

# Baxter County Emergency Ordinance No. 2024 - 62

**Be It Ordained by the Quorum Court of Baxter County, State of Arkansas:**

## **An Ordinance to Obligate Remaining ARPA Funds on the Books of the County; To Adopt an Interlocal Agreement to Obligate Certain County Financial Recourses; and to Declare an Emergency.**

**Article 1. Affirmation.** This court affirms the requirement of the U.S. Treasury to obligate any remaining ARPA funds on the books of the county by December 31, 2024 for expenditure on or before December 31, 2026. This court is cognizant of the definition of "obligation" in the final rule to mean "an order placed for property and services and entering into contracts, sub awards, and *similar transactions* that require payment." Similar transactions for county governments in the State of Arkansas include an obligation made through the precepts of a county ordinance with ordinance being defined "as an enactment of compulsory law for a quorum court that defines and establishes a system of principles for the control and conduct of county affairs." The obligation of ARPA funding will be bolstered by an interagency agreement consummated between the County Court and the various county agencies/departments to receive ARPA funds by proper appropriation at the proper time during the 2025 and/or the 2026 county fiscal year(s) and attached to this ordinance.

**Article 2. Obligation.** The following is Baxter County's obligation of American Rescue Plan Act funds in the amount of \$2,393,091.00 to be expended on or before December 31, 2026, and appropriated as needed. Said American Rescue Plan Act dollars received through the State and Local Fiscal Recovery Fund are hereby obligated for the following expenditures:

Costs for the County Judge:

- Accounting and Auditing \$10,000.00  
**\$10,000.00**

Capital Outlay for Public Health:

- Construction in Progress \$2,383,091.00  
**\$2,383,091.00**

**Total ARPA Obligation**

**\$2,393,091.00**

**Article 3. Approval of Agreement.** That the Interlocal/Agency Agreement between the Baxter County Court and other county agencies/departments, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A" as if set out fully word for word, is hereby adopted.

**Article 4. Legislative Intent.** It is the sole intent of this ordinance, which is compulsory law, to obligate the remaining ARPA funds held in the county treasury for the purposes listed in Article 2 and further delineated in an interagency agreement entered into by the county Court and the officials of the affected agencies/departments.



**F202400104**

**BAXTER CO, AR FEE \$0.00**

PRESENTED: 12-04-2024 12:09:39 PM

RECORDED: 12-04-2024 12:09:39 PM

CANDA REESE

CIRCUIT CLERK

BY: TARA ROWE

CHIEF DEPUTY

**ORDINANCE**

**7 Pages**

**Article 5. Declaration of Emergency.** The U.S. Treasury has mandated that any unspent ARPA funds held by this county must be obligated no later than December 31, 2024 and in order to facilitate that mandate without error an emergency is declared to exist and this emergency ordinance is effective immediately upon passage by the quorum court and approval by the county judge pursuant to § 14-14-908(f).

Approved:

Kevin Litty  
Kevin Litty, County Judge  
Date Signed: 12-3-24

ATTEST: Canda J. Reese  
Canda J. Reese, County Clerk  
Sponsor: Albright  
Date Adopted: 12/03/2024  
Votes: For: 11 Against: 0  
Abstain: 0 Present: 0 Absent: 0

