

BAXTER COUNTY QUORUM COURT AGENDA

OCTOBER 3, 2017

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON **TUESDAY, OCTOBER 3, 2017 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
 - NEW BUSINESS
1. *(3rd Reading)* AN ORDINANCE AMENDING ORDINANCE NO. 1988-7 (“AN APPROPRIATION ORDINANCE TO AUTHORIZE AND ESTABLISH THE HAND COVE FIRE PROTECTION DISTRICT AND FOR THE LEVYING OF ASSESSED BENEFITS ON PROPERTY IN THE DISTRICT TO FINANCE THE OPERATION OF THE DISTRICT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY”).
 2. *(3rd Reading)* AN ORDINANCE AMENDING ORDINANCE NO. 1991-11 (“AN AMENDED APPROPRIATION ORDINANCE TO AUTHORIZE AND ESTABLISH THE HENDERSON AREA FIRE PROTECTION DISTRICT AND FOR THE LEVYING OF ASSESSED BENEFITS ON PROPERTY IN THE DISTRICT TO FINANCE THE OPERATION OF THE DISTRICT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY”).
 3. *(2nd Reading)* AN ORDINANCE TO AMEND ORDINANCE NO. 2017-26, “AN ORDINANCE TO ADOPT CHANGES TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL, DATED JULY 2015,” FOR THE PURPOSE OF REVISING CERTAIN SECTIONS.
 4. *(1st Reading)* AN ORDINANCE TO AMEND ORDINANCE NO. 2017-26, “AN ORDINANCE TO ADOPT CHANGES TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL, DATED JULY 2015,” FOR THE PURPOSE OF REVISING THE SECTION PERTAINING TO PAID HOLIDAYS.
 5. *(1st Reading)* AN ORDINANCE AMENDING ORDINANCE NO. 2017-27 TO LEVY THE ONE PERCENT (1.0%) SALES AND USE TAX LEVIED THEREBY FOR SIX (6) MONTHS INSTEAD OF EIGHT (8) MONTHS BY DELAYING THE EFFECTIVE DATE OF THE TAX FROM MARCH 1, 2018 TO APRIL 1, 2018 AND CHANGING THE TERMINATION DATE OF THE TAX FROM OCTOBER 31, 2018 TO SEPTEMBER 30, 2018; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.
 6. *(1st Reading)* AN ORDINANCE AMENDING ORDINANCE NO. 2017-28 TO DELAY THE EFFECTIVE DATE OF THE ONE-QUARTER OF ONE PERCENT (0.25%) SALES AND USE TAX LEVIED THEREBY FROM NOVEMBER 1, 2018 TO JANUARY 1, 2019; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.
 7. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF AUGUST TO THE SHERIFF’S DEPARTMENT 2017 BUDGET.
 8. AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$10,208.17 WITHIN THE SHERIFF’S DEPARTMENT BUDGET.
 9. AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$9,000.00 WITHIN THE JUVENILE SERVICES BUDGET.

10. A RESOLUTION CONFIRMING THE APPOINTMENT OF JIM WHITTINGTON AND THE RE-APPOINTMENT OF PAMELA SYFRETT BY THE COUNTY JUDGE TO THE BUFORD VOLUNTEER FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
11. A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF GENE CARSON, JAMES HIGGINS AND JAMES WITHERINGTON BY THE COUNTY JUDGE TO THE MIDWAY FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.

- ANNOUNCEMENTS
- ADJOURNMENT

ORDINANCE NO. 2017 - _____

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

AN ORDINANCE AMENDING ORDINANCE NO. 1988-7 (“AN APPROPRIATION ORDINANCE TO AUTHORIZE AND ESTABLISH THE HAND COVE FIRE PROTECTION DISTRICT AND FOR THE LEVYING OF ASSESSED BENEFITS ON PROPERTY IN THE DISTRICT TO FINANCE THE OPERATION OF THE DISTRICT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY”).

