

JOURNAL OF PROCEEDINGS  
MISSISSIPPI COUNTY QUORUM COURT  
March 26, 2024

The Quorum Court of Mississippi County, Arkansas, met in regular session at 6:00 p.m. in the Mississippi County Courthouse in Osceola, Arkansas with Judge John Alan Nelson presiding. Rev. Greg Brown from New Mt. Pleasant Christian Center of Osceola gave the invocation, which was followed by the Pledge of Allegiance.

The following members answered roll call:

|                 |                    |
|-----------------|--------------------|
| Justice Ash     | Justice Mangat     |
| Justice Brown   | Justice Martin     |
| Justice Burge   | Justice McClanahan |
| Justice Cullom  | Justice McDonald   |
| Justice Hepler  | Justice White      |
| Justice Jackson |                    |

Absent: None. Also in attendance was County Attorney Chris Brown.

Justice White moved to dispense with the reading of the minutes as copies had been provided to the members. Justice Ash seconded the motion and the voice vote was unanimous

In the treasurer's report, County Treasurer Candace Nichols reported the interest rate at Farmers Bank in Blytheville on a \$100,000.00 CD was 5.30% for one year. She reported the sales tax revenue were up a bit from the previous month. She also reported county general continues to be in great shape.

**Committee Report:**

*Sanitation & Waste Committee:* Justice Tobye McClanahan reported the committee met on March 01, 2024 and discussed:

- An account in arrears was no longer charging but using a credit card to pay their dumping fees.
- Judge Nelson presented a resolution he wanted passed concerning a moratorium for construction and business activity surrounding used tire collection centers and processing facilities Justice moved to present an ordinance to the full court banning the afore mentioned activity.
- Building of the new Scale House was discussed. Bids for the construction would be taken.

*Finance Committee:* Justice White reported the committee met on March 18, 2024 and topics of discussion were:

- Elected officials and department heads were doing a good job of staying within their budgets
- Day Porter/Maintenance position was created and filled.
- OEM John Willard requested to move funds between line items.
- The setting up of a special revenue account for the Opioid Settlement funds.
- Finance Director's request to outsource payroll.
- Planning & Development's request of \$100,000.00 for Atlas Tube.
- Planning & Development's recommendation to appropriate \$500,000.00 for site prep at the Aeroplex.
- Construction line item needed for the landfill scale house. \$25,000.00 to be placed in the line item.
- IT guy be allowed to make changes to internet at the Annex Building.
- Lighting and HVAC at the Annex

The clerk was asked to read an ordinance titled: AN ORDINANCE TO ESTABLISH A SPECIAL REVENUE GRANT TO BE CALLED THE ADULT DRUG COURT-OPIOID SETTLEMENT FUND; AND TO DECLARE AN EMERGENCY. Following the reading, Justice White moved to adopt, Justice McClanahan seconded and the vote was: Aye--- Ash, Brown, Burge, Cullom, Hepler, Jackson, Mangat, Martin, McClanahan, McDonald, and White; Nay---None; Absent--- None. O-2024-10.

The clerk read an ordinance titled: AN APPROPRIATION ORDINANCE FUNDING DAYPORTER/MAINTENANCEPOSITION. Following the reading, Justice White moved to adopt, Justice Ash seconded and the vote was: Aye--- Ash, Brown, Burge, Cullom, Hepler, Jackson, Mangat, Martin, McClanahan, McDonald, and White; Nay---None; Absent--- None. O-2024-11.

The clerk was asked to read an ordinance titled: AN ORDINANCE PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE OPERATION OF MISSISSIPPI COUNTY GOVERNMENT, INCLUDING INCREASES AND/OR CHANGES IN APPROPRIATIONS FOR CERTAIN DEPARTMENTS OF COUNTY GOVERNMENT FOR THE CALENDAR AND FISCAL YEAR OF 2023, AND FOR OTHER PURPOSES. Following the reading, Justice White moved to adopt, Justice Hepler seconded and the vote was Aye--- Ash, Brown, Burge, Cullom, Hepler, Jackson, Mangat, Martin, McClanahan, McDonald, and White; Nay---None; Absent--- None. O-2024-12.

