

MINUTES
SEVIER COUNTY QUORUM COURT MEETING
2:00 P.M., MONDAY OCTOBER 11, 2021

The Sevier County Quorum Court met at 2:00 P.M., Monday, October 11, 2021, in the Sevier County Courthouse Courtroom with County Judge Greg Ray presiding. The meeting was opened with prayer by Judge Ray followed by the Pledge of Allegiance. The roll was called with the following Justices present: Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, David Wright, and Greg Wright. Absent – Earl Battiest and Roger Whitmore. Roger came in a few minutes late. Upon a motion by Roxy Stephens and second by Angie Walker, the Quorum Court voted to dispense with the reading of the minutes of the last meeting and to approve the minutes as emailed. A roll call vote was taken. Yes –Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, David Wright, and Greg Wright. Absent – Earl Battiest and Roger Whitmore. No – None. The motion passed.

Committee and Other Reports –

Lori House, CEO of Sevier County Medical Center was present to report on the progress of the new hospital construction. Ms. House introduced Stacy Dowdy, who is the CNO for the Sevier County Medical Center. Stacy told a little about herself and said she is very excited to be in this position. Lori informed the court that the hospital is now 68% complete. The hospital is expected to be complete by May 1, 2022.

Sheriff Gentry presented the members of the court with a copy of the department's high-speed pursuit policy. He stated that this was drafted from the State Police according to state statute in 1987. There is an addendum at the bottom of the policy of things to consider in a pursuit. They are: if hazards to the officer and the public in the continuation of the chase are greater than those if chase is discontinued; environmental conditions; if the offense is a misdemeanor, or non-violent felony and identity of violator is known, the pursuit will be abandoned and they will address at a later time with the offender; if the officer feels that the offender is a juvenile, the pursuit will be ended; vehicles going the wrong way on a one-way street will not be pursued; pursuit will be halted if directed by supervisor; we do not ram vehicles; we don't try to box them in; we don't create road blocks; we don't shoot at vehicles or suspects fleeing vehicles unless directed to do so by Sheriff. Earl Battiest had two questions. (1) Do deputies in pursuit have to get permission from Sheriff to cross the county line? The sheriff stated that when pursuit starts the deputy contacts sheriff through dispatch and he is then in charge. The problem is that they may cross county line before contact can be made due to proximity to the county line. Once they cross the line, the department in that county takes over the supervision of the pursuit. Our deputy will then stop pursuit at direction of that supervising entity. (2) Does supervision monitor while deputy is in pursuit? Sheriff Gentry said "Yes". Either Chief Deputy Dowdle or himself are in constant contact. Angie Walker asked if there was a speed limit. Sheriff Gentry said there is not. It is determined by the road and conditions.

Old Business – There was no Old Business.

New Business –

1. The first agenda item is a proposed ordinance allowing the sale of county property (election equipment). The ordinance was read by Clerk Akin. A motion was made by David Wright and seconded by Angie Walker to suspend the rule and place the ordinance on the second reading by title only. A roll call vote was taken. Yes – Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Earl Battiest. The motion passed. Clerk Akin read the ordinance for the second reading by title only. A motion was made by Greg Wright and seconded by David Wright to suspend the rule and place the ordinance on the third reading by title only. A roll call vote was taken. Yes –Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Earl Battiest. The motion passed. Clerk Akin read the ordinance for the third time by title only. Angie Walker made a motion to pass the Ordinance. Greg Wright seconded the motion. A roll call vote was taken. Yes – Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Earl Battiest. The motion passed.
2. Second on the agenda is a request for an additional appropriation of \$35,680.00 to the 2021 budget for the purchase of a replacement vehicle for the Sheriff's Dept. for a vehicle that was totaled. Sheriff Gentry said he had spoken with the budget committee and they have decided to purchase a new vehicle next year. They are making necessary repairs to vehicles they have for the remainder of this year.
3. The last item on the agenda is a proposed ordinance addressing loud and disturbing noise in the unincorporated areas of Sevier County. Sheriff Gentry read the proposed ordinance. Debbie Whisenhunt was introduced. She and her husband were present to give details regarding the noise problem near their residence on Bellah Mine Road. There is an event center in the area that is not agreeable with keeping the noise to a tolerable level. They presented video with sound as an example of the problems they are having. They explained that they have talked with the owner to no avail. Angie Walker made a motion to suspend the rule and place the ordinance on the second reading by title only. The motion was seconded by Roxy Stephens. A roll call vote was taken. Yes – Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Earl Battiest. The motion passed. The ordinance was read by title only. This was the second reading. A motion was made by David Wright and seconded by Angie Walker to suspend the rule and place the ordinance on the third reading by title only. A roll call vote was taken. Yes –Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Earl Battiest. The motion passed. Sheriff Gentry read the ordinance for the third time by title only. There was discussion regarding municipal areas of the county that do not have ordinances in place nor law enforcement to uphold them. The sheriff states that this is a problem throughout the county, not just at this particular venue. The decision was made to

