

**JOURNAL OF PROCEEDINGS OF THE BAXTER COUNTY QUORUM
COURT REGULARLY SCHEDULED MEETING OF
JANUARY 2, 2024.**

Be it remembered that the Baxter County Quorum Court met in the regularly scheduled meeting on January 2, 2024, at 6:00 PM in the Baxter County Courtroom, which is located at the Baxter County Courthouse, 1 East 7th Street, Mountain Home, Arkansas, 72653. Present were Baxter County Judge Kevin Litty, Quorum Court Members Rhonda "Tink" Albright, Ty Chapman, Cameron Davis, Angela DeGroote, Maryanne Edge, Dennis Frank, Charles Osgood, Roger Steele, Rick Steiner, and Shannon Walker. Baxter County and Circuit Clerk, Canda J. Reese attended the Judge and Quorum Court. Absent was Justice Dirk Waldrop.

Judge Litty called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and a moment of silence.

Judge Litty directed the Clerk to call the roll, which represented a quorum of members present and voting.

Judge Litty called for and received no revisions to the minutes of the Quorum Court's regularly scheduled meeting on December 5, 2023.

**1. A MOTION TO APPROVE THE MINUTES OF THE DECEMBER 5, 2023,
QUORUM COURT MEETING**

A motion to adopt the December 5, 2023, minutes, as presented, was made by Justice Angela DeGroote, duly seconded by Justice Maryanne Edge. Voting "YEA" were Justices: Rhonda "Tink" Albright, Ty Chapman, Cameron Davis, Angela DeGroote, Maryanne Edge, Dennis Frank, Charles Osgood, Roger Steele, Rick Steiner, and Shannon Walker. All voted in favor of approving the December 5, 2023, minutes as submitted.

REPORTS:

TREASURER:

The Baxter County Treasurer Jenay Mize, reported to the Court the findings of the two thousand and twenty-two legislative audits. Treasurer Mize read for the record, the following findings as provided by Mr. Timothy R. Jones, CPA, CFF, Deputy Legislative Auditor of the Arkansas Legislative Joint Auditing Committee:

“The County disbursed funds totaling \$279,189 in apparent conflict with Ark. Const. art. 12, § 5, as interpreted in Op. Att’y Gen. nos. 1992- 099 and 1991-410, respectively:

- \$275,000 to three vendors on behalf of the Mountain Home Saddle Club for rodeo arena equipment without a contract for services.
- \$4,189 to a local grocery store to purchase gift certificates for all employees for Christmas.

County Judge

Competitive bids were not solicited or waived for two purchases of equipment totaling \$263,700, in noncompliance with Ark. Code Ann. §§ 14-22-101 - 14-22-115.”

Ms. Mize reiterated that of the two hundred and seventy-five thousand dollars (\$275,000), two hundred and sixty-three thousand seven hundred dollars (\$263,700), was subject to the provisions of the bid solicitation process. Upon conclusion of her report, the Treasurer recommended that when questions arise regarding appropriations, the matter be tabled for further research and discussion before approval of the expenditure.

The Baxter County Judge clarified that the expenditure occurred under the previous administration that the then-sitting Judge unintentionally and erroneously circumvented the bid process and that bids should have been received for equipment that was outside of the thirty-five-thousand-dollars (\$35,000) threshold.

Additionally, the Baxter County and Circuit Clerk implored the governing body to be mindful that audit findings, especially those with negative connotations, impacted the Clerk’s office, and that the responsibility of payments of claims rested with the Clerk’s office. The Clerk stated that she was sworn to uphold the laws of the county and state and faithfully execute the duties of her office and she took those duties to heart. The Clerk noted that the Clerk’s office was unfairly and negatively impacted by decisions outside her scope of control.

Concluding the discussion of the audit findings, the Baxter County Prosecutor stated that the audit findings were representative of a procedural error and were not criminal. The Prosecutor commended the governing body, the Clerk’s office, and the Clerk personally on the good job that they were doing.

PRESENTATION:

The Baxter County Airport Commission Chairman, Dr. Stephen Vester, and Airport Manager, Mr. Taylor Carmichael presented to the Court, information related to the reconstruction and runway shift for 5-23. Dr. Vester reported to the Court that, The Baxter County Airport Commission continues to develop the airport for the benefit of the general aviation patrons, to improve safety measures for the general aviation pilot, and to potentially provide commercial air service to our community. Dr. Vester noted recent airport improvements including moving a fence away from the runway for runway expansion and procurement of approximately sixty (60) acres at the end of the runway. Dr. Vester stated that the Airport Commission is requesting approximately six thousand by one hundred feet of concrete runway.

