

**BAXTER COUNTY QUORUM COURT
JOURNAL OF PROCEEDINGS**

July 11, 2023

The Baxter County Quorum Court met in regular session at 6:00 PM in the Baxter County Courtroom with County Judge Kevin Litty presiding. Members present were: Rhonda “Tink” Albright, Ty Chapman, Cameron Davis, Angela DeGroote, Maryanne Edge, Dennis Frank, Charles Osgood, Roger Steele, Rick Steiner, Dirk Waldrop, and Shannon Walker. The meeting began with a moment of silence and the Pledge of Allegiance.

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

Reports:

County Treasurer Jenay Mize provided the Court with a treasurer’s report and update regarding sales tax numbers.

Justice Waldrop reported on the June 8 and July 5 meetings of the Personnel Committee.

Justice Frank reported on the June 19 and July 5 meetings of the Budget Committee. Minutes of each of those meetings will be attached to this Journal.

Presentation:

Russell Tucker, Board President, and Dani Pugsley, Executive Director, of the Mountain Home Chamber of Commerce, both presented the Court with a proposal for a partnership between the Chamber and the County aimed at driving economic development.

Justice Waldrop made a motion to suspend the rules and add 2 additional resolutions to the agenda. Justice Albright seconded that motion. Voting YEA: Justices Albright, Chapman, Davis, DeGroote, Edge, Frank, Osgood, Steele, Steiner, Waldrop, and Walker. Motion passed.

Old Business:

Ordinance #2023-38, **AN ORDINANCE TO COMPEL THE TIMELY PAYING OF COUNTY INVOICES THROUGH THE COUNTY CLAIMS SYSTEMS; AND FOR OTHER PURPOSES**, was sponsored by Justice DeGroote and read by title only by the Clerk. Justice Albright made a motion to adopt, seconded by Justice Edge. Being no discussion, the roll

was called. Voting YEA: Justices Chapman, Davis, DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, Walker, and Albright. The motion passed, and Ordinance #2023-38 was adopted with a vote of 11 YEA, 0 NAY.

New Business:

Appropriation Ordinance #2023-39, **AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF MAY TO THE SHERIFF’S DEPARTMENT 2023 BUDGET**, was sponsored by Justice Albright and read by title only by the Clerk. Justice Edge made a motion to adopt, seconded by Justice Davis. Being no discussion, the roll was called. Voting YEA: Justices Davis, DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, Walker, Albright, and Chapman. The motion passed, and Ordinance #2023-39 was adopted with a vote of 11 YEA, 0 NAY.

Ordinance #2023-40, **AN EMERGENCY ORDINANCE ADOPTING CERTAIN RULES AND REGULATIONS CONCERNING EXTERNAL NOISE ATTENUATION OF DATA CENTERS AND TO PREVENT NOISE DISTURBANCE IN BAXTER COUNTY AND WITHIN ITS UNINCORPORATED LIMITS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES**, was sponsored by Justice Albright and read by title only by the Clerk. Justice Albright moved to adopt, seconded by Justice Davis. After some discussion the roll was called. Voting YEA: Justices DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, Albright, and Davis. Voting NAY: Walker and Chapman. The motion passed, and Ordinance #2023-40 was adopted with a vote of 9 YEA, 2 NAY.

First reading: Ordinance #2023- , **AN ORDINANCE ADOPTING REVISIONS AND ADDITIONS TO THE BAXTER COUNTY PERSONNEL POLICY MANUAL AND PAY SCALE AND AN ORDINANCE ADOPTING REVISIONS AND ADDITIONS TO THE BAXTER COUNTY SHERIFF’S OFFICE PERSONNEL POLICY MANUAL AND PAY SCALE**, was sponsored by the Personnel Committee and read by title only by the Clerk. It was then tabled for second reading at next month’s meeting.

