

**BAXTER COUNTY QUORUM COURT  
JOURNAL OF PROCEEDINGS**

**March 2, 2021**

The Baxter County Quorum Court met in 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, 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 silent prayer and the Pledge of Allegiance.

Kim Crow Sheaner, Library Director, presented the Annual Report for the Donald W. Reynolds Library for members of the Court.

Judge Pendergrass asked if there were any additions or corrections to the minutes of the February meeting. Justice Albright moved to approve the minutes as submitted. Justice Osgood seconded that motion, and all voted in favor.

Justice Davis reported on the February 8 meeting of the Budget Committee. Minutes of that meeting will be attached to this Journal.

New Business:

Proposed Appropriation Ordinance #2021-8, **AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF JANUARY TO THE SHERIFF'S DEPARTMENT 2021 BUDGET**, was sponsored by Justice Albright, and read by title only by County Clerk Canda Reese. Justice Davis made a motion to adopt the proposed ordinance, seconded by Justice Edge. Being no discussion, the roll was called. Voting YEA: Justices Albright, Chapman, Davis, DeGroote, Edge, Frank, Litty, Lowery, Osgood, Steele, and Waldrop. The motion passed and Appropriation Ordinance #2021-8 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Ordinance #2021-9, **AN ORDINANCE ALLOWING BAXTER COUNTY TO CONDUCT BUSINESS WITH BENNY MAGNESS PURSUANT TO ACT 353 (A.C.A. §14-14-1202)**, was sponsored by the Budget Committee, and read by title only by County Clerk Canda Reese. Justice Litty moved to suspend the rules and place the ordinance on 2<sup>nd</sup> reading. His motion was seconded by Justice Lowery. Voting YEA on that motion: Justices Chapman, Davis, DeGroote, Edge, Frank, Litty, Lowery, Osgood, Steele, Waldrop, and Albright. The motion passed. The proposed ordinance was read a second time by title only. Justice Albright made a motion to suspend the rules and advance the ordinance to a third reading. Justice Edge seconded that motion, and the roll was again called. Voting YEA: Justices Davis, DeGroote, Edge, Frank, Litty, Lowery,

Osgood, Steele, Waldrop, Albright, and Chapman. The motion passed, and the ordinance was read the third time by title only by County Clerk Canda Reese. Justice Albright then moved for the adoption of the proposed ordinance. Justice Osgood seconded that motion. After brief discussion and explanation by Sheriff John Montgomery, the roll was called. Voting YEA: Justices DeGroot, Edge, Frank, Litty, Lowery, Osgood, Steele, Waldrop, Albright, Chapman, and Davis. The motion passed and Ordinance #2021-9 was adopted, with an emergency clause, with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2021-10, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$22,152.00 INTO THE 10<sup>TH</sup> JUDICIAL DISTRICT COURT BUDGET**, was sponsored by the Budget Committee and read by title only by County Clerk Canda Reese. Justice Albright moved 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 DeGroot. The motion passed and Appropriation Ordinance #2021-10 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2021-11, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$35,000.00 FROM REVENUE FUND (#3401) INTO THE JAIL MAINTENANCE & OPERATION FUND (#3401)**, was sponsored by the Budget Committee and read by title only by County Clerk Canda Reese. Justice Steele made a motion to adopt, seconded by Justice Lowery. After brief discussion the roll was called. Voting YEA: Justices Frank, Litty, Lowery, Osgood, Steele, Waldrop, Albright, Chapman, Davis, DeGroot and Edge. The motion passed and Appropriation Ordinance #2021-11 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Appropriation Ordinance #2021-12, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$8,400.00 WITHIN THE SHERIFF'S DEPARTMENT 2021 BUDGET**, was sponsored by Justices Albright and Osgood, and read by title only by County Clerk Canda Reese. Justice Edge moved to adopt, seconded by Justice Albright. Being no discussion the roll was called. Voting YEA: Justices Litty, Lowery, Osgood, Steele, Waldrop, Albright, Chapman, Davis, DeGroot, Edge, and Frank. The motion passed and Appropriation Ordinance #2021-12 was adopted with a vote of 11 YEA, 0 NAY.

