

**SEBASTIAN COUNTY QUORUM COURT MEETING  
DECEMBER 16, 2014 @ 7:00 P.M.  
FORT SMITH COURTHOUSE, ROOM 204  
FORT SMITH, ARKANSAS**

CALL TO ORDER

Sebastian County Judge David Hudson called the meeting to order at 7:03 P.M. and led the Pledge of Allegiance.

Johnny Hobbs led the Invocation.

Nesa Bishop, Sebastian County Clerk Chief Deputy called the roll; with 11 members present (Bob Schwartz and Phil Hicks were absent).

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

Judge Hudson gave a report on JP Bob Schwartz. Hudson stated that Mr. Schwartz had open heart surgery last Thursday and he returned home on Monday and he seems to be doing ok.

First Item:

PUBLIC COMMENTS

Melissa Woodall, a Fort Smith resident, stated that she would like to comment on the Water Park issues. "I would like to see a name with a lot more sense of place, rather than a generic that could be anywhere Water Park name." Parrot Island could be anywhere in the world. She also said that the rates proposed by ARM are not as low as promised, between \$5 and \$9 and the voters were sold on something different. "People wanted cheap family entertainment." The \$15 ticket price is out of range for a lot of people, especially for the people who need a public funded entertainment. The high prices threaten the survival of the Water Park. Mrs. Woodall suggested that the price be lowered to what the voters were promised.

Trisha Buchanan, a Fort Smith resident, addressed the Quorum Court regarding the Golf Course. She is the Tournament Chairman for the Ben Geren Ladies Golf Association, with 20-25 members who play there every Tuesday from the first week of March until the end of October. This group sponsors 3 – 4 tournaments every year during the season. They bring in 50-75 participants from all over the State and from Oklahoma. The group sponsors Charity tournaments, this year we supported Children's Service League and gave them a check to support School Children who need clothes. The golf women are very visible out there and work with the staff to keep the place looking great. Visitors who play other courses have only good things to say about the Ben Geren course and "I hope you will take that into consideration when you are working on your Budget."

Crissy Clegg, a Fort Smith resident and business owner, stated that the name "Parrot Island" chosen by ARM for the Water Park is repeatedly used, mainly with parrots, as parrot exhibits. She handed out samples of names, logos, and pricing graphs, which had community input.

Also, she addressed the income difference between Rogers and Fort Smith communities. She stated, it is drastic, even though the facilities are very similar in size and the attraction. The income numbers were based on estimates of 120,000 people coming through the gate in a 3 month span, which would be almost every person in Fort Smith. The likelihood of that is very low, unless the admission price is low enough to afford it. The ARM's estimates were very interesting and it is a great idea to pass them for the

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management. It was their disconnection from the local economy and the local culture that seems to be critical.

Ms. Clegg sent an email to Jim Medley, which he passed out to the Quorum Court members.

Next Item:

APPROVAL OF MINUTES

November 10, 2014 Quorum Court Special Meeting  
November 13, 2014 Quorum Court Special Meeting  
November 18, 2014 Quorum Court Regular Meeting  
November 25, 2014 Quorum Court Special Meeting  
December 02, 2014 Quorum Court Special Meeting

Linda Murry made a motion to approve the minutes for the meetings mentioned, to include an amendment for the 11.10.14 minutes to reflect that she was present and only missed the first motion vote.

Tony Crockett seconded the motion.

The motion passed unanimously 11 to 0 by Voice Vote.

Next Item:

COMMITTEE AND OTHER REGULAR REPORTS

Executive Report

Judge Hudson presented JP Ray Stewart with a plaque in recognition of his 14 years of service (2001-2014) on the Quorum Court. (Mr. Stewart also worked for the City for 20 years.)

Next Item:

2013 Audit

Judge Hudson stated that the Audit has been mailed to every member of the Quorum Court, and the Audit shows that there were no findings for any offices. June Beran stated that Sebastian County Officials get an A+ for the Audit.

**Judge Hudson stated that the 2013 Audit has been presented to the Quorum Court to be reviewed at their pleasure.**

Next Item:

2005 Rural Fire Budget

Money not spent in 2015 rolls over to 2016 and so forth.

