

MINUTES  
SEVIER COUNTY QUORUM COURT MEETING  
2:00 P.M., MONDAY FEBRUARY 8, 2021

The Sevier County Quorum Court met at 2:00 P.M., Monday, February 8, 2021, in the Sevier County Courthouse Courtroom with County Judge Greg Ray presiding. The meeting was opened with prayer by Sheriff Robert Gentry followed by the Pledge of Allegiance. The roll was called with the following Justices present: Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright and Greg Wright. Absent: None. 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 – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed.

**Committee and Other Reports**

Update from Hospital Board of Governors – Chairman, Steve Cole was present to give the update. Mr. Cole informed the court that the Board would begin interviewing for the hospital CEO sometime in March. Thirty applications have been received. The Board remembers the past hospital and problems and we will be sure that all employees for the new hospital will have an excellent bed-side manner and will be friendly. There has been discussion with our attorneys as well as Air Evac regarding Air Evac being on the hospital campus. They will likely lease the land but will be required to build and maintain their own facility. There will be stipulations on the type of building so that it fits in with the theme and style of the hospital. The board has chosen some logos for the hospital. The estimated cost of the new hospital is \$18,000,000 now that all bids are in. Dr. Randy Walker will be the Chief of Staff for the hospital. There are planning meetings in regard to the walking trail that will be on the hospital campus. It will be a concrete walking path that will be lighted and will be one mile in length. The Hospital Foundation has been busy raising funds and making plans for the Safe Haven Box to be installed at the hospital.

The other item is a review of the Legislative Audit for 2019. No action is required, however, the Judge had Treasurer Heather Barnes explain the one finding that was commented on in the audit. This item was unauthorized fund withdrawals. These were from fraudulent checks and the money was replaced by the bank.

**Old Business – Alcohol Ordinance**

County Attorney Kaylen Lewis was present to discuss the options the county has regarding an ordinance setting permit fees if wanted for selling alcoholic beverages in the county. She provided three samples of ordinances. The county currently has a private club permit fee of \$250.00. The City of De Queen as well as Lockesburg have already set permit fees. Beer and wine can be sold in stores as soon as permits are issued by ABC. The county will have to pass some type of ordinance in order for restaurants to serve mixed drinks or liquor by the glass. Several citizens were present to discuss the issue of whether to require permits and what the fees might be. Mayor Jeff Brown of De Queen explained to the court what he had been told by ABC. The county attorney stated that the information she had gotten from ABC was a little bit different. Ms. Lewis said she would discuss with them again before drawing up a county ordinance. Several members of the community spoke. Not all introduced themselves. Kaylen pointed out that a county ordinance would address areas outside of the municipalities. City ordinances will take care of areas inside the city limits. Melinda Taggart, Monica Pearce, as well as others from the community expressed their desire for the county to either not have a permit fee or make it a minimal amount. Mayor Brown explained why the city determined to have a permit requirement because of the accessibility for law enforcement to enter those establishments without a warrant. The mayor explained that each establishment in the city limits would apply for a permit, an ordinance would have to be passed allowing the permit to be issued, then they could apply for license through ABC. Justice Earl Battiest expressed his desire to leave the current fee of \$250.00 for private clubs. He stated that this has been in affect since the '80's and is a constant source of revenue. One citizen stated that if the fee were \$25 and brought in several new businesses it would potentially bring in much more revenue than is currently coming in from the private club. If a new ordinance is passed it would contain a repeal of the ordinance from 1985. Justice Roxy Stephens stated that she felt that there was a lot to be discussed before steps could be taken to pass an ordinance. Citizens replied that they wanted something to be done. The discussion needed to take place today. After lengthy discussion Angie Walker made a motion that a liquor by the glass permit fee be set at \$25 to be put in an ordinance that would be voted on at a later date. The motion was seconded by Greg Wright. Earl Battiest reiterated that the economy is based on revenue from fees and taxes. He is not agreeable to stop the fee that is in place. A roll call vote was taken. Yes – Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – Michael Archer and Earl Battiest. Absent – None. The motion passed. Kaylen Lewis said she could draw up an ordinance for passage within a couple of days. Angie Walker made a motion that a special meeting be held on Tuesday, February 16 at 2:00 PM for the proposed ordinance to be voted on. Earl Battiest seconded the motion. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed. Those who can't attend this meeting in person will be offered availability to attend by Zoom.

