

BAXTER COUNTY QUORUM COURT AGENDA

September 3, 2019

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON TUESDAY, SEPTEMBER 3, 2019 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. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF JULY TO THE SHERIFF'S DEPARTMENT 2019 BUDGET.
 2. *(2nd Reading)* AN ORDINANCE TO AMEND BAXTER COUNTY ORDINANCE §320.00 THAT ESTABLISHED A FEE THAT CHARGED CITIES OF BAXTER COUNTY FOR KEEPING AND MAINTAINING PRISONERS IN THE BAXTER COUNTY JAIL.
 3. *(1st Reading)* AN ORDINANCE ADOPTING REVISIONS AND ADDITIONS TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL DATED FEBRUARY 2019.
 4. AN ORDINANCE APPROPRIATING EXCESS REVENUES IN THE AMOUNT OF \$60,000.00 TO THE ROAD AND BRIDGE 2019 BUDGET.
 5. AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$400.00 IN THE VETERAN SERVICES BUDGET FUND (#1000).
- ANNOUNCEMENTS:
- ADJOURNMENT

APPROPRIATION ORDINANCE NO. 2019 - _____

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 JULY TO THE SHERIFF'S DEPARTMENT 2019 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 July, 2019:

- \$ 87.50 received from DWI Fines from District Court
- \$ 125.00 received from Drug Enforcement Fines from District Court
- \$ 2,375.00 received from Act 770 fees
- \$ 25.00 received VIN Checks
- \$ 105.00 received for Restitution
- \$ 4,172.37 received for Installment Fees
- \$ 156.42 reimbursement Inmates' Medical
- \$ 180.70 reimbursement for Inmates' Postcards
- \$ 110.14 reimbursement for Inmates' Prescriptions
- \$ 445.57 reimbursement Restitution (Extradition-Prisoner Transport)

WHEREAS, it is necessary to appropriate said monies totaling **\$7,782.70** to the appropriate line items in the Sheriff's Department 2019 budget.

Section 1. There is hereby appropriated from the 2019 County General Fund (#1000) **\$3,038.07** for the following designated expenditures:

- \$ 2,400.00 to GL# 1000-0400-2001 (General Supplies)
- \$ 533.07 to GL# 1000-0400-2007 (Fuel, Oil, Lubricants)
- \$ 105.00 to GL# 1000-0400-2023 (Sheriff: Parts & Repairs)

Section 2. There is hereby appropriated from the 2019 County Jail Fund (#3401) **\$447.26** for the following designated expenditures:

- \$ 180.70 to GL# 3401-0418-2001 (Jail: General Supplies)
- \$ 110.14 to GL# 3401-0418-2004 (Jail: Medicine & Drugs)
- \$ 156.42 to GL# 3401-0418-3006 (Jail: Medical, Dental Hospital)

Section 3. There is hereby appropriated from the 2019 Sheriff's Special Projects Fund (#3400) \$4,297.37 for the following designated expenditures:

- \$ 125.00 to GL# 3400-0400-2065 (Drug Enforcement-Sheriff's Projects)
- \$4,172.37 to GL#3400-0400-3003 (Computer Services – 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. 2019 - _____

(2nd reading)

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

AN ORDINANCE TO AMEND BAXTER COUNTY ORDINANCE §320.00 THAT ESTABLISHED A FEE THAT CHARGED CITIES OF BAXTER COUNTY FOR KEEPING AND MAINTAINING PRISONERS IN THE BAXTER COUNTY JAIL.

WHEREAS, Pursuant to Arkansas code annotated Section 16-17-129, the Baxter County Sheriff is allowed to bill monthly for the cost of keeping prisoners incarcerated by any incorporated city or town in Baxter County, and

WHEREAS, Baxter County Ordinance 2000-68, superseded by Baxter County Ordinance 2010-19, established the fee to be charged and collected; and

WHEREAS, These Ordinances were incorporated into the Baxter County Code of Ordinances, chapter 3, §320.00 and adopted by the Baxter County Quorum Court; and

WHEREAS, on September 12, 2017, the citizens of Baxter County voted to place a one quarter (1/4) cent sales tax on all sales allowed by law to "...acquire, expand, construct, improve, furnish, equip, and provide for the operation and maintenance of the Baxter County Jail Facilities, and to pay for the costs associated with the housing of prisoners"; so

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

Section 1. The Baxter County Quorum Court will amends section §320.00 of the Baxter County Code of Ordinances, and will no longer bill or collect any fees from any town or incorporated city or municipality located in Baxter County, Arkansas, for the housing of a prisoner from their jurisdiction.

