

Cherry Valley City Council Meeting
Cherry Valley City Hall
166 Highway 1B
Cherry Valley, AR 72324
October 15, 2024, at 6:00 pm

Roll Call

Mayor Earnest Meredith	Absent
Council Member Thomas Wilson	Present
Council Member James DeWitt	Present
Council Member Ricky Lace	Present
Council Member Dennis Stephens	Present

Others Present:

Recorder Treasurer Stacey Bennett
Police Chief Jamie Walls
Water Manager A.W. Curtis

Visitors: William White

The meeting was opened with prayer by Council Member James DeWitt.

Pledge of Allegiance

Minutes

Council Member DeWitt made a motion to approve September 10, 2024, city council minutes as presented; Council Member Wilson seconded the motion. Motion passes unanimously.

Financials

Council Member DeWitt made a motion to approve the September 2024 financials; Council Member Wilson seconded the motion. Motion passes unanimously.

City Park Complex

The dugout roofs are complete. Dugouts need paint, benches and dug out boxes to be installed. The foul poles, score boards, back stop and netting will need to be installed after the irrigation and field dirt is completed. The grass is further along than we had expected this late in the year. The baseball field is further along than the softball field but is coming along good.

Council member Wilson is collaborating with a company on a design for the back of the dugouts.

Chief Walls presented 2 quotes for the ball fields from Athletic Field Service of Arkansas out of Sherwood. This is the only company around to perform these services.

The sports field irrigation installation would include baseball 8 zones & softball 4 zones, automated watering system, quick connect access to water each infield (with keys, hoses, and nozzles for each field), system will be designed to keep valve boxes off the field of play. This quote was \$49,725.00.

The construction layout field includes: SAF diamond Mix-24 ton load, premium top coat playing surface, 5 star packing clay, SAF 816 Field Conditioner, Hollywood style Homeplate, pitching rubber, and bases, layout of bases, pitching rubber, home plate, foul poles, and other cutouts on both fields, remove grass and soil from areas to receive clay material, top dress product for final infield skin, build baseball mound to appropriate specs, prepare ground for batters boxes on both fields, prepare pitchers lane and labor. This quote was \$107,600.25.

Athletic Field Service of Arkansas can get started on the fields within the next 3 weeks and should take around 3-4 weeks to complete with weather permitting.

Council Member Wilson made a motion to approve the quotes as presented from Arkansas Filed Service of Arkansas; Council Member Lacey seconded the motion. Motion passes unanimously.

Fire Department

Recorder Treasurer Stacey Bennett presented an invoice in the amount of \$6,804.50 from EEP for 2 sets of turnouts. Chief Bell requested this to be paid out of ACT 833. Bennett reminded the council the funds for ACT 833 were already appropriated to the fire station and the truck payment at Fidelity Bank in a previous meeting. The station payment is \$9,703.00, and the fire truck payment is approximately \$9,000.00 a year, with \$5,000.00 from budget and the remaining to come from ACT 833. Some firefighters have left the department and have not returned the turnouts or other gear that belongs to the department.

Council Member Lacey made a motion to pay EEP invoice from ACT 833; council member Wilson seconded the motion. Motion passes unanimously.

Council request to Mayor

The council requested Mayor Meredith speak with Chief Bell about getting the turnouts returned, the invoice on the turnouts not being approved by council prior to purchase. Contacting Dollar General corporate about a meeting for a Dollar General Market, job descriptions for each employee (so the revising of the handbook could be completed),

performance evaluations each year by February as the handbook states. State Statute 14-58-201 before December 1 of each year, mayors of all cities and incorporated town with a mayor-council form of government must submit to the governing body of those cities a proposed budget. This will enable the council to study the document, make and proposed changes and get the budget adopted before February 1. The council is requesting an update from the mayor at the next meeting on November 12, 2024.

Street

Recorder Treasurer Stacey reached out to Entergy to request new street lighting on Thunderbird Lane. Jamie met with Entergy on Wednesday, October 2, 2024. Entergy crews are in the states hit by the hurricanes, so it may take a few weeks before the lights can be installed.

Food Trucks

Four electric poles with 50 amps per pole have been installed. Water access needs to be installed. The council requested Chief Walls to get a price on a carport of 20 x 20 for shade on the property and signs for the food truck lot. Picnic tables can be moved from the city park for seating.

