

**BAXTER COUNTY QUORUM COURT  
JOURNAL OF PROCEEDINGS**

**January 4, 2022**

The Baxter County Quorum Court had its first regular session of the year 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, Angela DeGroote, Maryanne Edge, Dennis Frank, Kevin Litty, Robert Lowery, Charles Osgood, Roger Steele, and Dirk Waldrop. The meeting began with a moment of silence and the Pledge of Allegiance.

There were no committee reports. County Treasurer Jenay Mize gave a brief Treasurer’s report.

Judge Pendergrass asked if there were any additions or corrections to the minutes of the December meeting. Justice Edge moved that the minutes be approved as submitted. Justice Albright seconded that motion. All voted in favor.

New Business:

2<sup>nd</sup> Reading, Proposed Ordinance #2022- , **AN ORDINANCE ADOPTING A NEW PERSONNEL POLICY MANUAL FOR BAXTER COUNTY EMPLOYEES**, was sponsored by the Personnel Committee and read by title only by County Clerk Canda Reese. The proposed ordinance was tabled for final reading at next month’s meeting.

Proposed Ordinance #2022-1, **AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF NOVEMBER TO THE SHERIFF’S DEPARTMENT 2021 BUDGET**, was sponsored by Justice Albright and read by title only by County Clerk Canda Reese. Justice Edge moved to adopt, seconded by Justice Lowery. Being no discussion, the roll was called. Voting YEA: Justices Albright, Chapman, Davis, DeGroote, Edge, Frank, Litty, Lowery, Osgood, Steele, and Waldrop. The motion carried, and Ordinance #2022-1 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2022-2, **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**, was sponsored by Justice DeGroote and read by title only by the Clerk. Justice DeGroote moved to adopt the ordinance, seconded by Justice Frank. After brief discussion the roll was called. Voting YEA: Justices Chapman, Davis, DeGroote, Edge, Frank, Litty, Lowery, Osgood, Steele,

Waldrop, and Albright. The motion passed ordinance #2022-2 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2022-3, **AN ORDINANCE APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE IN THE AMOUNT OF \$15,000.00 FOR THE COTTER-GASSVILLE RURAL FIRE DEPARTMENT TO THE COUNTY JUDGE'S BUDGET**, was sponsored by Justices Steele, Litty, and Albright, and read by title only by the Clerk. Justice Davis moved to adopt the ordinance, seconded by Justice Edge. Being no discussion the roll was called. Voting YEA: Justices Davis, DeGroote, Edge, Frank, Litty, Lowery, Osgood, Steele, Waldrop, Albright, and Chapman. The motion passed and Ordinance #2022-3 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2022-4, **AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$6775.00 WITHIN THE SHERIFF'S PROJECTS FUND (#3400) 2021 BUDGET**, was sponsored by Justice Albright and read by title only by the Clerk. Justice DeGroote motioned to adopt, seconded by Justice Lowery. Being no discussion the roll was called. Voting YEA: Justices DeGroote, Edge, Frank, Litty, Lowery, Osgood, Steele, Waldrop, Albright, Chapman, and Davis. The motion passed and Ordinance #2022-4 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2022-5, **AN ORDINANCE APPROPRIATING \$4,667.28 OF REVENUE FUNDS INTO THE JUVENILE SERVICES DEPARTMENT BUDGET**, was sponsored by Justice Albright and read by title only by the Clerk. Justice Davis made a motion to adopt, seconded by Justice Frank. Being no discussion the roll was called. Voting YEA: Justices Edge, Frank, Litty, Lowery, Osgood, Steele, Waldrop, Albright, Chapman, Davis, and DeGroote. The motion passed and Ordinance #2022-5 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Ordinance #2022-6, **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**, was sponsored by Justices Frank and Chapman, and read by title only by the Clerk. Justice Frank moved to adopt, seconded by Justice Davis. The floor was opened for discussion, at which time Justice Waldrop asked County Attorney David Ethredge for his opinion on the matter. Mr. Ethredge expressed that he has concerns as whether the separate policy is in compliance with Arkansas law, however he needed additional time to research the issue. Justice Chapman then moved to table the ordinance until the next meeting. That motion failed for lack of a second. Justice Frank expressed concern regarding the inequity of the two policies in regards to different employees being treated differently, specifically related to leave time accruals. He said if a disgruntled employee were to sue the county, he was concerned that others would line up to do the same. Justice Waldrop then presented the Court with an amended version of the proposed ordinance, and made a motion to amend the ordinance being considered with what he had presented to them, with all articles, amendments, titles, and sections to be approved in its entirety. Justice Davis seconded that motion. Sheriff Montgomery then spoke in favor of the proposed amendment, saying that it would provide all county employees with the same leave benefits granted to his department in his separate policy manual. Justice Chapman expressed

