

**MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS**

HELD ON TUESDAY, AUGUST 11, 2009

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Tuesday, August 11, 2009 at 6:30 p.m.

Mayor Chris Holland called the Town Council meeting to order.

Attendance Roll Call:

The following were present: Mayor Chris Holland, Recorder-Treasurer Stacy Digby, and Aldermen: Toby Lester, Keven Varner, James "Butch" Wiand, and Sandy Evans. Attorney Justin Eichmann was present to fill-in on behalf of the city's attorney Steve Miller, who was absent. See attendance sheet for others attending.

The minutes of the regular meeting of the Town Council dated July 16, 2009 were presented. The Mayor asked if there was any discussion. Alderman Toby Lester made a motion to waive the reading and accept the minutes for that meeting in their present form. Alderman Keven Varner seconded the motion. Lester, Varner, Wiand and Evans voted yes. There were no votes in opposition. Motion carried.

Review of Department and Commission Reports

Written reports were submitted by the following persons for the following departments and commissions, and copies of each are attached:

<u>Department / Commission</u>	<u>Report Submitted By</u>
Street and Maintenance Department Report	Kently Insko
Fire Department Report	Chief Jeremy Jackson
Police Department Report	Chief Jack Sanders
Parks Commission Report	NONE SUBMITTED
Water & Wastewater Report	Frank Holzkamper
Building Inspection /Code Enforcement Report	Rob Holland

La Joyce Vann asked Rob Holland what was meant by "made point of contact" in his report. He explained he obtained the name and number of the person in charge at the work site.

Mayor Holland reported that Digby and Peterson Roads have been recently improved with chip and seal and that this work should be completed by the end of the month. He also noted that the Town has received several easements from property owners along those roads for improvements. Sandy reported the park pavilion should be complete for Hay Daze and would cost around \$28,572. She also reported that the Library Association would be putting in memorial benches at the park. Mayor Holland asked about memorial trees. Sandy said she had someone who was selling and planting the trees. It cost \$89 for a 4inch diameter tree and \$150 for a 6 inch diameter tree. The park would provide the plaque.

La Joyce Vann said Hendrix Road was in bad shape due to construction traffic. She felt the Mayor should look for help from other towns and the county because the construction traffic was from NACA construction. Mayor Holland said he would talk to the county. Frank Holzkamper reported that at the last NACA meeting, the damage to Hendrix Road was discussed and that NACA was planning on fully repairing the road after construction is complete.

Jeremy Jackson reported he did not bid on the fire truck in Bentonville that he had previously discussed. He said the company that built it was out of business, so body parts would be expensive if they were ever damaged.

Frank Holzkamper reported that Centerton had hired ESI to put together a packet on the waterline purchase. Centerton was going to present it to there council and get in touch with Frank and the Mayor.

Open Hearing

Alderman Lester asked about the progress of The Children's Shelter. Rob Holland reported that the site development plan had passed the planning commission. It should start construction in September. He also reported that Silver Meadows should start very soon. Mayor Holland told the council a house had sold in the Holland Hills subdivision. There being no further discussion, the Mayor declared the hearing closed.

Old Business

There were no items of old business to be discussed.

New Business

The first item of new business was an Ordinance to amend Ordinance No. 2008-19, as Amended by Ordinance 2009-10, that provided for and adopted the 2009 Budget. Alderman Varner asked about Jeanetta's salary. She explained that it had not changed, but a fourth of her salary now came from the water department budget. Alderman Evans asked about reducing the uniform allowance. It was briefly discussed, but no change was made. A motion was made by Alderman Keven Varner to suspend and dispense with the rule requiring the reading of an ordinance, in full, on three different days and read said Ordinance by title only, and the motion was seconded by Alderman Toby Lester. Lester, Varner and Wiand voted in favor of the motion. Evans voted no. The Mayor cast the fourth vote in favor of suspending the rule. The Mayor declared that at least two-thirds of the members of the council voted in favor of the motion and an ordinance entitled:

“AN ORDINANCE TO AMEND ORDINANCE NO. 2008-19, AS AMENDED BY ORDINANCE 2009-10, THAT PROVIDED FOR, APPROVED AND ADOPTED A BUDGET FOR THE TOWN OF HIGHFILL, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2009 AND ENDING DECEMBER 31, 2009.”

was read by title only.

Next, a motion was made by Alderman Toby Lester to adopt said ordinance and the motion was seconded by Alderman Keven Varner. Lester, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. The motion carried. The Mayor then declared the Ordinance adopted and signed the Ordinance, which was later attested by the Town Recorder and sealed with the seal of the Town. The Ordinance was given No. 2009-15.

The next item was Resolution to adopt the Hazard Mitigation Plan for Benton County. Rob Holland explained that it made more money available to residents during a disaster. Sandy Evans asked why the council should vote for it. Rob Holland said the city had to have a plan in place in order for residence to apply for assistance. A motion to approve the Resolution was made by Alderman James Wiand and seconded by Alderman Keven Varner. Lester, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 13-2009.

The next item of new business was a Resolution authorizing the Mayor to transfer excess sales tax revenue from the Water Improvement Fund to the General Fund. A motion to approve the Resolution was made by Alderman James Wiand and seconded by Alderman Toby Lester. Lester, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 14-2009.

Financial Report

The Financial Report for the month of July 2009 was presented for review (see attached). Alderman Keven Varner asked if the city had someone new grading the roads. Mayor Holland said that the city was using two people for grading the roads now. The new one was John Atobell. He was much cheaper and did a very good job. However, he was not available enough so Jason James was also doing some of the grading. Alderman Sandy Evans told the Mayor that she thought \$12,000.00 of the FEMA money received by the city should be moved from the fire department account to the street department. A motion was made by Alderman Sandy Evans to transfer the money and was seconded by Alderman Keven Varner. Varner and Evans voted in favor of the motion. Lester and Wiand voted no.

The motion failed. A motion was made by Alderman Toby Lester to approve the Financial Report. The motion was seconded by Alderman Keven Varner. Lester, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed.

Mayor's Report

Mayor Chris Holland gave the following report:

The Mayor provided the council with a copy of highlights the city's attorney had made from the Mobile and Manufactured Home Ordinance. He had highlighted areas that might need to be revised. Mayor Chris Holland and Rob Holland both reviewed some of the details from the highlights. La Joyce Vann voiced a concern about the idea of reducing the lot size needed for a manufactured home to 1 acre. She felt a septic system would not pass a perk test. Mayor Holland told her that was subject to state approval. He said the same would apply to a house built on one acre. He just wanted to make the requirements for a house and a manufactured home the same. Alderman Varner asked if the city could legally restrict mobile and manufactured homes by age. He also asked what the difference between the two was. Justin Eichmann deferred the question to Buckley Bridges, who had been researching the subject for Steve Miller. He said the state had defined homes constructed prior to 1976 as mobile homes and those built after that date were designated as manufactured homes. The city could therefore allow manufactured homes and not mobile homes and limit the age in the process. The Mayor concluded the discussion by asking the council to review the information and get back to him with any questions that needed to be covered for next meeting.

Discussion

Jeanetta Evans reminded everyone that Hay Daze was September 12th

Adjournment

There being no further business to come before the Council, a motion to adjourn was made by Alderman Keven Varner and seconded by Alderman James Wiand. All voted in favor. Motion carried. Meeting adjourned.

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)