

BAXTER COUNTY QUORUM COURT AGENDA
JANUARY 5, 2021

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON TUESDAY, JANUARY 5, 2021 AT 6:00 PM IN THE 2ND FLOOR COURTROOM OF THE COURTHOUSE, WITH JUDGE MICKEY PENDERGRASS PRESIDING.

- SWEARING IN CEREMONY
- CALL TO ORDER
- DISPOSITION OF MINUTES FROM PREVIOUS MEETING
- COMMITTEE REPORTS:
- NEW BUSINESS:
 1. AN ORDINANCE ESTABLISHING PROCEDURES FOR THE BAXTER COUNTY QUORUM COURT FOR FISCAL YEARS 2021 AND 2022.
 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. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF NOVEMBER TO THE SHERIFF'S DEPARTMENT 2020 BUDGET.
 4. AN ORDINANCE TO ESTABLISH THE E-WASTE GRANT FUND; AND TO DECLARE AN EMERGENCY AND APPROPRIATE FUNDS.
 5. AN ORDINANCE TO AMEND ORDINANCE NO. 2020-45: "AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$4,721.66 FROM THE CLERK'S ELECTION GRANT (CTCL) FUND #3450 INTO LAW ENFORCEMENT CLERK'S CONTRACT FUND #1000" AND RE-APPROPRIATING FUNDS THAT WERE NOT USED BACK TO FUND #3450.
 6. A RESOLUTION AUTHORIZING THE BAXTER COUNTY JUDGE TO APPLY FOR A GRANT ON BEHALF OF THE GALATIA COMMUNITY.
 7. A RESOLUTION CONFIRMING THE APPOINTMENT OF CLYDE J. SMITH BY THE COUNTY JUDGE TO THE HENDERSON FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
 8. A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF DIANNE BEAMAN AND DAVE MATTY BY THE COUNTY JUDGE TO THE COTTER/GASSVILLE RURAL FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
- ANNOUNCEMENTS:
- ADJOURNMENT

ORDINANCE NO. 2021 - _____

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 2021 AND 2022.

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 2nd 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: _____

ORDINANCE NO. 2021 –

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 2021.

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: _____

APPROPRIATION ORDINANCE NO. 2021 - _____

BE IT ENACTED BY THE QUORUM COURT OF BAXTER COUNTY, 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 2020 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, 2020:

- \$ 42.50 received from DWI Fines from District Court
- \$ 65.00 received from Drug Enforcement Fines from District Court
- \$ 1,480.00 received from Act 770 fees
- \$ 3,465.22 received for Installment Fees
- \$ 800.00 received for Inmate Social Security
- \$ 460.00 received for Sale of Scrap Parts
- \$ 180.00 received for reimbursement (Cotter Part-time SRO)
- \$ 622.01 reimbursement (Insurance)
- \$ 158.72 reimbursement Inmates' Medical
- \$ 70.00 reimbursement for Court Ordered Restitution (Extradition – Reserve Per Diem)
- \$ 443.57 reimbursement for Inmates' Prescriptions
- \$ 360.00 reimbursement Court Ordered Restitution (Extradition Prisoner Transport)
- \$ 45.00 reimbursement Court Ordered Restitution (Medical Bills)

WHEREAS, it is necessary to appropriate said monies totaling **\$8,192.02** to the appropriate line items in the Sheriff's Department 2020 budget.

Section 1. There is hereby appropriated from the 2020 County General Fund (#1000) **\$2,684.51** for the following designated expenditures:

- \$ 1,480.00 to GL# 1000-0400-2001 (Sheriff: General Supplies)
- \$ 402.50 to GL# 1000-0400-2007 (Sheriff: Fuel, Oil, Lubricants)
- \$ 622.01 to GL# 1000-0400-2023 (Sheriff: Parts and Repair)
- \$ 180.00 to GL# 1000-0400-1003 (Sheriff: Extra Help)

Section 2. There is hereby appropriated from the 2020 County Jail Fund (#3401) **\$1,517.29** for the following designated expenditures:

- \$ 70.00 to GL# 3401-0418-1099 (Jail: Transport For Prisoners)
- \$ 443.57 to GL# 3401-0418-2004 (Jail: Medicine & Drugs)
- \$ 1,003.72 to GL# 3401-0418-3006 (Jail: Medical, Dental & Hospital)

Section 3. There is hereby appropriated from the 2020 Sheriff's Special Projects Fund (#3400) \$3,990.22 the following designated expenditures:

- \$ 65.00 to GL# 3400-0400-2065 (Drug Enforcement - Sheriff's Projects)
- \$ 3,465.22 to GL# 3400-0400-3003 (Computer Services – Sheriff's Projects)
- \$ 460.00 to GL# 3400-0400-2001 (General Supplies- Sheriff's Projects)

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. 2021 - _____

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

**AN ORDINANCE TO ESTABLISH THE E-WASTE GRANT FUND; AND TO DECLARE AN
EMERGENCY AND APPROPRIATE FUNDS.**

Article 1. AFFIRMATION. It comes before this Court that there is a need to establish a fund on the books of the County Treasurer as sub fund of the County General Fund (#1000) to track revenues and expenditures of the E-waste grant funds disbursed by the Ozark Solid Waste District. This Court recognizes and affirms the need for such a fund to properly account for, control, and report expenditures affiliated with E-waste.