The clerk was asked to read an ordinance titled: AN ORDINANCE AUTHORIZING/MODIFYING APPROPRIATIONS FOR THE FISCAL YEAR 2024 BUDGET. Following the reading, Justice White moved for adoption, Justice White moved for adoption, Justice Hepler seconded and the vote was: Aye--- Ash, Brown, Burge, Cullom, Hepler, Jackson, Mangat, Martin, McClanahan, McDonald, and White; Nay---None; Absent--- None. O-2024-13.

The clerk read an ordinance titled: AN APPROPRIATION ORDINANCE FUNDING CONSTRUCTION FOR NEW LANDFILL SCALEHOUSE. Following the reading, Justice McClanahan moved for adoption, Justice Burge seconded and the vote was: Aye--- Ash, Brown, Burge, Cullom, Hepler, Jackson, Mangat, Martin, McClanahan, McDonald, and White; Nay---None; Absent--- None. O-2024-14.

The clerk read an ordinance titled: AN APPROPRIATION ORDINANCE AUTHORIZING INCENTIVE COMMITMENT TO ATLAS TUBE. Following the reading, Justice White moved to adopt, Justice Burge seconded and the vote was: Aye--- Ash, Brown, Burge, Cullom, Hepler, Jackson, Martin, McClanahan, McDonald, and White; Nay---Mangat; Absent--- None. O-2024-15.

The clerk read an ordinance titled: AN APPROPRIATION ORDINANCE AUTHORIZING SITE PREPARATION ON THE ARKANSAS AEROPLEX. Following the reading, Justice White moved for adoption, Justice Ash seconded and the vote was: Aye--- Ash, Brown, Hepler, Jackson, Mangat, Martin, McClanahan, McDonald, and White; Nay---Burge; Abstain---Cullom; Absent--- None. O-2024-16.

There being no further business to come before the court, Justice White moved to adjourn, Justice Burge seconded and the voice vote was unanimous. The meeting adjourned at 7:15 p.m.

Respectfully submitted:

Janice Currie  
County Clerk/Secretary

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**QUORUM COURT  
MISSISSIPPI COUNTY, ARKANSAS  
Tuesday, April 23, 2024  
Osceola, Arkansas**

**6:00 p.m. REGULAR SESSION OF QUORUM COURT IN THE CIRCUIT COURTROOM OF THE  
OSCEOLA COURTHOUSE**

**AGENDA**

- 1. Call to Order**
- 2. Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Reading/Approval of Minutes**
- 6. Treasurer's Report – Cindy George**
- 7. Committee Reports**
  - Planning & Development 4/5/2024 Chairman Justice Michael White**
  - Energy & Property 4/10/2024 Chairman Justice Molly Jackson**
  - Planning & Development 4/11/2024 Chairman Justice Michael White**
  - Finance 4/15/2024 Chairman Justice Michael White**
- 8. Resolutions:**
- 9. Ordinances:**
  - Emergency Ordinance Declaring and Confirming the Moratorium on New Solar Farms**
  - Establish a Special Fund for the Road Department Grant Fund**
- 10. New Business**
- 11. Old Business**
- 12. Announcements**
- 13. Adjourn**

**PLANNING & DEVELOPMENT MEETING  
APRIL 5, 2024 1:30 ANNEX BUILDING**

**ATTENDANCE:** Chairman Justice Michael White; Justice Neil Burge; Justice Rick Ash; Justice Reggie Cullom; Justice Cecil McDonald; Justice Melinda Martin; Justice Harbans Mangat; Justice Molly Jackson; Justice Betty Hepler; Justice Tobbye McClanahan; Assessor Brannah Bibbs; Delta Mass Appraisals Andrew Hargett; Treasurer Candace Nichols; Economic Development Clif Chitwood; Collector Susan Short; County Clerk Janice Currie; Public Affairs Tom Henry; Judge John Alan Nelson; NEA Town Courier Revis Blaylock.

