line of the adjoining property owner, but if the adjoining owner was in agreement, it could be 2 miles. He also said that there were no state laws in Arkansas for this situation as Carroll County would be the first in the state to have wind turbines in it. He stressed that the Quorum Court was the legislative body of the county who was responsible for making law. He said, “Are you willing to protect the majority or the select few?”. At this point the County Clerk caught that the recording had stopped and shut it down and restarted it.

R&R Towing reporting the same issues of discrimination had not been resolved with the Sheriff’s office (previous administration) and the county not admitting the error. He said that the “other towing business” is a monopoly and they have broken rules that were being overlooked. He continued that the State police uses his service and they work well together. JP Roger Hall asked of the situation with the new Sheriff and was given the response that they were working on it, but that it has not been resolved.

There were no Miscellaneous Comments nor any Old Business, so the meeting continued with New Business. JP Matt Phillips made a motion to suspend the rules for reading a resolution in its entirety. JP John Howerton seconded the motion and a voice vote approved the suspension of the rules for the meeting. The resolution confirming the appointments of Dave Teigen and Jim Fain to the Mercy Hospital Board were approved by roll call vote. The motion was made by JP Matt Phillips who added in the discussion that these appointments would begin with their July meeting and the motion was seconded by JP John Howerton. Another appointment to a board was for Mundell Heights Subordinate Service District. Dave Abendroth was approved for reappointment to the board as commissioner. The motion was made to accept by JP Bruce Wright and seconded by JP John Howerton. The roll call vote approved the measure.

Next on the agenda was to correct claims that had been intended to come from one fund, but through human error came from another fund. This was explained by JP Jack Deaton who made the motion to accept the transfer of these funds to correct claims and seconded by JP Matt Phillips. The roll call vote was unanimous.

The 2022 Budget Cleanup Ordinance was approved after a motion was made by JP Jack Deaton and seconded by JP Kellie Matt. During discussion, JP Deaton reported that 2022 had been a tough year where not enough funds were in some line items. JP Harrie Farrow asked a few questions concerning some of the larger numbers, one being about the costs associated with juvenile probation in which Clerk Doss answered that the county was housing more juveniles in other counties than it had in recent years. JP Farrow commented that she just wanted to be sure that they [Quorum Court] was doing its “due diligence”. As the measure was an emergency, the single vote of 2/3rds passed the measure.

The CAMALS Library Technician was approved for an increase in wage because it had not been approved with the 2023 budget process as there was not a department head. JP Craig Hicks who made a motion to approve said that no funds for this comes from County General. The appropriation ordinance was seconded by JP Harrie Farrow and approved through roll call vote.

Next was an appropriation ordinance to approve pay in lieu of taking time off. The motion was made by JP Jerry King and seconded by JP Craig Hicks. JP Hicks said that this type of situation had been discussed and had been brought before the Budget Committee. He said that the Circuit Judge would not have asked if it wasn't needed. JP Jack Deaton said that committees needed to take a longer look at this benefit and everyone needed to realize that this was paying employees double time and was unbudgeted. JP Harrie Farrow said that this ordinance was not with the packets sent and Clerk Doss apologized and asked if the Justices would like it read and it was done. The roll call vote passed the measure unanimously.

During discussion for the next appropriation ordinance, JP Craig Hicks said that he had recently toured the detention center and that there were areas that needed “TLC” as things had gone unkept. It was also commented that it was a nice building and that the county needed to keep it up. JP Kellie Matt, who had also toured the building, said that she appreciated the fact that the Sheriff was keeping the Quorum Court ‘in the loop’ and had even asked her about carpet and paint colors. JP Jack Deaton said that 309s would be utilized to pull the old carpet to save money. The appropriation ordinance would add funds from the sales tax fund to both the Sheriff and detention center's budgets. The motion was made to approve by JP Hicks and seconded by JP Bruce Wright. The roll call vote approved the appropriation.

Lastly, was the item “h” that was the change to the agenda. Prior to the meeting a copy of the proposed emergency ordinance was given to each of the Justices of the Peace. A motion was made by JP Jack Deaton, who sponsored the ordinance, to approve the ordinance. A second was made by JP Matt Phillips. During discussion JP Deaton said that county needed to upgrade a couple of machines and by selling the two to Madison County, it would assist with the capital to make the purchase for the other equipment. Per §14-14-908, the following members of the Quorum Court voted to approve the measure: JPs Deaton, Wright, Farrow, Rivett, Phillips, Hicks, Matt, Pedraza, Hall, King, and Howerton. There were no votes against the ordinance to transfer the property to Madison County.

With the business of the meeting concluded, the next agenda item was JP Comments. JP John Howerton said several JPs had toured the detention center facility saying that he hoped that to save funds, the Eastern District Judicial Steering Committee would recommend that the

County Judge use the same architectural firm to add storage to the detention center and also to add a vote center for early voting somewhere as the need was there. JP Jack Deaton said that it had also been discussed on several occasions that alternate storage was needed for all departments. JP Harrie Farrow said that she regretted that she had to say what she was about to say, and reminded everyone that it was Holocaust Remembrance Day. She referred to comments made by JP Hunter Rivett at the previous months meeting and found the comments to be disturbing. She continued by telling a story of victims of concentration camps and her experiences with these victims whom she considered part of the family. She ended her comments with being “disturbed at the idea that working together would lead to concentration camps.”

County Judge Writer finished up with his comments saying he appreciated all of the opinions expressed and these opinions give everyone things to think about. He said that the wind farm representatives will be at the Community Center again on April 24<sup>th</sup> from 6-8pm to speak with concerned citizens. He ended with expressing the sentiment of being the kind of neighbor you’d [sic] like to see. The meeting was adjourned at just before 6:00 pm with a motion made by JP Roger Hall and seconded by JP Jack Deaton.