Proposed Re-Appropriation Ordinance #2021-13, **AN ORDINANCE RE-APPROPRIATING FUNDS IN THE 2020 BUDGET, PREVIOUSLY AUTHORIZED IN ORDINANCE NO. 2019-50, FOR THE PURPOSE OF THE STATE-MANDATED BUDGET CLEAN-UP**, was sponsored by Justice Edge and read by title only by County Clerk Canda Reese. Justice Albright made a motion to adopt. Justice Frank seconded that motion. After brief discussion the roll was called. Voting YEA: Justices Lowery, Osgood, Steele, Waldrop, Albright, Chapman, Davis, DeGroot, Edge, Frank, and Litty. The motion passed and Appropriation Ordinance #2021-13 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2021-9, **A RESOLUTION CONFIRMING THE APPOINTMENT OF LARRY McCORMICK BY THE COUNTY JUDGE TO THE HENDERSON FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS**, was sponsored by Justice Lowery, and read in its entirety by County Clerk Canda Reese. Justice Lowery moved to adopt, seconded by Justice Albright. Being no discussion, the roll was called. Voting YEA: Justices Osgood, Steele,

Waldrop, Albright, Chapman, Davis, DeGroot, Edge, Frank, Litty, and Lowery. The motion passed and Resolution #2021-9 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2021-10, **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 Frank and read in its entirety by County Clerk Canda Reese. Justice Frank then moved to adopt, seconded by Justice Lowery. Being no discussion the roll was called. Voting YEA: Justices Steele, Waldrop, Albright, Chapman, Davis, DeGroot, Edge, Frank, Litty, Lowery, and Osgood. The motion passed and Resolution #2021-10 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2021-11, **A RESOLUTION CONFIRMING THE APPOINTMENTS OF WILLIAM LUCAS AND GERALD FARRIS BY THE COUNTY JUDGE TO THE BAXTER COUNTY PLANNING BOARD**, was sponsored by Justices Frank and Waldrop, and read in its entirety by County Clerk Canda Reese. Justice Waldrop moved to adopt, seconded by Justice Edge. After brief comments by Judge Pendergrass the roll was called. Voting YEA: Justices Waldrop, Albright, Chapman, Davis, DeGroot, Edge, Frank, Litty, Lowery, Osgood, and Steele. The motion passed and Resolution #2021-11 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2021-12, **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 Justice Frank and read in its entirety by County Clerk Canda Reese. Justice Frank moved to adopt, seconded by Justice Litty. Justice Edge pointed out that there was an error in one of the names on the Resolution. The correction was made, and after brief discussion the roll was called. Voting YEA: Justices Albright, Chapman, Davis, DeGroot, Edge, Frank, Litty, Lowery, Osgood, Steele, and Waldrop. The motion passed and Resolution #2021-12 was adopted as corrected with a vote of 11 YEA, 0 NAY.

Resolution #2021- , **A RESOLUTION CONFIRMING THE RE-APPOINTMENTS OF ROY NELSON, MARY FERRON, DANA HEWITT, SIDNEY EDELBROCK, AND MARY NORGAARD BY THE COUNTY JUDGE TO THE CLARKRIDGE VOLUNTEER FIRE DEPARTMENT BOARD OF COMMISSIONERS**, was sponsored by Justice DeGroot and read in its entirety by County Clerk Canda Reese. Before any action was taken, Judge Pendergrass indicated that corrections needed to be made to the proposed resolution, and it was tabled for reconsideration at next month's meeting.

Resolution #2021-13, **A RESOLUTION AUTHORIZING THE BAXTER COUNTY JUDGE TO APPLY FOR A GRANT ON BEHALF OF THE BAXTER COUNTY FAIR ASSOCIATION**, was sponsored by Justice Steele, and read in its entirety by County Clerk Canda Reese. Justice Albright moved to adopt, seconded by Justice Osgood. After brief discussion, the roll was called. Voting YEA: Justices Chapman, Davis, DeGroot, Edge, Frank, Litty, Lowery, Osgood, Steele, Waldrop, and Albright. The motion passed and Resolution #2021-13 was adopted with a vote of 11 YEA, 0 NAY.

After other brief announcements, and 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