- 1. Meeting was called to order by Justice Michael White. The purpose of the meeting was to discuss solar farms. Meeting was turned over to Assessor Brannah Bibbs.**
  
  - 2. Assessor Brannah Bibbs handed out information on how on land values were assessed. (See attached). Land values for solar farms may change. They would go from agriculture to commercial. There were no set standards and other counties were not appraising the same way. Property taxes were 20% of the assessed value and then multiplied by the millage. School districts received 80%, 15% county and 5% cities. Assessor Brannah Bibbs said she was having trouble setting a solar number and locations. Discussion was held on abatements. Cities benefit from a 35% tax with pilot agreements.**
  
  - 3. Justice Cullom was concerned that abandoned agriculture land may never be farmed again. All businesses were affected by agriculture. Judge Nelson said we should be good stewards of the county and environment.**
  
  - 4. Justice Jackson requested to table the donation to the Johnny Cash Museum until the next meeting. There were no objections.**
  
  - 5. Meeting adjourned.**
- Minutes submitted by: Cindy George**

**ENERGY & PROPERTY MEETING  
APRIL 10, 2024 1:30 ANNEX BUILDING**

**ATTENDANCE:** Chairman Justice Molly Jackson; Justice Betty Hepler; Justice Rick Ash; Justice Drake Brown; Justice Michael White; Justice Harbans Mangat; Justice Tobye McClanahan; Justice Neil Burge; Justice Cecil McDonald; Warden Dycus; Collector Susan Short; EOC Priscilla Johnson; Public Affairs Tom Henry; Judge John Alan Nelson; NEA Town Courier Joseph Fondren.

- 1. Meeting was called to order by Justice Molly Jackson. The Agenda was amended to include the Annex building.**
  - 2. Priscilla Johnson with EOC requested help with the roof in Osceola. One estimate had been received. \$31,000.00. The Court was interested in helping with the roof but requested more information. Information would be gathered and presented to the Court.**
  - 3. Warden Dycus with the Arkansas Division of Corrections presented an expansion of the facilities. The land was not owned by ADC. The request was for the county to deed the land to ADC. Motion was made by Justice Rick Ash to deed the land to ADC with a clause if ADC vacated the site it would be returned to the county. Second was made by Justice Betty Hepler. Motion passed.**
  - 4. Update on the Osceola Courthouse. Aaron Ruby was now under contract for the Osceola Courthouse. A preliminary plan would be developed. An easement was on the Courthouse and an approval of the plans were needed. Cornice work would be installed soon. Present HVAC replaced and courtroom repaired, replacing glass doors and globes. \$1.5 million.**
  - 5. Security system didn't work properly. No codes had ever been given out. Fire Department asked to have smoke detectors/carbon monoxide installed. NET estimate was to replace all smoke detectors. \$2,795.00. Silent Security just replace the older ones. \$3,776.00. No action needed. Budget had the money.**
  - 6. Paper records needed to be removed or stored in filing cabinets in the basement.**
  - 7. Annex building. David Fox with Entergy was given information to replace the LED lights. HVAC could be done the same way. Two estimates on the roof were received. Sierra Group \$141,000.00 and \$31,000.00. Quality Roofing. \$121,000.00. May be able to use the Tip Tap program and not bid the project.**
  - 8. Open house in May would be held in May for the Blytheville Health Department.**
  - 9. CNI 's contract had been terminated in the Blytheville Courthouse. Negotiations would be held for final payments.**
  - 10. Meeting adjourned.**
- Minutes submitted by: Cindy George**