WHEREAS, it has been determined that Ordinance No. 1988-7, which was passed on May 3, 1988, needs to be amended: (1) to omit the word “Appropriation” from the title to meet the prerequisite for inclusion in the Baxter County Code of Ordinances; and (2) to amend the legal description of the district. The complete amended ordinance is as follows:

AN ORDINANCE TO AUTHORIZE AND ESTABLISH THE HAND COVE FIRE PROTECTION DISTRICT AND FOR THE LEVYING OF ASSESSED BENEFITS ON PROPERTY IN THE DISTRICT TO FINANCE THE OPERATION OF THE DISTRICT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, it is hereby found and determined by the Quorum Court that certain rural areas of this County do not have availability of fire protection services, which poses a constant threat to the life, safety and property of families in this County; and therefore, it is found that an emergency exists.

WHEREAS, it is now necessary that the Quorum Court of Baxter County, Arkansas, create a fire protection district.

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

Section 1. That there be, and there is hereby created, a fire protection district to be known as the Hand Cove Fire Protection District.

Section 2. That the area to be encompassed by such Hand Cove Fire Protection District is the following described real property located in Baxter County, Arkansas, to-wit:

Section 4; Section 5; Section 6; Section 7; Section 8; Section 9; Section 16; Section 17; Section 18; Section 19; Section 20; Section 21; Section 30; all in Township 19 North, Range 11 West;

AND:

Section 1; The SE $\frac{1}{4}$ of Section 10; Section 11; Section 12; Section 13; Section 14; Section 15; Section 24; Section 25; Section 26, all in Township 19 North, Range 12 West; and Section 32; Section 33; and SE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 28, all in Township 20 North, Range 11 West.

Section 3. That the primary purpose for the creation of the Hand Cove Fire Protection District is for the providing of fire protection in rural areas for buildings, structures, other man-made improvements and the rural property in general, and nothing in this ordinance shall be construed to relieve the State Forestry Department of responsibility for providing for fire protection for forest land.

Section 4. That the said Hand Cove Fire Protection District is hereby established and created pursuant to the provision of Act 35 of the 1979 acts of Arkansas, which provisions shall govern the creation, establishment and operation of the Hand Cove Fire Protection District and which provisions are attached hereto and incorporated herein by reference as if set out word for word herein.

Section 5. That it is hereby established and ordained that the maximum amount of assessment against any property within said Hand Cove Fire Protection District shall be no more than 5 mills annually.

Section 6. Be it enacted and ordained that the Board of Commissioners for the District to be appointed by the County Court pursuant to Section 6, Act 35 of 1979, shall be hereafter known as and referred to as the Hand Cove Fire Protection District Board of Commissioners.

Section 7. That the provisions of this ordinance are hereby declared to be severable, and if any provisions shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of the ordinance.

Section 8. It is hereby found and determined by the Quorum Court of Baxter County, Arkansas, that many rural areas of this County do not have the availability of fire protection services, which poses a constant threat to the life, safety and property of families in this County, that the passage of this ordinance to encourage and establish local fire protection districts to organize their efforts to develop and operate fire protection services is necessary to encourage and make it possible for the local protection district to exist and operate fire protection services, and the immediate passage of this ordinance is necessary to establish the legal structure for the creation of such fire protection districts and programs. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of public peace, health and safety, shall be in full force and effect from and after its passage and approval.

Section 9. This Ordinance shall be codified in the Baxter County Code of Ordinances, and the sections may be re-numbered and re-lettered to accomplish such intention.

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsors: Rick Steiner, JP-3 & Marilyn Williamson, JP-7

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

ORDINANCE NO. 2017 - _____

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

AN ORDINANCE AMENDING ORDINANCE NO. 1991-11 (“AN AMENDED APPROPRIATION ORDINANCE TO AUTHORIZE AND ESTABLISH THE HENDERSON AREA FIRE PROTECTION DISTRICT AND FOR THE LEVYING OF ASSESSED BENEFITS ON PROPERTY IN THE DISTRICT TO FINANCE THE OPERATION OF THE DISTRICT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY”).