**New Business**

The first agenda item is a proposed ordinance to address leave policies due to Covid-19. The ordinance was read in it's entirety by Kaylen Lewis. Kaylen explained the need for the policy and that it could be changed when necessary. A motion was made by Angie Walker to suspend the rule and place the ordinance on the 2<sup>nd</sup> reading by title only. David Wright seconded the motion. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed. The ordinance was read by Title only. This is the 2<sup>nd</sup> reading. A motion was made by David Wright and seconded by Roxy Stephens to suspend the rule and place the ordinance on the third reading by title only. . A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed. The ordinance was read by title only. This is the third reading. A motion was made by Michael Archer and



seconded by Earl Battiest to approve the proposed ordinance. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed by a 2/3 margin.

Second on the agenda is to appoint a delegate to the Arkansas Quorum Court Association for 2021. Earl Battiest was recommended. A motion to appoint Earl was made by Michael Archer and seconded by David Wright. A roll call vote was taken. Yes – Michael Archer, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Earl Battiest Abstained. Absent – None. The motion passed.

The next agenda item is a request to allocate \$10,000 to the Sheriff's budget for extradition of a homicide suspect who has fled to another country. This would be appropriated to 1000.0400.3093 Miscellaneous Law Enforcement. A motion was made by David Wright and seconded by Michael Archer to approve the appropriation. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed.

Item four on the agenda is a request for \$10,000 to be appropriated to the Judge's budget to be paid to U of A Cossatot for a portion of the salary for the economic development director as well as for funding for training and other projects. This would replace the \$5000 that was previously allocated. This is paid from the Judge budget line 1000.0100.3100 Other Misc. services. This is proposed as a three-year agreement. Clerk Akin stated that there would need to be a new contract signed on a yearly basis regardless of this agreement. Tiffany Maurer explained that this would eliminate the need for her to come back to the Quorum Court each time she needed a few hundred dollars for a project. Earl Battiest asked if she could include the Quorum Court in her reports that she distributes. She agreed that she would. Angie Walker made a motion to approve the request. Roxy Stephens seconded the motion. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed.

The fifth agenda item is a proposed resolution authorizing the destruction of certain records of the Sevier County District Court. The Resolution was read by Judge Ray. Angie Walker made a motion to approve the resolution seconded by Greg Wright. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – None. The motion passed.

Item six is a request for appropriation of \$200 from the Judge's budget line 2001 supplies to make a donation to the Sr. Citizen Appreciation Day Account. The County received a check from CenterPoint Energy and this will allow it to be passed on to the Sr. Citizen Day Account. Michael Archer made a motion to approve, seconded by Earl Battiest. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed.

Next on the agenda is a request to approve an additional appropriation of \$355 to OEM budget line 1000.0500.3009, Other Professional Services for an increased cost for "Code Red" for 2021. A motion was made by Michael Archer and seconded by Earl Battiest to approve the request. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, and David Wright. No – None. Absent – Roxy Stephens and Greg Wright. The motion passed.

The eighth agenda item is a proposed ordinance establishing a new fund "Comprehensive Opiate Abuse Site-based Program Fund" 3505. Treasurer, Heather Barnes read the ordinance. Sheriff Gentry explained that this a fund for a \$50,000 non-matched grant. A motion was made by Angie Walker and seconded by Roger Whitmore to suspend the rule and place on 2<sup>nd</sup> reading by title only. The treasurer read the title for the 2<sup>nd</sup> reading. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed. Angie Walker made a motion to suspend the rule and place on third reading. The motion was seconded by Greg Wright. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed. The ordinance title was read for the third time. A motion was made by David Wright and seconded by Angie Walker to approve the ordinance. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed.