**PLANNING & DEVELOPMENT MEETING  
APRIL 11, 2024 1:30 ANNEX BUILDING**

**ATTENDANCE:** Chairman Justice Michael White; Justice Neil Burge; Justice Rick Ash; Justice Cecil McDonald; Justice Melinda Martin; Justice Harbans Mangat; Justice Drake Brown; Justice Molly Jackson; Justice Betty Hepler; Justice Tobbye McClanahan; Treasurer Candace Nichols; Collector Susan Short; County Clerk Janice Currie; Economic Development Clif Chitwood; Mallory Darby; Assessor Brannah Bibbs; Mayor Randy Moody; Bart & Debbie Dixon; Mitchell Williams Law Firm Michele Allgood; J. Scott Schallhorn; Nextera Nick Jasman; Garrett Kokal; Jason Shearon; Kathryn Dial; Meleissa Hochmuth; Chris Cothran; Chris Ollson; Cody Shreves; BRS Michele Vachhon; Dennis Prude; Linda Moore; NEA Town Courier Joseph Fondren.

1. Meeting was called to order by Justice Michael White. Nextera brought experts from every field in their company to answer questions. The meeting was turned over to Chris Cockran Executive Director of Development. Mr. Cochran handed out information on Health & Safety for solar projects and general information. (See attached.)

2. Nextera had three current sites in Mississippi County. Forge View Solar, Manila Solar, Green Mallard Solar. Projects financed with Act 9 bonds. (Tax Abatements). Assessor had questions if bonds were reported.

3. Floor was opened for discussion. Cultural surveys were conducted thru State level data bases. Letters were sent to Tribes that may have an interest. Undocumented cemeteries were throughout the county. Artifacts that were found were reported and Tribes notified. Brannah Bibbs would be given the information for tax abatements. 13 entities were looking at building solar fields in Mississippi County.

4. Solar panels could be taken to the landfill or recycled. Panels would not leak any components if damaged. Panels were designed for 140 mile per hour winds. Soil scientists had done research and the soil would be better from an agriculture standpoint after 20 or 30 years. Foliage control was low ground cover and maintained locally. Fires would be controlled by the local fire departments. All panels could be controlled from Florida.

5. Nextera requested the Court consider the Ordinance for the moratorium to allow them to continue. The three Nextera projects were not new and didn't apply to them. Justice Ash thought a perimeter should be included in the Ordinance. Motion was made by Justice Rick Ash to pass an Ordinance to allow Nextera to continue with their three projects that had been started. Second was made by Justice Neil Burge. Motion passed.

6. Meeting adjourned.

Minutes submitted by: Cindy George

**FINANCE COMMITTEE MEETING  
APRIL 15, 2024 1:30 ANNEX BUILDING**

**ATTENDANCE:** Chairman Justice Michael White; Justice Molly Jackson; Justice Neil Burge; Justice Cecil McDonald; Justice Rick Ash; Justice Betty Hepler; Treasurer Candace Nichols; County Clerk Janice Currie; Collector Susan Short; NEA Town Courier Joseph Fondren.

**1. Meeting was called to order by Justice Michael White. There had been a person hired for payroll. Monthly expenses were on target. Nextera request didn't have to go to Finance.**

**2. A Road Grant Fund needed to be established for the Safe Streets Project. County spent first and then was reimbursed by the Grant. Motion was made by Justice Molly Jackson to set a fund up for the Safe Streets Project. Second was made by Justice Neil Burge. Motion passed.**

**3. Finance Director requested to set up a line item for the Day Porter position for expenses. The request was tabled until Kelli Jones was present to answer some questions.**

**4. Quorum Court Tuesday April 23, 2024 at 6:00 p.m. Osceola Courthouse.**

**5. Meeting adjourned**

**Minutes submitted by: Cindy George**

1 MISSISSIPPI COUNTY QUORUM COURT

2  
3 ORDINANCE NO. O-2024-\_\_\_\_\_

4  
5 *AN EMERGENCY ORDINANCE DECLARING AND CONFIRMING THE TEMPORARY*  
6 *MORATORIUM ON NEW NON-RESIDENTIAL SOLAR FARMS IN THE UNINCORPORATED*  
7 *PARTS OF MISSISSIPPI COUNTY IS INAPPLICABLE TO CERTAIN PROJECTS AND*  
8 *AUTHORIZING THE EXECUTION AND DELIVERY OF ROAD USE AGREEMENTS*  
9

