

**BAXTER COUNTY QUORUM COURT
JOURNAL OF PROCEEDINGS**

October 6, 2020

The Baxter County Quorum Court met in a regular session at 6:00 PM in the Baxter County Courtroom with County Judge Mickey Pendergrass presiding. Members present were: Rhonda Tink Albright, Ty Chapman, Cameron Davis, Maryanne Edge, Edna Fusco, Dale Hershberger, Kevin Litty, Robert Lowery, Charles Osgood, Gary Smith, and Dirk Waldrop. The meeting began with a moment of silence and the Pledge of Allegiance.

Judge Pendergrass asked if there were any additions or corrections to the minutes of the September meeting. Justice Albright moved to approve the minutes as submitted. Justice Osgood seconded that motion, and all voted in favor.

Justice Smith reported on the Budget Committee meeting which was held immediately prior to this Quorum Court meeting to address CARES Act funding issues. Minutes of that meeting will be attached to this Journal of Proceedings.

Judge Pendergrass presented David Stults, Baxter County OEM and Safety Coordinator, with a Safety Award plaque from the Association of Arkansas Counties Risk Management Fund for demonstrating an excellent safety record. Mr. Stults accepted the award, and gave accolades to all county employees for the role they played in qualification for the award.

New Business:

Appropriation Ordinance #2020-34, **AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF AUGUST TO THE SHERIFF'S DEPARTMENT 2020 BUDGET**, was sponsored by Justice Smith, and read by title only by County Clerk Canda Reese. Justice Fusco moved to adopt, seconded by Justice Albright. Being no discussion the roll was called. Voting YEA: Justices Albright, Chapman, Davis, Edge, Fusco, Hershberger, Litty, Lowery, Osgood, Smith, and Waldrop. The motion passed and Appropriation Ordinance #2020-34 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2020-35, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$20,091.00 TO THE CLERK'S ELECTION GRANT (CTCL) FUND**, was sponsored by Justice Davis, and read by title only by County Clerk Canda Reese. Justice Smith moved to adopt, seconded by Justice Fusco. After some discussion the roll was called. Voting YEA: Justices Chapman, Davis, Edge, Fusco, Hershberger, Litty, Lowery, Osgood, Smith, Waldrop, and Albright. The motion passed and Appropriation Ordinance #2020-35 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2020-36, **AN ORDINANCE APPROPRIATING AND RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$32,966.26 WITHIN THE SHERIFF'S DEPARTMENT BUDGET**, was sponsored by Justice Albright, and read by title only by County Clerk Canda Reese. Justice Smith moved to adopt, seconded by Justice Edge. Being no discussion the roll was called. Voting YEA: Justices Davis, Edge, Fusco, Hershberger, Litty, Lowery, Osgood, Smith, Waldrop, Albright, and Chapman. The motion passed and Re-Appropriation Ordinance #2020-36 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2020-37, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$42,000.00 FROM EXCESS REVENUE EMERGENCY 911 FUND (#3020) INTO THE EMERGENCY 911 #3020 2020 BUDGET**, was sponsored by Justice Albright, and read by title only by County Clerk Canda Reese. Justice Fusco moved to adopt, seconded by Justice Albright. After some discussion the roll was called. Voting YEA: Justices Fusco, Hershberger, Litty, Lowery, Osgood, Smith, Waldrop, Albright, Chapman, Davis, and Edge. The motion passed and Appropriation Ordinance #2020-37 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2020-38, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$20,000.00 FROM ROAD & BRIDGE REVENUE FUND #2000 INTO ROAD & BRIDGE 2020 BUDGET**, was sponsored by Justice Smith, and read by title only by County Clerk Canda Reese. Justice Fusco moved to adopt, seconded by Justice Albright. After brief discussion the roll was called. Voting YEA: Justices Hershberger, Litty, Lowery, Osgood, Smith, Waldrop, Albright, Chapman, Davis, Edge, and Fusco. The motion passed and Appropriation Ordinance #2020-38 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2020-39, **AN ORDINANCE TO ESTABLISH SUB-FUND OF COUNTY GENERAL TO BE CALLED THE CORONAVIRUS RELIEF FUND; AND TO DECLARE AN EMERGENCY**, was sponsored by the Budget Committee and read by title only by County Clerk Canda Reese. Justice Albright moved to suspend the rules and move the ordinance to second reading by title only. Justice Smith seconded that motion. All voted in favor. The ordinance was read a second time by title only, at which time Justice Smith moved to suspend the rules and advance the proposed ordinance to a third reading by title only. Justice Davis seconded that motion, and all voted in favor. After the proposed ordinance was read the third time by title only, Justice Davis moved to adopt. Justice Fusco seconded that motion. After some discussion the roll was called. Voting YEA: Justices Litty, Lowery, Osgood, Smith, Waldrop, Albright, Chapman, Davis, Edge, Fusco, and Hershberger. The motion passed and Appropriation Ordinance #2020-39 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2020-18, **A RESOLUTION BY BAXTER COUNTY SUPPORTING ISSUE 1, PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CONTINUE TO LEVY A ONE-HALF PERCENT SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES; COUNTY ROADS, BRIDGES, AND OTHER SURFACE TRANSPORTATION; AND CITY STREETS, BRIDGES, AND OTHER SURFACE TRANSPORTATION AFTER THE RETIREMENT OF THE BONDS AUTHORIZED IN ARKANSAS CONSTITUTION, AMENDMENT 91, AS SPECIAL REVENUE TO BE DISTRIBUTED UNDER THE ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW,**

