

BAXTER COUNTY QUORUM COURT AGENDA

March 4, 2025

THE BAXTER COUNTY QUORUM COURT WILL MEET FOR REGULAR SESSION ON TUESDAY, MARCH 4, 2025 AT 5:30 PM IN THE 2ND FLOOR COURTROOM OF THE COURTHOUSE, WITH JUDGE KEVIN LITTY PRESIDING.

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- ROLL CALL
- DISPOSITION OF MINUTES FROM PREVIOUS MEETING
- TREASURER'S REPORT
- COMMITTEE REPORTS: Dirk Waldrop - Personnel Committee
- PRESENTATION

OLD BUSINESS

1. (3rd Reading) AN ORDINANCE ESTABLISHING A 911 ADVISORY BOARD.

- NEW BUSINESS

1. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS IN THE AMOUNT OF \$6,043.26 IN THE MONTH OF JANUARY TO THE SHERIFF'S OFFICE 2025 BUDGET.
2. AN ORDINANCE TRANSFERRING FUNDS IN THE AMOUNT OF \$9,035.00 FROM BAXTER COUNTY AIRPORT FUND (3037) INTO AIRPORT GRANT FUND (3537); AND APPROPRIATING \$4,300.00 INTO AIRPORT GRANTS FUND 2025 BUDGET.
3. AN EMERGENCY ORDINANCE FOR THE PROTECTION OF THE TRAVELING PUBLIC, CONDITION AND MAINTENANCE OF THE COUNTY MAINTAINED PUBLIC ROADS IN BAXTER COUNTY AND WITHIN ITS UNINCORPORATED LIMITS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
4. A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF WILLIAM (BILL) LUCAS BY THE COUNTY JUDGE TO THE BAXTER COUNTY PLANNING BOARD.

- ANNOUNCEMENTS:
- ADJOURNMENT

ORDINANCE NO. 2025 –

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

AN ORDINANCE TO ESTABLISH A 911 ADVISORY BOARD

Article 1: Affirmation The Baxter County Quorum Court finds it necessary to establish a 911 Advisory Board due to cities contributing funds to 911 and to provide alternative and more cost-effective methods for 911 services.

Section 1. For Baxter County to efficiently provide 911 services, the County will establish a 911 Advisory Board to assist the County Judge in furnishing advice, gathering information, and making recommendations.

Article 2. Terms

Section 1. The 911 Advisory Board shall consist of seven (7) members.

Section 2. The term for members of the 911 Advisory Board shall be three (3) years.

Section 2. The County Judge shall serve as an ex-officio member of said Board.

Article 3: Effective Date This Ordinance shall be effective immediately upon its passage and approval by the Quorum Court.

APPROVED:

KEVIN LITTY, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: E. Griffin – JP - 8

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. 2025 - _____

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

AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS IN THE AMOUNT OF \$6,043.26 RECEIVED IN THE MONTH OF JANUARY TO THE SHERIFF'S OFFICE 2025 BUDGET.

Article 1: Affirmation. This court affirms that the Baxter County Sheriff's Office has collected the following fees, reimbursements and donations in excess of the anticipated budgeted revenue amount in the month of January 2025:

- \$ 90.00 received from DWI Fines from District Court
- \$ 1,395.10 received from Act 770 Fees
- \$ 2,956.77 received for Installment Fees
- \$ 25.00 received VIN Checks
- \$ 200.00 received Inmate Social Security
- \$ 100.00 received Animal Adoption (Cash & Checks)
- \$ 15.00 received Animal Claim (Cash)
- \$ 90.00 received Court Order/Unclaimed Property (per Judge) (Cash)
- \$ 385.85 reimbursement Inmates' Medical
- \$ 502.02 reimbursement Inmate Prescriptions (Sent from BXSO to Treasurer's Office)
- \$ 228.52 reimbursement (Check)
- \$ 50.00 reimbursement (Check)
- \$ 5.00 reimbursement Court Ordered Restitution (Extradition - Prisoner Transport) (Check)

Article 2: Appropriation. It is necessary to appropriate said monies totaling **\$6,043.26** to the appropriate line items in the Sheriff's Office 2025 budgets.

