

BAXTER COUNTY QUORUM COURT AGENDA

FEBRUARY 2, 2016

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON **TUESDAY, FEBRUARY 2, 2016 AT 6:00 PM** IN THE 2ND FLOOR COURTROOM OF THE COURTHOUSE, WITH JUDGE MICKEY PENDERGRASS PRESIDING.

- CALL TO ORDER
- DISPOSITION OF MINUTES FROM PREVIOUS MEETING
- COMMITTEE REPORTS
- ANNUAL REPORT: DONALD W. REYNOLDS LIBRARY – KIM SHEANER, DIRECTOR
- AUDIT REPORT FOR FISCAL YEAR 2014 – JUDGE PENDERGRASS
(Note: Please bring your copy of the report to the meeting.)
- UNFINISHED BUSINESS
 1. AN ORDINANCE DESIGNATING THE BAXTER COUNTY SHERIFF'S DEPARTMENT AS THE COLLECTOR OF ALL FINES ASSESSED IN CIRCUIT COURT AND DISTRICT COURT.
- NEW BUSINESS
 1. *(2nd reading)* AN ORDINANCE TO ADOPT A "BAXTER COUNTY EMPLOYEE CONCEALED CARRY PLAN."
 2. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN DECEMBER 2015 TO THE SHERIFF'S DEPARTMENT 2015 BUDGET.
 3. AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$6,000.00 FROM THE SPECIAL JAIL FEES FUND.
 4. AN ORDINANCE APPROPRIATING EXCESS REVENUES FROM COMMISSARY SALES IN THE AMOUNT OF \$26,246.62 TO THE COUNTY JAIL 2015 BUDGET.
 5. AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$3,100.00 WITHIN THE COUNTY CORONER'S 2015 BUDGET.
 6. A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN DISTRICT COURT RECORDS.
 7. A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF JIM JESTADT AND TOM TELFORD TO THE NORTHEAST LAKESIDE FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
- ANNOUNCEMENTS
- ADJOURNMENT

ORDINANCE NO. 2016 - _____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BAXTER, 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 the District Court of Baxter County for fiscal year 2016.

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. 2016 - _____

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

AN ORDINANCE TO ADOPT A “BAXTER COUNTY EMPLOYEE CONCEALED CARRY PLAN”

WHEREAS, the Baxter County Quorum Court affirms the right to bear arms, as granted by the Second Amendment of the United States Constitution; and

WHEREAS, the Court Security Committee recommends the adoption of the following *Concealed Carry Plan* for Baxter County employees.

Purpose: Each full-time Baxter County Employee shall be permitted the privilege of carrying a firearm on County property, pursuant to Act 1259 of the State of Arkansas, within the guidelines of the plan created for Baxter County, Arkansas, as approved by the Baxter County Quorum Court.

Authority: Act 1259 of the 2015 Regular Session of the State of Arkansas 90th General Assembly, the preparation of a plan by the Baxter County Security Committee, and the Baxter County Quorum Court.

Guidelines:

- Any full-time Baxter County employee and/or Elected Official, with a valid Concealed Carry license issued by the State of Arkansas is hereby allowed to carry the type of weapon named on their license.
- The plan allows the employee to carry the concealed weapon at their principal place of employment, or other building owned, leased or regularly used by the County, with the following exceptions: the Baxter County Detention Center, Sheriff’s Office, or any courtroom (unless the presiding judge gives his written consent).
- The Baxter County employee shall provide a copy of their concealed carry permit to the Baxter County Judge’s Office.
- The Baxter County Judge’s Office will maintain a list of all Baxter County employees that are permitted to carry a legal concealed weapon and who wish to carry on Baxter County property during the performance of their duties.
- The Baxter County employee will re-qualify annually with a legal firearm, as permitted by their Concealed Carry permit. The re-qualification may be completed through the Baxter County Sheriff’s Office or through a certified firearms instructor, with documentation showing that the re-qualification was completed.
- Each Baxter County employee who chooses to carry a legal firearm shall maintain possession of the legal firearm on their person or locked in a secured location at all times on County property.

