

Journal of Proceedings
Carroll County Quorum Court
June 20, 2023

The Quorum Court met for their regular meeting on Tuesday, June 20, 2023. The meeting was audio recorded with one member of the Press requesting a copy. Press was present at the meeting. Notice of the meeting was sent to the Press as well as department heads and elected county officials. The meeting began at 5:00 pm with the courtroom filled to capacity. Several elected officials were present, too. The Pledge of Allegiance and the invocation was led by JP Roger Hall. The meeting was called to order and roll call conducted by County Clerk Connie Doss. Two members of the Court were absent from the meeting. The members absent were JP Hunter Rivett and JP Matt Phillips. The Journal of Proceedings of the May 16th meeting was approved with a motion made by JP Jack Deaton and seconded by JP Harrie Farrow.

In Committee Reports, JP Craig Hicks reported that he wanted to look at the travel policy and had stated that he sent an email to elected officials asking their opinion on the topic. A meeting will be held soon. Also, JP John Howerton said that the Judicial Steering Committee had met, and he had visited with Tony Rogers' office about seeking an Attorney General's opinion concerning the proposed courthouse going on the land by the Detention Center that had been paid for with sales tax funds.

JP Jack Deaton made a motion to have an item "m" added to the agenda. He apologized for not having it on the agenda, but that information was still being put together. A second was voiced and all members of the Court agreed to add the item.

Public Comments brought several citizens to speak about the wind turbine project. Dave with Scout Energy spoke first to give the Quorum Court an update on the project. He also submitted to the Court letters of support for the project who were both participants and nonparticipants. He reported that the wetland and cultural study was completed and that the design process could start. At that point there would be a public forum. He reported, too, that he had met with the Green Forest School district and wanted to see how Scout could participate in the C4 program in which all three county schools are stakeholders. JP Harrie Farrow asked if the studies that had been done were required by Federal law and the response was in the affirmative.

Property owner, Arturo, said that he had spoken to Dr. Summers, Green Forest Schools Superintendent, and said that the discussion also concerned the prospective revenue that the school would see as a result of the Scout Energy project.

Tom King of Osage asked the Justices if the county would be "picking up the tab" for broken turbines or would it be the property owners.

Vickey of county road 905 inquired about where the money was going for the project and stated that in her research illness followed these projects. She cited the states of IN, MO, WA, OH, and WI as some of the states where residents close to similar projects were experiencing health challenges.

As there were no sponsored topics under Miscellaneous and no Old Business, the meeting moved to the sponsored discussions. JP Jerry King said that he wanted it recorded that he disagreed with the law that the Justices could not talk to one another outside of a meeting. He reported that he had made some calls and done some research about the wind speeds needed to support efficiency in the turbines and said that this area lacked the speeds necessary. He also reported that he spoke with representatives of Scout and that a corporation had to gain his trust and trust that could be verified. He inquired as to whether the county had done an independent

study of wind speeds and confirmed that the schools would benefit as well as some farms gaining supplemental income if they had signed contracts. JP Craig Hicks said that if the county spent the money on a wind speed test then Scout would cite their study if they disagreed and then the situation would be back where it started. JP John Howerton mentioned if the county regulated land use then it might end up that poultry farms would be next. JP Harrie Farrow said that she believes in “green energy”, but not where it tears up the area especially one with this county’s unique and natural beauty. She had also spoken with Scout. She said that many in the county lived in generational homesteads and that the Court could be limited as to what it is able to do. She also asked for disclosure of anyone on the Quorum Court that would profit from the project. JP Kellie Matt reported that she had taken a recent mini vacation and along her travels spoke to several individuals from Garnet, KS. She said that they had successfully boycotted a similar project, but the project moved to the next county. It was advised that all affected property owners take before and after photos of their land and that there would be more jobs before and during the construction phase, but then there would be none after. She said that the sound and its volume depended on the wind direction and could be heard from a mile to mile and a half from the turbine. JP Jack Deaton said to JP King that the wind speeds were reported to be 7-8 mph and JP Matt finished with that the company could flip a switch to shut the turbine down. JP Farrow voiced concern with the turbine catching fire and that the local fire departments can’t deal with that type of fire and that Scout knows this to be a problem. She concluded that public safety is a concern.

The next discussion topic was sponsored by JP Harrie Farrow who had passed out sheets on AR Code §14-17-203 and §14-17-205 which concerned the formation and duties of a county planning board. She emphasized that these codes were not about zoning and said that the county had tied its hands versus saying it’s out of our hands. Further discussion was that an active planning commission was not wanted. A planning commission without zoning might involve a permitting process as “MAY prepare” was emphasized. JP Farrow pointed out that currently no one has to talk to the county at all about projects. JP Farrow pointed out several aspects of the two codes that would offer direction as to how a planning board could be set up saying that the Quorum Court had rights to planning in the county. JP Deaton said that if the rural water commission didn’t allow serving on other committees, why this one did? JP Farrow reiterated that it was “our fault” that the county couldn’t do anything and asked, “What would you like to see?”. JP Howerton asked if he wanted to do anything on his land would he then have to come to have it approved? JP Farrow said that if it were a project that was in the planning commissions prevue, then there would be a process for approval and said that “if we don’t give them ‘have to’s, then they won’t” {sic – do it}. JP Kellie Matt said that she was okay with a commission. JP Deaton said he would have to study it more and what would be the grounds for saying no. JP Farrow said that the entire quorum court may be the committee and that the details would have to be worked out and agreed upon. She continued with neighbors, needing to be informed of what was happening around them. A motion was made by JP Farrow to table the discussion until August with both JP Hall and JP Bruce Wright offering a second. The group voiced their approval to table the discussion.

