

## BAXTER COUNTY QUORUM COURT AGENDA

JANUARY 8, 2019

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON TUESDAY, JANUARY 8, 2019 AT 6:00 PM IN THE 2<sup>ND</sup> FLOOR COURTROOM OF THE COURTHOUSE, WITH JUDGE MICKEY PENDERGRASS PRESIDING.

- CALL TO ORDER
- DISPOSITION OF MINUTES FROM PREVIOUS MEETING
- LEGISLATIVE AUDIT REPORT
- COMMITTEE REPORTS
- NEW BUSINESS
  1. AN ORDINANCE ESTABLISHING PROCEDURES FOR THE BAXTER COUNTY QUORUM COURT FOR THE FISCAL YEARS 2019-2020.
  2. AN ORDINANCE DESIGNATING THE BAXTER COUNTY SHERIFF'S DEPARTMENT AS THE COLLECTOR OF ALL FINES ASSESSED IN CIRCUIT COURT AND ALL COUNTY FINES ASSESSED IN DISTRICT COURT.
  3. (*2<sup>nd</sup> Reading*) AN ORDINANCE ADOPTING REVISIONS AND ADDITIONS TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL DATED APRIL 2007.
  4. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF NOVEMBER TO THE SHERIFF'S DEPARTMENT 2018 BUDGET.
  5. AN ORDINANCE APPROPRIATING FUNDS TO THE JUVENILE SERVICES DEPARTMENT BUDGET.
  6. AN ORDINANCE PROVIDING FOR FUNDING OF MISSING ITEMS IN THE BUDGET FOR BAXTER COUNTY, ARKANSAS FOR THE PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019..
  7. A RESOLUTION CONFIRMING THE APPOINTMENT OF LEON ALEXANDER BY THE COUNTY JUDGE TO THE RODNEY-JORDAN VOLUNTEER FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
  8. A RESOLUTION CONFIRMING THE APPOINTMENT OF BILL BLACK BY THE COUNTY JUDGE TO THE HENDERSON AREA FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
- ANNOUNCEMENTS:
- ADJOURNMENT

ORDINANCE NO. 2019 - \_\_\_\_\_

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BAXTER, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE ESTABLISHING PROCEDURES FOR THE BAXTER COUNTY QUORUM COURT FOR FISCAL YEARS 2019 AND 2020.

WHEREAS, the Baxter County Quorum Court is required by Arkansas Code Annotated §14-14-904 to determine its rules of procedure in order to properly conduct the business of county government.

NOW THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BAXTER COUNTY, ARKANSAS, THAT:

**Section 1:** The Quorum Court of Baxter County, Arkansas adopts in its entirety the rules of procedure as stated in the *Procedural Guide for Arkansas County Quorum Court Meetings*, published by the Association of Arkansas Counties. In those instances where this guide does not explicitly address the situation, Robert's Rules of Order Newly Revised (RONR) shall be the standard procedural guide for all meetings.

**Section 2:** Meeting Dates.

- (a) The regular monthly meeting of the Baxter County Quorum Court shall be held on the first Tuesday of each month, beginning at 6:00pm, in the 2<sup>nd</sup> floor courtroom of the Baxter County Courthouse.
- (b) If the date of the regular meeting needs to be rescheduled, the County Judge is authorized and empowered to choose another date for the Quorum Court to meet. The County Judge shall notify the Court Clerk of the date, and the County Clerk shall notify all member of the Quorum Court not less than four (4) days prior to the new meeting date.

**Section 3:** Order of Business

- (a) The following Order of Business shall apply to regular and special called meeting of the Quorum Court:
  - (1) Call to Order and Roll Call
  - (2) Pledge of Allegiance and Moment of Silent Prayer
  - (3) Disposition of Minutes from Previous Meeting
  - (4) Committee Reports
  - (5) Unfinished Business
  - (6) New Business
  - (7) Comments/Questions from the Public
  - (8) Announcements
  - (9) Adjournment

- (b) The procedure distribution of the Quorum Court Agenda was established in Baxter County Ordinance 2013-01, Section 4: The office of the County Clerk shall distribute, via electronic or US Mail, the Quorum Court agenda and supporting documentation at least seven (7) days prior to the Quorum Court meeting.

**Section 4: Committee Appointments**

- (a) The following standing committees have been established:
  - (1) Budget Committee, comprised of five (5) members
  - (2) Building Committee, comprised of five (5) members
  - (3) Environmental Committee, comprised of five (5) members
  - (4) Economic Development Committee, comprised of five (5) members
  - (5) Legislative Affairs Committee, comprised of five (5) members
  - (6) Personnel Committee, comprised of five (5) members
  - (7) Rural Fire Committee, comprised of all justices in whose district there exists a rural fire department.
- (b) The County Judge shall appoint members to the standing committees and to the ad hoc committees from the members of the Quorum Court. Appointments shall be made at the beginning of the Quorum Court's new term and before the February meeting of that term.

