

# CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

December 12, 2019

The Cleburne County Quorum Court met in regular session in the County Court Building, 922 South 9<sup>th</sup> Street, Heber Springs, Arkansas. The meeting was called to order at 6:00 p.m. County Judge Jerry Holmes presided. PRESENT: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans, Gracey, Foust, Grace, Roberts, Owens. ABSENT: None.

## **READING, CORRECTION, AND DISPOSITION OF MINUTES:**

Motion was made by JP Caldwell to approve the minutes of the November 21, 2019 regular meeting, seconded by JP Roberts. Voice vote, motion carried unanimously.

## **REPORT OF TREASURER:**

Motion was made by JP Roberts to accept the Treasurer's report, seconded by JP Caldwell. Voice vote, motion carried unanimously.

## **REPORT OF COMMITTEES:**

JP Evans asked if anyone had reports. No reports were given.

## **UNFINISHED BUSINESS:**

None

## **NEW BUSINESS:**

JP Caldwell presented Matching Fund Checks to the following Fire Departments: Prim, Quitman, Greers Ferry, Wilburn, Tumbling Shoals, Pine Snag/Lobo, Heber Springs, and Drasco/Tannenbaum. Absent: Cove Creek.

## **Proposed Ordinance 2020-County Clerk/Amend Number of Positions & Starting Salaries**

JP Pearson placed the Ordinance on the first reading. JP Pearson read the Ordinance.

## **Proposed Ordinance 2020-County Clerk/Amend 2020 Budget and Salaries Per Employee**

JP Pearson placed the Ordinance on the first reading. JP Pearson read the Ordinance.

## **Proposed Ordinance 2020-District Court/Amend Number of Positions & Starting Salaries**

JP Evans placed the Ordinance on the first reading. JP Evans read the Ordinance.

## **Proposed Ordinance 2020-District Court/Amend 2020 Budget and Salaries Per Employee**

JP Evans placed the Ordinance on the first reading. JP Evans read the Ordinance.

## **Proposed Ordinance 2020-Amend 2020 Budget and Salaries Per Employee-County Judge**

JP Grace placed the Ordinance on the first reading. JP Grace read the Ordinance.

## **Proposed Ordinance 2019-Motor Fuel Tax**

JP Foust introduced an Ordinance: **BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO ESTABLISH THE ADDITIONAL MOTOR FUEL TAX FUND (ACT 416 OF 2019); AND TO DECLARE AN EMERGENCY"**.

JP Foust made a motion to suspend the rules and place the Ordinance on a second reading by title only, seconded by JP Malone. Roll call was taken. Aye's: Blackburn, Caldwell, Evans, Foust, Grace, Gracey, Henegar, Malone, Owens, Pearson, Roberts. Nay's: None. JP Foust read the Ordinance by title only. JP Foust made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Malone. Roll call was taken. Aye's: Blackburn, Caldwell, Evans, Foust, Grace, Gracey, Henegar, Malone, Owens, Pearson, Roberts. Nay's: None. JP Foust read the Ordinance by title only. JP Foust made a motion to adopt the Ordinance, seconded by JP Malone. Discussion followed to clarify why the fund must be created. Roll call was

taken. Aye's: Blackburn, Caldwell, Evans, Foust, Grace, Gracey, Henegar, Malone, Owens, Pearson, Roberts. Nay's: None. JP Foust made a motion to adopt the Emergency Clause, seconded by JP Malone. Roll call was taken. Aye's: Blackburn, Caldwell, Evans, Foust, Grace, Gracey, Henegar, Malone, Owens, Pearson, Roberts. Nay's: None.

**Passed and Adopted as Ordinance No. 2019-021**

JP Malone made a motion to add Proposed Resolution 2019-CAGP Rural Service Grant to the agenda, seconded by Pearson. Voice vote, motion carried.

**JP Malone introduced a Resolution: "A RESOLUTION AUTHORIZING THE JUDGE OF CLEBURNE COUNTY TO APPLY FOR A GRANT ON BEHALF OF CLEBURNE COUNTY PINE SNAG/LOBO FIRE DEPARTMENT FOR CONSTRUCTION OF SUBSTATION".**

JP Malone made a motion to adopt the Resolution, seconded by JP Pearson. Brief discussion was held. Roll call was taken. Aye's: Blackburn, Caldwell, Evans, Foust, Grace, Gracey, Henegar, Malone, Owens, Pearson, Roberts. Nay's: None.

**Passed and Adopted as Resolution No. 2019-011.**

Judge Holmes read the finding of the Legislative Audit Committee:

"We evaluated the County's compliance with certain state laws concerning general accounting, budgeting, purchasing, and investing and depositing of public funds.

During our evaluation, nothing came to our attention that would warrant disclosure in this report."

JP Evans brought to the Court's attention that in the Audit report, page 23 it mentions Interfund Transfers for future construction and renovation of the county jail. JP Evans inquired about the title of the fund—questioning that the fund was not set aside specifically for the jail. The title of the Fund is "Capital Projects Fund" according to the County Treasurer.

Judge Holmes commented that Southwest Entergy has dropped their lawsuit on the tax issue with the County. Drew Smith added they have filed Motion to Dismiss all cases, so Mr. Smith anticipates them to pay the total owed within 30 days--Approximately \$4.2 million--Roughly \$375,000.00 of that will be for County General.

**COMMENTS FROM THE PUBLIC:**

None

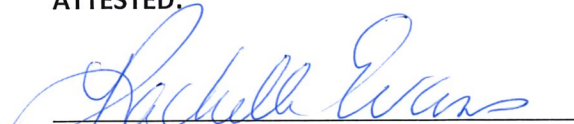
**ANNOUNCEMENTS:**

- The January regular Quorum Court meeting will be held Thursday, January 9, 2020.

**ADJOURNMENT:**

JP Caldwell made motion to adjourn, seconded by JP Roberts. Meeting adjourned at 6:48 p.m.

**ATTESTED:**

  
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Rachelle Evans, Cleburne County Clerk

This 9<sup>th</sup> day of January <sup>2020</sup><sub>2019</sub> Book B Page(s) 555-556

**FILED**  
**2020 JAN 10 PM 2:07**  
**RACHELLE EVANS**  
**CLEBURNE COUNTY CLERK**