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COUNTY & PROBATE COURT CLERK

QUORUM COURT MINUTES

JULY 24, 2023

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Judge Day called the meeting to order at 5:30 PM.

The invocation was led by Mike Book, from Prospect Baptist Church.

Assembly and Pledge of Allegiance was led by Justice Noel.

The roll was called, and all Justices were present.

The first order of business was the approval of Quorum Court Minutes from July 10, 2023. A motion to accept the minutes as prepared was made by Justice Weinstock and seconded by Justice Pasmore. With no comments or questions, Judge Day called for a vote, and it passed unanimously.

The Road Committee minutes from July 10, 2023, were read by Justice Cline. Public Service minutes were read by Justice Rogers, and the Finance Committee minutes were read by Justice Longmire.

OLD BUSINESS

Third reading of **Emergency Ordinance adopting certain Rules & Regulations concerning external noise attenuation of Data Centers**. Justice Rogers made a motion to un-table the Ordinance and Justice Pasmore seconded. Judge Day called for a vote, and it passed unanimously. Justice Cline made a motion to suspend the rules and read the Ordinance by title only and Justice Rogers seconded. Vote passed unanimously. Judge Day opened the floor for any other discussion after the reading. Judge Day added for the record that as of 5 PM this evening there were 28 other Arkansas counties that have passed this Ordinance and several others still meeting this week like ourselves. It's been the exact same one, except Van Buren County. They reduced their decibel limit from 65 down to 60. So, they have made it a little more strenuous than ours. Justice Longmire comments he has done a little bit of research and talked with Josh Curtis from AAC today. He still feels like he does not want to impose any type of regulation upon any industry but due to the safety aspect there's more good than bad in this. He has been for this all along, however his biggest concern is imposing regulation and what it could do in the future. He feels like this is needed and something we need to do but wants everyone to understand his concerns with it in the beginning. After speaking with Josh Curtis, Justice Longmire admits some of his concerns were put to bay. He feels like this is something we need to go ahead and adopt. Justice Pasmore commented that this is not an industry creating jobs, that from his understanding there is a person that checks on these places and that no one really knows what they're doing, and they burn a whole lot of utilities, about \$250,000 worth a month. Justice Couch made motion to adopt the Ordinance and Justice Forrest seconded. Justice Allison asked if we could consider setting the decibel limit to 60 and then increasing to a higher decibel later. Judge Day says he wants to be honest but it's the court's decision and he is always sensitive to the facts, but he knows that multiple lawyers created this and at some point, is there something that makes it an unreasonable burden? Unless you have a factual reason to do that, he wouldn't do it, but Judge states he doesn't even have a vote and that technically it has already passed time to amend it. You could have someone pull their motion and amend it if you feel strongly about amending it. Justice Williams says if you were wanting to amend by 30 decibels you might want to amend, but you can't even tell 5 decibels difference with your ears. Justice Longmire states that to give you an idea of the difference in decibels in your voice (Justice Allison) and Barry's voice is about 40 decibels. Justice Longmire says that 5 decibels is not going to make a big difference. Justice Allison asks if Justice Longmire could do a measurement right now and he responds

that with the dead silence in the room is registering 63 decibels with just the hum from the air conditioners. Without further comments, Judge Day repeats there was a motion to adopt and a second. Judge Day asked for the roll to be called, and the motion passes. Justice Longmire asks if a Data Center comes into Craighead County with all the extremely expensive equipment, are we able to assess that equipment. Judge Day says that is the only upside that the counties and other taxing entities have is the personal property, we don't get any sales tax off them. Justice Longmire states that it could then generate some revenue for the county. Judge Day agreed yes it could.

NEW BUSINESS

Appropriation Ordinance to add additional School Resource Officer to Sheriff's budget for Nettleton Schools. Motion to accept was made by Justice Barnes and seconded by Justice Tennison. Judge Day wants the court to know that it is not the norm to be rushed and pushed through and he wants to apologize for that. But he and Sheriff Boyd were contacted by Nettleton Schools today and something happened last minute, and they needed an SRO officer. Judge Day appreciates their understanding and opens the floor for questions or comments. Justice Forrest asks if the salary in this is just until January first. Judge Day answers yes, that is the prorated salary. Justice Forrest then asks then we would have to address this next year, and Judge Day states that is correct, we would add this in next year's budget. Justice Allison asks Sheriff Boyd where we will get the officer if you must fill this position immediately. Sheriff Boyd responds if we have someone internally now willing to move to this position they will have that option, but if not, they will have to hire. Justice Allison asks if they will then have to go through training and Sheriff Boyd says that is possible. It will depend on if we have a certified officer to hire or if they'd have to be trained. With the need that Nettleton has if we must hire, we will open it up to certified officers so we wouldn't have an additional 3 months of training. Justice Allison asks what you will do with them the 3 months that they aren't in school. Sheriff Boyd said that would work regular patrol with the Sheriff's office. With no other questions Judge Day asked for the roll to be called. Ordinance passed unanimously.

