

Journal of Proceedings of the Carroll County Quorum Court  
Regular Meeting  
April 16, 2024

The Quorum Court met in the Eastern District Courthouse at 5:00pm, Tuesday, April 16, 2024, for their regular monthly meeting. The meeting was audio recorded with one request made from a member of the Press to have it sent to them which was done directly after the meeting. Notice of the meeting was sent as it normally is. The meeting began with JP Craig Hicks leading the assembled with a short invocation and the recitation of the Pledge of Allegiance. County Judge David Writer gavelled the meeting to order and County Clerk Connie Doss conducted roll call. There were several absences, but a quorum was present. Absent were: JPs Hunter Rivett, Matt Phillips, Francisco Pedraza, and Roger Hall. Present were: JPs Jack Deaton, Bruce Wright, Harrie Farrow, Craig Hicks, Kellie Matt, Jerry King, and John Howerton. Also present were several County officials, at least one member of the Press, and a gallery of interested citizens. The minutes of the previous meeting were approved after a motion and second were made by JPs Jack Deaton & Craig Hicks. There were no committee reports. JP Deaton requested that three appropriation ordinances and one resolution be added to the agenda. He further requested that they be placed beginning as letter “e” and moving the current items listed as “e” and “f” to the bottom as “i” and “j”. JP John Howerton seconded the motion and the voice vote was unanimous to add the items.

Public Comments began with Richard Anderson having two items he wished to speak about. The Judge told him he could not speak about his wrecker service and the rotation situation, but would allow the other topic that was on his mind. Mr. Anderson inquired as to why county sheriff cars were being driven home and specifically, out of the county to the officers’ private homes. Judge Writer said that the situation would not be addressed here. Mr. Lloyd Keck living at Kings River Landing said he’d moved from Washington County and had a concern with the county not having an animal control officer and asked if a cooperative agreement could be reached with one of the cities. JP Kellie Matt responded by saying that the issue was not enough deputies. Carolyn Rogers spoke about the Land Use Management Plan and the need to have ordinances in place to protect property owners. She said of the leased properties scheduled for the wind turbine farm, only 12 would have turbines and of those 12, 10 do no work on the land. She said there were about 200 property owners around the turbines and another 300 in the vicinity. She maintains that it is the Quorum Court’s responsibility to protect the 500 and that a decommissioning ordinance was needed. Arturo Cavillo asserted that the decommissioning situation was on the property owners and not the county. There was no old business.

In New Business, JP Bruce Wright made a motion that was seconded by JP Jack Deaton to set aside the rules to read business items by title only. It must be noted that JP Wright was not specific as to which were to be read by title only, but likely assumed it would be the resolutions as the practice of setting aside the rules of this nature had been a regular occurrence during the last several meetings. With the voice vote approval to set aside the rules to read by title, the Inspiration Point Fire Protection District Board had requested that their terms be staggered to ensure a better continuity in their board. JP Wright made a motion to accept the resolution and was seconded by JP Jerry King. The roll call vote approved the resolution with all present voting in the affirmative.

The Quorum Court approved a resolution to appoint Jerl Swofford as their representative to the County Board of Equalization. There was an amendment to correct the term date that was

approved via voice vote with a motion made by JP Deaton, seconded by JP Howerton, then to approve the resolution a motion was made by JP Deaton, seconded by JP Harrie Farrow. All members voted to approve the resolution via roll call vote.

With no discussion, the Quorum Court also approved a resolution appointing Patti Brondum a board member to the Bluffs at Jackson Cove. The motion was made by JP Wright and seconded by JP Farrow. Patti is finishing the term vacated due to the death of Bob Rokeby.

During discussion *of the first ordinance on the agenda*, JP Hicks said that the Assessor had an employee do a vinyl sign for the office and hadn't realized that an ordinance was needed to allow this expenditure to an employee. JP Deaton added that the Road Department had a situation where the business was owned by an employee's brother and likewise, an ordinance was required before payment could be made. JP Deaton made the motion to accept the ordinance and JP Hicks seconded. The motion carried.

*JP Deaton said during the discussion next appropriation ordinance that the appropriation was necessary as the "cost of taking care of an old building". The building under discussion was the Eureka Springs Courthouse that needed plumbing work done on the sewer system. JP Deaton made the motion to approve and it was seconded by JP Wright. The roll call vote carried.*

JP Deaton made a motion to approve an ordinance that dealt with the preparation work for the new E911 system. JP Jerry King seconded the motion. JP Deaton said that the state was upgrading counties and it was our turn and that the county had to do some work in advance to move the county to the next level. The roll call vote carried.