Dr. Vester stated that the Commission has completed the necessary engineering studies, soil, and runway testing with positive results and is in pursuit of an environmental assessment. Dr. Vester stated that the Commission has provided airport expansion and operations information to the Federal Aviation Administration (FAA) and that the Commission is collaborating with neighboring communities to identify grant funding opportunities that could aid in securing aircraft rescue and firefighting trucks that could provide aid for aircraft emergencies. Dr. Vester noted that the project may garner support from state legislators.

Plans are underway to develop a six-bay hangar to accommodate smaller aircraft, with a waiting list of at least sixty aircraft (60) hangars requested.

Further, Dr. Vester stated that the airport is making plans to accommodate an influx of air travelers coming for the April total solar eclipse. With the expectation of as many as two hundred (200) aircraft to land for that event, significant demand for our services for portable toilets, food service, and ground movement of aircraft will be managed by the Mountain Home Civil Air Patrol, who will be marshaling aircraft on the ground.

Dr. Vester noted that much of the funding for this project would come from the Federal Aviation Administration grants and the State Aeronautics Division. The remaining funding source at five percent (5%) is requested from Baxter County.

Dr. Vester and Mr. Carmichael provided the Court with the following financial projections for an anticipated total projected budget for the Baxter County Airport reconstruction, expansion, and shift runway 5-23, which is delineated as follows:

PROJECT FUNDING			\$ 45,052,065.00
FAA Grant - 01			\$ 5,005,785.00
Local Matching Funds for Grant - 01		Total Grant - 01	\$ 50,057,850.00

PROJECT COSTS (10%)	Local Cost	FAA Cost (90%)	Total Cost
FAAGrant - 01			
Administrative			
Independent Fee Estimate (Est.)	\$ 700.00	\$ 6,300.00	\$ 7,000.00
Legal and Advertising (Est.)	\$ 200.00	\$ 1,800.00	\$ 2,000.00
Subtotal	\$ 900.00	\$ 8,100.00	\$ 9,000.00
Engineering			
Basic Services	\$ 150,000.00	\$ 1,350,000.00	\$ 1,500,000.00
Special Services	\$ 6,000.00	\$ 54,000.00	\$ 60,000.00
Construction Services (Est.)	\$ 150,000.00	\$ 1,350,000.00	\$ 1,500,000.00
Closeout Services and AGIS As-Built Survey (Est.)	\$ 6,000.00	\$ 54,000.00	\$ 60,000.00
Subtotal	\$ 312,000.00	\$ 2,808,000.00	\$ 3,120,000.00
Construction			
Airport - Runway 5-23 (Est.)	\$ 4,030,635.00	\$ 36,275,715.00	\$ 40,306,350.00
County Road 913 (Est.)	\$ 53,015.00	\$ 477,135.00	\$ 530,150.00
County Road 10 - North Side (Est.)	\$ 74,290.00	\$ 668,610.00	\$ 742,900.00
County Road 10 - Southwest Loop (Est.)	\$ 522,445.00	\$ 4,702,005.00	\$ 5,224,450.00
Subtotal	\$ 4,680,385.00	\$ 42,123,465.00	\$ 46,803,850.00
Miscellaneous			
ILS Utility Modifications (Est.)	\$ 10,000.00	\$ 90,000.00	\$ 100,000.00
FAA Flight Check for NAVAIID's (Est.)	\$ 2,500.00	\$ 22,500.00	\$ 25,000.00
Subtotal	\$ 12,500.00	\$ 112,500.00	\$ 125,000.00
TOTAL PROJECT COSTS (EST.)	\$ 5,005,785	\$ 45,052,065	\$ 50,057,850

A copy of the entire proposal including the engineer's opinion of probable construction costs, is on file in the Baxter County Clerk's Office.

2. AN ORDINANCE APPROPRIATING FEES AND REIMBURSEMENTS RECEIVED IN THE MONTH OF NOVEMBER TO THE SHERIFF'S OFFICE 2023 BUDGET SPONSORED BY JUSTICE RHONDA "TINK" ALBRIGHT AND JUSTICE MARYANNE EDGE

Appropriation Ordinance #2024-1, sponsored by Justices Albright, and Edge, appropriating fees and reimbursements received in November to the Sheriff's Office 2023 budget, was read by title only by the Clerk with a motion to adopt made by Justice Edge, seconded by Justice DeGroot. Hearing no discussion, the roll was called. Voting "YEA" were Justices: Rhonda "Tink" Albright, Ty Chapman, Cameron Davis, Angela DeGroot, Maryanne Edge, Dennis Frank, Charles Osgood, Roger Steele, Rick Steiner, and Shannon Walker. The motion passed, and Ordinance #2024-1 was adopted with a vote of 10 YEA, 0 NAY.

3. AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$225,000.00 FROM THE ROAD AND BRIDGE FUND (#2000) INTO THE ROAD & BRIDGE DEPARTMENT 2024 BUDGET (#2000), SPONSORED BY JUSTICES MARYANNE EDGE AND RHONDA "TINK" ALBRIGHT

Ordinance #2024-2, sponsored by Justices Albright, and Edge, appropriating funds in the amount of \$225,000.00 from the road and bridge fund (#2000) into the road & bridge department 2024 budget (#2000), was read by title only by the Clerk with a motion to adopt made by Justice Edge, seconded by Justice Steele. Hearing no discussion, the roll was called. Voting "YEA" were Justices: Ty Chapman, Cameron Davis, Angela DeGroot, Maryanne Edge, Dennis Frank, Charles Osgood, Roger Steele, Rick Steiner, Shannon Walker, and Rhonda "Tink" Albright. The motion passed, and Ordinance #2024-2 was adopted with a vote of 10 YEA, 0 NAY.

4. A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF CHRIS ARROYO BY THE COUNTY JUDGE TO THE HENDERSON VOLUNTEER FIRE DEPARTMENT BOARD OF COMMISSIONERS SPONSORED BY JUSTICE STEINER

Resolution Number 2024-1, a resolution confirming the resolution confirming re-appointment of Chris Arroyo by the County Judge to the Henderson Volunteer Fire Department Board of Commissioners sponsored by Justice Steiner was read in its entirety by the Clerk. Justice Steiner made a motion to adopt duly seconded by Justice Albright. Hearing no discussion, the roll was called. Voting "YEA" were Justices: Cameron Davis, Angela DeGroot, Maryanne Edge, Denis Frank, Charles Osgood, Roger Steele, Rick Steiner, Shannon Walker, Rhonda "Tink" Albright, and Ty Chapman. The motion passed, and Resolution Number 2024-1 was adopted with a vote of 10 YEA, 0 NAY.

5. A RESOLUTION CONFIRMING THE APPOINTMENT OF ROGER PITCHFORD BY THE COUNTY JUDGE TO THE NORFORK FIRE PROTECTION DISTRICT BOARD OF COMMISSIONERS SPONSORED BY JUSTICE CHAPMAN

Resolution Number 2024-2, a resolution confirming the appointment of Roger Pitchford by the County Judge to the Norfolk Fire Protection District Board of Commissioners, sponsored by Justice Chapman, was read in its entirety by the Clerk. Justice Albright made a motion to adopt duly seconded by Justice Chapman. Hearing no discussion, the roll was called. Voting "YEA" were Justices: Angela DeGroot, Maryanne Edge, Denis Frank, Charles Osgood, Roger Steele, Rick Steiner, Shannon Walker, Rhonda "Tink" Albright, Ty Chapman, and Cameron Davis. The motion passed, and Resolution Number 2024-2 was adopted with a vote of 10 YEA, 0 NAY.

ANNOUNCEMENTS:

The Clerk reminded the governing body that the elected officials are required to file a statement of financial interest with her office for the previous calendar year no later than January 31, of the year as required under § 21-8-701.

Judge Litty announced to the Court that certain antiquated electronics had been deemed as “surplus” property and would be disposed of as such. Judge Litty stated that a complete list of surplus property could be reviewed in the clerk’s office.

A MOTION TO ADJOURN UNTIL 6:00 PM ON TUESDAY FEBRUARY 6, 2024

Justice Edge moved that the Baxter County Quorum Court adjourn until the next regularly scheduled meeting of February 6, at 6:00 PM in the Baxter County Courtroom, which is located at the Baxter County Courthouse, 1 East 7th Street, Mountain Home, Arkansas. Justice Frank seconded, and the motion passed, with a vote of 10 YEA, 0 NAY, and the meeting was adjourned.

CANDA J. REESE, BAXTER COUNTY AND CIRCUIT CLERK

SIGNED AND SEALED THIS ___ DAY OF _____ 2024.