A resolution was read by its sponsor JP Craig Hicks which would allow the County Judge to apply for a grant that would fund e-recording in the Circuit Clerk’s office. JP Hicks made the motion to approve with JP Jack Deaton seconding the motion. JP Hicks reported that the Circuit Clerk had visited with stakeholders and this project is very much needed. The grant request

would be \$52,500 with an annual cost that could be defrayed by usage fees collected. JP Farrow said that this was long needed. The resolution was approved.

JP Bruce Wright sponsored two resolutions to confirm appointments to the Silver Summit Subordinate Service District board and the Bluffs at Jackson Cove. JP Wright made the motion to accept and JP Kellie Matt made a second for Silver Summit board and JP Wright and JP Jerry King made the motion and second for the Bluffs. There was no discussion. Both resolutions were approved.

JP Francisco Pedraza read the next resolution that authorized the Judge to enter into a grant for the district courts of the county. JP Pedraza made the motion to approve and was seconded by JP Farrow. JP Farrow said that 36 courts had applied with only 18 receiving funding. She asked Rexanna Lily who is the chief clerk for Berryville District Court to report further with Rexanna saying that there had been \$580,000 in requests with only \$250,000 available to disburse. She said that only four counties received the maximum of \$20,000 with Carroll County being one of the four. The roll-call vote approved the resolution.

JP John Howerton made a motion with JP Jack Deaton offering a second to approve an appropriation ordinance for the last of the Law Enforcement Stipend Grant that would be received by the county. There was no discussion, and the vote passed the ordinance.

During the discussion of the next appropriation ordinance, JP Deaton said that because of the case load at the Berryville District Court, the county had previously approved a part-time county paid position. The city of Berryville recently approved a full-time position so the part-time which wasn't currently filled could be rescinded and county would pay through reimbursement to the city for half of the position's payroll expenses. As the ordinance does transfer and appropriate funds, it was read one time and approved with vote after the motion was made by JP Deaton and seconded by JP John Howerton.

An ordinance concerning changing a full-time position into two part-time positions for the Green Forest Library was approved on its first reading. JP Howerton commented that the library couldn't fill the full-time position, so it was decided to make it the two part-time. A motion to approve was made by JP Howerton and seconded by JP Jerry King. It would be on the agenda for July.

The next ordinance which would also go through three readings would rescind two positions at the detention center, simplify position names, and give new maximum wages allotted for personnel that were non secretarial. JP Hicks said that the personnel and budget committees had both met and it was determined that no one would be losing a job and that the department was having a difficult time filling the positions. He said the wages for the positions would be spread out. JP Craig Hicks motioned to approve and JP Jack Deaton seconded. The first reading was approved.

JP Craig Hicks said that the next ordinance was the same as the previous ordinance. JP Deaton added that the Sheriff had wanted to add a warrants person to dispatch was the reason for the addition of the full-time position. JP Hicks also pointed out that the ordinance didn't necessarily add money to the budget. JP Craig Hicks moved to accept and both JP Bruce Wright and JP Roger Hall seconded. The first reading was approved and will be added to the July agenda.

A motion was made by JP Deaton and seconded by JP Hicks to approve the ordinance that would shift payroll funding for the Sheriff and Chief Deputy positions. In discussion, JP Deaton said that the Sheriff was currently paid by County General two-thirds of year and the Detention Center one-third of the year with the Chief Deputy being fully paid from County

General. He further reported that it is difficult to keep track of the hours at times as both positions move back and forth frequently. JP Deaton said that this would simplify the bookkeeping. With that, the vote for the first reading was passed and the measure will appear on the July agenda.

The added item approved was a resolution to authorize the County Judge and Sheriff to enter into a grant for funds to pay for a full body scanner for the Detention Center. The motion was made by its sponsor, JP Jack Deaton, and seconded by JP John Howerton. JP Deaton apologized for having to add the resolution at the last minute, adding that a full body scanner had been considered and tabled previously with the prior Sheriff. Also, he said that the grant was only open for applications for the month of July. JP Deaton said that the grant would cover \$100,000 of the \$130,000 cost of the equipment. JP Farrow commented this was much better than having to pay for the full cost and that it was possible that if it was known that the county had a scanner like this, then maybe it would deter hiding drugs, etc. JP Deaton followed up with there being a lot of evidence and that it was "scary where they hide it". The motion was approved with the roll-call vote.

In JP Comments, JP Jack Deaton announced there would be a benefit for retired County Judge Sam Barr at the fairgrounds beginning at 5:00pm. JP Kellie Matt said that the Historical Society contacted her about the need for a roof on the old courthouse on the square, but that an asbestos test would be needed first at a cost of \$900. She asked if it would be possible to get the money to have it done.

Judge's Comments included Judge Writer reading a statement concerning the Sheriff's department getting rid of scrap metal. He reported that the Assessor had appraised the value as scrap and the proceeds from Big Rock Recycling were \$1,349.10.

The meeting adjourned at 6:20pm with the Judge entertaining a motion by JP Roger Hall and seconded by JP Jack Deaton. The meeting was adjourned.

JUDGE'S COMMENTS

THE SHERIFF'S DEPT HAD SCRAP METAL THAT NEEDED TO BE DISPOSED OF, WHICH INCLUDED OLD METAL CABINETS, CAR PARTS, BROKEN APPLIANCES, AND COPPER WIRE.

THE ASSESSOR VALUED ALL OF IT AS SCRAP, AND IT WAS TRANSPORTED TO BIG ROCK RECYCLING 5/30/2023.

THEY RECEIVED A CHECK IN THE AMOUNT OF \$1349.10