

**SEBASTIAN COUNTY QUORUM COURT
SPECIAL MEETING
NOVEMBER 14, 2013 @ 6:30 P.M.
FORT SMITH COURTHOUSE, ROOM 204
FORT SMITH, ARKANSAS**

Judge David Hudson called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

Rhonda Royal led the Invocation.

Nesa Bishop, Chief Deputy called the roll with 12 members present.

Johnny Hobbs	John Spradlin	Bob Schwartz	Donald Carter
Phil Hicks	Danny Aldridge	Linda Murry	
Shawn Looper	Jim Medley	Dickie Robertson	
Tony Crockett	Ray Stewart	Rhonda Royal	

Phil Hicks was absent.

Legal Counsel was represented by Daniel Shue, Prosecuting Attorney.

There were no public comments.

Judge Hudson presented 2014 Budget Update

The plan to balance the Budget has been updated, listed immediately behind the agenda, Pages 1 thru 11. The revised Election Budget starts on Page 15. The modified Health and Dental Plan is on Page 20. Two new Budgets were added, County Facilities Improvement and Aquatics.

There are some answers on Page 29, pertaining to the Health Insurance, which raised concerns with some of the Quorum Court Members. Judge Hudson asked Dan Shue if he wanted to address the Quorum Court.

Dan Shue, stated that the logic and legal is sound. He suggested, we ask for an Attorney General's Opinion. He can process the paper work Monday or Tuesday and it may take 30 days for the Opinion to get back.

Shawn Looper asked if the \$3.9 million for the Water Park was already in the account.

Judge Hudson stated that the money for the Water Park is in the 25% Sales Account. It is separate from the General Fund, and it will not affect balancing the Budget. If the Quorum Court and the City Directors decide to do anything financially with that project that would be addressing Capital Funds. The 3.9 should be in the account by the end of this year. The only money left on the table is about \$400,000 which will be collected from January to June 2014. July 1 we drop the Capital Account from 25% to 11%, which will be the allocation for the next 10 years. That money could potentially be added to the Aquatics Program. The other money would have to be reallocations of existing money from the Reserve Accounts which have been earmarked. We would like to see the City of Fort Smith match the money we are putting into this project.

Shawn Looper asked the Supporting Members of the Aquatics Program if, they wanted to pursue the 11 million dollar project or are they happy with the 8 million dollar project?

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Judge Hudson stated that this is a Joint Project with the City of Fort Smith. His recommendation is that we meet with the City Directors, the Construction Coordinators and the Architect and discuss the entire project with all the options. Quorum Court Members can decide on this independently from the Budget.

Jim Medley stated that 64% of people voted for it.

Danny Aldridge said he is appalled at the 11 million dollar cost. He would like to see the drawings and the estimates and have Larken, Flintco explain how they can estimate a cost of \$3000 a square foot of concrete of the Lazy River, when you can do your whole driveway for \$2,000. He is definitely for the Water Park and wants to give the people some answers. He will not settle for the smaller Water Park.

Bob Schwartz stated that he is now in favor of the Water Park but thinks something is not quite right. He would like to better be able to explain and let people know we don't really have the money to build it.

John Spradlin feels the same way as Bob Schwartz. He stated that he has been against the Water Park due to financial concerns. The Kiddie Pool has been reduced more, the older kids think they are getting something bigger and it is not a good business decision. He stated that it will operate at a loss. There are already revenue concerns and this was supposed to be a full blown Water Park. There is confusion on why it is still so expensive even after the downsizing. He suggested everyone involved get in the vehicle and go look at the Clarksville Water Park and see what you get for several million. He gave the example of Leo, SSI Builder owner, who already built a Water Park with several attractions for less than \$10 million. He is also concerned about other areas that could use financial help such as the Sheriff, Ambulance and Road Department.

Judge Hudson stated that the people that have the answers are not here but there will be a meeting set up with the City of Fort Smith before Thanksgiving. Assuming they can work through the cost process. The members received a copy of the briefing from February along with the Agenda. At that point the Architect estimated the project at \$9.2 million. In order to reduce it to \$8 million, some of the features had to be taken out.

Danny Aldridge suggested checking into how much lifeguards are getting paid at other pools in the area and get as much information about Operating Cost as possible to be prepared for the meeting with the City.

Bob Schwartz suggested the possibility of add-ons later to the Aquatic Park.

Linda Murry made a motion to approve Items A thru E on the agenda.

Tony Crockett stated: "I don't know about Item E."

Bob Schwartz seconded the motion.

Judge Hudson stated: "We'll come back to Item IV the Review of Quorum Court Health Insurance."

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The motion is to go to Item V to Consider Guideline Reduction to Balance the 2014 Budget and come back to Item IV to get some clarity on it.”