Appropriation Ordinance #2023- , **AN ORDINANCE AMENDING ORDINANCE NO. 2023-23 (TRANSFERRING FUNDS FROM COUNTY GENERAL (#1000) INTO PUBLIC DEFENDER FUND (#3024)) TO RE-APPROPRIATING FUNDS FROM COUNTY GENERAL (1000-0417) INTO PUBLIC DEFENDER FUND BUDGET (3024-0417) IN THE AMOUNT OF \$21,958.19**, was withdrawn from consideration, having been placed on the agenda in error.

Ordinance #2023-41, **AN ORDINANCE TO APPROVE A FULL TIME ELECTION COORDINATOR IN THE COUNTY CLERK’S OFFICE**, was sponsored by the Personnel and Budget Committees, and read by title only by the Clerk. Justice Edge made a motion to adopt, seconded by Justice Albright. Being no discussion, the roll was called. Voting YEA: Justices Frank, Osgood, Steele, Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, and Edge. The motion passed and Ordinance #2023-41 was adopted with a vote of 11 YEA, 0 NAY.

Ordinance #2023-42, **AN ORDINANCE ESTABLISHING COMPENSATION TO BE PAID TO BAXTER COUNTY ELECTION OFFICIALS**, was sponsored by the Personnel and Budget Committees, and read by title only by the Clerk. Justice Waldrop made a motion to adopt, seconded by Justice Edge. Being no discussion, the roll was called. Voting YEA: Justices Osgood, Steele, Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, and Frank. The motion passed and Ordinance #2023-42 was adopted with a vote of 11 YEA, 0 NAY.

Ordinance #2023-43, **AN ORDINANCE ESTABLISHING COMPENSATION TO BE PAID TO BAXTER COUNTY JURORS**, was sponsored by both the Personnel and Budget Committees, and read by title only by the Clerk. Justice Edge motioned to adopt, seconded by Justice Albright. Being no discussion, the roll was called. Voting YEA: Justices Steele, Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, and Osgood. The motion passed, and Ordinance #2023-43 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-44, **AN APPROPRIATION ORDINANCE TO AMEND THE 2023 BAXTER COUNTY ANNUAL BUDGET ORDINANCE #2022-71 AND AMENDMENTS THERETO; TO APPROPRIATE PROFESSIONAL DEVELOPMENT RECOGNITION PAYMENTS; AND FOR OTHER PURPOSES**, was sponsored by Justice Albright, and read by title only by the Clerk. Justice Albright made a motion to adopt, seconded by Justice Frank. Being no discussion, the roll was called. Voting YEA: Justices Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, Osgood, and Steele. The motion passed and Appropriation Ordinance #2023-44 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-45, **AN ORDINANCE TO APPROPRIATE FUNDS IN THE AMOUNT OF \$1,520.00 FROM COUNTY GENERAL REVENUE FUNDS (#1000) INTO THE FIRE DEPARTMENTS 2023 BUDGET**, was sponsored by Justice Albright, and was read by title only by the Clerk. Justice Edge moved to adopt, seconded by Justice DeGroot. Being no discussion the roll was called. Voting YEA: Justices Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, Osgood, Steiner, and Steele. The motion passed and Appropriation Ordinance #2023-45 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-46, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$3,500.62 FROM THE LATC FUND (#1007)**, was sponsored by Justice Osgood, and read by title only by the Clerk. Justice Davis made a motion to adopt, seconded by Justice Edge. Being no discussion, the roll was called. Voting YEA: Justices Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, Osgood, Steele, Steiner, and Waldrop. The motion passed and Appropriation Ordinance #2023-46 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-47, **AN ORDINANCE TO APPROPRIATE FUNDS IN THE AMOUNT OF \$6,745.00 FROM THE ROAD & BRIDGE REVENUE FUND (#2000) INTO THE ROAD & BRIDGE 2023 BUDGET**, was sponsored by Justice Osgood and read by title only by the Clerk. Justice Osgood made a motion to adopt. Justice Edge seconded that motion. Being no discussion, the roll was called. Voting YEA: Justices Albright, Chapman, Davis,

DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, and Walker. The motion passed and Appropriation Ordinance #2023-47 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-48, **AN ORDINANCE APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF ARKANSAS IN THE AMOUNT OF \$15,000.00 FOR CLARKRIDGE FIRE DEPARTMENT TO THE COUNTY JUDGE’S BUDGET**, was sponsored by Justice DeGroot, and read by title only by the Clerk. Justice Albright made a motion to adopt, seconded by Justice Edge. Being no discussion, the roll was called. Voting YEA: Justices Chapman, Davis, DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, Walker, and Albright. The motion passed and Appropriation Ordinance #2023-48 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-49, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$31,642.61 FROM THE EMPLOYER LIABILITY FUND (#1803) INTO THE ROAD & BRIDGE 2023 BUDGET**, was sponsored by Justice Edge, and read by title only by the Clerk. Justice Frank moved to adopt, seconded by Justice Edge. Being no discussion, the roll was called. Voting YEA: Justices Davis, DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, Walker, Albright, and Chapman. The motion passed and Appropriation Ordinance #2023-49 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-50, **AN ORDINANCE TO APPROVE A FULL-TIME SHERIFF’S IT ADMINISTRATOR POSITION IN THE BAXTER COUNTY SHERIFF’S OFFICE, AND TO APPROVE FUNDING FOR THE POSITION**, was sponsored by Justices Edge and Walker, and was read by title only by the Clerk. Justice Edge then moved to adopt, seconded by Justice Albright. Being no discussion, the roll was called. Voting YEA: Justices DeGroot, Edge, Frank, Osgood, Steele, Steiner, Waldrop, Walker, Albright, Chapman, and Davis. The motion passed, and Appropriation Ordinance #2023-50 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-51, **AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$60,000.00 FROM COUNTY GENERAL (#1000) INTO BAXTER COUNTY SHERIFF’S OFFICE 2023 BUDGET**, was sponsored by Justice Edge, and read by title only by the Clerk. Justice DeGroot made a motion to adopt. Justice Edge seconded that motion. After brief discussion and explanation by the Sheriff regarding the need for the ordinance, the roll was called. Voting YEA: Justices Edge, Frank, Osgood, Steele, Steiner, Waldrop, Walker, Albright, Chapman, Davis, and DeGroot. The motion passed, and Appropriation Ordinance #2023-51 was adopted with a vote of 11 YEA, 0 NAY.

Appropriation Ordinance #2023-52, **AN ORDINANCE APPROPRIATING FUNDS FROM THE (#3017) SPECIAL JAIL FEES FUND IN THE AMOUNT OF \$46,700.00, AND EXCESS REVENUE IN THE (#3401) JAIL MAINTENANCE AND OPERATIONS FUND IN THE AMOUNT OF \$36,000.00 INTO THE 2023 BUDGET FOR PURCHASE OF VEHICLES FOR THE JAIL**, was sponsored by Justice Edge, and read by title only by the Clerk. Justice Albright made a motion to adopt, seconded by Justice Edge. Being no discussion, the roll was called. Voting YEA: Justices Frank, Osgood, Steele, Steiner, Waldrop, Walker,

Albright, Chapman, Davis, DeGroot, and Edge. The motion passed and Appropriation Ordinance #2023-52 was adopted with a vote of 11 YEA, 0 NAY.