WHEREAS, it has been determined that Ordinance No. 1991-11, which was passed on April 2, 1991, and which amended Ordinance Nos. 1988-10 and 1989-2, needs to be amended: (1) to omit the word “Appropriation” from the title to meet the pre-requisite for inclusion in the Baxter County Code of Ordinances; and (2) to amend the legal description of the district. The complete amended ordinance is as follows:

AN ORDINANCE TO AUTHORIZE AND ESTABLISH THE HENDERSON FIRE PROTECTION DISTRICT AND FOR THE LEVYING OF ASSESSED BENEFITS ON PROPERTY IN THE DISTRICT TO FINANCE THE OPERATION OF THE DISTRICT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, it is hereby found and determined by the Quorum Court that certain rural areas of this County do not have availability of fire protection services, which poses a constant threat to the life, safety and property of families in this County; and therefore, it is found that an emergency exists.

WHEREAS, it is now necessary that the Quorum Court of Baxter County, Arkansas, create a fire protection district.

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

Section 1. That there be, and there is hereby created, a fire protection district to be known as the Henderson Fire Protection District.

Section 2. That the area to be encompassed by such Henderson Fire Protection District is the following described real property located in Baxter County, Arkansas, to-wit:

Section 4; Section 5; Section 6; Section 7; Section 8; Section 9; Section 16; Section 17; Section 18; Section 19; Section 20; Section 21; Section 28, except for SE $\frac{1}{4}$, SE $\frac{1}{4}$; Section 29; Section 30; Section 31; and parcel numbers 00762-001 and 00722-000; all in Township 20 North, Range 11 West; and Section 12, east of Lake Norfolk; Section 13; Section 14, east of Lake Norfolk; Section 23; Section 24; Section 25; Section 26; and Section 36; all in Township 20 North, Range 12 West. All the above land is situated in Baxter County, Fifth Principal Meridian, Arkansas.

Section 3. That the primary purpose for the creation of the Henderson Fire Protection District is for the providing of fire protection in rural areas for buildings, structures, other man-made improvements and the rural property in general, and nothing in this ordinance shall be construed to relieve the State Forestry Department of responsibility for providing for fire protection for forest land.

Section 4. That the said Henderson Fire Protection District is hereby established and created pursuant to the provision of Act 35 of the 1979 acts of Arkansas, which provisions shall govern the creation, establishment and operation of the Henderson Fire Protection District and which provisions are attached hereto and incorporated herein by reference as if set out word for word herein.

Section 5. That it is hereby established and ordained that the maximum amount of assessment against any property within said Henderson Fire Protection District shall be no more than 5 mills annually.

Section 6. Be it enacted and ordained that the Board of Commissioners for the District to be appointed by the County Court pursuant to Section 6, Act 35 of 1979, shall be hereafter known as and referred to as the Henderson Fire Protection District Board of Commissioners.

Section 7. That the provisions of this ordinance are hereby declared to be severable, and if any provisions shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of the ordinance.

Section 8. It is hereby found and determined by the Quorum Court of Baxter County, Arkansas, that many rural areas of this County do not have the availability of fire protection services, which poses a constant threat to the life, safety and property of families in this County, that the passage of this ordinance to encourage and establish local fire protection districts to organize their efforts to develop and operate fire protection services is necessary to encourage and make it possible for the local protection district to exist and operate fire protection services, and the immediate passage of this ordinance is necessary to establish the legal structure for the creation of such fire protection districts and programs. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of public peace, health and safety, shall be in full force and effect from and after its passage and approval.

Section 9. This Ordinance shall be codified in the Baxter County Code of Ordinances, and the sections may be re-numbered and re-lettered to accomplish such intention.