There is hereby appropriated from the 2025 County General Fund (#1000) **\$1,515.10** for the following designated expenditures:

- \$ 1,420.10 to GL# 1000-0400-2001 (Sheriff: General Supplies)
- \$ 95.00 to GL# 1000-0400-2007 (Sheriff: Fuel, Oil & Lubricants)

There is hereby appropriated from the 2025 Animal Control Fund (#1800) **\$115.00** for the following designated expenditures:

- \$ 115.00 to GL #1800-0191-2001 (Animal Control: General Supplies)

There is hereby appropriated from the 2025 Sheriff's Special Projects Fund (#3400) \$3046.77 for the following designated expenditures:

- \$90.00 to GL#3400-0400-2001 (Sheriff's Projects: General Supplies)
- \$ 2,956.77 to GL# 3400-0400-3003 (Sheriff's Projects: Computer Services)

There is hereby appropriated from the 2025 County Jail Fund (#3401) \$1,366.39 the following designated expenditures:

- \$ 502.02 to GL# 3401-0418-2004 (Jail: Medicine & Drugs)
- \$ 228.52 to GL# 3401-0418-2005 (Jail: Food)
- \$ 585.85 to GL# 3401-0418-3006 (Jail: Med, Den & Hosp)
- \$ 50.00 to GL# 3401-0418-3220 (Jail: Adult Detention)

Article 3: Effective Date. This appropriation ordinance shall be effective immediately upon its passage by the quorum court.

APPROVED:

KEVIN LITTY, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

APPROPRIATION ORDINANCE NO. 2025 - _____

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

AN ORDINANCE TRANSFERRING FUNDS IN THE AMOUNT OF \$9,035.00 FROM BAXTER COUNTY AIRPORT FUND (3037) INTO AIRPORT GRANTS FUND (3537); AND APPROPRIATING \$4,300.00 INTO AIRPORT GRANTS FUND 2025 BUDGET.

Article 1. Affirmation: The Baxter County Airport is requesting an allocation of funds within the 2025 budget for the purpose of appropriate assignment of expenditures.

Article 2. Designation: There are sufficient funds available for said transfers.

Article 3. Appropriation: The County Treasurer is authorized to transfer \$9,035.00 from Baxter County Airport Fund (3037) into Airport Grants Fund (3537).

The Quorum Court authorizes the Clerk's Office to make the following appropriation into the designated line item:

\$ 4,300.00 to GL #3537-0900-3107 (Clear Span 80X60 Grant)

Article 4. Effective Date: This appropriation ordinance shall be effective immediately upon its passage by the quorum court.

APPROVED:

KEVIN LITTY, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

ORDINANCE NO. 2025 –

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

AN EMERGENCY ORDINANCE FOR THE PROTECTION OF THE TRAVELING PUBLIC, CONDITION AND MAINTENANCE OF THE COUNTY MAINTAINED PUBLIC ROADS IN BAXTER COUNTY AND WITHIN ITS UNINCORPORATED LIMITS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, Baxter County, Arkansas, has over 700 miles of county maintained public roads.

WHEREAS, the Quorum Court finds that the public interest is served by protecting the county maintained public roads and ability of the county road crews to be able to maintain the county maintained public roads in the county;

WHEREAS, it is necessary to adopt this ordinance to assure the county road crews are able to maintain the right-of-way, public road easement, roadway, subgrade, culverts and signage for those county maintained public roads.

WHEREAS, the Quorum Court finds that public safety and public interest is served by protecting the traveling public from the placement, creation or existence of physical and functional encroachments or obstructions to county maintained public roads.

THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BAXTER COUNTY, ARKANSAS:

ARTICLE 1. Purpose and Applicability

The road easements or right of way for county maintained public roads in Baxter County, Arkansas, shall be inviolate for county road purposes and free from the existence of functional and physical encroachments or obstructions, except where written permission is granted and issued by the county judge.

ARTICLE 2: County Maintained Public Roads.

For purposes of this ordinance, “county maintained public road” shall mean: any road identified as a county road assigned a county road number and maintained by the county; or any road in which the county has directed construction, material, blading or grading, maintenance, mowing or repairs of the road, roadway, or right of way, road easement or bridges.

ARTICLE 3: Encroachment.