Next on the agenda is a request to approve an appropriation of \$50,000 to the new "Comprehensive Opiate Abuse Site-based Program Fund 3505. A motion was made by Angie Walker and seconded by Greg Wright to approve the appropriation. Sheriff Gentry explained that he was informed that this money would become available. There was a local committee formed to determine how this money could be best used in our community. The committee was made up of the Sheriff, Jail Administrator, Abuse Counselor, Pastor of First Assembly of God De Queen, Assistant Pastor of First Baptist Church De Queen, Peer Recovery Specialist, Community Outreach from Church of Christ De Queen, Deputy Prosecutor, Juvenile Intake Officer, City Council Member of De Queen, Walker Family Clinic, Quorum Court, and Vaught Family Clinic. The conclusion on how best to spend the money would be a Community Outreach Grant. The sheriff stated that his office gets calls regularly wanting to know what crime a person would need to commit in order to be placed in the RSAT Program or other services that are offered in our jail. With this grant we would like to offer some of the same programs outside the jail setting. You have the proposed budget for this Grant Fund. This would alleviate some of the burden from those who have been donating to our Block Parties as this will help fund those. The sheriff said they have contracted with Chenal Counseling to do counseling in this capacity outside the jail environment. First Baptist Church De Queen has offered one wing of their church for meetings. Metamorphosis Counseling has offered to do some drug counseling with this program outside the jail setting. The biggest thing needed according to our committee is training. We had to pick three things to address. The first was Stigma associated with addiction and recovery. Next is Data. We have to maintain data or records. We will keep record of our meetings and attendance at those meetings. If participation does not grow it will be reflected that the program or grant is not effective. The last item to be addressed is overdoses. We have enrolled in a program called ODMAPS. By overdoses being correctly reported they can be mapped and a particular area can know ahead of time if something is coming to their area. Justice Angie Walker requested that in coordinating this effort that the doctor's offices be include in investigation to help determine if a person had been prescribed or taken a drug in the past that might be a problem. The sheriff stated that they would be included in the investigative process. A roll call vote was taken. Yes – Michael Archer,



Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed.

Item 10 on the agenda is a request to approve a proposed adoption of a Citizen Participation Plan related to a Community Development Block Grant to be applied for by Chancellor Steve Cole of the U of A Cossatot. A motion was made by Greg Wright and seconded by Angie Walker to approve the Plan. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed.

The eleventh agenda item is a proposed resolution Authorizing the Chief Elected Official to sign an application for Community Development Block Grant Funds. The resolution was read by Judge Ray. A motion was made by Greg Wright and seconded by Angie Walker to approve the resolution. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed.

The final agenda item is a proposed resolution Establishing a Policy Prohibiting the Use of Excessive Force by Law Enforcement Agencies within the Applicant's Jurisdiction against individuals engaged in Non-Violent Civil Rights Demonstrations. The resolution was read by Judge Ray. A motion was made by David Wright and seconded by Angie Walker to approve the resolution. A roll call vote was taken. Yes – Michael Archer, Earl Battiest, Kenneth Currence, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. No – None. Absent – Roxy Stephens. The motion passed.

#### **Announcements**

The Sheriff invited officials to attend the RSAT graduation ceremony on February 18, 2021 at the Assembly of God Church, De Queen at 6 P.M. He also invited them to attend a meeting on Stigma related to incarcerations for drug use on the 19<sup>th</sup> from 10 -2 at the same location. This will be attended by law enforcement personnel as well as first responders and leaders.

#### **Adjournment**

With no further business to discuss, David Wright made a motion to adjourn. The motion was seconded by Earl Battiest. The motion passed with a unanimous voice vote of the 7 justices present.

Respectfully Submitted,  
Debbie Akin  
County Clerk