- Each Baxter County employee will be required to attend a class on “Civilian Response to an Active Shooter” (CRAS). This course will be offered periodically by the Baxter County Sheriff’s Office and will be made available for employees to attend.
- This ordinance does not allow any “open carry” on Baxter County property, with the exception of certified Law Enforcement personnel, as established by Arkansas state laws.

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

Section 1. The language of the Authority and Guidelines of this ordinance shall be incorporated into the Baxter County Personnel Policy Manual and the Court Security and Emergency Preparedness Plan upon its passage and approval.

Section 2. This ordinance shall not supersede any duly-erected law by the United States or the State of Arkansas.

Section 3. Emergency Clause. That this policy shall be effective immediately upon its passage and approval by the Baxter County Quorum Court.

APPROVED:

 MICKEY D. PENDERGRASS, COUNTY JUDGE
 Date Signed: _____

ATTEST:

 CANDI J. REESE, COUNTY CLERK
 Sponsor: Baxter County Court Security Committee
 Date Adopted: _____
 Votes: For: _____ Against: _____
 Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. 2016 - _____

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 DECEMBER 2015 TO THE SHERIFF'S DEPARTMENT 2015 BUDGET.

WHEREAS, the Sheriff's Department has collected fees, reimbursements and donations in excess of the anticipated budgeted revenue amount during the month of December 2015 as follows:

- \$ 165.00 received from DWI Fines from District Court
- \$ 922.60 received from Act 770 fees
- \$ 70.00 fees from Black Powder Prints
- \$ 25.00 received from VIN checks
- \$ 3,769.09 reimbursement from AR Dept. of Corrections
- \$ 469.83 reimbursement for Inmate Prescriptions
- \$ 248.60 reimbursement for Inmate Postcards and 309's Cable Bill
- \$ 93.95 received for Inmates' Medical Reimbursement
- \$ 284.56 received for Restitution (Extradition)
- \$ 70.00 received for Restitution (Horses)

WHEREAS, it is necessary to appropriate said monies totaling \$6,118.63 to the following line items in the Sheriff's Department 2015 budget for future expenditures:

- \$ 70.00 appropriated to GL# 1000-0400-1005 for Overtime
- \$1,017.60 appropriated to GL# 1000-0400-2001 for General Supplies
- \$ 449.56 appropriated to GL# 1000-0400-2007 for Fuel, Oil, Lubricants
- \$4,238.92 appropriated to GL# 1000-0418-2004 for Medicine & Drugs (Jail)
- \$ 248.60 appropriated to GL# 1000-0418-2011 for General Supplies (Jail)
- \$ 93.95 appropriated to GL# 1000-0418-3006 for Med., Dental & Hospitalization (Jail)

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. 2016 - _____

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

AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$6,000.00 FROM THE SPECIAL JAIL FEES FUND.

WHEREAS, the Sheriff is requesting that available funds from the Special Jail Fees revenue fund (#3017) be moved into a line item in the Special Jail Fees 2016 budget for the purpose of making the monthly lease payment on the dispatch consoles.

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

Section 1. The IT Manager is authorized to make the following appropriation from the Special Jail Fees revenue fund (#3017) into the following designated budget line item in the Special Jail Fees 2016 budget:

\$ 6,000.00 appropriated to GL# 3017-0418-4004 (Capital Outlay: Machinery & Equip.)

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. 2016 - _____

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

AN ORDINANCE APPROPRIATING EXCESS REVENUES FROM COMMISSARY SALES IN THE AMOUNT OF \$26,246.62 TO THE COUNTY JAIL 2015 BUDGET.

WHEREAS, monies have been received and deposited that exceed the anticipated revenue amount in the Commissary Sales revenue fund (#1000-7803); and

WHEREAS, the Sheriff is requesting an appropriation of these funds to the County Jail's 2015 budget to cover a deficit.

