

Journal of Proceedings of the
Carroll County Quorum Court
December 19, 2023

The last regular meeting of the year was held on Tuesday, December 19, 2023, at 5:00PM in the Eastern District Courthouse courtroom. The meeting agenda had been posted to social media and notice had been sent to the Press with two known members of the Press present along with department heads, elected officials, and, of course, the Justices of the Peace. The meeting, as usual, was audio recorded and posted to the County website along with the Ordinances and Resolutions passed during the meeting. JP Roger Hall was asked to give the invocation and lead the Pledge of Allegiance. Roll Call was taken with all members of the Quorum Court present. JP Harrie Farrow made a motion to accept the Journal of Proceedings from the November 21, 2023, meeting. JP Jack Deaton motioned the second and the voice vote was unanimous. There were no Committee Reports. County Judge David Writer said that the Public Comments would be limited to comments about agenda items and no comments would be taken on any other subject as the meeting agenda was very long. Mike McKelvey, director of the Office of Emergency Management spoke about the requirements and duties of his position offering five aspects or responsibilities that he has. He also said that he was not responsible for building and fire codes or their enforcement. There was some further discussion concerning the type and/or tiers of chemical spills that he reported and that the amount of the spill was dependent on the chemical itself saying that agricultural and commercial spills have different rules, but that 1000 gallons of a chemical was common for reporting and cleanup purposes. He also said that the SORT building repairs were done and was also acting as an EOC center for the county. He reported, too, that the upgrades to the radio towers and systems were almost done and that the county was waiting on the government approval of the frequencies. During discussion with the JPs, Mike also said that he has integrated emergency plans with businesses and emergency services. JP Jack Deaton reminded everyone that part of the OEM wage was reimbursed to the county from the state.

In Old Business, a motion was made by JP John Howerton and seconded by JP Jack Deaton to set aside the rules for all of the Old Business so that the ordinances could be read both a second and third time. The motion carried unanimously with a voice vote. The process followed the same in all of the old business with the ordinance being read by title, motion, second, discussion (if any), then roll call vote.

The ordinance details as follows:

Justice Involved Peer Recovery Specialist Position – Motion: JP Craig Hicks, Second: JP Bruce Wright, No Comments, Vote with no dissension. Third Reading: Motion: JP Craig Hicks, Second: JP Matt Phillips, No Comments, Vote with no dissension.

Process of Reimbursement to CID Officers: Motion: JP Matt Phillips, Second: JP Roger Hall, No Discussion, Vote with one against (JP Frankie Pedraza). Third Reading: Motion: JP Matt Phillips, Second by JP Jack Deaton, No Discussion and same vote results.

NWAEDD Matching Funds: Motion: JP Matt Phillips, Seconded by JP Roger Hall, JP Jack Deaton said that this was money given to the organization every year. The roll call vote was unanimously approved. Third Reading: Motion and Seconded by JPs Phillips and Hall with same vote results.

Quorum Court
2023-0006

Ordinance to establish a new Capitalization of County Purchases Threshold: Motion by JP Phillips; Seconded by JP Jerry King, no comments, vote was unanimous and was passed. Third Reading: Motion by JP Phillips; seconded by JP Hall, no comments, vote was unanimous.

Ordinance to Establish the Compensation of Elected Officials: Motion by JP Deaton, seconded by JP Phillips, JP Deaton commented that this was the new yearly salary for the officials, vote was unanimously approved. Third Reading: Motion by JPs Deaton and Phillips and seconded by JP Bruce Wright. JP Deaton added that some of the salaries were split between two departments. The vote again was unanimous.

2024 Budget Ordinance: Motion by JP Deaton, Seconded by JP Hall. JP Deaton asked if it was helpful for the Justices to have the budget ordinance the extra month before final approval and was met with nodding heads. The roll call vote was called with no JPs voting against. Third Reading: Motion by JP Hall, seconded by JP Matt with the roll call vote being the same.

As there were several resolutions, JP Deaton made a motion to set aside the rules and have the resolutions for the meeting read by title only. JP Howerton seconded the motion and the voice vote was unanimously approved. The sponsors read their respective resolutions.

The appointment of Jennifer Roney to the Board of Commissioners of the Eastern District Ambulance District was approved with a motion made by JP Howerton, seconded by JP Harrie Farrow. There was no discussion and the roll call vote was unanimously approved.

Leslie Echols was confirmed to the Mundell Heights Subordinate Service District to complete a term vacated. JP Hall motioned to approve and JP Howerton made the second motion. The roll call vote was taken with no dissension or discussion.

