

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

HELD ON THURSDAY, MARCH 12, 2009

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Thursday, March 12, 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, Richard Boles, and James "Butch" Wiand. Sandy Evans arrived late, during the review of Department and Commission Reports. Alderman Keven Varner was absent. The city's attorney Steve Miller was present. See attendance sheet for others attending.

The minutes of the regular meeting of the Town Council dated February 10, 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 Richard Boles seconded the motion. Lester and Boles voted yes. Wiand abstained. The Mayor cast the third vote in favor of approval of the minutes. 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

Kently Insko informed the council that he had continued work to locate a used tractor for use by the Town that met the Town's requirements and price range, but had been unsuccessful since the February council meeting in locating anything. He reviewed the previous bid he received from Williams Tractor, referred to in the February 10, 2009 meeting, and noted it was still available. It was for a Ford TL-90 tractor with 1300 hours, and he confirmed that the price would still be \$25,000.00. After discussion among the council members it was decided to proceed with the purchase of that tractor. A motion was made by Alderman Richard Boles to purchase the tractor referred to in the minutes of the February 10, 2009 meeting from Williams Tractor for \$25,000.00, and it was seconded by Alderman James Wiand. Lester, Boles and Wiand voted yes. Alderman Evans abstained. Motion carried.

Kently Insko also told the council he had purchased most of the tools he needed. He still needed a welder.

Frank Holzkamper then addressed the council. He noted that since the time his report had submitted, KJacks had finished the remaining items required and had since been paid. He also noted that that ESI had received an award for the design of the Highfill Sewer system. They received the ACEC Engineering Award of Excellence.

Open Hearing

The Mayor opened the floor to the public. There was not comment from the public. The Mayor then declared the open hearing closed.

Old Business

None.

New Business

The first item of new business was an Ordinance amending Ordinance No. 2007-24, as amended by Ordinance No. 2008-14, that provided for, approved, adopted and revised the year 2008 Budget for the Town. A motion was made by Alderman Toby Lester 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 James Wiand. Lester, Boles 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. 2007-24, AS AMENDED BY ORDINANCE NO. 2008-14, THAT PROVIDED FOR, APPROVED, ADOPTED AND REVISED THE YEAR 2008 BUDGET FOR THE TOWN OF HIGHFILL, ARKANSAS.”

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 James Wiand. Lester, Boles, Wiand and Evans voted yes. 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. 2009-03.

The next item was an Ordinance rezoning the property described in the application for rezoning submitted February 4, 2009 by The Northwest Arkansas Children’s Shelter, Inc. for the property located at the property located at the SW corner of Reuben Road and Vaughn Road and the NW corner of Reuben Road and Goodlett Road, Highfill, Arkansas from RR Rural Residential to C-1 Neighborhood Commercial. A motion was made by Alderman Toby Lester 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 James Wiand. Lester, Boles, 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 REZONING THE PROPERTY DESCRIBED IN THE APPLICATION FOR REZONING SUBMITTED FEBRUARY 4, 2009, BY THE NORTHWEST ARKANSAS CHILDREN’S SHELTER, INC., FOR PROPERTY LOCATED AT THE SW CORNER OF REUBEN ROAD AND VAUGHN ROAD AND THE NW CORNER OF REUBEN ROAD AND GOODLETT ROAD, HIGHFILL, ARKANSAS, FROM RR RURAL RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL.”

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 Richard Boles. Lester, Boles, Wiand and Evans voted yes. 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. 2009-04.

The next item was an Ordinance waiving the applicable bidding requirements relating to entering into a contract with 4 State Asphalt & Sealing, LLC for the chip-n-seal surfacing of portions of Malone, Digby and Peterson Roads, and approving the contract for the road resurfacing project. A motion was made by Alderman Toby Lester 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 Richard Boles. Lester, Boles, 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 WAIVING ANY APPLICABLE BIDDING REQUIREMENTS AS THEY MAY RELATE TO ENTERING INTO A CONTRACT WITH 4 STATE ASPHALT & SEALING, LLC FOR THE CHIP-N-SEAL SURFACING OF PORTIONS OF MALONE, DIGBY AND PETERSON ROADS; APPROVING THE CONTRACT FOR THE REFERENCED ROAD SURFACING PROJECT; APPROPRIATING SUMS NECESSARY THEREFOR; AND OTHER MATTERS PERTAINING THERETO.”

