

**Minutes of  
THE BENTON COUNTY SOLID WASTE DISTRICT BOARD**

**REGULAR MEETING  
February 28, 2022**

**CALL TO ORDER:** The Regular Meeting of the Solid Waste District Board was called to order by Board Chairman Jackie Crabtree at the Centerton Municipal Complex at 2:00 p.m. Participation in the meeting was also provided via Zoom.

**ROLL CALL:** Assistant Director Jayme Land called roll.

**Board members present:**

Judge Barry Moehring, Benton County  
Mr. Jake Harper as proxy for Mr. Gary Wilson, City of Bentonville  
Mayor Noblett, City of Cave Springs  
Mayor Bill Edwards, City of Centerton  
Mayor Maddox, City of Gravette  
Mayor Jeff Van Sickler, City of Little Flock  
Mayor Chris Moore, City of Lowell  
Mayor Jackie Crabtree, City of Pea Ridge  
Mr. Jerrold Haley, City of Rogers  
Mr. Steve Gorszczyk, City of Siloam Springs

**Members Absent:**

Mr. Doug Tapp, City of Bella Vista  
Mayor Kevin Johnston, City of Gentry

**A quorum of members was present.**

**Staff Present:** Director Wendy Bland; Assistant Director Jayme Land

**Guests Present:** Teresa Sidwell – Benton County Environmental Services; Everett Hatcher – DEQ Tire Accountability Program, Cassie Kent – DEQ Tire Accountability Program

**APPROVAL OF AGENDA**

**Motion to approve the Agenda as presented.**

Motion: Mr. Haley  
Second: Mayor Maddox  
Discussion: None  
Voice Vote Aye: Unanimous  
Voice Vote Nay: None  
**Motion carried.**

**APPROVAL OF MINUTES**

**Motion to approve the minutes of the October 28, 2021 and December 13, 2021 Regular Meeting, as presented.**

Motion: Mayor Moore  
Second: Mayor Edwards  
Discussion: None  
Voice Vote Aye: Unanimous  
Voice Vote Nay: None  
**Motion carried.**

## **STAFF REPORTS**

### **Financial Report**

Director Bland stated that the financial records had been provided to the Board prior to the meeting.

### **PUBLIC FORUM** - No comments were received.

Director Bland introduced our guests along with Mr. Jake Harper as being the proxy for Mr. Wilson from the City of Bentonville.

## **OLD BUSINESS**

### **Status of Eco Vista Lawsuit Appeal**

Director Bland provided an update on the current status of the lawsuit, explaining that the appeal had been filed on December 20<sup>th</sup> and that the previous appeal filed took 22 months before a decision from the appellate court was made. Staff attorney Curtis Hogue recommended a special counsel from his firm, Grace Johnson, whose statement of qualification was provided. Director Bland requested direction from the board to either seek other potential representation or to hire Ms. Johnson.

### **Motion to authorize Chairman Crabtree to approve Grace Johnson as special counsel not to exceed \$15,000.**

Motion: Judge Moehring

Second: Mayor Noblett

Discussion: None

Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

### **2020 Fiscal Audit Status**

Director Bland stated that the auditors had completed the general audit and it was being sent to the final accountant for review. The review should only take a few days and report should be issued by the end of the week. Notice was provided to DEQ. Chairman Crabtree asked why there were problems with the completion of the audit. Director Bland explained the firm had Covid several times and they had actually started late because they had staff turnover. Staff explained that the auditor assigned to our audit had some personal issues and that his process was not compatible with us.

## **NEW BUSINESS**

### **Direction to Staff: 2021 Fiscal Year**

Director Bland explained the need to find a new auditor and send out request for qualifications. Previously the executive committee had been allowed to approve the final selection.

### **Motion to authorize the executive committee to approve the request for qualifications and make the final selection for a new auditor.**

Motion: Mayor Van Sickler

Second: Mr. Haley

Discussion: None

Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

## **Resolutions by Title Only**

### **Motion to read all resolutions by title only.**

Motion: Mr. Haley

Second: Mayor Edwards

Discussion: None

Voice Vote Aye: Unanimous

Voice Vote Nay: None

**Motion carried.**

### **Resolutions 2022-01 – 2021 General Fund Amended Final Budget**

Director Bland presented the proposed 2021 General Fund Amended Final Budget.

