

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

September 14, 2017

The Cleburne County Quorum Court met in regular session in the County Court Building, 922 South 9th Street, Heber Springs, Arkansas. The meeting was call to order at 6:03 p.m. County Judge Jerry Holmes presided. Roll call was taken. PRESENT: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Reynolds, Roberts.

Judge Holmes welcomed the Chamber Ambassador Program members: Toi Logan, Karen Derrick, Julie Murray, and Beverly Cothren. Ms. Murray reported to the Court that the members were participating in professional development to learn county, city and state government.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the August 10, 2017 regular meeting, seconded by JP Evans. Voice vote, motion carried unanimously.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

JP Evans reported a Handbook Committee meeting will be held September 27, 2017 from 9:00 a.m.-11:00 a.m. in the Judge's office to finalize details on the Cleburne County Employment Policies and Procedures.

UNFINISHED BUSINESS:

JP Evans reported Rodney Watson wants to present to the court at some time in the future. He is waiting on some drawings and information from architects and others before he can finalize the presentation. JP Evans will be in touch with Mr. Watson to schedule a date.

NEW BUSINESS:

Proposed Ordinance 2017-Security in Collector and Assessor Offices

JP Foust introduced an Ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, STATE OF ARKANSAS: AN ORDINANCE TO BE ENTITLED: AN APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2016-030 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2017 AND/OR OTHER PURPOSES."**

JP Foust made a motion to adopt the Ordinance, seconded by JP Evans. Discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. The ordinance was adopted as ORDINANCE NO. 2017-014.

JP Caldwell reported on the fire departments' fundraisers, and also inquired about changing the dates of the fundraiser to possibly gain more participants. The Quorum Court decided to bring this issue up when addressing the 2018 fundraiser.

Judge Holmes asked the Quorum Court to add items to the agenda.

JP Roberts made a motion to suspend the rules and add all additional items to be placed on the agenda, seconded by JP Evans. Discussion followed. Roll call was taken. Aye's: Caldwell, Evans, Roberts, Reynolds. Nay's: Pate, Henegar, Stone, Malone, Lange, Foust, Choate. Motion failed.

JP Henegar made a motion to suspend the rules and add the Proposed 2017-Real Estate Ordinance to the agenda, seconded by JP Malone. Roll call was taken. Aye's: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: Pate. Motion passed.

Proposed Ordinance 2017-Purchase of Real Property

JP Henegar introduced an Ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS: AN APPROPRIATION ORDINANCE APPROVING AND APPROPRIATING MONEY FOR THE PURCHASE OF REAL PROPERTY LOCATED IN CLOSE PROXIMITY TO THE SHERIFF'S OFFICE"**

JP Henegar made a motion to adopt the Ordinance, seconded by JP Malone. Discussion followed. Roll Call was taken. Aye's: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: Pate. JP Henegar made a motion to accept the Emergency Clause. Roll call was taken. Aye's: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: Pate. Ordinance was adopted as ORDINANCE NO. 2017-015.

JP Malone made a motion to suspend the rules and add Proposed Ordinance 2017-Conduct Business with L&K Fence to the agenda, seconded by JP Roberts. Roll call was taken. Aye's: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: Pate. Motion passed.

JP Malone introduced an Ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS AN ORDINANCE ENTITLED: AN ORDINANCE APPROVING THE COUNTY OF CLEBURNE TO CONDUCT BUSINESS DIRECTLY WITH L&K FENCE COMPANY"**

JP Malone read the Ordinance. JP Malone 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. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Roberts, Reynolds. Nay's: Choate. JP Malone read the Ordinance by title only. JP Malone made a motion to suspend the rules and place the Ordinance on the third and final reading by title only, seconded by JP Caldwell. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Roberts, Reynolds. Nay's: Choate. JP Malone read the Ordinance by title only. JP Malone made a motion to adopt the Ordinance. Discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Roberts, Reynolds. Nay's: Choate. JP Malone made a motion to adopt the Emergency Clause, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. Ordinance was adopted as ORDINANCE NO. 2017-016.

JP Foust made a motion to suspend the rules and add Resolution 2017-007 to the agenda, seconded by JP Caldwell. Roll call was taken. Aye's: Henegar, Caldwell, Stone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: Pate, Malone. Motion passed.

JP Foust introduced Resolution 2017-007 **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS, A RESOLUTION ENTITLED: A RESOLUTION REVOKING AND RESCINDING RESOLUTION 1999-3: A RESOLUTION ESTABLISHING PAYMENT OF SUPPLEMENTAL INSURANCE COVERAGE IN CONJUNCTION WITH MEDICARE BENEFITS"** JP Foust Made a motion to adopt the Resolution, seconded by JP Caldwell. Drew Smith explained why Resolution 1999-3 needs to be rescinded. Resolution 1999-3 is invalid and needs to be clean-up. Discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. Resolution was adopted as Resolution 2017-007.

JP Pate made a motion to suspend the rules and add Proposed Ordinance 2017-Rescinding Ordinance 2014-037 to the agenda, seconded by JP Evans. Discussion followed as to whether the JP's need more time to review the ordinance and the past history of why the ordinance was put in place initially before hearing it at this meeting. Roll call was taken. Aye's: Pate, Caldwell, Stone, Evans, Lange, Choate, Roberts, Reynolds. Nay's: Henegar, Malone, Foust. Motion passed.

JP Pate introduced an Ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS AN ORDINANCE ENTITLED: AN ORDINANCE REVOKING AND RESCINDING ORDINANCE NO. 2014-037: VEHICLE PURCHASE POLICY"**

JP Pate made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts,

Reynolds. Nay's: None. JP Pate read the Ordinance by title only. JP Pate made a motion to suspend the rules and place the Ordinance on the third and final reading by title only, seconded by JP Roberts. Roll call was taken.

Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Pate read the Ordinance by title only. JP Pate made a motion to adopt the Ordinance, seconded by JP Roberts. Lengthy discussion followed as to why this ordinance was being brought back before the court. Judge Holmes questioned as to whether Ordinance 2014-037 is valid. Discussion also included history as to why Ordinance 2014-037 was initially brought before the court and adopted. JP Pate called for the question. Roll call was taken. Aye's: Pate, Stone, Evans, Lange, Roberts, Reynolds. Nay's: Henegar, Caldwell, Malone, Foust, Choate. JP Pate made a motion to adopt the Emergency Clause, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Stone, Evans, Lange, Roberts, Reynolds. Nay's: Henegar, Caldwell, Malone, Foust, Choate. Motion for Emergency failed to meet the required two-thirds vote. Ordinance was adopted without Emergency Clause as ORDINANCE NO. 2017-017.

JP Evans asked Sheriff Brown to give the court an update on the repairs of the detention center. A storm drain is in process of being installed to divert access water. There is progress on the needed repairs, and are still waiting on bids to finish the repairs needed on the cameras.

COMMENTS FROM THE PUBLIC:

None

ANNOUNCEMENTS:

None

ADJOURNMENT:

JP Caldwell made motion to adjourn, seconded by JP Malone. Meeting adjourned at 8:08 p.m.

ATTESTED:

Rachelle Evans, Cleburne County Clerk

This _____ day of _____, 2017

Book _____ Page(s) _____