Next, a motion was made by Alderman Toby Lester to adopt said ordinance and the motion was seconded by Alderman Richard Boles. Lester, Boles, Wiand and Evans voted yes. There were no votes in opposition. The Mayor then noted that the Ordinance contained an emergency clause. A motion was made by Alderman Richard Boles and seconded by Alderman Toby Lester to approve the emergency clause of the Ordinance. Lester, Boles, Wiand and Evans voted yes and there were no votes in opposition. 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. 2009-05.

The next item 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, Boles, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 03-2009.

Financial Report

The Financial Report for the month of February 2009 was presented for review (see attached). After a brief discussion, a motion was made by Alderman Toby Lester to approve the Financial Report. The motion was seconded by Alderman James Wiand. Lester, Boles, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed.

Mayor's Report

Mayor Chris Holland gave the following report:

- a) The Mayor noted that he had been approached by several senior citizens in the community who requested that the Town purchase card tables to be placed in the Community Building so it could be utilized on occasion as a senior citizen center. The Mayor had investigated the cost of card tables for this use. After some discussion among the council members, Alderman Richard Boles offered to donate the sum of \$150.00 to the Town of Highfill for the purchase of card tables to be placed in the Community Building for use by senior citizens on occasion as a senior center and the council was in agreement with this action.
- b) The Mayor then discussed road maintenance for the Town. He explained that the Town already had budgeted certain amounts for road grading and maintenance, which was done by hiring contract labor. The Mayor noted that he believed the Town could purchase a road grader and roller for around \$80,000.00, and if financed, the payments would be about \$18,200.00, which would equal the current budget for these items. He had investigated the cost and what would be involved in borrowing funds through Arvest in accordance with the short term financing allowed by Amendment 78 to the Arkansas Constitution, to purchase road maintenance equipment such as a road grader and a roller. There was some discussion among the council members regarding whether they would prefer to continue to utilize contract labor or acquire the equipment and have the Town's own personnel utilize the equipment to maintain the roads. Alderman Lester asked if we had the manpower to run the equipment. The Mayor said with the new fulltime employee, we had enough manpower. After some discussion, a motion was made by Alderman Richard Boles and seconded by Alderman Toby Lester for the Town to proceed with obtaining and putting in place financing for the purchase of such equipment to be utilized by the Town's personnel for road maintenance. Lester, Boles and Wiand voted in favor of the motion. Evans voted no. Motion carried.
- c) The Mayor reiterated the information contained in the Water and Wastewater Report submitted by Frank Holzhammer that the sewer project had been completed.

- d) The Mayor mentioned that Alderman Toby Lester had been approached by the Oak Grove Riding Club, who was interested in possibly leasing a portion of the 20 acres of land off North Holland Road owned by the Town of Highfill for use as an arena for its Riding Club. Alderman Lester explained the proposal and described the activities of the Club. The council expressed interest in the possibility of such a leasing arrangement. Alderman Toby Lester agreed to discuss this with the Riding Club, and obtain more details and more specifics about what would be involved. The Council requested he do so, and that the Club make a presentation of their plans to the council.

Discussion

Jeaneta Evans reminded everyone of the March Hay Daze Meeting. The Mayor noted that there would be a Highfill Haydaze meeting on March 19, 2009. The Mayor also noted that Sandy Evans of the Parks Commission was looking into the different items that would be involved in the construction of a stage for the Highfill Park. Sandy Evans said she has not received a bid for the construction of a stage at the park. She also talked about the Memorial Tree project to plant more trees at the park.

Adjournment

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

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)