

BAXTER COUNTY QUORUM COURT AGENDA

January 4, 2022

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON TUESDAY, January 4, 2022 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: *(No Committee Reports)*
 - TREASURERS REPORT:
 - PRESENTATION:

 - NEW BUSINESS
1. (2nd READING) AN ORDINANCE ADOPTING A NEW PERSONNEL POLICY MANUAL FOR BAXTER COUNTY EMPLOYEES.
 2. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF NOVEMBER TO THE SHERIFF'S DEPARTMENT 2021 BUDGET.
 3. AN ORDINANCE APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE IN THE AMOUNT OF \$15,000.00 FOR THE CLARKRIDGE FIRE DEPARTMENT TO THE COUNTY JUDGE'S BUDGET.
 4. AN ORDINANCE APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE IN THE AMOUNT OF \$15,000.00 FOR THE COTTER-GASSVILLE RURAL FIRE PROTECTION DISTRICT TO THE COUNTY JUDGE'S BUDGET.
 5. AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$6,775.00 WITHIN THE SHERIFF'S DEPARTMENT 2021 BUDGET.
 6. AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$4,667.28 WITHIN THE JUVENILE SERVICES DEPARTMENT 2021 BUDGET.
 7. AN ORDINANCE TO REPEAL BAXTER COUNTY ORDINANCE ADOPTING A NEW PERSONNEL POLICY MANUAL FOR THE BAXTER COUNTY SHERIFF'S OFFICE.
 8. A RESOLUTION CONFIRMING THE APPOINTMENT OF CAROL PIOR BY THE COUNTY JUDGE TO THE RODNEY-JORDAN VOLUNTEER FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS.
- ANNOUNCEMENT

 - ADJOURNMENT

ORDINANCE NO. 2022 - _____

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

**AN ORDINANCE TO REPEAL THE BAXTER COUNTY ORDINANCE ADOPTING A NEW AND
SEPARATE POLICY MANUAL FOR THE BAXTER COUNTY SHERIFF'S OFFICE; AND TO
DECLARE AN EMERGENCY.**

Article 1. Affirmation. It comes before this Court that there is a need to repeal Baxter County Ordinance 2021-35 that established a separate personnel policy for the Baxter County Sheriff's Office. The need to repeal stems from research showing that Arkansas law governing county government operations is unambiguous that county employee policy and practices enacted by the quorum court must be "of a general nature and shall be uniform in application to all employees of the county" pursuant to § 14-14-805 (2). It is affirmed by this Court that this position of "uniform in application to all county employees" has been embraced by the Arkansas Attorney General in several issued opinions and by the Arkansas Supreme Court in at least two rulings.

Article 2. Repealer. This ordinance hereby repeals Baxter County Ordinance No. 2021-35 which established a separate personnel policy for the Sheriff's Office.

Article 3. Legislative Intent. It is the intent of the Baxter County Quorum Court that the repeal of Ordinance 2021-35 is a repeal only of the separate personnel policy for the Baxter County Sheriff's Office; that the general personnel policy of Baxter County is applicable to all county employees, with the exception of elected officials pursuant to state law; and that this repeal has no bearing on the pay/wage scales for the employees established pursuant to § 14-14-801 (b) (6) through separate documents of this Court.

Article 4. Emergency Clause. Baxter County Ordinance No. 2021-35 had an effective date of January 1, 2022. Therefore, an emergency must be declared to exist in order that certain employees of the Sheriff will not be able to accrue additional benefits that are not available to all Baxter County employees, in violation of state law. This ordinance shall be effective immediately upon passage by the quorum court and approval by the county judge retroactive to January 1, 2022.

Adopted and approved by the Baxter County Quorum Court on this 4th Day of January, 2022.

APPROVED:

MICKEY D. PENDERGRASS, COUNTY JUDGE

Date Signed: _____

A TEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: D. Frank JP -1, T. Chapman JP-11 Votes: For: _____ Against: _____ Date

Adopted: _____ Abstain: _____ Present: _____ Absent: _____