Re-Appropriation Ordinance #2023-53, **AN ORDINANCE RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$16,851.18 WITHIN THE ANIMAL CONTROL 2023 BUDGET, FUND (#1800) IN PERSONAL SERVICES**, was sponsored by Justice Albright, and read by title only by the Clerk. Justice Edge moved to adopt. Justice Frank seconded that motion. Being no discussion, the roll was called. Voting YEA: Justices Osgood, Steele, Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, and Frank. The motion passed and Re-Appropriation Ordinance #2023-53 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2023-13, **A RESOLUTION CONFIRMING THE APPOINTMENT OF KEITH STOKES AND THE RE-APPOINTMENT OF SCOTT TABOR BY THE COUNTY JUDGE TO THE TRACY AREA FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS**, was sponsored by Justice Steele, and read in its entirety by the Clerk. A motion to adopt was made by Justice Steele and seconded by Justice Albright. Being no discussion, the roll was called. Voting YEA: Justices Steele, Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, and Osgood. The motion passed and Resolution #2023-13 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2023-14, **A RESOLUTION CONFIRMING THE APPOINTMENT OF CARMEN ROSSON TO THE BAXTER COUNTY EQUALIZATION BOARD**, was sponsored by Justice Waldrop, and read in its entirety by the Clerk. Justice Albright moved to adopt the proposed resolution, seconded by Justice Osgood. Being no discussion, the roll was called. Voting YEA: Justices Steiner, Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, Osgood, and Steele. The motion passed and Resolution #2023-14 was adopted with a vote of 11 YEA, 0 NAY.

Resolution #2023-15, **A RESOLUTION AUTHORIZING THE BAXTER COUNTY JUDGE TO SEND A LETTER IN SUPPORT OF THE CLOSURE OF THE NABORS LANDFILL IN BAXTER COUNTY, ARKANSAS**, was sponsored by Justices Waldrop and Albright, and read in its entirety by the Clerk. Justice Edge made a motion to adopt, seconded by Justice Waldrop. Being no discussion the roll was called. Voting YEA: Justices Waldrop, Walker, Albright, Chapman, Davis, DeGroot, Edge, Frank, Osgood, Steele, and Steiner. The motion passed and Resolution #2023-15 was adopted with a vote of 11 YEA, 0 NAY.

Announcements and Public Comments:

Russell Tucker, President of the Board of Directors for the Chamber Foundation, and Dani Pugsley, Executive Director of the Mountain Home Area Chamber of Commerce, gave a presentation on behalf of the Chamber, proposing a partnership with the County to drive economic development, specifically focusing on tourism, resorts, restaurants, and other businesses related to the tourism industry.

Steve Blumreich from Friends of the Norfolk and White Rivers, thanked the County Judge and members of the Court for the resolution supporting the closure of the landfill.

Justice Davis expressed concerns regarding the Data Center Noise Ordinance, which was adopted earlier in the meeting. He asked if the noise restriction would pertain to any farming activities or livestock, and said the ordinance would need to be revisited if it did.

Community member Tim Simon expressed concerns regarding the proposed joint venture between the local governments and the Chamber of Commerce. He asked the Court not to use taxpayer funds for this purpose.

Community member Sheila Atchley spoke also regarding the proposed partnership with the Chamber. She suggested that rather than using local taxpayer funds, the state has a large surplus, and the Chamber should be looking at grants for economic development, rather than taxpayer money.

Community member Mary O'Shields expressed that there is nothing to keep young people in this area once they graduate high school. She said we need to invest in the economic development of the community, and it has to be done by people who know how to do that.

Community member Jeff Lee said that no one from the Chamber has contacted him or his small business to ask for funds. He suggested that they should partner with all of the local businesses for economic development, rather than asking for taxpayer funds.

Community member Mary Ellen Anderson asked that people not make Mountain Home like other areas. She said the County needs to use County funds to benefit all equally, not just the Chamber.

Community member Mary Walker said that economic development means the County gets more money from tax revenue from an increase in tourism, better jobs, and basic education. She suggested that economic development is good for everyone, and allows for the hospital, the university, and the community to grow.

After other brief comments, and being no further business before the Court, Justice Edge made a motion to adjourn. Justice Davis seconded that motion, and the meeting was adjourned.

Respectfully submitted,

Canda J. Reese, Baxter County & Circuit Clerk
Secretary to the Quorum Court