The appointments of Ted Meyer and Richard Ott to the Sylvan Shores Subordinate Service District were also confirmed after a motion was made by JP Deaton, seconded by JP Howerton with no discussion and a unanimous roll call vote.

The appointments of Peggy Lodewyks and Linda Boyer to the Berryville Library Board of Trustees was confirmed after a motion was made by JP Hall and seconded by JP King. There was no discussion and a unanimous vote.

Also confirmed was Peggy Lodgewyks to the Carroll County Library Department Board of Trustees. Again, with no discussion, a motion was made by JP Hall, seconded by JP Wright, and passed unanimously.

The Green Forest Library Board of Trustees also had an appointment to be confirmed by the Quorum Court. Vickie Brown was confirmed after a motion was made by JP Farrow, seconded by JP Hall, and the roll call vote was taken.

The Eureka Springs Library Board also needed to confirm the appointment of Board member, Lucilla Garrett. The motion was made by JP Farrow and seconded by JP Phillips. The vote was unanimously approved.

The last resolution of the evening concerned an election security grant. JP Roger Hall made the motion to accept, seconded by JP Matt. There were no comments and the roll call vote approved the authorization and fund setup for the grant.

Next was a Treasurer's transfer ordinance that as JP Howerton expressed had been done for the past five years or so to put money away in Fund 1800. The amount for 2023 will be \$200,000. JP Howerton made the motion to approve and JP Phillips seconded the motion. The roll call vote was unanimously approved.

An appropriation ordinance was approved for the work done by Spirit Architecture and the associated construction team. The claims to date totaled \$20,000, however, \$10,000 was already available in the line item so the only amount appropriated was the remaining balance. JP

Howerton made the motion to approve with a quick second from JP Phillips. The roll call vote was conducted with no one in opposition.

JP Deaton said during comments on the next ordinance simply that the appropriation was to place the "insurance check back for vehicle damage". JP Deaton made the motion to accept the measure with JP Phillips giving the second. The measure was passed.

The road department had received proceeds from an online auction and the County Judge wished to use the funds to purchase three vehicles. JP Deaton continued with his explanation that the Judge had the opportunity now to purchase these vehicles and would likely not have the same chance again soon. It was further explained that the vehicles would be two Ram trucks and a Durango. JP Farrow asked what equipment was sold and Clerk Doss when called upon said that the Judge would be reviewing the listing of equipment during Judge's Comments.

Lastly, in regular business, funds were appropriated to the Sheriff's budget to pay for 1/3rd share of the cost of the iSOMS software. The 2023 budget reflected that the full amount had already been approved in fund 4800, however, JP Deaton said that sales tax funds couldn't be used for the Sheriff's share of the software. The motion was made by JP Deaton, seconded by JP Phillips and passed.

In sponsored discussion, JP Howerton reported that the "old Walmart building" had sold so that option was no longer available. He asked if everyone was still in favor of moving forward with pursuing the new construction on the detention center property. He said that the next step was to put it out to bid with a bid package put together by the architectural and construction firm (SouthBuild & Spirit Architecture). The cost of the bid package process would be \$220,000 which would be paid for from fund 1800. He said that even if the price of the construction came in too high for the county to move forward at this time, they would be able to retain the bid package and drawings to rebid later. JP Hicks said that the two year process had him excited about the proposed path. JP Howerton said that the county already has \$20,000 invested with JP Farrow saying that her opinion hasn't changed. JP King asked if there was an update on the LaBarge building with the Judge responding that they haven't ever returned his calls to them. JP Kellie Matt said she was "okay" with it as the land was intended for use to add to the jail. JP Howerton turned to the Judge and told him that the ball was in his court.

JP Comments: JP Phillips reported that ORT (Ozark Regional Transit) had a driver that had to retire leaving Carroll County with no public transportation. He reported that Judge Writer and he had taken a trip to attend their board meeting and said that the county needed to build a relationship with another entity to cover while ORT worked on a driver. JP Howerton said that he would be presenting an ordinance next month to address the decommissioning in the event of abandonment, etc. The normal bond issuance is generally 20 years, but he would be asking for 7 years, at which point, Steven Simmons, Deputy Prosecutor and the Quorum Court's legal counsel, cautioned JP Howerton that the Judge had set the parameters for the meeting to be about Agenda items and commenting on the wind turbine issue could be going against that. JP Farrow brought everyone to the attention that Benton County was grappling with a new technology concerning "Green Energy" large capacity battery storage and wondered if the Court was going to need ideas of how to deal with the new technology or would it be a free for all. JP Jerry King asked if JP Farrow was talking about zoning and JP Farrow responded that the time was for comments vs. discussion. JP King then asked everyone, "How do we communicate!"