Section 2. All references to municipal law enforcement, fees, or collections from the same in Baxter County for housing prisoners or inmates, be stricken from Baxter County Code §320.00.

Section 3. All such bills submitted by Baxter County Sheriff since July 1, 2019, shall be forgiven, and no such bill is to be submitted from the date of passage and addition of this Ordinance.

Section 4. 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 of the Ordinance or Baxter County Code §320.00, and shall be severable.

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 – _____

(1st 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 FEBRUARY 2019.**

WHEREAS, it has been determined by the Baxter County Court Personnel Committee that changes, additions and new upgrades in the Baxter County Personnel Policy Manual is necessary to improve the overall effectiveness and efficiency of the Baxter County Government; and

WHEREAS, Baxter County seeks to be prepared for the proposed FLSA changes to take effect later this year by updating the Baxter County Personnel Policy Manual.

WHEREAS, it is deemed by the 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; 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" which is 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.

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: _____

Personnel Committee Notes

I. Personnel Policy Changes

Items presented at June meeting to be confirmed. Proposed changes to personnel policy:

- To clarify overtime and compensatory time for Exempt employees a proposal to change verbiage on page 15, Section D, Items 4 and 5 to read:
 - "4) As authorized by FLSA, the County's *nonexempt* employees who are eligible for overtime compensation shall receive..."
 - "5) The normal work period shall be 40 hours per week for all *nonexempt* County employees.
Salaried exempt employees are expected to work whatever hours are required to accomplish their duties, even if it exceeds their normal work week. No overtime premium pay will be paid in most circumstances."

For public employees this is not required by FLSA and comp time can be awarded for hours worked above any limit set by the employer, i.e. 40, 50 or more.

- To correct verbiage to conform with current FMLA guidelines a proposal is made to change the definition of a chronic or long-term health condition, as found on page 23, Section G, Item 3 to read:
 - "...Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the healthcare provider within seven days of the onset of the incapacity *and a regimen of continuing treatment to resolve or alleviate the condition or treatment two or more times by a health care provider within 30 days of the incapacity.* ~~And a second visit within 30 days of the incapacity would be considered a serious health condition.~~"
- To address issue of employee's who reach maximum pay threshold of pay grade the following addition to page 14-15, Section B, paragraph 3 to read:
 - "Baxter County has established a Pay Grade and Pay Range system for placing all employees on a pay scale in an effort to compare salaries within and between departments, as well as comparison with other similar businesses.

Adjustments to an employee's base pay will not exceed the maximum of the salary range. Any increase beyond the maximum salary range will be paid out in a single lump sum upon their anniversary date and will not be added to the employee's base pay. Employees who exceed the maximum salary range of base pay prior to January 1, 2020 will be grandfathered in at their current base with single lump sums added to their base for all future increases. Any future changes to the pay grade structure and its effect on those who may have previously reached maximum will be addressed on an individual basis.

APPROPRIATION ORDINANCE NO. 2019 - _____

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

AN ORDINANCE APPROPRIATING EXCESS REVENUES IN THE AMOUNT OF \$60,000 TO THE ROAD AND BRIDGE 2019 BUDGET.

WHEREAS, monies have been received and deposited that exceed the anticipated revenue amounts in the half-cent (0.50) Sales Tax Revenue Fund (#2000); and

WHEREAS, it is necessary to appropriate these funds in the amount of \$60,000.00 to the Road and Bridge (#2000) Fund, to complete road construction projects.

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

Section 1. The Baxter County Quorum Court authorizes IT Manager to make the following appropriations within the Road and Bridge Budget:

\$ 60,000.00 appropriated into GL# 2000-0200-2020 (Road and Bridge-Road Construction Projects)

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. 2019 - _____

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

AN ORDINANCE RE- APPROPRIATING FUNDS IN THE AMOUNT OF \$400.00 IN THE VETERAN SERVICES BUDGET FUND (#1000).

WHEREAS, The Veteran Services Department is requesting a re-allocation of funds within their budget for replacing unusable office equipment with new office equipment.

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:

\$400.00 from GL#1000-0800-2012 (Flags)

To GL#1000-0800-2001 (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: _____