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COUNTY & PROBATE COURT CLERK

QUORUM COURT MINUTES

May 28, 2024

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Judge Day called the meeting to order at 5:30pm

Invocation was led by Minister Jeff Bateman, Brookland Church of Christ Assembly and Pledge of Allegiance was led by Justice Williams

All 13 Justices of the Peace were Present.

The first order of business was approval of Quorum Court meeting minutes from May 13, 2024. A motion to accept was made by Justice Weinstock and seconded by Justice Pasmore. Judge Day took a vote, and the decision was passed unanimously. Justice Cline read the Road Committee minutes, Justice Rogers read the Public Service Committee minutes, and Justice Longmire read the Finance Committee minutes.

No OLD BUSINESS

NEW BUSINESS

A Resolution to Utilize Federal Aid to replace Cockle Burr Slough Bridge on County Road 837 was read. A motion to approve was made by Justice Cline and seconded by Justice Couch. Judge Day took a vote, and the decision was passed unanimously.

The first reading of an **Ordinance to Establish Flood Damage Prevention Program** was read. A motion to approve the first reading was made by Justice Rogers and seconded by Justice Tennison. Judge Day asked for any comments or questions. Justice Cook asked about Section 2 using the wording of Special Flood Hazard Area. Anthony Coy from OEM responds, stating that the Special Flood Hazard Area is how FEMA and all Floodplain Offices define what we know as the Flood Zone. Mr. Coy advised that what Justice Cook is questioning as not being able to build in a Floodway is still incorporated into the Damage Prevention Code referenced in this Ordinance that everyone was provided a copy of. Justice Cook speaks of heavily restricted Floodways and

flood Insurance. Mr. Coy agreed and stated that Justice Cook was correct. Judge Day tells Justice Cook that this Ordinance is to read and replace existing Federal Law and County Ordinance.

A Resolution for the Reappointment of Board Members to the Board of Directors of Brookland Fire Protection District was read. A motion to approve was made by Justice Forrest and seconded by Justice Allison. Judge Day took a vote and it passed unanimously.

A Resolution for the Reappointment of two Board Members to the Craighead County Equalization Board was read. Justice Couch made a motion to approve, which was seconded by Justice Pasmore. Judge Day took a vote, and it passed unanimously.

The first reading of an **Ordinance to Administer and Regulate Tire Collection and Tire Processing Centers in Craighead County** was read. A motion to adopt the first reading by Justice Cline and seconded by Justice Barnes. Judge Day opens the floor to public comment. Teddy Stewart with Davis Rubber of Little Rock approaches the mic to comment. He voices concern that this Ordinance results from Political and Social issues. He states he doesn't think passing this will be legal due to sitting in on a few meetings with ADEQ. His two main reasons are preemption and the fact that the Ordinance would directly conflict with a legally procured contract through the state. He also states it would be cost-prohibitive on Davis Rubber, saying that passing this Ordinance would be unconstitutional and illegal by interfering with a state contract. Judge Day asked if there were any more comments from the public about this issue. Dennis Burks, interim CEO of Craighead County Solid Waste facility, stands to speak on this issue. He states that local entities can set stricter standards and speaks of the Certificate of Need process. Judge Day again asks if there are any more public comments. Justice Pasmore asked about Sartain Tire being a collection area. Judge Day states that ADEQ must certify a collection area, and right now, Legacy Landfill is the only certified collection area in Craighead County. Judge Day then states that Sartain Tire has recently signed a contract with Davis