**Section 5: Per Diem**

- (a) All justices of the peace of the quorum court shall receive a per diem of \$325.00 for each regular scheduled meeting. *(see Section 2 (a))*
- (b) All justices of the peace who attend their assigned committee meetings shall receive a per diem of \$50.00 per meeting
- (c) In the event a member of the Quorum Court incurs expenses in the pursuit of official county business, he/she may request reimbursement for such expenses. To receive reimbursement, the member must submit to the County Judge the original, itemized receipts for all expenses and provide a description and explanation of the county business conducted. Approval for overnight expense reimbursement must be obtained from the County Judge in advance of this activity.

**Section 6. Repealer.** This ordinance shall repeal that part of any previous ordinance with which it conflicts.

**Section 7. Emergency Clause.** This Ordinance shall be effective immediately upon passage by the Quorum Court.

APPROVED:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

Sponsor: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: \_\_\_\_\_

*(revised 1/8/2019)*

**ORDINANCE NO. 2019 –**

**BE IT ENACTED BY THE QUORUM COURT OF BAXTER COUNTY, STATE OF ARKANSAS,  
AN ORDINANCE TO BE ENTITLED:**

**AN ORDINANCE DESIGNATING THE BAXTER COUNTY SHERIFF'S  
DEPARTMENT AS THE COLLECTOR OF ALL FINES ASSESSED IN  
CIRCUIT COURT AND ALL COUNTY FINES ASSESSED IN DISTRICT  
COURT.**

**WHEREAS**, Act 1262 of 1995, Section 9, of the Arkansas General Assembly requires that each county quorum court designate a county official, agency, department, or private contractor to be responsible for the collection of fines assessed upon defendants in the circuit courts of the state of Arkansas; and

**WHEREAS**, ACA 16-13-709 (2) (A) requires “that each governing body of a political subdivision which contributes to the expenses of a district court shall designate a county, town, or city official, agency, or department who shall be primarily responsible for the collection of fines assessed in the district courts of the state of Arkansas.”

**WHEREAS**, the Baxter County Sheriff's Department has agreed to continue serving as the collector of all such fines assessed in the Circuit Court and all County fines assessed in the District Court of Baxter County.

**NOW THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BAXTER  
COUNTY, ARKANSAS, THAT:**

**Section 1.** The Baxter County Sheriff's Department is hereby designated as the collector of all fines assessed in the Circuit Court and all County fines assessed in District Court of Baxter County for fiscal year 2019.

**Section 2.** This Ordinance is to amend and update Baxter County Code § 210.00 and be codified therein.

APPROVED:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed:\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

SPONSOR: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

Votes: For:\_\_\_\_\_ Against:\_\_\_\_\_

Abstain:\_\_\_\_\_ Present:\_\_\_\_\_ Absent:\_\_\_\_\_

**ORDINANCE NO. 2019 –**

(2nd READING)

**BE IT ENACTED BY THE QUORUM COURT OF BAXTER COUNTY, STATE OF ARKANSAS,  
AN ORDINANCE TO BE ENTITLED:**

**AN ORDINANCE ADOPTING REVISIONS AND ADDITIONS TO THE BAXTER  
COUNTY PERSONNEL POLICY MANUAL DATED APRIL 2007.**

**WHEREAS**, it has been determined by the Baxter County Courts Personnel and Budget Committees that changes, additions and new upgrades in the Baxter County Personnel Policy manual are necessary to improve the overall effectiveness and efficiency of the Baxter County Government; and

**WHEREAS**, it is the desire of Baxter County Personnel Committee that proper evidence has been provided by the Human Resources Department of Baxter County, and input from all elected officials and department heads to upgrade said policy; and

**WHEREAS**, Baxter County has been provided evidence through a wage study authorized by the Court, to establish new grade and wage scale guidelines for Baxter County employees; so

**NOW THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BAXTER  
COUNTY, ARKANSAS, THAT:**

**Section 1.** The Baxter County Quorum Court hereby approves the changes and additions, as shown by attached Exhibit "A", and are hereby approved and implemented.

**Section 2.** If any provision or section of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions and sections on the Ordinance and shall be severable.

**Section 3.** This Ordinance is to be codified in the Baxter County Code of Ordinances, §240.00, paragraphs (1) and (2) and supersedes all previous Personnel Policies coded therein.

**Section 4.** This Ordinance being necessary for the preservation of public peace, health, and safety, an emergency is hereby declared. This Ordinance shall be in place full force and in effect March 1, 2019, after its passage, and dated as such on the attached policy.

