

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

July 8, 2021

The Cleburne County Quorum Court met in regular session in the County Court Building, 922 South 9th Street, Heber Springs, Arkansas. The meeting was called to order at 6:01 p.m. County Judge Jerry Holmes presided. PRESENT: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans, Martin, Foust, Tamburo, Roberts, Owens. ABSENT: None

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the June 10, 2021, regular meeting, seconded by JP Martin. Voice vote, motion carried.

REPORT OF TREASURER:

Motion was made by JP Malone to accept the Treasurer's report, seconded by JP Owens. Voice vote, motion carried.

REPORT OF COMMITTEES:

Jail Committee: JP Evans reported the committee decided that with some changes that have transpired and the funding from the American Rescue Plan (ARP) the committee might need to head in a different direction. The committee is waiting on direction as to how the ARP can be used, and if it can be used on a renovation or some type of upgrade to the jail. With the renovation costs moving up to approximately \$3-4 million dollars, the committee made the decision to settle with Benchmark and basically start fresh. The committee did take a trip to look at a new jail facility in another county. Sheriff Brown reported on jail statistics.

Ambulance Committee: JP Foust asked that the report be given in conjunction with the Proposed Ambulance Service Ordinance.

UNFINISHED BUSINESS:

Proposed Ordinance No. 2021-Traffic Ordinance

JP Pearson placed the Ordinance on the Third and final Reading: BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE FOR THE ESTABLISHMENT OF CERTAIN DRIVING VIOLATIONS AND PENALTIES TO BE IMPOSED UPON CONVICTION".

JP Pearson read the Ordinance by title only. JP Pearson made a motion to adopt the Ordinance, seconded by JP Malone. Brief discussion. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. Pass and adopted as Ordinance 2021-016.

NEW BUSINESS:

Judge Holmes informed the Quorum Court there were no findings in the Federal Audit for Year 2020.

Proposed Ordinance No. 2021-Sheriff's Office Grant Appropriation

JP Malone introduced an Ordinance: BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND/OR OTHER PURPOSES"

JP Malone made a motion to adopt the Ordinance, seconded by JP Pearson. Sheriff Brown responded to a question that the Grant would be used to purchase handheld radios. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. Passed and adopted as Ordinance 2021-017.

Proposed Ordinance No. 2021-Sand Wedge Private Club Permit

JP Henegar 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 APPROVING THE PRIVATE CLUB PERMIT APPLICATION OF THE REQUIRED PERMIT FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222(A)(2)".

JP Henegar made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Caldwell. Roll Call was taken. Ayes: Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Roberts, Tamburo. Nays: Blackburn, Pearson. JP Henegar read the Ordinance by title only. JP Henegar made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Caldwell. Roll call was taken. Ayes: Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Roberts, Tamburo. Nays: Blackburn, Pearson. JP Henegar read the Ordinance by title only. JP Henegar made a motion to put the Ordinance on the floor for discussion, seconded by JP Roberts. Voice vote, motion carried. Lengthy discussion followed. JP Caldwell made a motion to adopt the Ordinance, seconded by JP Malone. Roll call was taken. Ayes: Blackburn, Caldwell, Foust, Malone, Martin, Owens, Roberts, Tamburo. Nays: Evans, Henegar, Pearson. Passed and adopted as Ordinance 2021-018.

Proposed Ordinance No. 2021-Ambulance Service Contract

JP Foust gave a summary report on what has transpired through research, recommendations, and meetings, with the Ambulance Committee to be able to bring a contract before the Court.

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 APPROVING THE CONTRACT WITH SURVIVAL FLIGHT EMS TO PROVIDE FOR AMBULANCE SERVICE THROUGHOUT CLEBURNE COUNTY"**.

JP Foust made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Malone. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: 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 Owens. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Foust read the Ordinance by title only. JP Foust made a motion to adopt the Ordinance, seconded by JP Malone.

A very lengthy discussion including comments and questions from the public followed, of which, included but not limited to call times, placement of ambulance in the County, fees, ambulance cover area, response times, and funding.

Court recessed at 7:47 p.m.

Court reconvened at 7:56 p.m.

Lengthy discussion on Ambulance Service Contract continued.

JP Foust made a motion, seconded by JP Malone to amend Page 4, section 11, paragraph 2 to read as follows: "Determination of default will be the responsibility of either the Cleburne County Judge or the Cleburne County Quorum Court; however, oversight may be appointed to a special committee of the Cleburne County Quorum Court to monitor contract compliance, consider performance exceptions, levy penalties, considered other matters as assigned and make recommendations to both the Cleburne County Judge and the Cleburne County Quorum Court."

Voice vote motioned carried. No opposition.

JP Evans advised that Page 8, section 24, paragraph 1 needed to be corrected by adding "or have ownership in the Contractor Company" to the end of sentence 1 as it was part of the original contract.

JP Foust made a motion to put proposed ordinance back on the first reading by title only for the purpose of amendment, seconded by JP Owens. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Foust made a motion to suspend the rules and place the Ordinance on a second reading by title only for the purpose of amendment, seconded by JP Roberts. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Foust read the Ordinance by title only. JP Foust made a motion to suspend the rules and place this Ordinance on a third and final reading by title only for purpose of amendment, seconded by JP Caldwell. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone,

Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Foust read the Ordinance by title only. JP Foust made a motion to adopt the Ordinance as amended, seconded by JP Caldwell. Roll call was taken. Ayes: Caldwell, Foust, Malone, Owens, Pearson, Roberts. Nays: Blackburn, Evans, Henegar, Martin, Tamburo. Ordinance failed--did not meet the two-thirds required vote. *Order 12CV-22-105 Corrected minutes to show Ordinance passed 8/12/21 Book 35/122-105*
JP Foust withdrew Proposed Ordinance No. 2021-Appropriate Funds for County Wide Ambulance Service.

COMMENTS FROM THE PUBLIC:

Views regarding the ambulance service were voiced by the public.

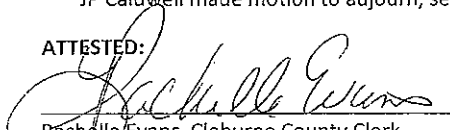
ANNOUNCEMENTS:

- The County has received a grant for another AED, and five (5) volunteers were trained in CPR and to use an AED. The County now has an AED in the Courthouse, Library, and Annex building.
- The County received the \$89,206.18 AHPP grant for repairs on the Courthouse.
- Judge's office has been working with Verizon and Computer Works through the Arkansas Rural Connection Program, and they were awarded \$3,520,447 to build infrastructure on Broadband in the Tumbling Shoals, Wilburn, Quitman and Pangburn areas. There will still be some areas that are not covered, but it is starting a building ground for progress.
- The full amount of \$250,000 was awarded from the Historic Preservation Grant for the HVAC system for the Courthouse.
- Judge Holmes announced his retirement effective September 30, 2021.
- The next regular Quorum Court meeting will be held Thursday, August 12, 2021.

ADJOURNMENT:

JP Caldwell made motion to adjourn, seconded by JP Malone. Meeting adjourned at 8:41 p.m.

ATTESTED:


Rachelle Evans, Cleburne County Clerk

This 24th day of August 2021

Book C Page(s) 14-16

FILED
2021 AUG 24 AM 9:59
RACHELLE EVANS
CLEBURNE COUNTY CLERK
Book C Page(s) 14-16