Article 2. ESTABLISHMENT OF FUND. There is hereby created on the books of the Baxter County Treasurer a fund to be known as the E-Waste Grant Fund with a fund number of 1900 as assigned by the Arkansas Legislative Audit. The Revenue Code for the E-waste funds received to this fund is 7010

Article 3. OPERATION OF THE FUND. The E-Waste Grant Fund is subject to all the normal county budgeting, appropriation and expenditure regulations of Arkansas Code Annotated, Title 14 and by the County Financial Management System. As a sub fund of the County General Fund any balance in the fund is considered accruable to County General and is part of the general fund balance in aggregate as defined in A.C.A. 14-15-805(3). Any revenue received from the E-Waste Grant Fund shall be used exclusively for E-waste expenditures.

Article 4. Emergency Clause. It is found by this Court that since revenues from this source were received in December 2020 it is fundamentally necessary to establish the E-Waste Grant Fund immediately in order to properly track the revenue, expenditures and appropriated transfers. Therefore, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of passage and approval.

WHEREAS, Baxter County has received funds from the Ozark Mountain Solid Waste District for E-Waste Grant Funds in the amount of \$18,553.74 for reimbursement to the Recycling Center for E-waste related expenses.

WHEREAS, these funds have been deposited with the County Treasurer, and are available for disbursement.

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

Section 1. The Quorum Court authorizes the County Treasurer to set up Fund #1900.

Section 2. The Quorum Court authorizes the IT Manager to make the following new appropriation in the designated line item for future expenditure:

\$18,553.74 to GL #1000-0138-4004 (Machinery & Equipment)

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: Budget Committee

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. 2021 - _____

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

AN ORDINANCE CORRECTING ORDINANCE NO. 2020-45: "AN ORDINANCE
APPROPRIATING FUNDS IN THE AMOUNT OF \$4,721.66 FROM THE CLERK'S ELECTION
GRANT (CTCL) FUND #3450 INTO LAW ENFORCEMENT CLERK'S CONTRACT FUND
#1000" AND RE-APPROPRIATING FUNDS THAT WERE NOT USED BACK TO FUND #3450.

WHEREAS, Ordinance No. 2020-45 regarding appropriating funds in the amount of \$4,721.66
failed to contain a section requesting the IT Manager to transfer re-appropriated funds from Fund
(#1000) into Fund (#3450). (See Section 2 below)

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

Section 1. The Baxter County Quorum Court authorizes the County Treasurer to make the
following re-appropriation:

\$259.03 from #1000 Fund to #3450 Fund

Section 2. The Baxter County Quorum Court authorizes the IT Manager to make the following
appropriation to the Clerk's Election Grant (CTCL) Fund #3450:

Decrease GL #3450-0109-3009 by \$4,721.67

Section 3. The Baxter County Quorum Court authorizes the IT Manager to make the following
re-appropriations:

\$104.43 re-appropriated from GL# 1000-0109-1002 into GL# 3450-0109-2002

\$ 7.61 re-appropriated from GL# 1000-0109-1006 into GL# 3450-0109-2002

\$146.99 re-appropriated from GL# 1000-0109-1007 into GL# 3450-0109-2002

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

RESOLUTION NO. 2021 - _____

A RESOLUTION AUTHORIZING THE BAXTER COUNTY JUDGE TO APPLY FOR A GRANT ON BEHALF OF THE GALATIA COMMUNITY.

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

WHEREAS, the Baxter County Quorum Court has determined that the Galatia Community meets eligibility requirements necessary to apply for a grant under the Arkansas Rural Community Grant Programs; and

WHEREAS, the Galatia Community has presented plans to replace the roof and doors of the Galatia Community Building, and make repairs to the siding to complete construction to the outside of the building; and

WHEREAS, the Quorum Court of Baxter County recognizes the need for the project, concurs its importance, and supports the Galatia Community in its efforts to proceed with the same; and

WHEREAS, the Galatia Community has furnished proof that they have raised \$15,000.00 through community cast and/or in-kind donations to be applied to the project as a local match.

NOW THEREFORE BE IT RESOLVED, that the Baxter County Judge is hereby authorized to submit an application of formal request to the Arkansas Rural Development Commission for purpose of securing state grant funds up to \$15,000.00 to aid and assist the Galatia Community in executing the proposed project described herein and that the County Judge of County Treasurer of Baxter County is further authorized to administer the grant funds for the same project.

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

RESOLUTION NO. 2021 - _____

A RESOLUTION CONFIRMING THE APPOINTMENT OF CLYDE J. SMITH BY THE COUNTY JUDGE TO THE HENDERSON 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 Fire Protection District Board of Commissioners, John Browning, 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 Henderson Fire Protection District Board of Commissioners, set to expire October, 2021:

CLYDE J. SMITH

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: _____

RESOLUTION NO. 2021 - _____

A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF DIANNE BEAMAN AND DAVE MATTY BY THE COUNTY JUDGE TO THE COTTER / GASSVILLE RURAL FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.

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

Section 1. The following members of the Cotter / Gassville Rural Fire Protection District Board of Commissioners, having been re-appointed by the County Judge for a term of three (3) years to expire February 2024, are hereby confirmed by the Quorum Court:

DIANNE BEAMAN

DAVE MATTY

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: K. Litty JP- 10, T-Albright JP-6

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____