Rubber as a collection site but without a permit. Justice Williams then asks if we already have violations in this industry without it all being approved. Judge Day replies yes. Justice Pasmore asks where all the tires are currently going. Judge Day replies that Davis Rubber will come to Gateway and Sartain, and some third parties will collect tires from Plaza Tire and take them to other counties. Justice Couch speaks of state minimum requirements. Justice Cook speaks of the possibility of future lawsuits that the attorney from Davis Rubber spoke of earlier and asked if it would cost the County to get the AG involved in this Ordinance. Judge Day replies that it's not worth the effort. Justice Cook asked if we could do all 3 readings of the Ordinance tonight. Judge Day replied yes, that if we go ahead and do all 3 readings tonight, it would give the businesses certainty so they can make plans to move forward. Justice Rogers speaks of Section V, where the landowner would have to remove all abandoned material and equipment. He then asks if we need to add something to the Ordinance regarding leased land. Judge Day states that the property owner and lessee would jointly apply. He then asks if there are any other comments or questions. Justice Barnes asks about Section 7, which discusses the delegation of duties. He asks if this Ordinance passes, would we delegate and keep with the county? Judge Day replies that right now, we wouldn't need to hire any help. Justice Barnes then asks about inspections. Judge Day replied that we would have our County Environmental person do the inspections or calls for complaints. Justice Cline moves to suspend the rules and have the reading by Title only. Justice Cook seconded the motion. Roll call was taken. All Justices said yes except Justice Weinstock, who chose to abstain. Judge Day states that it passes. Justice Cline motions for a reading by title only. The ordinance is read by title only. Judge Day asks all in favor of reading by title only to say "aye," and all Justices agreed. Judge Day asks to make a callback and take the roll for the second reading vote. Justice Williams makes a motion to read by Title Only, and Justice Pasmore seconds that motion. Judge Day states All in favor say "aye", all Justices agreed. Judge Day asks to do a second reading by title only, and it is read. Judge Day asks for roll call to be taken. Roll is taken, and all Justices

say yes except Justice Weinstock, who abstained. Justice Cline makes a motion to suspend rules and have a 3rd reading of the Ordinance by title only. Justice Cook seconded the motion. Roll was taken, and all Justices said yes except Justice Weinstock, who abstained. Justice Cline motions to read by title only. Justice Couch seconded that motion. All Justices were in favor. Judge Day asks for a 3rd reading by title only. The Ordinance is then read by title only. Judge Day asks for any final questions or comments on this matter. Roll is taken, and all Justices say yes except Justice Weinstock, who abstained. Judge Day states that the Ordinance has passed.

An Appropriation Ordinance for the salary amount for an Election Clerk Position was read. A motion to approve was made by Justice Tennison and seconded by Justice Rogers. Justice Allison asked why there was a need for another Election Clerk. Judge Day explained that some roles were moving around, and this was to fill the election clerk position that the chief deputy was currently in. The roll was taken, and all Justices said yes to passing this Ordinance.

An Appropriation Ordinance to amend the Uniform Allowance in the 2024 Annual Budget was read. A motion to approve was made by Justice Longmire and seconded by Justice Couch. Judge Day states that this results from Leg Audit wanting us to code things differently. The roll was taken, and all Justices said yes to passing the Ordinance.

An Appropriation Ordinance for the Adult Drug Court Opioid Settlement was read. Justice Longmire made a motion to approve, which was seconded by Justice Forrest. Judge Day explained that this is a grant that Judge Melissa Richardson applied for since she supervises the Adult Drug Court. The roll was taken, and all Justices said yes to passing the Ordinance.

A Resolution to Authorize the execution of all contracts for the closing of Century Park re-plat of Lot 11 & PT Lot 12 of Cobb's Survey was read. A motion to approve was made by Justice Couch and seconded by Justice Williams. Judge Day asks for questions or comments. Justice Weinstock asks if there is a building there now. Judge Day states it is vacant. Justice Barnes

asks if there will be rules for campaign signs with the county due to the location. Judge Day states it is public property. Justice Cook asks about the current campaign signs regulations on county/state property. Judge Day states that the signs must be 200 feet from the door of the Election. Justice Allison asks about the possibility of the removal of sewage lines from the Finance Committee minutes. Judge Day states that the sewage line that once ran through that lot has since been moved by the city. A vote was taken, and all Justices were in favor.

ANNOUNCEMENTS

Sheriff Marty Boyd addressed the Quorum Court about the current Detention Center issues. He states that due to the increase in crime and population growth, the current detention center has become very difficult to operate. He states that it is time to look at expanding the current detention center or building a new one. He states that he will ask that this issue be moved and put on the agenda for the next committee meetings to be discussed further.

Judge Day took a motion to adjourn. Motion made by Justice Williams and seconded by Justice Couch. All were in favor.

Meeting adjourned at 6:59 pm.