County Judge David Writer read the auction items by their description, who purchased, and the amount. The settlement statement is included with this Journal to be recorded in its entirety to satisfy state codes. The total amount received by the county was \$143,060 and

receipted by the County Treasurer as \$122,960 to Road, \$15,800 to County General, and \$4,300 also to County General (Airport). With that business conducted, the Judge requested a motion to adjourn the meeting. JP Matt Phillips gave the motion to adjourn with JP Jack Deaton motioned the second. The meeting adjourned at 5:50PM.



You MUST read each item,
Name of purchaser +
Amount of sale!

Settlement

231128-370080
 Auction Date: 11/28/2023

Pay by check
 Carroll County, AR
 210 West Church St.
 Berryville, 72616

Phone: 8704232967
 Email: countyjudge@carrollcounty.us

Your settlement has been processed in accordance with the terms as outlined in your auction contract.
Additional auction details can be viewed anytime by logging into your Purple Wave account.

Bidder	Item	Qty	Description	Commissions/Fees	Amount
Roger Rosenberry	NP9071	1	2018 FAE STC/SSL-150 skid steer stone crusher <ul style="list-style-type: none"> Serial: 18-0455 Length: 64" 	0% commission G - Listing Fee Waived	\$18,500.00
Jim Frech	NP9072	1	2015 Simex ST 200 skid steer asphalt float <ul style="list-style-type: none"> Serial: M012762E02 Width: 130" Weight: 645 lbs 	0% commission G - Listing Fee Waived	\$3,200.00
Ed Nichols	NP9073	1	Tiger side boom mulcher <ul style="list-style-type: none"> Serial: TM-0818 Width: 35' 	0% commission G - Listing Fee Waived	\$1,750.00
Bill McChristian	NP9074	1	AgriMax RT855 420/85R38 tire	0% commission G - Listing Fee Waived	\$160.00
Ryan Downer	NP9075	1	2013 Okada OKB316 breaker <ul style="list-style-type: none"> Serial: 1237R 	0% commission G - Listing Fee Waived	\$6,000.00

0010

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Serial: S59593
- Part number: 2026051

132790	NP9082	1	2008 Volvo BL70 backhoe	0% commission G - Listing Fee Waived	\$26,000.00
--------	--------	---	-------------------------	--	-------------

Jose' Quesada

- Hours: 2,206 on meter
- Serial: VCE0BL70C00011490

Engine

- Volvo
- Displacement: 4.764L
- Cylinders: 4
- Fuel type: Diesel
- HP: 94

Transmission

- Shuttle shift
- 4F - 4R

Chassis

- Four wheel drive
- Differential lock

Operators station

- Enclosed cab
- AC, Heat
- Backhoe controls: Pilot control
- Pattern changer

Features

- Loader
 - Bucket
 - Width: 92"
 - Cutting edge: Bolt-on
- Backhoe
 - Bucket
 - Tag
 - Width: 24"
 - Teeth: 5

Tires

- Front: 12.5/80-18
- Rear: 19.5L-24

Notes

001

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Warning indicator: Service

431497	NP9083	1	Jarraff All-terrain tree trimmer	0% commission G - Listing Fee Waived	\$23,000.00
--------	--------	---	----------------------------------	--	-------------

Ryan Long

- Hours: 755 on meter
- Serial: WH164JO277

Engine

- Deutz BF4L914
- Serial: 8747825
- Displacement: 4.3L
- Cylinders: 4
- Fuel type: Diesel
- kW: 71.7

Transmission

- Hydrostatic

Chassis

- Four wheel drive

Features

- Rear winch
 - Make: Tulsa Winch
- Saw blade
 - Make: Jarraff
 - Width: 24"
- Back fill blade
 - Width: 96"

Tires

- Size: 28L-26

Notes

- Dead battery
- Unknown operating condition**

306844	NP9070	1	(2) attachments	0% commission G - Listing Fee Waived	\$250.00
--------	--------	---	-----------------	--	----------

Preston Owens

- 18"W Volvo BL70 excavator bucket
 - Serial: 67911-02
 - Teeth: 4
- Tri-L bale spear[b]

153677	NP9080	1	1987 Toyota pickup truck	0% commission G - Listing Fee	\$3,700.00
--------	--------	---	--------------------------	----------------------------------	------------

