

# CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

October 11, 2018

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: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. ABSENT: None. (Note: County Attorney Drew Smith was absent due to a prior obligation)

## READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the September 13, 2018 regular meeting, seconded by JP Roberts. Voice vote, motion carried unanimously.

## REPORT OF TREASURER:

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

## REPORT OF COMMITTEES:

Mr. Foust reported on the Jail. By the next inspection date of April 2019, the Jail Committee will have recommendations of possible plans on how to move forward with the Jail issue.

## UNFINISHED BUSINESS:

**Proposed Ordinance No. 2018-Amend Sheriff's Office and Detention Center Salaries** (tabled from the September 2018 Regular Quorum Court Meeting)

JP Malone 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. 2018-015, 2017-021, 2017-022, AND 2017-023, WHICH ADOPTED THE POSITIONS AND THE BUDGET FOR THE CALENDAR YEAR 2018 AND/OR OTHER PURPOSES, TO AMEND THE 2018 SHERIFF, JAIL, AND JAIL MAINTENANCE SALES TAX BUDGETS."**

JP Malone made a motion to adopt the Ordinance, seconded by JP Roberts. Discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. **Passed and Adopted as Ordinance No. 2018-017.**

## NEW BUSINESS:

**Proposed Ordinance No. 2018-Probate Clerk**

JP Evans 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 DESIGNATING THE COUNTY CIRCUIT CLERK AS THE OFFICER RESPONSIBLE AS CLERK FOR THE PROBATE DIVISION OF CIRCUIT COURT FOR CLEBURNE COUNTY, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES."**

JP Evans 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: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Evans read the Ordinance by title only. JP Evans 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: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Evans read the Ordinance by title only. JP Evans made a motion to adopt the Ordinance, seconded by JP Roberts. Brief discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None.

JP Evans made a motion to adopt the Emergency Clause, seconded by JP Caldwell. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. **Passed and Adopted as Ordinance 2018-018.**

**Proposed Ordinance No. 2018-Preparer of County Tax Books**

JP Holland 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 DESIGNATING THE COUNTY COLLECTOR AS THE OFFICER RESPONSIBLE FOR THE PREPARATION OF THE TAX BOOKS FOR CLEBURNE COUNTY, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES."**

JP Holland made a motion to suspend the rules and place the Ordinance on a second reading by title only, seconded by JP Caldwell. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Holland read the Ordinance by title only. JP Holland made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Holland read the Ordinance by title only. JP Holland made a motion to adopt the Ordinance, seconded by JP Caldwell. Brief discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None.

JP Holland made a motion to adopt the Emergency Clause, seconded by JP Caldwell. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. **Passed and Adopted as Ordinance 2018-019.**

**Proposed Ordinance 2018-Fire Department Sales Tax Funds**

JP Caldwell 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 ESTABLISHING THE SALES TAX FUNDS FOR RURAL FIRE DEPARTMENTS FOR 2019."**

JP Caldwell made a motion to suspend the rules and place the Ordinance on a second reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Caldwell read the Ordinance by title only. JP Caldwell made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Caldwell read the Ordinance by title only. JP Caldwell made a motion to adopt the Ordinance, seconded by JP Malone. Brief discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None.

JP Caldwell made a motion to adopt the Emergency Clause, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. **Passed and Adopted as Ordinance 2018-020.**

**Proposed Ordinance No. 2018-Senior Center Roof Grant**

JP Roberts 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. 2017-023, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2018 AND/OR OTHER PURPOSES."**

JP Roberts made a motion to adopt the Ordinance, seconded by JP Caldwell. Brief discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. **Passed and Adopted as Ordinance 2018-021.**

**Proposed Ordinance No. 2018-Revisions to the Code of Ordinances for the County**

JP Henegar introduced an Ordinance: **"AN ORDINANCE ENACTING REVISIONS TO THE CODE OF ORDINANCES FOR THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AND DECLARING AN EMERGENCY."**

JP Henegar made a motion to suspend the rules and place the Ordinance on a second reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. 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. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. JP Henegar read the Ordinance by title only. JP Henegar made a motion to

adopt the Ordinance, seconded by JP Choate. Brief discussion followed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None.

JP Malone made a motion to adopt the Emergency Clause, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Foust, Choate, Roberts, Reynolds. Nay's: None. **Passed and Adopted as Ordinance 2018-022.**

**Proposed Ordinance No. 2018-Adopting the 7<sup>th</sup> Edition Policies**

JP Choate 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 DESIGNATING COUNTY POLICY AND ADOPTING THE 7<sup>TH</sup> EDITION OF THE CLEBURNE COUNTY POLICY AND PROCEDURE HANDBOOK."**

JP Choate placed the Ordinance on the first reading of the Ordinance in its entirety. JP Choate read the Ordinance.

**Proposed Resolution 2018-Memorial Highway**

JP Foust introduced a Resolution: **"A RESOLUTION FOR THE PURPOSE OF RENAMING PART OF HIGHWAY 25 IN MEMORY OF WILDLIFE OFFICER MONTY CARMIKLE."**

JP Foust made a motion to adopt the Resolution, seconded by JP Lange. Discussion followed. Voice vote, motion carried (2 nay votes noted).

Motion was made by JP Lange to amend the agenda to add Proposed Ordinance No. 2018-Amend Sheriff and Jail Maintenance Budgets, seconded by JP Malone. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Holland, Malone, Evans, Lange, Choate, Roberts, Reynolds. Nay's: Foust.

**Proposed Ordinance No. 2018-Amend Sheriff and Jail Maintenance Budgets**

JP Lange 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. 2017-023, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2018 AND/OR OTHER PURPOSES."**

JP Lange made a motion to adopt the Ordinance, seconded by JP Malone. Discussion followed. Roll call was taken. Aye's: Pate, Caldwell, Holland, Malone, Evans, Lange, Choate, Roberts, Reynolds. Nay's: Henegar, Foust.

JP Lange made a motion to adopt the Emergency Clause, seconded by JP Malone. Roll call was taken. Aye's: Pate, Caldwell, Holland, Malone, Evans, Lange, Choate, Roberts, Reynolds. Nay's: Henegar, Foust. **Passed and Adopted as Ordinance No. 2018-023.**

**COMMENTS FROM THE PUBLIC:**

None

**ANNOUNCEMENTS:**


Early voting begins October 22, 2018.

Budget Committee meeting is scheduled for October 23, 2018 at 8:30 a.m. in the Judge's Office.

**ADJOURNMENT:**

JP Caldwell made motion to adjourn, seconded by JP Roberts. Meeting adjourned at 7:29 p.m.

**ATTESTED:**

  
Rachelle Evans, Cleburne County Clerk

**FILED**  
2018 NOV 16 PM 1:11  
RACHELLE EVANS  
CLEBURNE COUNTY CLERK

This 15<sup>th</sup> day of November, 2018

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