ARTICLE 4 FY 2025 REVENUE FUND SUMMARY AND APPROPRIATIONS

FUND #	Fund	Total Revenues to budget	Expenditures	Net Difference	%	
1000	COUNTY GENERAL	\$ 15,302,859.20	\$ 13,605,538.13	\$ 1,697,321.07	89%	
1001	GENERAL RESERVE FUND	\$ 1,917,871.00	\$ 1,725,000.00	\$ 192,871.00	90%	added \$75,000 expenses to coroners budget 1006.04.19 added \$30,899.13 expenses to step grant 1000.04.22 revenue added to offset step grant \$59,019.20
1003	COUNTY GENERAL INVESTMENTS #2	\$ 5,433,094.00	\$ 4,889,785.00	\$ 543,309.00	90%	
1004	COUNTY GENERAL INVESTMENTS	\$ 5,553,856.00	\$ 4,998,471.00	\$ 555,385.00	90%	
1006	ARPA REVENUE REPLACEMENT FUND	\$ 2,393,091.00	\$ 2,393,091.00	\$ -	100%	
1800	ANIMAL CONTROL FUND	\$ 228,590.00	\$ 198,638.46	\$ 29,951.54	87%	
1803	AVIATION RESERVE FUND	\$ 88,025.00	\$ -	\$ 88,025.00	0%	
1805	EMPLOYEE LIABILITY FUND	\$ 505,000.00	\$ 276,450.00	\$ 228,550.00	55%	
1900	E-WASTE GRANT FUND	\$ 28,039.41	\$ 28,039.41	\$ -	100%	
2000	ROAD AND BRIDGE	\$ 5,950,850.00	\$ 5,139,476.56	\$ 811,373.44	86%	
2003	ADD'L MOTOR FUEL TAX (Act 416 of 2019)	\$ 498,000.00	\$ 260,000.00	\$ 238,000.00	52%	
3000	TREASURER'S AUTOMATION FUND	\$ 329,500.00	\$ 80,000.00	\$ 249,500.00	24%	
3001	COLLECTOR'S AUTOMATION FUND	\$ 918,230.00	\$ 476,000.00	\$ 442,230.00	52%	
3002	CIRCUIT COURT AUTOMATION FUND	\$ 238,200.00	\$ 50,000.00	\$ 188,200.00	21%	
3004	ASSESSOR'S AMENDMENT NO. 79 FUND	\$ 137,600.00	\$ 60,000.00	\$ 77,600.00	44%	
3006	RECORDER'S COST FUND	\$ 1,130,840.00	\$ 473,924.66	\$ 656,915.34	42%	
3008	BAXTER COUNTY LIBRARY	\$ 1,073,325.00	\$ 966,000.00	\$ 107,325.00	90%	
3010	COUNTY CLERK'S COST FUND	\$ 5,597.00	\$ 300.00	\$ 5,297.00	5%	
3012	CHILD SUPPORT COST FUND	\$ 57,530.00	\$ 9,500.00	\$ 48,030.00	17%	
3016	BREATHALYZER FUND	\$ 13,229.00	\$ 1,000.00	\$ 12,229.00	8%	
3017	SPECIAL JAIL FEES	\$ 76,524.45	\$ 7,000.00	\$ 69,524.45	9%	
3018	COUNTY DETENTION FACILITY FUND ( \$20 BOOKING ADMIN	\$ 33,570.00	\$ 5,000.00	\$ 28,570.00	15%	
3019	BOATING SAFETY FUND	\$ 97,120.00	\$ 40,725.00	\$ 56,395.00	42%	
3020	EMERGENCY 911 FUND	\$ 1,174,173.00	\$ 1,047,711.68	\$ 126,461.32	89%	Expenses less \$5,000 extra help
3024	PUBLIC DEFENDER FUND	\$ 118,017.00	\$ 83,663.07	\$ 34,353.93	71%	
3028	DRUG COURT FUND	\$ 10,327.00	\$ 6,000.00	\$ 4,327.00	58%	
3031	JUVENILE PROBATION FEES	\$ 142,160.00	\$ 81,880.30	\$ 60,279.70	58%	
3039	CIRCUIT CLERKS COMMISSIONER'S FEE FUND	\$ 24,760.00	\$ 5,500.00	\$ 19,260.00	22%	
3042	ASSESSOR'S LATE ASSESSMENT FEE FUND	\$ 20,825.00	\$ 10,000.00	\$ 10,825.00	48%	
3045	DISTRICT COURT DWI FUND	\$ 10,000.00	\$ 9,000.00	\$ 1,000.00	90%	New funds expense and revenues
3048	ADULT DRUG COURT (OFFROAD SETTLEMENT)	\$ 20,214.16	\$ 20,214.16	\$ -	100%	New funds expense and revenues
3400	SHERIFF'S PROJECTS	\$ 80,090.00	\$ 72,102.24	\$ 7,987.76	90%	
3401	JAIL MAINTENANCE & OPERATION FUND	\$ 4,385,000.00	\$ 3,647,095.01	\$ 737,904.99	83%	
3410	DRUG ENFORCEMENT FUND	\$ 14,200.00	\$ 1,000.00	\$ 13,200.00	7%	
3411	K-9 FUND	\$ 28,500.00	\$ 1,000.00	\$ 27,500.00	4%	
3505	BIA/DOJ FY21 14TH JUD. DRUG COURT FUND	\$ 90,000.00	\$ 79,515.00	\$ 10,485.00	88%	
3507	CASEY HOUSE RESTORATION GRANT FUND	\$ 100,000.00	\$ 100,000.00	\$ -	100%	New funds expense and revenues
3508	BAXTER COUNTY FED DWI COURT FUND	\$ 15,000.00	\$ 15,000.00	\$ -	100%	New funds expense and revenues
3511	GALATIA CEMETERY ASSOCIATION ARK RURAL COM GRANT	\$ 15,000.00	\$ 15,000.00	\$ -	100%	New funds expense and revenues
3512	CLARKBRIDGE VOLUNTEER FIRE DEPT ARK RURAL COM GRANT	\$ 15,000.00	\$ 15,000.00	\$ -	100%	New funds expense and revenues
4001	HEALTH DEPT BLDG CONSTRUCTION FUND	\$ 600,000.00	\$ 500,000.00	\$ 100,000.00	83%	
6009	LAW LIBRARY	\$ 16,687.00	\$ -	\$ 16,687.00	0%	
	Totals	\$ 48,890,504.22	\$ 41,388,621.68	\$ 7,501,882.54	85%	