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsors: Rick Steiner, JP-3 & Edna Fusco, JP-8

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

ORDINANCE NO. 2017 - _____

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

AN ORDINANCE TO AMEND ORDINANCE NO. 2017-26, "AN ORDINANCE TO ADOPT CHANGES TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL, DATED JULY 2015," FOR THE PURPOSE OF REVISING CERTAIN SECTIONS.

WHEREAS, the Baxter County Personnel Committee met on August 28, 2017, and unanimously approved revisions to the *Baxter County Personnel Policy Manual (updated July 15, 2017)*, as presented by the Human Resources Director.

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

Section 1. On page 12 of the manual, under "V. Definitions and Application to Pay Schedule," the paragraph on "Promotions" is being revised as follows:

V. DEFINITIONS AND APPLICATION TO PAY SCHEDULE

- B. Promotion – Assignment to a vacant position that is within a higher pay grade than the employee's previous position. ~~If an employee is promoted to a position which is one pay grade higher than his/her previous position, he/she will be paid at the step within the higher grade that gives him/her a 3% increase. If the promotion is to a position which is two or more pay grades higher than his/her previous position, he/she will be paid at the step that gives him/her a 9% increase. Step 1 will apply in all cases where it meets or exceeds these increases.~~ **The promoted employee's pay will move vertically, in 2% increments, to the new pay grade keeping his/her current pay step. Any requested exceptions will be presented by the Elected Official to the Quorum Court for approval.**

Example: Employee is currently a Jailer (Grade 19 and Step 7). Employee is promoted to Jail Sergeant in Grade 28. Employee retains his/her step 7 in the new grade of 28.

Section 2. On page 50 of the manual, under "III. Travel Policy," the paragraph setting the lodging allowance is being revised as follows:

III. TRAVEL POLICY

- A. County Elected Officials and employees shall be entitled to receive a daily allowance for lodging for any individual while traveling within the State of Arkansas at a rate of not to exceed ~~\$125.00~~ **\$150.00** per day (pre-tax), and at a rate not to exceed ~~\$130.00~~ **\$175.00** per day (pre-tax) while traveling beyond the borders of the State of Arkansas. In extraordinary circumstances, the County Judge may approve an amount in excess of these limits.

Section 3. That these revisions to the *Baxter County Personnel Policy Manual (revised July 15, 2017)* shall become effective immediately.

Section 4. Codification. This Ordinance shall be referenced in the Baxter County Code of Ordinances, Section 240.00, Personnel Policy.

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed:_____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsor: Baxter County Personnel Committee

Date Adopted: _____

Votes: For:_____ Against:_____

Abstain:_____ Present:_____ Absent:_____

ORDINANCE NO. 2017 - _____

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

AN ORDINANCE TO AMEND ORDINANCE NO. 2017-26, "AN ORDINANCE TO ADOPT CHANGES TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL, DATED JULY 2015," FOR THE PURPOSE OF REVISING THE SECTION PERTAINING TO PAID HOLIDAYS.

WHEREAS, the Baxter County Personnel Committee met on Thursday, September 14, 2017, and unanimously approved revisions to the *Baxter County Personnel Policy Manual (updated July 15, 2017)*, to incorporate the changes to the section on paid holidays.

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

Section 1. The section on Holidays found on page 25 of the manual is being updated as follows:

XI. HOLIDAYS (*Ordinance No. 2017-_____*)

A. The following paid holidays shall be observed:

- New Year's Day
- **Martin Luther King, Jr. Day**
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day and the Friday following
- Christmas Eve Day
- Christmas Day

B. When a holiday falls on a Sunday, the following day will be observed as a holiday. When a holiday falls on a Saturday, the preceding day will be observed as a holiday.

C. To receive holiday pay, employee must work the regularly scheduled working day before and the regularly scheduled working day following said holiday, unless the time off before or after the holiday is an approved leave as detailed in the guidelines of this policy.

