

MINUTES
SEVIER COUNTY QUORUM COURT MEETING
2:00 P.M., Tuesday, September 6, 2022

The Sevier County Quorum Court met at 2:00 P.M., Tuesday, September 6, 2022, in the Sevier County Courthouse Conference Room with Deputy Clerk Renea Bailey presiding. The roll was called with the following Justices present: Marilyn Archer, Earl Battiest, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. Absent – None. A motion was made by Angie Walker and seconded by Greg Wright to appoint a Justice of the Peace Earl Battiest to preside over the meeting. A roll call vote was taken. Yes –Marilyn Archer, Earl Battiest, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. Absent –None. No – None. The motion passed.

The meeting was opened with prayer by Mayor Jeff Brown followed by the Pledge of Allegiance lead by JP Earl Battiest. Upon a motion by Roxy Stephens and second by David Wright, 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, Earl Battiest, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. Absent –None. No – None. The motion passed.

Committee and Other Reports –

New Business –

The only agenda item was to discuss the vacancy in the Office of Sevier County Judge. Earl Battiest stated that no names will be discussed until the Quorum Court goes into executive session. JP David Wright wanted to know what the handbook said about an event like this happening. JP Earl Battiest said there is nothing in our handbook provision, but was a provision in the Arkansas Constitution. Earl said after finding out the news, the next day we had AAC attorneys gave us their opinions on what steps were needed to take. The Secretary of the State reached out to us and with our county attorney's recommendation she told us to go with Secretary of State guidelines. David Wright questioned what their decision was and Earl Battiest read their guidelines to the Quorum Court. The guidelines were only a vacancy in the General Assembly can be filled by a Special Election so there are no provisions for a Special Election. The Sevier County Judge died early this week, with the County Judge filing to run for another term as an Independent Candidate. He will be unopposed in the November Election. The County Quorum Court will appoint a person to serve the rest of his unexpired term which will expire on December 31, 2022. The candidates name will then appear on the November ballot. The candidate will then be declared the winner and then a vacancy in the election will then occur after the election is certified. The parties cannot appoint a replacement since the candidate filed as independent. After the certification of the November election the Quorum Court will then appoint a person to fulfill the new four-year term. There person who fulfills the new four-year term may not run again. The Quorum Court may not appoint the person whom fulfilled the unexpired term, any current member of the quorum court. Husbands and wives of justices of the peace, and relatives of such justices or their husbands or wives within the fourth degree of consanguinity or affinity, shall likewise be ineligible. A current elected official may not resign from their current position to be appointed to fill the position.

Earl Battiest said that is how the Quorum Court will look at appointing a person for the unexpired term, and at that time will declare a vacancy and will then appoint a person to the new four-year term. David Wright questioned the line of succession, but Earl stated the line of succession does not come into play in this situation as it is not an emergency situation as in natural disasters or etc. There are no provisions for a Special Elections as well. Roxy Stephens said that basically it has to be by appointment, and Earl Battiest said yes because the Quorum Court is the Legislative Body of the County.

David Wright then asked how the County was going to move forward with the process. He asked if the County was going to do this like Job Interviews with Resumes. Earl Battiest said that would be something we would talk about, he said he felt like the Justices will look at someone who could fill the interim term, and then make a bid and take resumes for the fulfillment of the new four-year term. David Wright then made a motion second by Angie Walker to retire to executive session to discuss particular persons to be considered for appointment at 2:15p.m. A roll call vote was taken. Yes –Marilyn Archer, Earl Battiest, Kenneth Currence, Evelyn Keels, Roxy Stephens, Angie Walker, Roger Whitmore, David Wright, and Greg Wright. Absent –None. No – None. The motion passed. Earl Battiest apologized to the citizens that attended the meeting. He stated it had to be done this way because the Justice of the Peace were going to be discussing personnel issues.

Earl Battiest called the meeting back into session at 2:30 P.M. Earl Battiest asked if anyone had any comments after no comments were made Earl state the Quorum Court discussed the procedures, how it will be followed, and the timeline. The Quorum Court also discussed some personnel issues, but a vote was not taken. Earl said the main reason is they still want to entertain more names. He stated that on the regular Quorum Court Meeting on Monday they will Declare the Vacancy of the County Judge Position. Then the Quorum Court can at that time appoint someone by a motion if they so choose.

Earl Battiest once again apologized for not being able to give a firm answer to the citizens that attending the meeting. He went on to acknowledge the work of Sevier County employees who have carried on county business without interruption despite the tragic loss of Judge Greg Ray last week.

A concerned citizen addressed the Quorum Court about the County not holding a Special Election to fulfill the vacant position. The citizen felt there should be an election instead of just being able to appoint a person. Earl Battiest said he agreed with him, but that the Quorum Court is only following the guidelines given to them back the Secretary of the State.

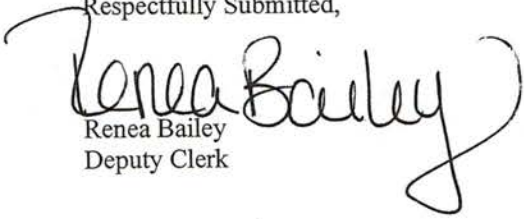
Old Business

Announcements

Adjournment—With no further business to discuss, Roger Whitmore made a motion to adjourn. The motion was seconded by Angie Walker. The motion passed with a unanimous voice vote.

Respectfully Submitted,

Renea Bailey
Deputy Clerk

A large, stylized handwritten signature in cursive script that reads "Renea Bailey". The signature is written in dark ink and is positioned to the right of the typed name and title.