City Park Complex Sign

Cross County High School East student Alex Pierce presented a design for a sign to promote the park. The council loved the idea. The council requested a white background, with bats crossing with the T-Bird to the front and a baseball in the background. Mr. Pierce will make the changes and submit them to the council for approval.

Millage

Recorder Treasurer Stacey Bennett presented RESOLUTION NO 3 of 2024 TO CERTIFY MILLAGE FOR THE CITY OF CHERRY VALLEY. After discussion, the council chose to leave the city's millage the same at 4.75.

Council Member Lace made a motion to leave the city's millage at 4.75 and approve Resolution 3 of 2024, Council Member DeWitt seconded the motion to certify the city's millage at 4.75. Motion passed unanimously.

Water

A.W. Curtis received a letter from the Arkansas Health Department for not submitting monthly reports on time. Mr. Curtis is required to submit the water sample results with the monthly reports and has been waiting to receive them by mail. All reports have been submitted.

Cross County Economic Development (CCEDC) & Wynne Economic Development Commission (WEDC) Merger

Recorder Treasurer Stacey Bennett informed the council of the articles that have been in Wynne Progress about the possible merger of CCEDC & WEDC and trying to complete this by the end of 2024.

Here are some things that have been reported by Wynne Progress (August 7, 2024):

1. Attorney Rita Reed Harris of Forrest City has been retained for the purpose of merging the two organizations. Cross County Economic Development will be paying attorney fees.
2. Rita Reed Harris will be working to transfer "any real Property" mainly the Bill Thomas Tech Center to WEDC. At that time, it will dissolve the CCEDC.
3. Rita Reed Harris will help CCEDC to retire as much debt as possible prior to the transfer.
4. A waiver of conflict of interest would likely be needed before boards can be joined together.

Here are some things that have been reported by Wynne Progress (August 8, 2024):

1. CCEDC board was reformed about a year ago, to take care of outstanding business.
2. CCEDC board had to make sure they had the right number of people to meet the formalities. Tyler Griffin (president of the WEDC) stated "They got, I think, the appropriate number of people on the board and made sure that was in order sometime last year because the CCEDC is an entity that has not been formally funded in an ongoing capacity for quite some time.
3. "They (CCEDC) do have some assets still and since they're not ongoing funded we're trying to work with and partner with them to figure out a way to best move this forward for taxpayers and make sure an entity that's actively being funded can manage those assets if they're able to,".

Below are things that have been found regarding the CCEDC:

1. CCEDC has two (2) pieces of property they own.
 - a. Bill Thomas Tech Center, the Technology Center of the Delta was purchased for \$550,000 in 2002 and has a market value of \$1,511,900 (4.78 acres & building).
 - b. The other piece of property CCEDC owns is located at 100 Addison Drive and is the address and location of B & K (Mueller Industries). This building was purchased for \$50,000.00 (14.37 acres) according to act data. Also was not mentioned in the merger. No market value listed. Was this piece of property part of an incentive for B & K?

2. CCEDC is 501(c)(6) and the Cross County Foundation is 501(c)(3). The Bill Thomas Tech Center was transferred to the Cross County Foundation on 02/14/2005 and transferred back to the CCEDC on 09-02-2009.
 - a. Why was this transfer made?
 - b. Who authorized this transfer?
 - c. According to the 990 filings the CC Foundation did not have the funds to maintain the building.
3. A study was performed in 2009 by Arkansas State University.
<https://www.astate.edu/.../LocalTaxforEconomicDevelopment...>

Here is what the study says for Cross County:

In 1999, a 1 percent sales tax was passed in Cross County for the express purpose of economic development. The three-year tax closed in 2002. Over the life of the tax, \$4,636,544.47 was generated. The revenue has and continues to be used for operations including staff compensation, rent, utilities, and supplies. Infrastructure improvements, land acquisition, buildings, promotion, and marketing materials are also funded. Aaron Stewart is the Executive Director of the Cross County Chamber of Commerce and Cross County Economic Development Corporation (CCEDC). Revenue generated by the sales tax is administered through CCEDC, a 501(c)(6) non-profit corporation. The county's nine quorum court members appoint two people each to the board and are joined by the county judge, mayors from all four municipalities and seven at-large members.