Next Item:

Judge Hudson recommended the Quorum Court have a Special Meeting on January 1, 2015 at 10:00 AM, after the new Quorum Court gets sworn in and he will provide the correct Ordinance to replace the one included in tonight's packet.

Next Item:

Briefing by Representative-elect Mat Pitsch on the Regional Intermodal Transportation Authority (RITA)

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5 ½ years ago, Mayor Ray Baker said, it was difficult for the Highway Department to talk to him. “They will not mow the overpasses, will not fix the roads, will not deal with us, we might as well be in a different state.”

Rep. Pitsch stated “Today, we are at the table with the Transportation means. We talk on a regular basis with the Arkansas Highway Transportation Department. Recently, we had the head at the Federal level, Congressman William Shuster, in my vehicle looking at where we need to build a bridge across the river, looking at where I-49 is being built.”

RITA doesn’t do anything except shine a bright light on what needs done, and has accomplished a lot: \$120 million worth of I-49 in Sebastian County, 9 new bridges on I-540. All the railroads in Fort Smith have been updated. The Airport is expanding again. On the Harbor there is a study through the Corps of Engineers.

Rep. Pitsch stated that, at Judge Hudson’s request, on January 7, 2015, there will be an entire board meeting that does nothing except look at the 5 Year Plan, which presently is in the second year and set new goals and new objectives.

OLD BUSINESS:

A Resolution Authorizing the County Judge to Enter into a Joint Contract with the City of Fort Smith for an Aquatics Facility Management Agreement to be Provided by American Resort Management, LLC for the Ben Geren Regional Park Aquatic Center.

Jim Medley made a motion to move forward with Resolution. Dickie Robertson seconded the motion.

The motion passed unanimously by Voice Vote.

Next Item:

A Resolution Naming the Aquatic Center at Ben Geren Regional Park Parrot Island Waterpark

Judge David Hudson stated that the City of Fort Smith Board of Directors is meeting tonight and they will be voting on approving the name of the Aquatics Park.

Danny Aldridge stated that the name of the Aquatics Park should be reflective of this area.

Jim Medley stated that he does not see the urgency in voting on the name of the Waterpark tonight.

In response to Linda Murry’s suggestion to find out where the City Directors stand on this, Judge Hudson asked Shannon and Scott to find out and the Quorum Court return to this Resolution later, once they have a report.

Next Item:

Appropriation Ordinance Amending Budget Ordinance 2014-4 in Order to Appropriate Additional Funds and Approve Additional Expenditures for County Offices and Departments in the 2014 Budget; and for Other Purposes.

Judge Hudson asked Nesa Bishop to read Appropriation Ordinance found on Page 74.

Danny Aldridge asked Jeffrey Turner, Assistant County Administrator, why he needs \$5,379 for 4 recliners and a couch, when our paramedics are only being paid \$25/hour. Mr. Turner replied, the furniture

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purchased will be of higher quality and more durable, so it will last longer. Also, he stated that if this amount is not approved by the Quorum Court, the money will be forfeited.

Linda Murry made a motion to approve Ordinance. John Spradlin seconded the motion.

Nesa Bishop called the roll.

The motion passed unanimously with 11 Yes Votes.

Returning to previous Item:

A Resolution Naming the Aquatic Center at Ben Geren Regional Park Parrot Island Waterpark  
Judge Hudson asked Scott Stubblefield to give a briefing on the City actions. At 7:59 Mr. Stubblefield stated that the City Directors passed the Management Agreement and the name "Parrot Island Water Park".

Judge Hudson asked Nesa Bishop to read Resolution found on Page 73.

Dickie Robertson made a motion to approve Resolution. Rhonda Royal seconded the motion.

Nesa Bishop called the roll.

The motion failed with 6 Yes Votes, 4 No Votes, and 1 Abstain Vote. (NO votes were Shawn Looper, Tony Crockett, Danny Aldridge and Jim Medley. Linda Murry abstained.)

Judge Hudson stated that in order for the Resolution to pass, 7 Yes Votes are needed.

Danny Aldridge stated, "As much as it grieves me, I want to bring up a point. Several months ago I brought up the issue of what an Abstaining Vote really means. It was decided due to Robert's Rule's Order that the Abstain Vote goes with the majority", which would give the motion the 7 Yes Votes needed to pass.