D. **Permanent full-time employees are due paid leave for holidays at a rate equal to their normal work day.**

E. Seasonal or part-time employees are not eligible to receive paid holidays.

NOTE: WITH REGARD TO THE VACATION, SICKNESS, AND OTHER FRINGE BENEFITS OUTLINED HEREIN, IT MUST BE UNDERSTOOD THAT THESE BENEFITS ARE NOT REQUIRED BY LAW NOR ARE THEY GUARANTEED BY THE COUNTY. NO CONTRACT IS ENTERED INTO BY THE COUNTY WITH ANY EMPLOYEE, NOR DOES THE COUNTY INCUR ANY DEBT OR OBLIGATION.

Section 2. This policy shall be effective immediately upon its passage and approval by the Baxter County Quorum Court and shall be incorporated into the *Baxter County Personnel Policy Manual*.

Section 3. Codification. This Ordinance shall be referenced in the Baxter County Code of Ordinances, Section 240.00, Personnel Policy.

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed:_____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsor: Baxter County Personnel Committee

Date Adopted: _____

Votes: For:_____ Against:_____

Abstain:_____ Present:_____ Absent:_____

ORDINANCE NO. 2017 - _____

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

AN ORDINANCE AMENDING ORDINANCE NO. 2017-27 TO LEVY THE ONE PERCENT (1.0%) SALES AND USE TAX LEVIED THEREBY FOR SIX (6) MONTHS INSTEAD OF EIGHT (8) MONTHS BY DELAYING THE EFFECTIVE DATE OF THE TAX FROM MARCH 1, 2018 TO APRIL 1, 2018 AND CHANGING THE TERMINATION DATE OF THE TAX FROM OCTOBER 31, 2018 TO SEPTEMBER 30, 2018; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, pursuant to Ordinance No. 2017-27 adopted July 11, 2017 (“Ordinance No. 2017-27”), an election held September 12, 2017 (the “Tax Election”), and Title 26, Chapter 74, Subchapter 2 of the Arkansas Code of 1987 Annotated (the “Authorizing Legislation”), Baxter County, Arkansas (the “County”) has levied a county-wide one percent (1.0%) sales and use tax (the “Tax”) for a period of eight (8) months; and

WHEREAS, the ballot for the Tax Election and Ordinance No. 2017-27 provide that the Tax should be levied commencing March 1, 2018 and should be terminated on October 31, 2018; and

WHEREAS, the Authorizing Legislation provides that taxes levied thereunder may only commence on the first day of a calendar quarter and terminate on the last day of a calendar quarter; and

WHEREAS, the Arkansas Department of Finance and Administration (“DF&A”) is responsible for administering and collecting the Tax and DF&A has agreed to commence collection of the Tax on April 1, 2018, rather than March 1, 2018, and to terminate the collection of the Tax on September 30, 2018 rather than October 31, 2018, if April 1, 2018 is approved by the Quorum Court as the commencement date for the Tax and September 30, 2018 is approved by the Quorum Court as the termination date for the Tax; and

WHEREAS, the purpose of the Ordinance is to levy the Tax for a period of six (6) months by providing a commencement date of April 1, 2018 for the Tax and a termination date of September 30, 2018 for the Tax, in order to comply with the Authorizing Legislation;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Baxter County, Arkansas:

Article 1. That Section 2 of Ordinance No. 2017-27 is hereby amended to read as follows:

“Section 2. The Sales and Use Tax shall be levied for a period of six (6) months, beginning on April 1, 2018 and continuing through September 30, 2018.”

Article 2. That a copy of this Ordinance shall be filed with the Director of DF&A.

Article 3. That Ordinance No. 2017-27, as amended hereby, shall remain and be in full force and effect.