APPROVED:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

SPONSOR: Baxter County Quorum Courts Personnel Committee

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: \_\_\_\_\_



APPROPRIATION ORDINANCE NO. 2019 - \_\_\_\_\_

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BAXTER, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF NOVEMBER TO THE SHERIFF'S DEPARTMENT 2018 BUDGET.

WHEREAS, the Sheriff's Department has collected the following fees, reimbursements and donations in excess of the anticipated budgeted revenue amount in the month of November, 2018:

\$ 90.00 received from DWI Fines from District Court  
\$ 150.00 received from Drug Enforcement Fines from District Court  
\$ 2,834.90 received from Act 770 fees  
\$ 20.00 received for Black Powder Prints  
\$ 354.50 reimbursement for Inmates' Postcards and 309's Cable Bill  
\$ 99.19 received for Inmates' Medical Reimbursement  
\$ 176.64 reimbursement for Inmates' Prescriptions  
\$ 25.00 received for VIN checks  
\$ 11.00 reimbursements for General Supplies  
\$ 400.00 received for Inmates Social Security  
\$ 316.00 reimbursement: overpayment Medical, Dental and Hospital  
\$ 650.00 received for donations  
\$27,659.34 received from AAC Insurance

WHEREAS, it is necessary to appropriate said monies totaling \$32,786.57 to the appropriate line items in the Sheriff's Department 2018 budget.

**Section 1.** There is hereby appropriated from the 2018 County General Fund (#1000) the following designated sums of money for the following designated expenditures:

\$ 2,890.90 to GL# 1000-0400-2001 (General Supplies)  
\$ 90.00 to GL# 1000-0400-2007 (Fuel, Oil, Lubricants)  
\$ 176.64 to GL# 1000-0418-2004 (Jail: Medicine & Drugs)  
\$ 354.50 to GL# 1000-0418-2011 (Jail: General Supplies)  
\$ 815.19 to GL# 1000-0418-3006 (Jail: Medical & Hosp.)  
\$27,659.34 to GL# 1000-0400-4005 (Sheriff: Vehicle Purchasing)

**Section 2.** There is hereby appropriated from the 2018 Sheriff's Special Projects Fund (#3400) the following designated sum of money for the following designated expenditure:

\$150.00 to GL# 3400-0400-2065 (Drug Enforcement)

\$650.00 to GL# 3400-0400-2001 (General Supplies)

APPROVED:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

SPONSOR: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: \_\_\_\_\_

APPROPRIATION ORDINANCE NO. 2019 - \_\_\_\_\_

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BAXTER, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE APPROPRIATING FUNDS TO THE JUVENILE SERVICES DEPARTMENT BUDGET.**

**WHEREAS**, \$1,951.45 which has been collected in excess of the anticipated budgeted revenue amount is appropriated for Juvenile Services Building; and

**WHEREAS**, it is necessary to appropriate funds in the amount of \$1,951.45 from County General to the line item in the Juvenile Services Department budget for future expenditures.

**WHEREAS**, a new line item in the Juvenile Services budget needs to be established which is 1000-0415-4002 Buildings and will be funded from within Juvenile Services current budget in the amount of \$7,000.00

**WHEREAS**, these monies will be appropriated from the below GL line item balances, to cover the \$7,000.00 expense for the 2018 part of building.

**NOW THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BAXTER COUNTY, ARKANSAS, THAT:**

**Section 1.** The Baxter County Quorum Court authorizes the IT Manager to make the following appropriation within the Juvenile Services Department budget:

\$1,951.45 appropriated into GL# 1000-0415-4002 (Juvenile Services Building)

- \$ 954.36 from 1000-0415-3009 (Other Prof. Serv) to 1000-0415-4002 (Building)
- \$ 6.21 from 1000-0415-3015 (Assoc. Risk Man) to 1000-0415-4002 (Building)
- \$ 100.94 from 1000-0415-3020 (Telephone/Fax) to 1000-0415-4002 (Building)
- \$ 956.19 from 1000-0415-3021 (Postage) to 1000-0415-4002 (Building)
- \$1,439.11 from 1000-0415-3030 (Travel) to 1000-0415-4002 (Building)
- \$1,000.00 from 1000-0415-3040 (Advertising) to 1000-0415-4002 (Building)
- \$ 78.43 from 1000-0415-3053 (Fleet Liability) to 1000-0415-4002 (Building)
- \$ 513.31 from 1000-0415-3101 (Ed/Training) to 1000-0415-4002 (Building)

APPROVED:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

Sponsor: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: \_\_\_\_\_

APPROPRIATION ORDINANCE NO. 2019 - \_\_\_\_\_

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BAXTER,  
STATE OF ARKANSAS, AN APPROPRIATION ORDINANCE TO BE ENTITLED:**

**AN ORDINANCE PROVIDING FOR FUNDING OF MISSING ITEMS IN  
THE BUDGET FOR BAXTER COUNTY, ARKANSAS FOR THE  
PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER  
31, 2019 AND OTHER BUDGETARY CHANGES.**

**Whereas, Annual Budget Adopted by Reference.** The annual budget for calendar year 2019, identified as "2019 ANNUAL BUDGET, BAXTER COUNTY, ARKANSAS" was adopted by reference (Ordinance 2018-47). A copy of this ordinance and the referenced budget was filed in the office of the Baxter County Clerk and shall be available for inspection by any person during normal working hours.