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

Section 1. The IT Manager is hereby authorized to make the following new appropriation from the County General revenue fund #1000-7803 (Commissary Sales) into the following designated 2015 budget line item:

\$ 26,246.62 appropriated to GL# 1000-0418-1001 (County Jail: Salaries-FT)

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed:_____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsor: _____

Date Adopted: _____

Votes: For:_____ Against:_____

Abstain:_____ Present:_____ Absent:_____

RE-APPROPRIATION ORDINANCE NO. 2016 - _____

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

AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$3,100.00 WITHIN THE COUNTY CORONER'S 2015 BUDGET.

WHEREAS, the County Coroner has requested a re-appropriation be made within his 2015 budget for the purpose of purchasing a vehicle to be used for Coroner transport; and

WHEREAS, there are sufficient funds available within the Coroner's 2015 budget for said transfer.

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

Section 1. The IT Manager is hereby authorized to make the following re-appropriation within the County Coroner's 2015 budget:

\$3,100.00 from #1000-0419-1099 (Transport for Coroner) to #1000-0419-4005 (Purchase of Vehicles)

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. 2016 - _____

A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN DISTRICT COURT RECORDS.

WHEREAS, the Baxter County District Court has requested approval to destroy certain records, as shown in the attachment; and

WHEREAS, Arkansas Code Annotated, Section 16-10-211, allows for the destruction of certain records maintained by the Baxter County District Court, with the requirement that approval be given by the respective governing bodies.

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

That the Baxter County District Court is hereby authorized to destroy the records contained in the attached request and, pursuant to Arkansas law, an Affidavit of Destruction shall be filed with the City and County following the destruction of said records.

APPROVAL:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsor: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

Request for Approval of Destruction of District Court Records

The undersigned state the following:

1. This request is made pursuant to ACA 16-10-211, (copy attached) which authorizes the destruction of certain records maintained by the Baxter County District Court.

2. The following records have been audited and should be destroyed by shredding,

Pursuant to Arkansas law:

Police Department and Sheriff's Department ticket books prior to 2012;

Search Warrants and recalled warrants prior to 2008;

Bookkeeping, checks and registers, bank statements, invoices, audits,

budgets and inventory information prior to 2012 for City & County Docket,

Probation Department, Appeals, Civil and Small Claims;

Information case file envelopes for City and County prior to 2012;

Probation Records from 2005 thru 2010;

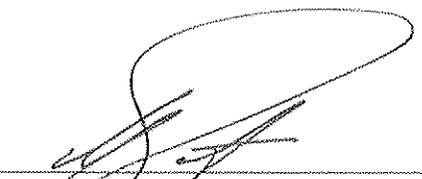
Civil and Small Claims files 1991 thru 1996, see attached list of exceptions.

3. The person supervising the destruction shall be District Court Chief Clerk Kim Vinson.

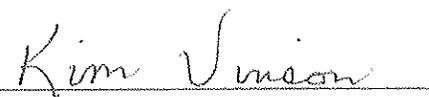
4. The City Council of Mountain Home and the Quorum Court of Baxter County are Requested to approve the destruction of the above records.

5. An Affidavit of Destruction shall be filed with the City and County following the Destruction of said files.

Dated this 22 day of Jan., 2016.



Van Gearhart, State District Judge



Kim Vinson, Chief Clerk

State of Arkansas

County of Baxter

Subscribed and sworn to before me, a Notary Public on, this 22nd day of

January 2016.

My Commission Expires:

March 17, 2023


Notary Public



RESOLUTION NO. 2016 - _____

A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF JIM JESTADT AND TOM TELFORD TO THE NORTHEAST LAKESIDE 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 Northeast Lakeside Fire Protection District, having been re-appointed by the County Judge for terms of three (3) years to expire February 2019, are hereby confirmed by the Quorum Court:

JIM JESTADT

TOM TELFORD

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: M.Beck, JP-3 & N.Pendergrass, JP-9

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____