Jesus Beltran

0012

Bidder	Item	Qty	Description	Commissions/Fees	Amount
			<ul style="list-style-type: none"> Miles: 277,372 on odometer VIN: JT4RN67P9H5059285 	Waived	
			Engine		
			<ul style="list-style-type: none"> Displacement: 2.4L L4 SOHC Cylinders: 4 Fuel type: Gas 		
			Transmission		
			<ul style="list-style-type: none"> Automatic Four wheel drive 		
			Interior		
			<ul style="list-style-type: none"> AC, Heat 		
			Tires		
			<ul style="list-style-type: none"> Size: LT235/75R15 		
			Notes		
			<ul style="list-style-type: none"> Windshield chipped or cracked 		
			<i>Arkansas title</i>		

200651	NP9077	1	1989 Better Bilt equipment trailer	0% commission G - Listing Fee Waived	\$3,000.00
--------	--------	---	------------------------------------	--	------------

Corey
Morton

			<ul style="list-style-type: none"> VIN: 1B9DP2525K1118357 		
			Dimensions		
			<ul style="list-style-type: none"> Overall: 30' L x 96" W Deck: 19' 8" L x 96" W Deck height: 36" Tail length: 5' 2" Ramps: Manual <ul style="list-style-type: none"> Length: 5' 		
			Features		
			<ul style="list-style-type: none"> Deck type: Wood 		
			Chassis		
			<ul style="list-style-type: none"> Hitch: Pintle Landing gear: Single Suspension: Walking beam Brakes: Electric Axles: Tandem GVWR: 10,000 lbs 		
			Tires		
			<ul style="list-style-type: none"> Steel wheels 		

0013

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Size: 9.5R16.5LT

Arkansas title

167342	NP9068	1	2011 Ford Edge SEL SUV	0% commission G - Listing Fee Waived	\$6,700.00
--------	--------	---	------------------------	--	------------

Garry
Coleman

- Miles: 164,071 on odometer
- VIN: 2FMDK4JC6BBA89159

Engine

- Displacement: 3.5L V6 DOHC
- Cylinders: 6
- Fuel type: Gas

Transmission

- Automatic
- All wheel drive

Interior

- AC, Heat
- Seat: Heated, Power driver, Power passenger
- Heated mirrors
- Power windows, Power locks
- Cruise control
- Backup camera
- Powered sunroof

Tires

- Size: 245/55R18

Arkansas title

167342	NP9067	1	2012 Dodge Durango Crew SUV	0% commission G - Listing Fee Waived	\$6,200.00
--------	--------	---	-----------------------------	--	------------

Garry
Coleman

- Miles: 155,528 on odometer
- VIN: 1C4RDJDG1CC152977

Engine

- Displacement: 3.6L V6 DOHC
- Cylinders: 6
- Fuel type: Gas

Transmission

- Automatic
- All wheel drive

Interior

- AC, Heat

0014

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Seat: Power driver, Power passenger
- Power windows, Power locks
- Cruise control
- Backup camera

Tires

- Size: 265/60R18

Notes

- Dash warning indicator: TPMS

Arkansas title

9997	NP9065	1	2003 Chevrolet 2500 HD Ext. Cab pickup truck	0% commission Z - Listing Fee Waived	\$0.00
------	--------	---	--	--	--------

- Miles: Unknown
- VIN: 1GCHK29U13E368466

Engine

- Displacement: 6.0L V8 OHV
- Cylinders: 8
- Fuel type: Gas

Transmission

- Automatic
- Four wheel drive

Interior

- AC, Heat
- Power windows, Power locks
- Cruise control

Features

- Hitch: Gooseneck

Tires

- Size: LT265/75R16

Notes

- Non-operational dashboard
- Non-operational AC

Arkansas title

default

159498	NP9066	1	1999 Chevrolet Tahoe SUV	0% commission G - Listing Fee Waived	\$2,500.00
--------	--------	---	--------------------------	--	------------

- Miles: 167,395 on odometer
- VIN: 1GNEK13R5XJ376107

Eric
Keppner

0015

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

Engine

- Displacement: 5.7L V8 OHV
- Cylinders: 8
- Fuel type: Gas

Transmission

- Automatic
- Four wheel drive

Interior

- AC, Heat
- Seat: Power driver, Power passenger
- Power windows, Power locks
- Cruise control

Tires

- Size: LT245/75R16

Arkansas title

147614	NP9078	1	2000 Freightliner Argosy semi truck	0% commission G - Listing Fee Waived	\$21,000.00
--------	--------	---	-------------------------------------	--	-------------

- Miles: 80,135 on odometer
- VIN: 1FUYLECB6YLG87947

Engine

- Caterpillar C10
- Displacement: 10.3L
- Cylinders: 6
- Fuel type: Diesel

Transmission

- Eaton Fuller
- Manual
- Speed: 13

Chassis

- Axles: Tandem
- Differential lock: Inter-axle
- Suspension: Air
- Brakes: Air
- GVWR: 52,000 lbs

