

MADISON COUNTY QUORUM COURT
REGULAR SESSION

SEP 12 2022

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Tammie Blocker COUNTY CLERK

6:00 PM

August 15, 2022

The Madison County Quorum Court met on Monday, August 15, 2022, in a regular session with all nine members present.

Minutes from the previous meeting were approved as written.

The Treasurer's Report was approved as presented.

The Expenditure Report was approved as presented.

County Judge Frank Weaver reported that Southbuild had completed an evaluation of the building sites that the jail committee proposed. Judge Weaver noted that the jail committee is scheduled to meet again on Tuesday, August 16, to vote on which site to recommend to the Quorum Court. Judge Weaver then introduced Sterling Penix from the Arkansas Department of Correction Criminal Detention Review Committee, who joined the discussion by phone. Mr. Penix discussed staffing requirements for the new jail and answered several questions to assist the Quorum Court in determining how much it would cost to operate the facility. Mr. Penix also provided the court with a survey of maintenance and operation costs of other county jails in Arkansas that are similar to the one proposed for Madison County. Judge Weaver stated the need for a special meeting to decide on a sales tax rate to finance the maintenance and operation of the jail and a sales tax rate to fund the construction bonds. The court discussed construction costs, the size, and proposed sites for the jail.

Larry Garrett moved to hire Stephens, Inc. as the underwriter and bond agent for the sales tax proposals, and Pattie Shinn seconded the motion. On a roll call vote, all members voted in favor.

Sarah Marsh, the realtor for the Cogger property, addressed the court and recommended the Cogger property as the best site for the jail. Judge Weaver asked the court to consider all of the proposed sites and consider Southbuild's recommendations before making a decision.

Judge Weaver presented an updated employment policy for Quorum Court approval. Larry Garrett made a motion to approve the employment policy as amended, and T.W. Dotson seconded the motion. On a roll call vote, all members voted in favor. The updated employment policy was approved.

Judge Weaver presented Ordinance 2022-14, an appropriation ordinance to pay the Northwest Arkansas Economic Development District for consulting services from APRA funds. Pattie Shinn made a motion to read Ordinance 2022-14, and Larry Garrett seconded the motion. All members voted in favor. Madison County Clerk Tamitha Blocker read Ordinance 2022-14. Pattie Shinn made a motion to adopt Ordinance 2022-14, and Larry Garrett seconded the motion. On a roll call vote, all members voted in favor. Ordinance 2022-14 was adopted.

Judge Weaver reported that the 2020 audit report had been received and that the audit contained two formal findings. The first finding involved the spouse of a county employee who was paid for services without Quorum Court approval. Judge Weaver said this issue was addressed earlier this year with the Quorum Court approving Ordinance 2022-8. The second finding involved over \$3000 in funds that the library director had not deposited with the County Treasurer and for which no receipts were issued. Judge Weaver stated that he and the state auditor had spoken to the library director about the proper procedures for depositing funds.

With no further business, a motion was made by Larry Garrett and seconded by Wendy Pettz to recess the meeting until Tuesday, August 16, 2022, at 7:30 p.m. All members voted in favor, and the meeting was recessed.

The Quorum Court reconvened on Tuesday, August 16, 2022, at 7:30 p.m. with all nine members present.

Judge Frank Weaver called the meeting to order and asked Kenny Thomas, chairman of the jail committee, to give a report. Mr. Thomas informed the court that the committee had looked at several properties as possible locations for a jail. The committee selected the Cogger and Burkes South properties to be evaluated by Southbuild. The jail committee believes both properties would serve well for a jail, but the Burkes South property is their first choice because construction estimates are at least \$400,000 less than the estimates for the Cogger property.

Judge Weaver thanked the jail committee for their work and opened the discussion by going over the estimates and comparison sheets prepared by Southbuild. Judge Weaver explained that these are estimates and that actual costs will not be known until bids are solicited and received. A lengthy discussion ensued. Justice Larry Garrett stated that whichever property was chosen, he believed the purchase should be contingent on suitable core samples being obtained.

