

# CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

March 14, 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 6:05 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 February 14, 2019 regular meeting, seconded by JP Evans. Voice vote, motion carried unanimously.

## REPORT OF TREASURER:

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

## REPORT OF COMMITTEES:

JP Evans reported a Cleburne County Jail Operational/Housing Plan, to be filed with the Quorum Court Journal of Proceedings for March 2019, was sent to the Court members with the recommendations that will put the jail in full compliance, at least short term. Ms. Tammy Harris with the Public Defender office addressed the Court with her concerns with the plan. JP Evans and Judge Holmes did state that Ms. Harris' concerns were addressed in the Jail committee meetings. JP Pearson asked Ms. Harris to bring some hard numbers as to how the additional hardships incurred by housing and transporting, to and from another County, the female inmates will affect the Public Defender office. JP Evans asked the Court, if everyone is in agreement, to allow the committee to move forward with the plan that was developed. Mr. Drew Smith, County Attorney, advised a Resolution instead of an Ordinance would be the appropriate document to bring back to the Court. After discussion, Judge Holmes stated that it seems to be the consensus of the Court to look favorably at a Resolution to move forward with the current Cleburne County Jail Operational/Housing Plan, and to keep the Court apprised as to the progress. JP Grace asked if the Public Defender office could bring back a report on additional costs the Plan may place on the office.

## UNFINISHED BUSINESS:

After the items on the agenda were completed, JP Foust asked if the Court would amend the agenda to add the Cleburne County Fair Board Ordinance since it is now revised and is an item of unfinished business.

JP Pearson made a motion to amend the agenda to add Proposed Ordinance No. 2019-Re-Organization of the Cleburne County Fair Board, seconded by JP Roberts. Voice vote, motion carried unanimously.

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 FOR THE RE-ORGANIZATION OF THE CLEBURNE COUNTY FAIR BOARD."**

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

**Passed and Adopted as Ordinance No. 2019-008**

**NEW BUSINESS:**

Judge Holmes stated that Proposed Resolution No. 2019-Arkansas Unpaved Roads Grant Program needed to be pulled from the agenda.

**Proposed Ordinance No. 2019-Blue & You Foundation Courthouse Grant**

JP Roberts introduced an Appropriation Ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2018-026, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2019 AND FOR OTHER PURPOSES."**

JP Roberts made a motion to adopt the Ordinance, seconded by JP Grace. No discussion followed. Roll call was taken. Aye's: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans, Gracey, Foust, Grace, Roberts, Owens. Nay's: None.

**Passed and Adopted as Ordinance No. 2019-006.**

**Proposed Ordinance No. 2019-2018 Budget Clean-up**

JP Malone introduced an Appropriation 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, AND ORDINANCE 2018-013 WHICH AMENDED THE CIRCUIT CLERK'S BUDGET, AND ORDINANCE 2018-023 WHICH AMENDED THE SHERIFF BUDGET."**

JP Malone made a motion to adopt the Ordinance by reference with a copy filed in the County Clerk's Office, seconded by JP Blackburn. No discussion followed. Roll call was taken. Aye's: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans, Gracey, Foust, Grace, Roberts, Owens. Nay's: None.

**Passed and Adopted as Ordinance No. 2019-007.**

JP Caldwell gave a recap of the Bobby Mooney Matching Fire Department Fund Challenge. This year it will begin May 27, Memorial Day, and end November 28. Last year nine (9) of eleven (11) Fire Departments participated.

Judge Holmes reported to the Quorum Court on the 2017 Legislative Audit. Judge Holmes stated that there were no findings from the 2017 Audit, so no corrective action is needed. Judge Holmes read from the Audit report the following statement, "Our procedures indicated that the above offices were in substantial compliance with Arkansas fiscal and financial laws."

**COMMENTS FROM THE PUBLIC:**

Ms. Paula Sporn inquired about some specifics concerning the jail.

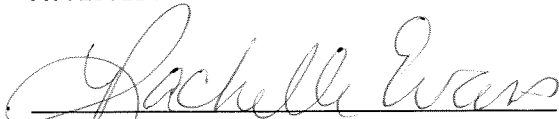
**ANNOUNCEMENTS:**

The April regular Quorum Court meeting will be held April 11, 2019.

**ADJOURNMENT:**

JP Caldwell made motion to adjourn, seconded by JP Roberts. Meeting adjourned at 7:00 p.m.

**ATTESTED:**

  
Rachelle Evans, Cleburne County Clerk

This 11<sup>th</sup> day of April, 2019

Book B Page(s) 534  
538



# CLEBURNE COUNTY SHERIFF'S OFFICE

914 South 9th  
Heber Springs, AR 72543

Sheriff Chris Brown  
ph. (501)362-8143  
Fax (501)362-7386

## Clebune County Jail Operational/Housing Plan

### Preface

Most experts will share that once a jail reaches about 80 percent occupancy, the jail often is "full" in terms of operation purposes. Almost always, when a jail (based on design and structural features) is fully staffed, the operational capacity/population will be lower than the number of physical beds within the site.

The Cleburne County Jail currently has 82 beds. To operate under legal, safe, and constitutional guidelines, the actual operational capacity is usually a much lower number. Operational Capacity will and does vary on a daily basis and is contingent on an inmate profile that takes into consideration a number of factors such as, age, sex, physical condition, presence of communicable disease, flight risk potential, propensity for violent acts, previous convictions, pending charges, and serious mental health issues.