10 **WHEREAS**, on February 27, 2024, the Quorum Court of Mississippi County, Arkansas  
11 enacted Ordinance No. O-2024-08 declaring a 180-day moratorium on the construction of non-  
12 residential solar farm facilities in the unincorporated parts of Mississippi County; and

13  
14 **WHEREAS**, the Quorum Court did not intend for the moratorium to apply to non-  
15 residential solar farm facilities on which development had commenced prior to the moratorium  
16 ordinance being enacted; and

17  
18 **WHEREAS**, NextEra Energy Resources (“NextEra”) made a presentation to and  
19 answered questions asked by the Planning and Development Committee of the Mississippi  
20 County, Arkansas Quorum Court, other members of the Quorum Court, other elected officials,  
21 and members of the public at a meeting of the Committee on April 11, 2024 at the Mississippi  
22 County Annex Building in Blytheville, Arkansas (the “Presentation”); and

23  
24 **WHEREAS**, the Presentation covered a variety of general topics, including, how projects  
25 are sited, statistical information relating to solar development in Mississippi County, health and  
26 safety considerations relating to solar facilities, the decommissioning of solar facilities and the  
27 disposal and recycling of solar panels, the tax impact of NextEra projects in Mississippi County,  
28 and the interconnection process, and specifically addressed and provided information regarding  
29 three NextEra projects under development in Mississippi County, the Forgeview Solar Project,  
30 the Manila Solar Project, and the Green Mallard Solar Project (each as specifically defined  
31 herein); and

32  
33 **WHEREAS**, NextEra has requested, and the Planning and Development Committee has  
34 recommended, that the Quorum Court confirm that the Forgeview Solar Project, the Manila  
35 Solar Project, and the Green Mallard Solar Project (each as specifically defined herein) do not  
36 fall within the scope of the moratorium set forth by Ordinance No. O-2024-08; and

37  
38 **WHEREAS**, the Quorum Court verifies that development of the Forgeview Solar  
39 Project, the Manila Solar Project, and the Green Mallard Solar Project (each as specifically  
40 defined herein) commenced prior to Ordinance No. O-2024-08 being enacted and that those  
41 projects are not “new non-residential solar farm facilities” to which the moratorium is intended  
42 to apply; and

43  
44 **WHEREAS**, the Quorum Court confirms that it has knowledge of the Forgeview Solar  
45 Project, the Manila Solar Project, and the Green Mallard Solar Project and/or has been provided



1 with information that it deems sufficient, in its sole and absolute discretion, to confirm that the  
2 moratorium is not applicable to such projects.

3  
4 **NOW, THEREFORE**, be it ordained by the Quorum Court of Mississippi County,  
5 Arkansas, that:

6  
7 **SECTION 1:** The moratorium imposed by Ordinance No. O-2024-08 is not intended to  
8 apply and shall not apply to the following non-residential solar farm facilities:

- 9  
10 1. Forgeview Solar Project developed by Forgeview Solar, LLC, an affiliate of NextEra,  
11 and generally described as construction of infrastructure and improvements, and  
12 acquisition and installation of equipment, including solar panels and/or batteries,  
13 utilized in environmentally sustainable generation and/or storage of electricity and  
14 related to a photovoltaic solar energy facility on approximately 2,000 acres of land  
15 that is north and east of the City of Blytheville, is currently used primarily as  
16 farmland, is located within all or portions of Sections 1, 2 and 12, Township 15  
17 North, Range 11 East, Sections 25, 35, and 36, Township 16 North, Range 11 East,  
18 Section 6, Township 15 North, Range 12 East and Section 31, Township 16 North,  
19 Range 12 East, and is bisected by Interstate 55 (the “Forgeview Solar Project”).  
20  
21 2. Manila Solar Project developed by Manila Solar, LLC, an affiliate of NextEra, and  
22 generally described as construction of infrastructure and improvements, and  
23 acquisition and installation of equipment, including solar panels and/or batteries,  
24 utilized in environmentally sustainable generation and/or storage of electricity and  
25 related to a photovoltaic solar energy facility on approximately 2,700 acres of land  
26 that is south and west of the City of Blytheville, is currently used primarily as  
27 farmland, is located within all or portions of Sections 23, 24, 25, 26, 31 and 36,  
28 Township 15, Range 10; Sections 5 and 7, Township 14, Range 10; and Section 19  
29 and 30, Township 15, Range 11 in Mississippi County, Arkansas, and is bisected by  
30 Arkansas Highway 18 (the “Manila Solar Project”).  
31  
32 3. Green Mallard Solar Project developed by Green Mallard Solar, LLC, an affiliate of  
33 NextEra, and generally described as construction of infrastructure and improvements,  
34 and acquisition and installation of equipment, including solar panels, utilized in  
35 environmentally sustainable generation of electricity and related to a photovoltaic  
36 solar energy facility on approximately 2,000 acres of land that is generally northwest  
37 and southwest of the Town of Dell, is currently used primarily as farmland, is located  
38 within all or portions of Sections 23, 24, 26, 31, and 32, Township 15, Range 10;  
39 Sections 5, 7 and 8, Township 14, Range 10; and Sections 19 and 30, Township 15,  
40 Range 11 in Mississippi County, Arkansas, and is bisected by Arkansas Highway 18  
41 (the “Green Mallard Solar Project”).  
42

43 **SECTION 2:** Except as to the projects set out in Section 1 of this Ordinance above, this  
44 Ordinance does not otherwise amend, supplement, or modify Ordinance No. O-2024-08.  
45



1 MISSISSIPPI COUNTY QUORUM COURT

2  
3 ORDINANCE NO. O-2024-\_\_\_\_\_

4  
5 AN ORDINANCE TO ESTABLISH A SPECIAL FUND TO BE CALLED THE ROAD DEPARTMENT  
6 GRANT FUND; AND TO DECLARE AN EMERGENCY

7  
8 **Article 1. Affirmation.** It comes before this Court that there is a need to establish a Road Department  
9 Grant Fund- Fund 2900 on the books of the county to track revenues and expenditures surrounding the Safe  
0 Streets For All matching grant. This Court recognizes and affirms the need for such a fund to properly account  
1 for and control all such revenues allowed and expenditures made.

2  
3 **Article 2. Establishment of Fund.** There is hereby created on the books of the Mississippi County  
4 Treasurer and the books of the Mississippi County Clerk or Comptroller a special revenue grant fund to be  
5 known as the Road Department Grant Fund. The fund number is 2900. Any transfer codes; office/department  
6 codes; and expenditure codes are to be assigned locally using the County Financial Management System per the  
7 direction of Arkansas Legislative Audit.

8  
9 **Article 3. Operation of Fund.** The Road Department Grant Fund is subject to all the normal county  
0 budgeting, appropriation, and expenditure regulations of Title 14 of Arkansas Code Annotated and the County  
1 Financial Management System. The grant will be used to hire a firm to complete a traffic study and for other  
2 related purposes.

3  
4 **Article 4. Emergency Clause.** It is found by this Court that the receipt of Road Department Grant Fund  
5 for the Safe Streets For All grant is imminent or already received making it necessary to establish the Road  
6 Department Grant Fund in order to properly track the revenue and appropriated expenditures. Therefore, an  
7 emergency is declared to exist and this ordinance shall be in full force and effect from the date of passage and  
8 approval.

9  
0  
1  
2 DATE: \_\_\_\_\_

APPROVED:

3  
4  
5  
6 \_\_\_\_\_

7 JOHN ALAN NELSON, COUNTY JUDGE

8  
9  
0 ATTEST:

1  
2  
3 \_\_\_\_\_

4  
5 JANICE CURRIE, COUNTY CLERK  
6 & SECRETARY