Kevin Faught with Stephens Inc. discussed construction bonds and suggested a one-half cent sales tax to pay for the construction of the jail. Mr. Faught stated that the bonds would pay off in 2049 if the cost is around \$16.6 million and in 2046 if the cost is around \$15.5 million. He explained that this assumes a maintenance & operations sales tax passing as well, as the maintenance and operations sales tax would serve as a backstop (or safety net) to pay debt service. He further explained that both sales tax issues must pass for the project to work.

Judge Weaver discussed the maintenance and operation of a new jail and estimated that it would currently cost at least \$2 million yearly to run the jail. Weaver suggested a one-cent sales tax would be the minimum needed. County Clerk Tamitha Blocker stated that it would cost \$1.127 million in personnel costs alone for 21 employees and that this figure does not include any other costs associated with the operation of a jail. She also reminded the court that Sterling Penix suggested starting with 25-28 employees. A lengthy discussion ensued about when the tax collection would begin, if ARPA money could be used toward to project, and the need for cost-of-living increases in the future as well as money for the upkeep, repairs, and maintenance of the jail facility.

T.W. Dotson made a motion to use \$1 million from ARPA funds to lower construction costs and Larry Garrett seconded the motion. After a lengthy discussion, T.W. Dotson amended his motion to pledge \$1 million in ARPA Funds for the construction of a jail contingent on the passage of the sales tax. Larry Garrett seconded the motion. On a roll call vote, all members voted in favor of the motion. The motion carried.

Pattie Shinn made a motion to ask voters to approve a one-half cent sales tax to fund the construction of the jail. Larry Garrett seconded the motion. On a roll call vote, all members voted in favor. The motion carried.

Larry Garrett made a motion to ask voters to approve one and one-eighth cents sales tax for the maintenance and operation of a new jail. Pattie Shinn seconded the motion. After discussing how much it costs to run similarly sized jails in Arkansas, Larry Garrett withdrew his motion.

Pattie Shinn made a motion to ask voters to approve a two-cent sales tax for the maintenance and operation of a new jail. The motion died for lack of a second.

T.W. Dotson made a motion to ask voters to approve a one-cent sales tax for the maintenance and operation of a new jail. The motion died for lack of a second.

Wendy Pettz made a motion to ask voters to approve a one and one-fourth cent sales tax for the maintenance and operation of a new jail. Pattie Shinn seconded the motion. On a roll call vote, Jack Hudgins, Sherri Cozad, Pattie Shinn, Wendy Pettz, Luke Dotson, and Larry Garrett voted in favor of the motion. T.W. Dotson, Devin Glenn, and Matt Cleaver voted against the motion. The motion carried on a 6-3 vote.

T.W. Dotson made a motion to purchase the Kay Cogger property from the jail fund. The motion died for lack of a second.

Pattie Shinn made a motion to purchase the Burkes South property from the jail fund, and Wendy Pettz seconded the motion. After some discussion, Pattie Shinn amended her motion to purchase the Burkes South property from the jail fund contingent on a suitable core drill. Wendy Pettz

seconded the motion. On a roll call vote, Jack Hudgins, Sherri Cozad, Pattie Shinn, Wendy Pettz, Larry Garrett, and Matt Cleaver voted in favor of the motion. T.W. Dotson, Luke Dotson, and Devin Glenn voted against the motion. The motion passed on a 6-3 vote.

With no further business, Larry Garrett made a motion to adjourn. Pattie Shinn seconded the motion. All members voted in favor of the motion. Judge Weaver informed the court that he would schedule a special meeting soon to vote on the ordinances for the sales tax and bond issues. The meeting was adjourned.

APPROVED: Frank Weaver
Frank Weaver, Madison County Judge

ATTEST: Tamitha Blocker
Tamitha Blocker, Madison County Clerk

DATED: August 29, 2022