was sponsored by Justice Smith and read in its entirety by County Clerk Canda Reese. Justice Lowery moved for the adoption of the proposed resolution, seconded by Justice Fusco. After some discussion the roll was called. Voting YEA: Justices Lowery, Osgood, Smith, Waldrop, Albright, Chapman, Davis, Edge, Fusco, Hershberger, and Litty. The motion passed and Resolution #2020-18 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2020-19, A RESOLUTION ADOPTED IN FURTHERANCE OF THE CARES ACT AND IN RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY, was sponsored by Justice Fusco and read in its entirety by County Clerk Canda Reese. Justice Davis moved to adopt, seconded by Justice Edge. After brief comments from Judge Pendergrass, and no further discussion, the roll was called. Voting YEA: Justices Osgood, Smith, Waldrop, Albright, Chapman, Davis, Edge, Fusco, Hershberger, Litty, and Lowery. The motion passed and Resolution #2020-19 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2020-20, A RESOLUTION ADOPTED IN FURTHERANCE OF THE CARES ACT FOR THE SUPPORT OF FOOD BANK OF NORTH CENTRAL ARKANSAS IN RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY, was sponsored by Justice Albright and read in its entirety by County Clerk Canda Reese. Justice Albright then moved for the adoption of the proposed resolution, seconded by Justice Osgood. Jeff Quick, Executive Director of the Food Bank of North Central Arkansas, spoke in support of the resolution, and discussed the impact that the COVID-19 pandemic has had on their work at the food bank. After brief further discussion, the roll was called. Voting YEA: Justices Osgood, Smith, Albright, Chapman, Davis, Edge, Fusco, Hershberger, Litty, and Lowery. Voting NAY: Justice Waldrop. The motion passed and Resolution #2020-20 was adopted with a vote of 10 YEA, 1 NAY.

Resolution #2020-21, A RESOLUTION ADOPTED IN FURTHERANCE OF THE CARES ACT FOR THE SUPPORT OF THE BAXTER COUNTY FAIR BOARD IN RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY, was sponsored by Justice Fusco and read in its entirety by County Clerk Canda Reese. Justice Lowery moved to adopt, seconded by Justice Edge. Being no discussion the roll was called. Voting YEA: Justices Smith, Albright, Davis, Edge, Fusco, Hershberger, Litty, Lowery, and Osgood. Voting NAY: Justices Waldrop and Chapman. The motion passed and Resolution #2020-21 was adopted with a vote of 9 YEA, 2 NAY.

Resolution #2020-22, A RESOLUTION ADOPTED IN FURTHERANCE OF THE CARES ACT FOR THE SUPPORT OF THE BAXTER COUNTY FIRE CHIEFS ASSOCIATION IN RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY, was sponsored by Justice Albright and read in its entirety by County Clerk Canda Reese. Justice Davis moved to adopt, seconded by Justice Albright. After some discussion the roll was called. Voting YEA: Justices Waldrop, Albright, Chapman, Davis, Edge, Fusco, Hershberger, Litty, Lowery, Osgood, and Smith. The motion passed and Resolution #2020-22 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2020-23, A RESOLUTION CONFIRMING THE APPOINTMENT OF JOHN BOLDING BY THE COUNTY JUDGE TO THE TRACY AREA FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS, was sponsored by Justice Davis and read in its entirety by County Clerk Canda Reese. Justice Smith moved to adopt, seconded by Justice Lowery. Being no discussion the roll was called. Voting YEA: Justices Albright, Chapman, Davis, Edge,

Fusco, Hershberger, Litty, Lowery, Osgood, Smith, and Waldrop. The motion passed and Resolution #2020-23 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2020-24, **A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF WAYNE ROTH BY THE COUNTY JUDGE TO THE GAMALIEL FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS**, was sponsored by Justice Lowery and read in its entirety by County Clerk Canda Reese. Justice Lowery moved for the adoption of the proposed resolution, seconded by Justice Fusco. Being no discussion the roll was called. Voting YEA: Justices Chapman, Davis, Edge, Fusco, Hershberger, Litty, Lowery, Osgood, Smith, Waldrop, and Albright. The motion passed and Resolution #2020-24 was adopted with a vote of 11 YEA, 0 NAY.

Other Announcements:

Judge Pendergrass reminded the Court that the November meeting has been changed to November 10 due to the General Election being held on the date of the regular meeting.

The Budget Committee will meet on October 13 at 4 p.m.

The Personnel Committee will meet on Thursday, October 8 at 4 p.m. ter

After other brief announcements, and being no further business before the Court, the meeting was adjourned.

Respectfully submitted,

Canda J. Reese, Baxter County & Circuit Clerk
Secretary to the Quorum Court