

**BAXTER COUNTY QUORUM COURT  
JOURNAL OF PROCEEDINGS**

**May 1, 2018**

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, Edna Fusco, James Kerr, Kevin Litty, William Lucas, Neal Pendergrass, Gary Smith, Lucille Soltysik, Rick Steiner, and Marilyn Williamson. 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 April meeting. Justice Lucas moved that the minutes be approved as submitted. Justice Albright seconded that motion. All voted in favor.

There were no committee reports, however Justice Fusco reported on the Annual Meeting of the Arkansas Association of Quorum Courts, which was held in Little Rock on April 14, 2018. She informed the Court of the proposed topics of legislation that the Association is considering for the 2019 legislative session.

Baxter County OEM Director Jim Sierzchula introduced the new Deputy OEM Director/Safety Coordinator, David Stults, to the Court.

Judge Pendergrass announced that the Economic Development Committee needs to schedule a meeting in the near future. Economic Development Committee members include Justices Albright, Litty, Lucas, Pendergrass, and Williamson.

New Business:

Proposed Ordinance #2018-16, **AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF MARCH TO THE SHERIFF’S DEPARTMENT 2018 BUDGET** was sponsored by Justice Smith and read by title only by County Clerk Canda Reese. Justice Kerr moved to adopt, seconded by Justice Fusco. Being no discussion the roll was called. Voting YEA: Justices Albright, Chapman, Fusco, Kerr, Litty, Lucas, Pendergrass, Smith, Soltysik, Steiner, and Williamson. The motion carried, and Ordinance #2018-16 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Ordinance #2018-17, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$6,620.00 FROM THE SPECIAL JAIL FEES FUND INTO THE SPECIAL**

**JAIL FEES BUDGET**, was sponsored by Justice Fusco and read by title only by County Clerk Canda Reese. A motion was made by Justice Kerr and seconded by Justice Albright for the adoption of the proposed ordinance. Being no discussion, the roll was called. Voting YEA: Justices Chapman, Fusco, Kerr, Litty, Lucas, Pendergrass, Smith, Soltysik, Steiner, Williamson, and Albright. The motion carried and Appropriation Ordinance #2018-17 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Ordinance #2018-18, **AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$3,149.95 WITHIN THE RURAL FIRE SERVICES BUDGET**, was sponsored by Justice Albright and read by title only by County Clerk Canda Reese. Justice Soltysik moved to adopt. Justice Smith seconded that motion. Being no discussion the roll was called. Voting YEA: Justices Fusco, Kerr, Litty, Lucas, Pendergrass, Smith, Soltysik, Steiner, Williamson, Albright, and Chapman. The motion carried and Re-Appropriation Ordinance #2018-18 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Resolution #2018- , **A RESOLUTION ADDRESSED TO THE OFFICE OF GOVERNOR ASA HUTCHINSON, THE ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION (APC&EC), AND THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ), HEREBY NOTIFYING SAID PARTIES OF THE BAXTER COUNTY QUORUM COURT'S ACTION TO SUPPORT THE C&H HOG FARM OF NEWTON COUNTY, ARKANSAS**, was sponsored by Justice Chapman and read in its entirety by County Clerk Canda Reese. Justice Chapman moved to adopt the proposed resolution, seconded by Justice Soltysik. John Bailey, Director of Environment and Regulatory Affairs for the Farm Bureau, spoke to the Court on behalf of Justice Chapman, regarding the need for the proposed resolution. After much discussion by the Court, Justice Lucas made a motion to table the proposed resolution until the June meeting of the Court, and to work on modifying the proposed resolution to make it more specific to Baxter County. Justice Fusco seconded his motion. The roll was called on the motion to table. Voting YEA: Justices Kerr, Lucas, Pendergrass, Smith, Steiner, Williamson, Albright, and Fusco. Voting NAY: Justices Litty, Soltysik, and Chapman. The motion carried, and the proposed resolution was tabled for modification and reconsideration at next month's meeting.

Justice Chapman then requested that the floor be opened to members of the community who had come out to speak in regards to the proposed resolution, even though it was tabled. Community members Frank Fusco and Steve Blumreich, President of the Friends of the Norfolk and White Rivers, both spoke against the resolution. No community members spoke in favor of the resolution.

Other Announcements:

Judge Pendergrass brought to the Court's attention a list of non-inventoried surplus items that had been donated to Mountain Home High School. County Clerk Canda Reese also informed the Court that 4 typewriters and 3 adding machines from the Clerk's Office had also recently been sold at auction. Unfortunately, the proceeds from that sale totaled less than a dollar.

At the end of the meeting, Justice Kerr announced to the Court his intention to resign from the Court, effective immediately, due to a personal conflict. Justice Steiner then made a motion to accept Justice Kerr's resignation and declare a vacancy on the Court. Justice Fusco seconded that motion. After brief further discussion, and gratitude expressed to Justice Kerr for his service on the Court, the roll was called on the motion. Voting YEA: Justices Litty, Lucas, Pendergrass, Smith, Soltysik, Steiner, Williamson, Albright, Chapman, and Fusco. Justice Kerr abstained from the vote. The motion passed, thereby declaring a vacancy in JP District 5 on the Quorum Court.

Being no further business before the Court, the meeting was adjourned.

Respectfully submitted,

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