For 2018, the average daily population was 67 (49 male, 18 female)

YTD population for 2019 is 74, (53 male, 21 female)

### Housing Plan

For a safe and effective operation, the Cleburne County Detention Center requires a minimum of 3 to 4 detention officers on the floor, depending on time of day. This consists of one person who remains in the control room to operate electronic jail controls, while 2 to 3 other detention officers work the floor of the jail.

The jail currently consists of 10 separate secure areas, of varying capacities. Under the new housing plan, the jail would consist of 5 separate housing areas which comply with Jail Standards as long-term housing areas.

Four additional holding areas, which due to no shower facilities, no hot and cold running water, and a lack of natural lighting do not comply with jail standards as long-term housing will be available to hold inmates on a short-term basis only. Short term is defined as less than 16 hours. Aside from jail standards, each detention center needs dedicated space for holding areas. These areas are essential in terms of brief inmate separation, intense-temporary observation, dress-in/dress-out purposes, transport processes, inmate search areas, special care needs, and like aspects.

The available housing is as follows:

#### Long Term Housing

- Block 1: Maximum capacity 8 – Anticipated population 4-8
- Block 2: Maximum capacity 8 – Anticipated population 6-8
- Block 3: Maximum capacity 4 – Anticipated population 1-4
- Block 5: Maximum capacity 4 – Anticipated population 1-4



## CLEBURNE COUNTY SHERIFF'S OFFICE

914 South 9th  
Heber Springs, AR 72543

Sheriff Chris Brown  
ph. (501)362-8143  
Fax (501)362-7386

**A Pod: Maximum capacity 32 – Anticipated population 14-32**

**New Maximum Facility Capacity: Long Term Housing: 56**

**Short Term Housing, 16 Hours MAXIMUM**

**Block 4, Maximum capacity 4 – Anticipated population 1-4**

**Holding 1, Maximum capacity, 1**

**Holding 2, Maximum capacity, 1**

**Detox, Maximum capacity, 1**

**New Maximum Facility Capacity: Short Term Housing: 7**

A separate area is used to house up to 4 inmates on Trustee status. Due to construction, design and location this area does not qualify as a secure area and as such cannot be used to house general population inmates.

**New total facility capacity: 63 (56 long term, 7 short term), plus up to 6 trustees.**

This housing plan allows for the housing of at least 6 different classes of inmates (including trustees housed in an unsecured area). Upon implementation, the jail would become a male holding facility only, with limited space for the temporary housing of a small number (1-7) of females for the amount of time (16 hours or less) it takes to arrange their transport to an outside facility. No longer holding females effectively reduces the number of separate housing areas needed to legally and constitutionally operate the Detention Facility by 50%. Female detainees brought to the jail by the county officers, on pending county charges would be transported to another facility by the Sheriff's Office and housed there at county expense. Female detainees brought to the jail pending charges from other agencies (including all state agencies and DTF) would be transported by the arresting agency. When appropriate the arresting agency will be responsible for housing costs.

Initial talks with the White County Sheriff's Office have tentatively brought about the following cost estimate for housing women in their facility: Approximately \$35 per day per inmate, with a maximum bed space of 12 women is \$153,300 annual housing cost. The daily cost per inmate proposed by White County was their daily cost for housing, which they believed to be approximately \$30 per day per inmate. That cost is calculated once per year by each jail, which means the cost could vary slightly from year to year, but this cost is currently lower than Cleburne County's daily rate of approximately \$47 per day per inmate. Upon agreement of this housing plan, Our Sheriff's Office will work with White County to come to an exact amount, which could be presented to the county judge for an agreement to be entered into.

Transport costs are unknown at this time. However, Cleburne County is currently working on implementing a video court system (purchased by AAC with no cost to the county), which will help to



## CLEBURNE COUNTY SHERIFF'S OFFICE

914 South 9th  
Heber Springs, AR 72543

Sheriff Chris Brown  
ph. (501)362-8143  
Fax (501)362-7386

alleviate some transport expense. We can also more aggressively manage the female inmate population, which we have presently been unable to do due to housing limitations.

The inmate housing area known as "B Pod", maximum capacity 22, which is currently used to house females, will cease to become prisoner housing. The tables and bunks will be removed, and the room will be turned into a multi-purpose room, as well as much needed administrative storage.

The overall bed capacity for the facility of 63 physical beds located in a secure area, does not provide any capability to house any inmate with chronic medical conditions requiring special medical equipment, disabilities, severe mental illness, physical injuries, or communicable disease. Housing arrangements made to accommodate any of the above conditions will result in an additional loss of bed space. As such, and as needed, these inmates will be housed outside of the county.

Estimated completion time for this transition is 3 months after approval. This time frame should allow us to finalize an agreement with White County (or another outside agency) and begin to transition women to that facility, and allow us to convert B Pod into a multi-purpose room and administrative storage. During or before the completion time, the Sheriff will meet with all Law Enforcement Agency heads within the county to discuss and explain these changes and course of action.

The goal of this housing plan is to bring the Cleburne County Jail into compliance with Jail Standards in a timely manner, provide much needed updates in terms of safety, provide modifications with concern to site success, in addition to the granting of upgrades in terms of legal facets, all while incurring the smallest amount of cost to the physical building that exists as the jail currently. This plan would allow for the existing building to be used as is, with minimal costs incurred to the county; expenses being repairs to some failing plumbing, basic building fixtures/components, and modular/moveable walls to separate storage from the multi-purpose room.

As a note, prior to the plan officially being set into motion, and after being approved, the Sheriff's Office will engage with the State and/or a local Fire Marshal to ensure that staffing levels, etc. are sufficient in terms of being able to safely evacuate all prisoners.

Respectfully Submitted,

Sheriff Chris Brown