Interior

- AC, Heat
- Cruise control

Features

0016

*James
Erwin*

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Deck plate: Steel
- Fifth wheel type: Air operated, Sliding
- Fuel tank: Single

Tires

- Size: 11R22.5

Arkansas title

376803	NP9064	1	1994 Chevrolet 3500 ambulance	0% commission G - Listing Fee Waived	\$2,900.00
--------	--------	---	-------------------------------	--	------------

Paul
Welch

- Miles: 69,968 on odometer
- VIN: 1GBJK34N9RE196191
- Unit #: 39

Engine

- Displacement: 7.4L V8 OHV
- Cylinders: 8
- Fuel type: Gas

Transmission

- Automatic

Chassis

- Four wheel drive
- Axles: Single
- Suspension: Spring
- Brakes: Hydraulic

Interior

- AC, Heat
- Power windows, Power locks
- Cruise control
- Auxiliary controls

Features

- Ambulance body
 - Taylor Made Ambulance

Tires

- Size: LT225/75R16

Notes

- Non-operational fuel pump
- Brakes need repairs
- Unit will need to be towed or hauled
- **Non-operational** unit

0017

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

Arkansas title

406975	NP9076	1	2016 Big Tex 14GX end dump trailer	0% commission G - Listing Fee Waived	\$8,000.00
--------	--------	---	------------------------------------	--	------------

Robert
Field

- VIN: 16VDX1627G5074075

Dimensions

- Overall: 25'L x 105" W
- Body: 16' 10" L x 88" W

Features

- Body type: Steel
- Ram: Single
- End gate: Manual

Chassis

- Hitch: Gooseneck
- Landing gear: Dual
- Suspension: Spring
- Brakes: Electric
- Axles: Tandem
- GVWR: 14,000 lbs
- GAWR: 7,000 lbs

Tires

- Steel wheels
- Size: ST225/90R16

Arkansas title

Title distribution may be delayed up to 30 days from verification of funds.

437002	NP9081	1	1987 Ford F700 manure spreader truck	0% commission G - Listing Fee Waived	\$8,400.00
--------	--------	---	--------------------------------------	--	------------

Sonny
Brandt

- Miles: 86,620 on odometer
- VIN: 1FDNT74P1HVA04128

Engine

- Ford
- Displacement: 6.6L
- Cylinders: 6
- Fuel type: Diesel

Transmission

- Ford
- Manual
- Speed: 5, plus 2

Chassis

0018

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Axles: Single
- Suspension: Spring
- Brakes: Hydraulic
- PTO
- GVWR: 23,100 lbs
- Wheelbase: 225"

Interior

- Heat

Features

- Manure spreader bed
 - Donovan
 - 15' L x 88" W
 - Side height: 41"
 - Chain driven floor
 - Quantity: 2
 - Rear applicator: Disc
 - Width: 24"
 - Spacing: 2"

Tires

- Size: 10.00R20

Notes

- Dead battery
- **Unknown operating condition**

Arkansas title

193256	NP9069	1	1993 Chevrolet Caprice Classic	0% commission G - Listing Fee Waived	\$1,800.00
--------	--------	---	--------------------------------	--	------------

Eddie Griffin

- Miles: 120,484 on odometer
- VIN: 1G1BL5377PR138882

Engine

- Displacement: 5.7L V8 OHV
- Cylinders: 8
- Fuel type: Gas

Transmission

- Automatic

Interior

- AC, Heat
- Power windows, Power locks

Tires

0019

Good

Bidder	Item	Qty	Description	Commissions/Fees	Amount
--------	------	-----	-------------	------------------	--------

- Size: 225/70R15

Notes

- Trunk does not open
- Non-operational hood
- **Non-operational** unit

Arkansas title

Bid total \$143,060.00

Commission	Description	Rate	Subtotal	
2	0% commission	0	\$143,060.00	\$0.00

Fee	Description	Amount	Subtotal	
Fee G	Fee Waived	\$0.00	\$143,060.00	\$0.00
Fee Z	Defaulted Item - Fee Waived	\$0.00	\$0.00	\$0.00

Total \$143,060.00

Balance Due to Seller: \$143,060.00

CONFIDENTIALITY NOTE: This electronic message is from Purple Wave, Inc. It is intended solely for the use of the recipient(s) to whom it is addressed and might contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not an intended recipient, any dissemination, distribution or copying of this communication or its attachments is strictly prohibited. If you have received this communication in error, please delete it and any attachments from your system without copying or forwarding them, and notify the sender of the error by reply e-mail.

8020