It shall be unlawful and a violation of this ordinance for any person, persons or organization to engage in the following activities on county maintained public road, to:

- (a). Create a physical or functional encroachment within the road easement or right of way for a county maintained public road;
- (b). Throw, dump or place any item or items onto a county maintained public road, including but not limited to, the county roadway or roadbeds, shoulder, ditch, subgrade, right of way, easement, backslope of the ditch, of any county maintained public road in the unincorporated areas of the county;
- (c). Dig, or place or situate any utilities, poles, lines, fences, cables, wires, or any item whatsoever within the easement or right of way of a county maintained public roads without first obtaining the written consent of the county judge and comply with the utility accommodation permit requirements of the county;
- (d). Any item, items, fences, gates (whether closed, locked or unlocked), obstacles, physical or functional encroachments within the road easement or right of way of a county maintained public road shall be moved by or at the expense of the owner of the property;
- (e). Burn anything within the road easement or right-of-way of a county maintained public road without the permission of the county judge;
- (f). Create a physical or functional encroachment by the diversion or placement of water onto the roadway, subgrade, right of way or road easement or to create an impairment to public safety of the ability of the county to maintain the subject county road; or
- (g). Park a motor vehicle, trailer, camper, mobile home, equipment, or item within the roadway, road easement or right-of-way of a county maintained public road, except during an emergency due to malfunction, in which case the property shall be immediately removed from the roadway or driving surface to assure the safety of the traveling public. In no event shall the property remain parked on the shoulder of the roadway for over 48 hours.

ARTICLE 4: Penalties and Remedies:

(a). Violation of this ordinance shall result in the fine of \$1,000 for a specified offense or violation, or double that sum for repetition of the offense or violation; and

(b). If the act or violation is in its nature continuous in respect to time, the fine for allowing the continuance of the prohibited unlawful act or omission, in violation of the ordinance, shall be \$500 a day for each day that the violation is unlawfully continued.

(c). Any item, items, fences, gates (whether closed, locked or unlocked), obstacles, physical or functional encroachments within the roadway, road easement or right of way shall be moved by or at the expense of the owner of the property;

(d). The county may exercise self-help and remove any item, items, fences, gates (whether closed, locked or unlocked), obstacles, physical or functional encroachments within the roadway, road easement or right of way of a county maintained public road and shall be reimbursed for the costs of removal;

(e). The citizen or landowner with standing, and/or county judge, may pursue a declaratory and/or injunctive relief from a court of competent jurisdiction for removal of an obstruction to county maintained public road; or

(f). AC.A. § 5-71-214 provides that: *“A person commits the criminal offense of obstructing a highway or public passage if, having no legal privilege to do so and acting alone or with another person, he or she renders a any highway or other public passage impassible to pedestrian or vehicular traffic. AC.A. § 5-71-214(c) further prescribes that the criminal penalty for: “Obstructing a highway and other public passage is a Class A misdemeanor”.* The county judge, any citizen or landowner may notify the Sheriff of the violation. The criminal penalties under A.C.A. AC.A. § 5-71-214 are not in lieu of the civil penalties prescribed by this ordinance but in addition thereto.

ARTICLE 5: Severability

If any provision of this Ordinance is found to be invalid by the decision of any court of competent jurisdiction, such invalidity shall not affect the remaining sections, phrases, and provisions of this Ordinance which remain valid and enforceable.

ARTICLE 6: Emergency Clause

The Quorum Court finds that the immediate implementation of this ordinance is necessary for the preservation of the public's peace, health, safety, welfare, and property, an emergency is hereby declared to exists and that this Ordinance is to be in effect immediately after its adoption.

APPROVED:

KEVIN LITTY, COUNTY JUDGE

Date Signed: _____

ATTEST:

CANDA J. REESE, COUNTY CLERK

SPONSOR: _____

Date Adopted: _____

Votes: For: _____ Against: _____

Abstain: _____ Present: _____ Absent: _____

RESOLUTION NO. 2025 - _____

A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF WILLIAM (BILL) LUCAS BY THE COUNTY JUDGE TO THE BAXTER COUNTY PLANNING BOARD.

NOW THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF BAXTER COUNTY, ARKANSAS, THAT:

Section 1. The following member of the Baxter County Planning Board having been re-appointed by the County Judge for a term of four (4) years, to expire March 2029, is hereby confirmed by the Quorum Court:

WILLIAM (BILL) LUCAS

Section 2. This Resolution shall be in full force and effect from and after its passage and approval.

APPROVAL:

KEVIN LITTY, COUNTY JUDGE
Date Signed:_____

ATTEST:

CANDA J. REESE, COUNTY CLERK

Sponsors: _____

Date Adopted: _____

Votes: For:_____ Against:_____

Abstain:_____ Present:_____ Absent:_____