The Sheriff and County Judge are authorized to co-sign a Local Law Enforcement Block Grant that would go toward the purchase of portable breath test meters and brush guards for patrol cars. JP Deaton motioned, seconded by JP Craig Hicks. The motion carried.

The last ordinance to be considered for the evening was sponsored by JP Harrie Farrow who made the motion to approve and was seconded by JP Bruce Wright. JP Farrow began the discussion portion by saying that she had been working with the county attorney as well as an attorney with the Association of Arkansas Counties, Josh Curtis. The process had taken several months and had been then reviewed again before the final draft was looked at. Mr. Tony Rogers, Prosecutor and Mr. Steven Simmons, Deputy Prosecutor and County Civil Attorney, had reviewed it for conciseness and for any legal wording it lacked. JP Farrow also said that the County Clerk had no problems with complying with her office's part in the ordinance. JP Farrow continued that the ordinance did not interfere with property rights and would make sure that the county received notice from industrial groups that were working on a project taking up five acres or more. JP Farrow said that companies would have to stick to their plan and that no committees would be needed within the County. JP Farrow also hoped that everyone did read the ordinance. JP Hicks responded that this was directed toward the wind farm and would deter businesses from coming to the County. JP Hicks continued that this would pick and choose what was wanted and that Federal and State guidelines were already in place. JP Farrow responded that large industrial companies were already used to filing paperwork and this would help protect everyone putting an emphasis on county departments such as OEM, road, budget, etc. that would need to know how to plan on a county level. JP Farrow said the ordinance would give clear guidance of expectation that were required of the business, but then they would have the "go-ahead". JP Farrow said the ordinance was minimal and would keep people from "freaking-out" because they don't know what is happening. JP Deaton said that people expect us [sic Quorum Court] to know what is going on in the county and he didn't think this was a bad idea. He said that Harrie

[sic JP Farrow] did a good job and it would be nice to know how to plan when these projects start. JP Hicks interjected and asked if this ordinance would include the wind farm with JP Farrow saying it would not stop the project at all reemphasizing industrial vs. commercial projects. The wind farm could be construed as an industrial project. JP Farrow said that the quorum court has a responsibility to the constituents, to protect, take care, and be aware. JP John Howerton inquired about paragraph 3, #2C which was a similar question that JP Hicks had asked. JP Howerton asked if Nimbus would have to do the paperwork and it was responded that it would likely have to. JP Jerry King asked if “crypto” would be included and the response was that it was guessed it would be. JP King said [they] were meeting in Little Rock right now and that Little Rock was “watering it down”. He wondered if the wording should be number of employees instead of “large-industrial”. JP Farrow said that without anything in place, there was more room for rumors if we don’t have the facts repeating that the ordinance would not stop any business. JP Hicks repeated for the third time that the quorum court should be careful about deterring business. As the vote was not unanimous, the vote was: Yeas – JPs Jack Deaton, Bruce Wright, Harrie Farrow, Kellie Matt, and Jerry King. Nays – JPs Craig Hicks and John Howerton. The vote requiring a majority of the whole, it was not passed to a second and third reading because of the absences of JPs Hunter Rivett, Matt Phillips, Fransisco Pedraza, and Roger Hall that become “Nays”.

JP Jerry King had requested a discussion period saying that he wanted to see if there was interest in a decommissioning bond ordinance. JP Craig Hicks said that individuals signed agreements and it would be government overreach. JP John Howerton said that Judge Writer had spoken with attorneys at the AAC (Association of Arkansas Counties) who advised him to leave it alone and it was getting between property owners and businesses. A comment was made that the county would have to get with Scout about what they’d like to see with JP Farrow saying that the county didn’t have to get with Scout about what they’d like or don’t like. JP Deaton said if something happened, it would fall on them [sic Scout] and it was not the county’s place to do anything. JP Kellie Matt asked if the decommissioning was in the paperwork. JP Farrow said that there were three segments of the population – property owners, company, & the general public and the decommissioning is about the general public, *also*.

JP Comments brought JP Harrie Farrow saying that the vote on the ordinance was close and it will be brought back at the next meeting so there would be a full vote of the quorum court.

The Judge began his comments by saying that he had “a lot to say, but not tonight” and proceeded to talk about lawlessness before stopping and asking for a motion to adjourn which was given by JP Jack Deaton and seconded by JP Craig Hicks. The meeting was adjourned at 6:07pm.