Judge Hudson addressed Prosecuting Attorney, Dan Shue for clarification on the Robert Rule's Order and PA Dan Shue agreed with the statement made by Danny Aldridge

In conclusion, the Resolution passed 7 to 4.

Linda Murry stated that she was fine with that.

Next Item:

NEW BUSINESS

An Ordinance Appropriating Funds, Establishing County Salaries and Positions, Adopting a Classification System and Salary Schedule for County Employees, and Approving the 2015 Budget for Sebastian County; and for Other Purposes.

Judge Hudson asked Nesa Bishop to read Appropriation Ordinance on Page 77.

Ray Stewart made a motion to approve Appropriation Ordinance. Danny Aldridge seconded the motion.

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Nesa Bishop called the roll.

The motion passed with 9 Yes Votes, 1 No Vote, and 1 Abstain Vote. (NO vote was Shawn Looper, Jim Medley abstained.)

**Shawn Looper asked that the minutes reflect that the Quorum Court members received the Budget 6:00 PM tonight. Judge Hudson agreed, stating that the minutes should reflect that the Budget was emailed and downloaded to the QC at 6:00 PM.**

Shawn Looper stated that it was unacceptable to get this information at 6 tonight, 2 hours before voting. I have been asking about the EOC revenue for 3 weeks and still can't find it, it was in one book, but not the other.

Next Item:

An Appropriation Ordinance Amending Budget Ordinance 2014-19 in Order to Appropriate Additional Funds and Approve Additional Expenditures for County Offices and Departments in the 2015 Budget; and for Other Purposes.

This Appropriation Ordinance amends AO just adopted to pull out travel money into Unobligated Fund account.

Judge Hudson asked Nesa Bishop to read Appropriation Ordinance on Page 79. The Judge stated that the memos start on Page 29.

Jim Medley made a motion to approve Appropriation Ordinance, 1<sup>st</sup> Reading. Dickie Robertson seconded the motion.

Nesa Bishop called the roll.

The motion passed with 7 Yes Votes to 4 No Votes. (NO votes were Danny Aldridge, Linda Murry, Shawn Looper, and Tony Crockett.)

Judge Hudson stated that it needs to be added to the Agenda for the January 2015 meeting.

Next Item:

An Ordinance Designating Fine Collection Responsibility for the Collection of Fines Assessed Upon Defendants in the Circuit Courts and District Courts as Required by ACA 16-13-709

Judge Hudson stated that in order to deal with this Ordinance tonight, it will require to go through the motion of suspending the rules.

The Judge asked Nesa Bishop to read the Ordinance on Page 83. Judge Hudson stated that if anyone has questions about this Ordinance, there is a memo on Pages 39 through 43.

Johnny Hobbs made a motion to suspend the rules and put it on 2<sup>nd</sup> Reading by Title only. John Spradlin seconded the motion.

Nesa Bishop called the roll.

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The motion passed unanimously with 11 Yes Votes.

Nesa Bishop read Ordinance on Page 83, 2<sup>nd</sup> Reading.

Next Item:

Dickie Robertson made a motion to suspend the rules and put it on 3<sup>rd</sup> Reading by Title only.  
Linda Murry seconded the motion.

Nesa Bishop called the roll.

The motion passed unanimously with 11 Yes Votes.

Judge Hudson asked Nesa Bishop to read the Title of Ordinance.

Nesa read the Title of Ordinance, 3<sup>rd</sup> Reading.

Dickie Robertson made a motion to approve Ordinance. Johnny Hobbs seconded the motion.

Nesa Bishop called the roll.

The motion passed unanimously with 11 Yes Votes.

Last Item:

A Resolution of the Sebastian County Quorum Court Certifying Local Government Endorsement of Propak Logistics, Inc. to Participate in the Tax Back Program (as Authorized by Sections 15-4-2706(d) of the Consolidated Incentive Act of 2003).

Shawn Looper made a motion to adopt Resolution. Johnny Hobbs seconded the motion.

The motion passed unanimously by Voice Vote.

Johnny Hobbs made a motion to adjourn the meeting. Dickie Robertson seconded the motion.

The motion passed unanimously by Voice Vote.

Meeting was adjourned at 8:27 P.M.

Respectfully Submitted,



Sharon Brooks, County Clerk



Marcela White, Deputy Clerk