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. 2017-_____

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

AN ORDINANCE AMENDING ORDINANCE NO. 2017-28 TO DELAY THE EFFECTIVE DATE OF THE ONE-QUARTER OF ONE PERCENT (0.25%) SALES AND USE TAX LEVIED THEREBY FROM NOVEMBER 1, 2018 TO JANUARY 1, 2019; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, pursuant to Ordinance No. 2017-28 adopted July 11, 2017 (“Ordinance No. 2017-28”), an election held September 12, 2017 (the “Tax Election”), and Title 26, Chapter 74, Subchapter 2 of the Arkansas Code of 1987 Annotated (the “Authorizing Legislation”), Baxter County, Arkansas (the “County”) has levied a county-wide one-quarter of one percent (0.25%) sales and use tax (the “Tax”); and

WHEREAS, the ballot for the Tax Election and Ordinance No. 2017-28 provide that the Tax should be levied commencing November 1, 2018; and

WHEREAS, the Authorizing Legislation provides that taxes levied thereunder may only commence on the first day of a calendar quarter; and

WHEREAS, the Arkansas Department of Finance and Administration (“DF&A”) is responsible for administering and collecting the Tax and DF&A has agreed to commence collection of the Tax on January 1, 2019, rather than November 1, 2018, if January 1, 2019 is approved by the Quorum Court as the commencement date for the Tax; and

WHEREAS, the purpose of the Ordinance is to provide a commencement date of January 1, 2019 for the Tax in order to comply with the Authorizing Legislation;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Baxter County, Arkansas:

Article 1. That Section 2 of Ordinance No. 2017-28 is hereby amended to read as follows:

“Section 2. The Sales and Use Tax shall be levied beginning January 1, 2019 and continuing thereafter.”

Article 2. That a copy of this Ordinance shall be filed with the Director of DF&A.

Article 3. That Ordinance No. 2017-28, as amended hereby, shall remain and be in full force and effect.

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. 2017 - _____

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 AUGUST TO THE SHERIFF'S DEPARTMENT 2017 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 August, 2017:

- \$ 112.50 received from DWI Fines from District Court
- \$ 355.00 received from Drug Enforcement Fines from District Court
- \$ 672.50 received from Act 770 fees
- \$ 20.00 fees from Black Powder Prints
- \$ 100.00 fees from VIN checks
- \$ 317.92 reimbursement for Inmates' Prescriptions
- \$ 124.40 reimbursements for Inmates' Postcards and 309's Cable Bill
- \$ 897.30 received in miscellaneous reimbursements
- \$ 126.94 received for Inmates' Medical Reimbursement
- \$ 5,407.48 received from the Sale of Vehicles
- \$ 140.00 received in Restitution (Horses)
- \$ 50.00 received in Donations

WHEREAS, it is necessary to appropriate said monies totaling **\$8,324.04** to the appropriate line items in the Sheriff's Department 2017 budget for future expenditure.

Section 1. There is hereby appropriated from the 2017 County General Fund (#1000) the following designated sums of money for the following designated expenditures:

- \$ 140.00 to GL# 1000-0400-1005 (Overtime/Other Premium Comp)
- \$ 792.50 to GL# 1000-0400-2001 (General Supplies)
- \$ 112.50 to GL# 1000-0400-2007 (Fuel, Oil, Lubricants)
- \$5,407.48 to GL# 1000-400-2023 (Parts & Repairs)
- \$ 317.92 to GL# 1000-0418-2004 (Jail: Medicine & Drugs)
- \$ 929.40 to GL# 1000-0418-2011 (Jail: General Supplies)
- \$ 219.24 to GL# 1000-0418-3006 (Jail: Medical & Hosp.)

Section 2. There is hereby appropriated from the 2017 Sheriff's Special Projects Fund (#3400) the following designated sum of money for the following designated expenditure:

\$ 355.00 to GL# 3400-0400-2001 (General Supplies)

\$ 50.00 to GL# 3400-0400-2020 (Bldg Materials/Supplies)

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed:_____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsor: Marilyn Williamson, JP-7

Date Adopted: _____

Votes: For:_____ Against:_____

Abstain:_____ Present:_____ Absent:_____

RE-APPROPRIATION ORDINANCE NO. 2017 - _____

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 \$10,208.17 WITHIN THE SHERIFF'S DEPARTMENT BUDGET.

