

**BAXTER COUNTY QUORUM COURT
JOURNAL OF PROCEEDINGS**

October 3, 2017

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, Neal Pendergrass, Gary Smith, Rick Steiner, and Lucille Soltysik. Justices William Lucas and Marilyn Williamson were not in attendance. 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 Fusco moved that the minutes be approved as submitted. Justice Kerr seconded that motion. All voted in favor.

Justice Albright reported on the September 14, 2017 meeting of the Personnel Committee. Minutes of that meeting will be attached. She also announced that the Personnel Committee will meet again on October 16, 2017 at 4:30 p.m.

Justice Smith made a motion to suspend the rules and add two additional resolutions to the agenda for this meeting. All voted in favor.

New Business:

Third Reading-Proposed Ordinance #2017-46, **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”)**, was sponsored by Justices Steiner and Williamson and read the third time by title only by County Clerk Canda Reese. Justice Smith moved to adopt, seconded by Justice Pendergrass. Being no discussion the roll was called. Voting YEA: Justices Albright, Chapman, Fusco, Kerr, Litty, Pendergrass, Smith, Soltysik, and Steiner. The motion carried and Ordinance #2017-46 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Third Reading-Proposed Ordinance #2017-47, **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”), was sponsored by Justices Fusco and Steiner, and read the third time by title only by County Clerk Canda Reese. Justice Fusco moved to adopt, seconded by Justice Kerr. After brief discussion, the roll was called. Voting YEA: Justices Chapman, Fusco, Kerr, Litty, Pendergrass, Smith, Soltysik, Steiner, and Albright. The motion carried and Ordinance #2017-47 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

2nd Reading-Proposed Ordinance #2017- , **AN ORDINANCE TO AMEND ORDINANCE #2017-26, “AN ORDINANCE TO ADOPT CHANGES TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL, DATED JULY 2015,” FOR THE PURPOSE OF REVISION OF CERTAIN SECTIONS**, was sponsored by the Baxter County Personnel Committee and read by title only by County Clerk Canda Reese. The proposed ordinance was then tabled for third reading at the November meeting of the Court.

1st Reading-Proposed Ordinance #2017- , **AN ORDINANCE TO AMEND ORDINANCE #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**, was sponsored by the Baxter County Personnel Committee and read by title only by County Clerk Canda Reese. The proposed ordinance was then tabled for second reading at the November meeting of the Court.

Proposed Ordinance #2017-48, **AN ORDINANCE AMENDING ORDINANCE #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**, was sponsored by Justices Smith, Albright, Williamson, and Fusco, and read by title only by County Clerk Canda Reese. Justice Smith motioned to suspend the rules and place the proposed ordinance on second reading. Justice Pendergrass seconded that motion. The roll was called and all voted in favor.

The proposed ordinance was read the second time by title only by County Clerk Canda Reese. Justice Kerr moved to suspend the rules and place the item on third reading. That motion was seconded by Justice Chapman. The roll was called, and all voted in favor.

Proposed Ordinance #2017-48 was read the third time 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 Litty, Pendergrass, Smith, Soltysik, Steiner, Albright, Chapman, Fusco, and Kerr. The motion carried and Ordinance #2017-48 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Ordinance #2017-49, **AN ORDINANCE AMENDING ORDINANCE #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, was sponsored by Justices Smith, Albright, Williamson, and Fusco, and read by title only by County Clerk Canda Reese. Justice Albright motioned to suspend the rules and place the proposed ordinance on second reading. Justice Soltysik seconded that motion. The roll was called and all voted in favor.

The proposed ordinance was read the second time by title only by County Clerk Canda Reese. Justice Smith moved to suspend the rules and place the item on third reading. That motion was seconded by Justice Fusco. The roll was called, and all voted in favor.