concern that they hadn't even had time to read the proposed seven-page amendment that had just been presented. After much additional discussion, the roll was called on the proposed amendment. Voting YEA to amending the ordinance: Justices Litty, Lowery, Osgood, Steele, Waldrop, Albright, Davis, DeGroote, and Edge. Voting NAY: Justices Frank and Chapman. Amended Proposed Ordinance #2022-6, **AN ORDINANCE TO REPEAL TWO SECTIONS OF THE BAXTER COUNTY SHERIFF'S OFFICE PERSONNEL POLICY MANUAL PREVIOUSLY ADOPTED BY THE PASSAGE OF BAXTER COUNTY ORDINANCE 2021-35; TO AMEND OTHER SECTIONS OF BOTH THE BAXTER COUNTY SHERIFF'S OFFICE PERSONNEL POLICY MANUAL AND THE BAXTER COUNTY PERSONNEL POLICY MANUAL; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES**, was read by title only by the Clerk. After some further discussion the roll was called on the adoption of the amended ordinance. Voting YEA: Justices Litty, Lowery, Osgood, Steele, Waldrop, Albright, Chapman, Davis, DeGroote, and Edge. Voting NAY: Justice Frank. The motion passed and Ordinance #2022-6 was adopted with a vote of 10 YEA, 1 NAY.

Proposed Resolution #2022-1, **A RESOLUTION CONFIRMING THE APPOINTMENT OF CAROL PIOR BY THE COUNTY JUDGE TO THE RODNEY-JORDAN VOLUNTEER FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS**, was sponsored by Justice Chapman, and read in its entirety by County Clerk Canda Reese. Justice Chapman moved to adopt, seconded by Justice Lowery. Being no discussion the roll was called. Voting YEA: Justices Lowery, Osgood, Steele, Waldrop, Albright, Chapman, Davis, DeGroote, Edge, Frank, and Litty. The motion passed and Resolution #2022-1 was adopted with a vote of 11 YEA, 0 NAY.

#### Other Announcements:

Judge Pendergrass announced it is time for the Court to choose their 2022 delegate to the Arkansas Quorum Courts Association. Justice DeGroote then nominated Justice Frank. There were no other nominations, and all voted in favor.

Judge Pendergrass read a list of items to be disposed of by the Sheriff's Office. That list will be attached to this Journal.

Justice Lowery announced that this will be his last meeting as a Justice of the Peace, and that he will be resigning his position effective January 5, 2022 in order to pursue other opportunities.

Justice Davis announced that the Budget Committee will meet on Wednesday, January 12 at 4:30 p.m. It was also announced that a Personnel Committee meeting will be scheduled as soon as possible.

Judge Pendergrass read a prepared statement at the end of the meeting, announcing that he will not be seeking re-election, and will vacate his position as County Judge at the end of this term. He said by that time, he will have served in some form of local government for the past 34 years, including 10 years as County Judge. He thanked the Court and the public for putting their trust in his ability to serve and lead Baxter County.

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