WHEREAS, the Sheriff is requesting a reallocation of funds within the Sheriff's Department budget for the purpose of covering deficits in certain line items; and

WHEREAS, there are sufficient funds available within the Sheriff's Department budget for said transfers.

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 re-appropriations within the Sheriff's Department budget:

\$ 4,000.00 from #1000-0400-2007 (Fuels, Oils & Lubr.) to #1000-0400-2023 (Parts & Repairs)

\$ 3,000.00 from #1000-0400-2007 (Fuels, Oils & Lubr.) to #1000-0400-2060 (Helicopter)

\$ 495.82 from #1000-0400-2007 (Fuels, Oils & Lubr.) to #1000-0400-3015 (Assn Risk Mgmt)

\$ 1,877.00 from #1000-0400-2007 (Fuels, Oils & Lubr.) to #1000-0400-3053 (Fleet Ins.)

\$ 835.35 from #1000-0400-4005 (Purchase of Vehicles) to #1000-0400-2023 (Parts & Repairs)

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsor: Marilyn Williamson, JP-7

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

RE-APPROPRIATION ORDINANCE NO. 2017 - _____

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 \$9,000.00 WITHIN THE JUVENILE SERVICES BUDGET.

WHEREAS, the Juvenile Services Department is requesting a reallocation of funds within their budget for the purpose of covering deficits in certain line items; and

WHEREAS, there are sufficient funds available within the Juvenile Services budget for said transfers.

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 re-appropriations within the Juvenile Services budget:

\$ 2,000.00 from #1000-0415-2007 (Fuels, Oils & Lubr.) to #1000-0415-2001 (General Supplies)

\$ 1,000.00 from #1000-0415-2023 (Parts & Repairs) to #1000-0415-2001 (General Supplies)

\$ 2,000.00 from #1000-0415-3020 (Telephone & Fax) to #1000-0415-2001 (General Supplies)

\$ 500.00 from #1000-0415-3021 (Postage) to #1000-0415-2001 (General Supplies)

\$ 500.00 from #1000-0415-3101 (Training & Educ.) to #1000-0415-3202 (Juvenile Detention)

\$ 3,000.00 from #1000-0415-3201 (Host Home/Per Diem) to #1000-0415-3202 (Juv. Detention)

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. 2017 - _____

A RESOLUTION CONFIRMING THE APPOINTMENT OF JIM WHITTINGTON AND THE RE-APPOINTMENT OF PAMELA SYFRETT BY THE COUNTY JUDGE TO THE BUFORD VOLUNTEER FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.

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

Section 1. The following member of the Buford Volunteer Fire Protection District Board of Commissioners, having been appointed by the County Judge for a term of three (3) years to expire November 2020, is hereby confirmed by the Quorum Court:

JIM WHITTINGTON

Section 2. The following member of the Buford Volunteer Fire Protection District Board of Commissioners, having been re-appointed by the County Judge for a term of three (3) years to expire November 2020, is hereby confirmed by the Quorum Court:

PAMELA SYFRETT

Section 3. 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: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain:_____ Present:_____ Absent:_____

RESOLUTION NO. 2017 - _____

A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF GENE CARSON, JAMES HIGGINS AND DAVID WITHERINGTON BY THE COUNTY JUDGE TO THE MIDWAY 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 Midway Fire Protection District Board of Commissioners, having been re-appointed by the County Judge for terms of three (3) years to expire November 2020, are hereby confirmed by the Quorum Court:

GENE CARSON

JAMES HIGGINS

DAVID WITHERINGTON

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

Sponsors: Gary Smith, JP-1, Lucille Soltysik, JP-2
and Tink Albright, JP-6

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____