Proposed Ordinance #2017-49 was read the third time by title only by County Clerk Canda Reese. Justice Smith moved to adopt, seconded by Justice Soltysik. Being no discussion, the roll was called. Voting YEA: Justices Soltysik, Steiner, Albright, Chapman, Fusco, Kerr, Litty, Pendergrass, and Smith. The motion carried and Ordinance #2017-49 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Appropriation Ordinance #2017-50, **AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF AUGUST TO THE SHERIFF'S DEPARTMENT 2017 BUDGET**, was sponsored by Justice Williamson and read by title only by County Clerk Canda Reese. A motion was made by Justice Fusco and seconded by Justice Soltysik for the adoption of the proposed ordinance. Being no discussion, the roll was called. Voting YEA: Justices Steiner, Soltysik, Albright, Chapman, Fusco, Kerr, Litty, Pendergrass, and Smith. The motion carried and Appropriation Ordinance #2017-50 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Re-Appropriation Ordinance #2017-51, **AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$10,208.17 WITHIN THE SHERIFF'S DEPARTMENT BUDGET**, was sponsored by Justice Williamson and read by title only by County Clerk Canda Reese. Justice Kerr moved to adopt. Justice Fusco seconded that motion. Being no discussion the roll was called. Voting YEA: Justices Albright, Chapman, Fusco, Kerr, Litty, Pendergrass, Smith, Soltysik, and Steiner. The motion carried and Re-Appropriation Ordinance #2017-51 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Re-Appropriation Ordinance # 2017-52, **AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$9,000.00 WITHIN THE JUVENILE SERVICES BUDGET**, was sponsored by Justice Soltysik and read by title only by County Clerk Canda Reese. Justice Pendergrass moved to adopt, seconded by Justice Kerr. Being no discussion, the roll was called. Voting YEA: Justices Chapman, Fusco, Kerr, Litty, Pendergrass, Smith, Soltysik, Steiner, and Albright. The motion carried and Re-Appropriation Ordinance #2017-52 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Resolution #2017-30, **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**, was sponsored by Justice Chapman and read in its entirety by County Clerk Canda Reese. Justice Pendergrass moved to adopt, seconded by Justice Soltysik.

Being no discussion, the roll was called. Voting YEA: Justices Fusco, Kerr, Litty, Pendergrass Smith, Soltysik, Steiner, Albright, and Chapman. The motion carried and Resolution #2017-30 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Resolution #2017-31, **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**, was sponsored by Justices Smith, Soltysik, and Albright, and read in its entirety by County Clerk Canda Reese. Justice Fusco moved to adopt, seconded by Justice Smith. Being no discussion, the roll was called. Voting YEA: Justices Kerr, Litty, Pendergrass, Smith, Soltysik, Steiner, Albright, Chapman, and Fusco. The motion carried and Resolution #2017-31 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Resolution #2017-32, **A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF JOHN MEISSNER AND JIM SMAKAL BY THE COUNTY JUDGE TO THE GROVER TOWNSHIP FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS**, was sponsored by Justice Smith and read in its entirety by County Clerk Canda Reese. Justice Smith moved to adopt, seconded by Justice Kerr. Being no discussion, the roll was called. Voting YEA: Justices Litty, Pendergrass, Smith, Soltysik, Steiner, Albright, Chapman, Fusco, and Kerr. The motion carried and Resolution #2017-32 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Proposed Resolution #2017-33, **A RESOLUTION CONFIRMING THE APPOINTMENT OF FRED HOSMER BY THE COUNTY JUDGE TO THE GROVER TOWNSHIP FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS**, was sponsored by Justice Smith and read in its entirety by County Clerk Canda Reese. Justice Fusco moved to adopt, seconded by Justice Soltysik. Being no discussion, the roll was called. Voting YEA: Justices Pendergrass, Smith, Soltysik, Steiner, Albright, Chapman, Fusco, Kerr and Litty. The motion carried and Resolution #2017-33 was adopted with a vote of 9 YEA, 0 NAY, 2 absent.

Other Announcements:

Several of the upcoming local fire department events were announced. Also, County Collector Teresa Smith reminded everyone that the tax deadline is coming up on October 16.

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