go ahead with approval of the ordinance as is and have the county attorney address these concerns in an amendment to the ordinance at a later time. A motion was made by David Wright and seconded by Greg Wright to approve the ordinance. A roll call vote was taken. Yes – Marilyn Archer, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Earl Battiest. The motion passed.

4. Judge Ray announced that there was a citizen who would like to address the court if there were no objections. No objections were made. He invited Ms. Lisa Atwood to come forward and address the court. She stated that she was lied to, verbally accosted, and taken advantage of by the Sevier County Sheriff's Dept. She stated that the Sheriff's department unlawfully seized property from her residence refusing it's return. They said they believed it to be stolen and were going to investigate. She stated that to the best of her knowledge it was not the Sheriff's responsibility to get involved in a civil matter. She explained that she came into possession of a gun when she bought a vehicle from an individual. The gun was found under the hood of the car. The person who sold her the car said it did not belong to him. Ms. Atwood contacted the Sheriff's office because she wanted to do the right thing and make sure she did not have stolen property. She states that when the serial number was run it did not show to be a stolen weapon. Ms. Atwood says the prosecuting attorney's office was involved. What the deputy told her was stated by the prosecutor was denied. She states she is getting conflicting information and when she tried to contact the Sheriff and officers, her calls were not returned. She specifically named Deputy Davignon, Wolcott, and an unknown deputy. She asked for a copy of the police report and that has not been provided. Coming to the Q.C. meeting was her recourse when she could get no response. She asked for clarification regarding the sheriff's involvement with civil matters. Judge Ray stated that he would make a phone call to the County Attorney to see if he could get some clarification. The judge then asked the Sheriff if he had any comments. He explained that the person the vehicle was bought from was a convicted felon and they suspected that the gun was stolen even though it did not show up on the stolen list. He states that they currently have an active ATF search for the weapon. It has been traced back to the original owner, Baker's Pawn Shop. It was given to a local school for a raffle. The gentleman who won the gun in the raffle sold it to another individual. This individual had five guns stolen. The sheriff says he now has one of his stolen guns back. Ms. Atwood asked if he had reported the gun stolen. Sheriff Gentry said he reported it after they did some investigating. Ms. Atwood asked if the gun should not have been left in her possession. The sheriff said that once it was determined to be stolen, she could have been charged with theft by receiving. The sheriff stated that they confiscate stolen goods and return them to the owners before the owner even reports them stolen. He stated that they took the gun due to reasonable suspicion and it has since been returned to its rightful owner. Ms. Atwood emphasized that she wants this matter looked into. Judge Ray said he would give the information to the county attorney.

Announcements –

Tiffany Maurer with Economic Development stated that she had recently attended the International Economic Development Council National Conference in Nashville, TN. She also attended the Arkansas Economic Development Conference in Jonesboro; AR. Tiffany shared that Economic Development CUA and FRIENDS have partnered to apply for a Community Navigator Pilot Program Grant. Last week she received a request for more information in reference to the grant application. She hopes this is good news in regard to receiving the grant award. She gave some information regarding the Four States Fiber Initiative broadband service that is currently being installed by REA. There is a five-year build out for completion with 5,000 miles of fiber. This will be an affordable alternative to current fiber internet.

Adjournment - With no further business to discuss, Greg Wright made a motion to adjourn. The motion was seconded by David Wright. The motion passed with a unanimous voice vote.

Respectfully Submitted,



Debbie Akin
County Clerk