**Whereas, County Jail.** It has been discovered that some General Line items were inadvertently left out and unfunded in the 2019 Annual Budget for the Baxter County Jail.

**Whereas, Parts and Repair's along with Medical and Hospital.** It has been discovered that these two line items were missing in the 2019 Budget. It is necessary that these items be funded going forward in 2019 for the operation of the County Jail.

**Whereas, Risk Management.** The Baxter County Jail budget was divided into two sections because of the new funding that begins in 2019. The first six (6) months will be funded from the County General Account, and the second six (6) months will be funded from the new revenue stream 3401 (Baxter County Jail Maintenance & Operation Fund) from the one quarter (1/4) cent sales tax beginning January 1, 2019. The funding of the Risk Management fund was also divided between these two funds but it is necessary to pay this line item in the first six (6) months of the year. This will require us to move all that Risk Management funding into the County General Fund for payment when due.

**Whereas, Revenue.** There is sufficient revenue to fund these items in their respective budget areas.

**Whereas,** it is necessary to appropriate the designated funds in the designated amounts below, for future expenses in the Baxter County Jail Budget.

**Whereas,** This Ordinance, being necessary for the protection and preservation of public health and safety, an emergency is hereby declared to exist and this Ordinance shall be in force and shall take effect upon passage and publication.

NOW THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BAXTER COUNTY, ARKANSAS, THAT:

**Section 1.** The Baxter County Quorum Court authorizes the IT Manager to make the following changes and appropriation within the Baxter County Jail Budget.

- A. Add the missing General Ledger number 1000-0418-2023 (Parts and Repairs) and add \$17,000.00
- B. Add the missing General Ledger number 1000-0418-3006 (Medical and Hospital) and add \$24,000.00
- C. Add the missing General Ledger number 3401-0418-2023 (Parts and Repairs) and add \$17,000.00.
- D. Add the missing General Ledger Number 3401-0418-3006 (Medical and Hospital) and add \$24,000.00.

**Section 2.** \$6,000.00 is re-appropriated from GL# 3401-0418-3015(Assn Risk Management) to GL# 1000-0418-3015 (Assn Risk Management).

APPROVED:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

Sponsor: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_ Present: \_\_\_\_\_

RESOLUTION NO. 2019 - \_\_\_\_\_

**A RESOLUTION CONFIRMING THE APPOINTMENT OF LEON ALEXANDER BY THE COUNTY JUDGE TO THE RODNEY- JORDAN VOLUNTEER FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.**

**BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BAXTER, STATE OF ARKANSAS, THAT:**

**WHEREAS**, a member of the Rodney-Jordan Volunteer Fire Protection District Board of Commissioners, Robert Kilpatrick, is unable to complete his three-year term on the Board..

**Section 1.** The Quorum Court hereby confirms the following person to complete the three-year term on the Rodney-Jordan Volunteer Fire Protection District Board of Commissioners, set to expire October, 2021:

LEON ALEXANDER

**Section 2.** This resolution shall be in full force and effect from and after its passage and approval.

APPROVAL:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

Sponsor: Ty Chapman, JP-11

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: \_\_\_\_\_

RESOLUTION NO. 2019 - \_\_\_\_\_

**A RESOLUTION CONFIRMING THE APPOINTMENT OF BILL BLACK BY THE COUNTY JUDGE TO THE HENDERSON AREA FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.**

**BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BAXTER, STATE OF ARKANSAS, THAT:**

**WHEREAS**, a member of the Henderson Area Fire Protection District Board of Commissioners, Jana Perryman, is unable to complete her three-year term on the Board.

**Section 1.** The Quorum Court hereby confirms the following person to complete the three-year term on the Henderson Area Fire Protection District Board of Commissioners, set to expire October 2021:

BILL BLACK

**Section 2.** This resolution shall be in full force and effect from and after its passage and approval.

APPROVAL:

\_\_\_\_\_  
MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CANDA J. REESE, COUNTY CLERK

Sponsor: R. Lowery, JP-3

Date Adopted: \_\_\_\_\_

Votes: For: \_\_\_\_\_ Against: \_\_\_\_\_

Abstain: \_\_\_\_\_ Present: \_\_\_\_\_ Absent: \_\_\_\_\_