John Hobbs stated that after listening to Sharon Brooks at the last meeting he is concerned and is wondering if having the third Early Voting site is worth it because of the added expense to Sharon’s Department.

Bob Schwartz suggested hiring County Employees to train the new Election Coordinator, rather than keep Jerry Huff the extra months.

The Judge asked for a roll call vote on the motion to approve Section V Items A-E on the Agenda.

Nesa Bishop, Chief Deputy called the roll.

The motion passed with 8 Yes Votes and 4 No votes (Johnny Hobbs, Tony Crockett, John Spradlin, Jim Medley).

The members discussed the same concerns from the previous meetings on the Quorum Court Health Insurance.

Tony Crockett stated: “I feel like we ought to be treated the same as you and the rest of the people.”

Danny Aldridge stated that there is no Arkansas law or Court Ruling and he is requesting that the Prosecuting Attorney Dan Shue ask for an Attorney General’s Opinion as to whether it is legal to change the compensation of the Quorum Court Members in mid-stream.

Danny Aldridge made a motion to request that the Prosecuting Attorney ask for an Attorney General’s Opinion on the last three questions that are on Pages 29 and 30. The previous motions will remain in place until Dan Shue comes back with a ruling.

Bob Schwartz seconded the motion.

Nesa Bishop, Chief Deputy called the roll.

The motion passed with 9 Yes Votes, 2 No Votes (Shawn Looper, Jim Medley) and 1 Abstain (Johnny Hobbs).

John Spradlin asked why the Ambulance Department has more overtime than everyone else.

Judge Hudson commented that it was decided that it is better for the employees’ morale, retention and recruitment to get overtime, basically pay the existing employees rather than hire new ones. That was for the crew from 11 p.m. to 7 a.m.

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The \$18 ambulance fee was implemented 27 years ago, it has not gone up. The Quorum Court can pass an Ordinance that would increase the Ambulance Fee to \$65.00 which would generate around \$600,000.

Johnny Hobbs stated that it is a lot of money but the EMS was losing Paramedics because the pay was low and this was a solution to keep quality people.

Judge Hudson explained that the \$18.00 is a one time annual fee collected on the Property Taxes Statement. Revenue would come from the Ambulance Fee and Billing for Services.

Jim Medley brought up the option of hiring a few more employees in case someone gets sick.

Linda Murry stated that in this industry and this is how it's done. People get overtime, otherwise you lose them, resulting in a higher turnover.

Shawn Looper asked if it is possible to pass a tax on the Golf Course to cover the \$250,000 loss every year.

The Judge explained that the solution to that was to cut the Budget by \$125,000, recommending cutting four Full Time Positions, cutting other Line Items and hoping to get the Budget closer to the Projected Revenue.

Shawn Looper stated that: "We lose money on the Golf Course, we don't address it. We will build and lose money on the Water Park but we are talking about services that save lives. The EMS and the Sheriff's Department and we want to raise taxes.

There are so many other things we don't look at. The Golf Course is not being maintained to the customers' expectations. If, you cut a few more positions, there is no way to keep up with the maintenance. So, we can't say that by cutting the Budget by \$125,000 the problem is addressed. Item 1 is a problem and I don't think that problem is fixed the way it's stated in the agenda."

Linda Murry brought up the article in the paper about Judge Hudson saying that the Chaffee Golf Course lost over \$100,000.

The Judge explained that the owners were improving it to sell it. They are operating at a loss. A solution, would be leasing it. Another idea would be to have 9 holes for 90 minutes quick play.

Jim Medley made a motion to pursue the idea of trying to find a Private Company to operate the Ben Geren Golf Course and remove the County's Financial Liability. We would expect an attorney to write up requirements to be open to the public and other safeguards so everyone would be treated fairly.

Shawn Looper seconded the motion.

Nesa Bishop, Chief Deputy called the roll.

The motion passed unanimously.

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Danny Aldridge commented on Item VII. He made a motion to ask the IT Department to see how much it would cost for the Quorum Court Members to get Electronic Notebooks. He stated it would cut cost for the County because so many paper copies of the Agenda are being made.

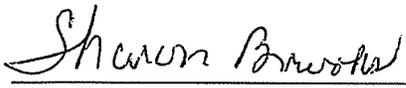
Shawn Looper seconded the motion to evaluate the cost of obtaining hardware and the operating cost of notebooks.

The motion passed unanimously by a voice vote.

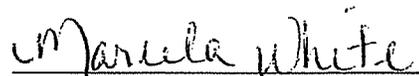
Rhonda Royal made the motion to adjourn the meeting and Johnny Hobbs seconded the motion.

Meeting adjourned at 8:08 p.m.

Respectfully Submitted,



Sharon Brooks, County Clerk



Marcela White, Deputy Clerk