Resolution requesting the addition of US Hwy 78 designation to portions of Interstate 55, Interstate 555, US Hwy 49, State Hwy 18, State Hwy 18 Spur, and State Hwy 226 from Memphis, TN, through West Memphis, Blytheville, and Jonesboro to future Interstate 57. Motion to read by title only was made by Justice Forrest and seconded by Justice Cook. Vote passed. Motion to approve was made by Justice Cline and seconded by Justice Williams. Judge Day asked for any comments or questions. With none, Judge Day asked for a vote and the motion passed unanimously.

Appropriation Ordinance amending the 2023 Annual Operating Budget to appropriate funds to Fund 3587, Arkansas Historic Preservation Program Grant Fund to allow for funds that have been awarded to Craighead County to refurbish doors and windows of the Craighead County Courthouse. Motion to accept was made by Justice Rogers and seconded by Justice Williams. Judge Day asks for any comments or questions. Justice Barnes asks if there is any local match required on that amount. Judge Day responded no there is not a local match required on these courthouse restoration grants. We will end up having to put a little money in the game before it is all said and done, maybe \$20-30,000 dollars. Our architect came in saying it would cost us 200-210 and that's all inflation. When we initially established these, we had plenty of money but when you double the cost of stuff, you're short. Justice Tennison asked who our architect is, and Judge Day answers we are using John Connell, company name is SCM Architects out of Little Rock. We ended up using them with these courthouse grants. The State Preservation office had a list of 15-20 architects that specialize in these historic renovations, and we went with this guy as only a couple

responded. The architect had an impressive resume with the courthouses, and I liked him. He did all the restoration at Old Main at UA in Fayetteville. Justice Cline asked if he had done the courthouse restoration in Blytheville and Judge Day answered no. Justice Allison asked if we had any local architects respond and Judge Day responded no, there were really none with the expertise or were on the list. Justice Williams said all he does is courthouses, and his work is impressive. With no other questions or comments, Judge Day asked for the roll to be called, and ordinance passed unanimously.

ANNOUNCEMENTS

Judge Day has two announcements to bring up.

First with the handouts tonight, you have the jail assessments that are done every year. To summarize this 30-page report, it states for the last several years we have a commendable staff that do an outstanding job, and we need a bigger jail. With any questions or comments, I will direct you to Sheriff Boyd.

Second item to discuss, if you remember earlier in the year, we put out a request for a proposal to hire an architect for ventilation upgrades in our county buildings. We have roughly 11 million dollars left from the American Rescue monies, that must be allocated by the end of 2024 and spent by the end of 2026. There are some broad categories you can spend it in. In previous years we have had a consultant, AG Witt, advising us on how to spend the money withing their guidelines. Worse thing to happen is we go spend this money and then the federal government says you didn't spend it right and must pay it back. One of the projects that we've identified, is that we have been discussing about upgrades to the heat and air equipment in the courthouse, annex, health department and jail. First bite would be at the courthouse and the annex to get those to bid. Justice Longmire asked how old the current systems are and Judge Day answered 30+ years old. Justice Longmire asked if we were going all electric. Judge Day says he will be told that with bids. Judge Day states he remembers the boilers are gas. Justice Cook states he remembers of the 27 million we received, half of it was spent for revenue replacement. But asks if there is any way that we could spend half of what's left on the heat and air systems and the other half at the jail as they need so much work. Judge Day said I agree the jail needs a lot and he likes the way you're thinking. Judge Day says from working with our consultant he understands there are certain things we could do at the jail by adding additional medical space or adding medical observation beds. We could even add mental health services to the jail. Just keeping in mind there are just certain things the money can be used for. There are other places, one in Alabama, that are using ARP money and adding several thousand beds to their system. Justice Cook agrees that we are spending money on things needed but the jail needs a lot of work. Judge Day agrees. Judge Day says we are exploring other avenues to spend some of the ARP money just so we can spend the money wisely. Justice Weinstock asks about how far out we would extend the bids and Judge Day said it will get a wider circle because of the internet.

Without other questions or comments for discussion, motion was made to adjourn by Justice Williams and seconded by Justice Cook.

Meeting adjourned at 6:08 PM.

Finance Committee Minutes
July 24, 2023

Chairman Longmire called the Finance Committee meeting to order at 5:15 pm. Present were committee members Justice Pasmore, Justice Weinstock, Justice Cook, and Justice Forrest. Also present were Judge Day, Sheriff Boyd, Justice Rogers, and Justice Allison.

Justice Longmire presented an Appropriation Ordinance amending the 2023 Annual Operating Budget to add an additional school resource officer to the Sheriff's budget for Nettleton Schools. A motion to approve was made by Justice Weinstock and seconded by Justice Pasmore. Following discussion about SRO's, Justice Longmire took a vote and the motion passed. The Appropriation Ordinance will be heard by the full court at the next meeting.

With no other business, Justice Cook made the motion to adjourn, seconded by Justice Forrest. All were in favor and the Finance Committee adjourned at 5:18 pm.