Baxter County  
 2025 Proposed  
 Dept : 0300  
 PUBLIC HEALTH  
 Version A

Fund : (1006) ARPA REVENUE REPLACEMENT FUND

Line Description	Spent 2022	Spent 2023	Orig Budget 2024	Amend Budget 2024	Spent 11/25/2024	Request 2025
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Section 2: Supplies

Section 3: Other Charges

3004 ENGINEERING AND ARCHITECTURAL.	0.00	0.00	500,000.00	500,000.00	211,889.97	0.00
Total Other Charges	0.00	0.00	500,000.00	500,000.00	211,889.97	0.00

Section 4: Capital Outlay

4001 LAND.....	0.00	0.00	0.00	0.00	0.00	0.00
4006 CONSTRUCTION IN PROGRESS.....	0.00	0.00	2,890,000.00	2,890,000.00	694,255.92	2,383,091.00
Total Capital Outlay	0.00	0.00	2,890,000.00	2,890,000.00	694,255.92	2,383,091.00
Dept 0300 Total Budget	0.00	0.00	3,390,000.00	3,390,000.00	906,145.89	2,383,091.00

Prepared by: Jenay Mize  
 BUD.RPT

Baxter County  
 2025 Proposed  
 Dept : 0100  
 COUNTY JUDGE

Fund : (1006) ARPA REVENUE REPLACEMENT FUND  
 Version A

Line Description	Spent 2022	Spent 2023	Orig Budget 2024	Amend Budget 2024	Spent 11/25/2024	Request 2025
Section 2: Supplies						
Section 3: Other Charges						
3001 ACCOUNTING AND AUDITING.....	5,000.00	5,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Total Other Charges	5,000.00	5,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Dept 0100 Total Budget	5,000.00	5,000.00	10,000.00	10,000.00	10,000.00	10,000.00

Prepared by: Jenay Mize  
 BUD.RPT

Printed 14:10:31 26 NOV 2024

# *In The County Court of Baxter County*

*County Judge Kevin Litty*

*Court Order No. 77*

IN RE: *Interlocal Agreement* – Exhibit "A"

*It comes before this Court on this 2nd day of December 2024, the need to obligate remaining American Rescue Plan Act dollars received through the State and Local Fiscal Recovery Fund still on the books of the county unappropriated and unspent. It is necessary to obligate these remaining funds prior to December 31, 2024, for expenditure prior to December 31, 2026. Obligated funds shall be appropriated at the proper time and manner by the quorum court of the county. This Interlocal/Agency Agreement is made pursuant to Arkansas Code Annotated § 14-14-910, by and between the County Court of Baxter County and the departments of Sheriff, Judge, and Recorder of said county.*

This Interlocal Agreement [**Exhibit "A"**] authorized and approved by the Baxter County Quorum Court, the governing body of the county, and approved by the various county agencies/departments who are parties to this agreement herein set forth as a financial obligation of Baxter County the following:

**(1)** An agreement between the Baxter County Court and the Baxter County Judge to obligate ARPA funds for the Public Health Department Building construction and administrative cost for federal audit and not to exceed the amounts in this agreement:

**Personnel Costs: County Judge**

- Accounting and Auditing \$ 10,000.00  
\$ 10,000.00

**Capital Outlay: Public Health**

- Construction in Progress \$2,383,091.00  
\$2,383,091.00



File Type

**C202400101**

FILED FOR RECORD ORDER COUNTY  
BY: LISA PEMBERTON  
12-02-2024 10:15:16 AM

CANDA REESE  
BAXTER CO. AR CIRCUIT CLERK

(2) An agreement between the Baxter County Court and Gregory & Co. to obligate ARPA funds for the capital expenditure of funds for construction of Public Health Department building:

**Capital Outlay:**

- Construction in Progress \$2,383,091.00

Approved: *Karin Little*  
County Judge

Approved: *Candag Reese*  
County Recorder

**Total ARPA Funds obligated for the years 2025 and/or 2026:** \$2,393,091.00

**Now Therefore, Know All Men by These Presents,** that for consideration of the above premises and for the mutual obligations hereby created and the mutual benefits so derived, the parties agree as follows:

- (A) It is the intent of the parties to create up to a 2-year relationship with regard to the matter set forth herein to conclude on or before December 31, 2026;
- (B) That the obligated funds herein will be available for obligated purposes upon proper appropriation by the county quorum court and all expenditures must be in compliance county purchasing procedures pursuant to § 14-22-101 et seq.; and
- (C) All expenditures shall go through the normal county claims process in accordance with the county claims procedures in Arkansas Code Annotated § 14-23-101 et seq. and § 14-14-1102(b)(2).

**In Witness Hereto,** Baxter County Court and the represented county departments in this contractual agreement have executed this document by their duly elected officers who are authorized to represent the respective parties hereto assuring the rights and obligations set forth herein this 3rd day of December, 2024.

BY: *Karin Little*  
County Court Judge

ATTEST All Signatures: *Candag Reese*  
County Clerk