#### **Motion to approve Resolution 2022-01 – 2021 General Fund Amended Final Budget as presented.**

Motion: Mayor Edwards

Second: Mayor Van Sickler

Discussion: None

Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

### **Resolutions 2022-02 – 2022 General Fund Budget Amendment**

Director Bland presented the proposed 2022 General Fund Budget amendment. She stated it was likely that the District would need to retain the entirety of the 2022 recycling grant funds. Staff recommended that operations for 2022 remain consistent with 2021 until the Needs Assessment process was complete, acknowledging that current funding was not sustainable to maintain all of those operations in future. Chairman Crabtree requested a full Board work session be set up in May to discuss the Needs Assessment report.

#### **Motion to approve Resolution 2022-02 – 2022 General Fund Amendment as presented.**

Motion: Mayor Edwards

Second: Mr. Haley

Discussion: None

Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

### **Resolution 2022-03 – 2021 Tire Fund Budget Final Amendments**

Director Bland presented the proposed 2021 Tire Fund Final Budget Amendment.

#### **Motion to approve Resolution 2022-03 – 2021 Tire Fund Final Budget Amendment as presented.**

Motion: Judge Moehring

Second: Mr. Haley

Discussion: None

Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

### **Resolution 2022-04 – 2022 Tire Fund Budget and Business Plan Evaluation**

Director Bland presented the proposed 2022 Tire Fund Budget and Business Plan Evaluation and discussed the increase in expenses in relation to insurance on leased semi-truck and the processing capacity of the tire disposal locations.

**Motion to approve Resolution 2022-04 – 2022 Tire Fund Budget and Business Plan Evaluation as amended.**

Motion: Mayor Edwards

Second: Mr. Haley

Discussion: None

Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

**Resolution 2022-05 – Authorizing Lease of Semi-Tractor**

Director Bland presented a proposed lease agreement with Rush Leasing for the lease of a semi-tractor for the Tire Program.

**Motion to approve Resolution 2022-05 – Authorizing Lease of Semi-Tractor as presented.**

Motion: Mr. Haley

Second: Mayor Noblett

Discussion: None

Voice Vote Aye: Unanimous

Voice Vote Nay: None

**Motion carried.**

**OTHER BUSINESS:**

**Election of 2022 Board Officers**

Staff presented the board survey results indicating each board member's willingness to serve as an officer position.

**Motion to elect Mayor Crabtree as Chairman for 2022.**

Motion: Mayor Edwards

Second: Judge Moehring

Discussion: None

Voice Vote Aye: Unanimous

Voice Vote Nay: None

**Motion carried.**

**Motion to elect Judge Moehring as Vice Chairman for 2022.**

Motion: Mayor Van Sickler

Second: Mayor Noblett

Discussion: None

Voice Vote Aye: Unanimous

Voice Vote Nay: None

**Motion carried.**

**Motion to elect Mr. Jerrold Haley as Secretary for 2022.**

Motion: Mayor Van Sickler

Second: Mayor Edwards

Discussion: None

Voice Vote Aye: Unanimous

Voice Vote Nay: None

**Motion carried.**

**ANNOUNCEMENTS:**

Next regularly scheduled board meeting: April 28, 2022 at 1:30 p.m. with location to be determined at a later date.

**ADJOURNMENT:**

**Motion to adjourn the meeting.**

Motion: Mayor Van Sickler

Second: Mayor Edwards

Discussion: None

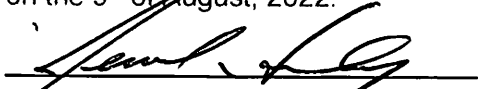
Roll Call Vote Aye: Unanimous

Roll Call Vote Nay: None

**Motion carried.**

**SECRETARY'S CERTIFICATE:**

I certify that the foregoing is a true and correct copy of the minutes as approved by the Board of Directors on the 9<sup>th</sup> of August, 2022.

  
\_\_\_\_\_  
Mr. Jerrold Haley, Board Secretary

8/9/2022  
\_\_\_\_\_  
Date