The facility is home to the chamber of commerce and economics development corporation, East Arkansas Community College-Wynne, and Department of Workforce Services. Funds generated by the tax were also used to construct a spec building recently acquired by a new company and to develop a Select Site, a shovel-ready program initiated by Entergy. To date, \$630,000 has been provided in direct company incentives.

4. It has been stated in the Wynne Progress that just over the last year that a board was reformed for the CCEDC to take care of outstanding business. The sales tax study stated there should be the county judge, the 4 mayors, and seven members at large, however the 2022 - 990 filing only shows 5 (President, VP, Treasurer, secretary and 1 director).
 - a. Do we have the required number of board members for the outstanding business?
 - b. One member on the CCEDC board is also listed on the WEDC director board. Is this member a conflict of interest?
5. Who has been maintaining the CCEDC checking account? The Cross County Foundation and the CCEDC 990 forms both have the same mailing address and are all sent to the same P.O. Box.

- a. Cross County Foundation 990 filing shows the revenue is mostly from grants.
 - b. Cross County Economic Development 2022 990 filing shows investment income, rent, rental expenses, cash, and savings investments. With an end of year asset or fund balance of \$1,170,798.00.
 - c. The Cross County Chamber and the Wynne Economic Development writes rent checks to the Technology Center of the Delta. Is this a different account as well? Who is over the Technology Center of the Delta? Is there another account?
6. Wynne Progress reported this will dissolve the CCEDC with the merger. How can the CCEDC be dissolved when all assets are not liquidated?
 7. If the building B & K is in is part of an incentive to bring in industry: will the building be given to B & K if the incentive obligation has not been met with the merger?
 8. Renovations have been made recently to the Bill Thomas Tech Center – A/C units, walls painted, and new flooring, etc. What was the purpose of these renovations?
 9. Who has the financial reports on the CCEDC sales tax?
 10. What is the balance in the CCEDC account(s)?
 11. What debt does the CCEDC have?
 12. Why are the other cities within the county not getting their portion from the Bill Thomas Building? Should the building be sold and split between all the cities, since it was a county tax?

The city council had requested for Recorder Treasurer Bennett to contact the city attorney and have them write a letter regarding these concerns and bring back a copy for the next meeting.

City Meeting:

Council Member Stephens requested to have a town meeting so the citizens could voice their concerns and get an update on things going on within the city. After discussion it was agreed to place it on Facebook and see if there was in interest in the meeting. What topics they would like us to address, thoughts, etc.

Stacey Bennett Water Salary

A.W. approached the city council about increasing Stacey Bennetts pay on water side up to at least minimum wage in March 2024. When her administration and water salaries are

combined it meets the minimum wage, but for water only it does not. The council increased Bennett's pay with a \$1.25 an hour raise. This increase will bring her water salary rate to \$10.45 an hour or an annual salary of \$21,736.00. Council request for A. W. Curtis to bring back the other \$1.25 in October 2024 for consideration.

Council goes into an executive session for personnel at 8:18 pm

Council back from executive session for personnel at 8:31 pm

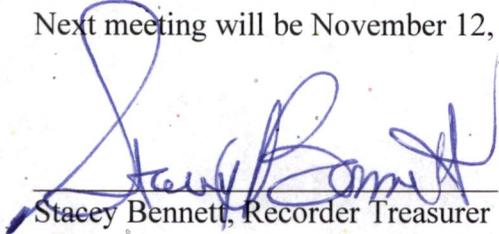
Council Member DeWitt stated action was made in executive session to raise Stacey Bennetts Water pay to meet the minimum wage requirement.

Council member DeWitt made a motion to increase Stacey Bennett's water salary by \$0.65 an hour. This will increase her hourly water salary rate from \$10.45 to \$11.00 an hour or an annual salary of \$22,880.00. Council Member Wilson seconded the motion. Motion passes unanimously.

Adjournment

Council Member DeWitt made a motion to adjourn at 8:35 pm, Council Member Stephens seconded the motion. Motion passes unanimously.

Next meeting will be November 12, 2024, at 6:00 p.m.


Stacey Bennett, Recorder Treasurer


Earnest Meredith, Appointed Mayor

Minutes approved on this 12 day of November, 2024.

