

AGENDA
Cleburne County Quorum Court
Thursday, May 11, 2023
6:00 p.m.

Cleburne County Court Building
922 South 9th Street
Heber Springs, AR 72543

1. **Call to Order, Roll Call:**
2. **Reading, Correction, and Disposition of Minutes:**
3. **Report of Treasurer:**
4. **Report of Committees:**
 - a. Election Committee-**JP Martin**
 - b. Emergency Services Oversight Committee-**JP Foust**
 - c. Budget Committee-**JP Evans**
5. **Unfinished Business:**
 - a. None
6. **New Business:**
 - a. Update from Amy Heck, County Extension Office-**Judge Crosby**
 - b. Cleburne County Board of Equalization Appointment-**Judge Crosby**
 - c. Cleburne County Library Board Appointment-**Judge Crosby**
 - d. Proposed Resolution No. 2023-Mutual Aid Agreement-White/Faulkner-**JP Foust**
 - e. Proposed Ordinance No. 2023-Amend 2023 Budget-Additional Motor Fuel Sales Tax Fund-**JP Foust**
 - f. Proposed Ordinance No. 2023-Amend 2023 Budget-Court Building-**JP Caldwell**
7. **Comments from the Public:**
8. **Announcements:**
 - a. Next Regular Quorum Court Meeting is Thursday, June 8, 2023.
9. **Adjournment:**

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

April 13, 2023

The Cleburne County Quorum Court met in regular session in the Cleburne Court Building, 922 South 9th Street, Heber Springs, Arkansas. The meeting was called to order at 6:01 p.m. County Judge Eric Crosby presided.

PRESENT: Moorehead, Henegar, Caldwell, Fletcher, Malone, Evans, Martin, Foust, Tamburo, Owens

ABSENT: Wildmon

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell, seconded by JP Evans, to approve the March 2023 minutes. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Election Committee: JP Martin reported the committee did meet and decided to let the 2023 Legislative session end before discussing any further action.

Emergency Services Oversight Committee: JP Foust reported the committee met and continued discussion on the repeater system and discussion on the property located on Highway 92 to possibly house an ALS unit. JP Fletcher added comments on the planning of the Appreciation Day. JP Fletcher distributed a couple of flyers and informed the Court of possible activities for the day.

Budget Committee: Judge Crosby announced the members of the 2023 Budget Committee as follows: JP Evans, JP Foust, JP Henegar, JP Moorehead, JP Owens. JP Evans reported the committee discussed the financing of the repeater system and reported one volunteer Ambulance Service request for the purchase of equipment was granted.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Roger Pearson addressed the Court about the April 8, 2024, Eclipse. Mr. Pearson reported to the Court regarding the planning in White County so it may be helpful information for Cleburne County to begin preparing for the Eclipse.

Proposed Ordinance No. 2023-Blue & You Grant-Road Department

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 APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO ADD BLUE & YOU FOUNDATION GRANT FOR THE ROAD DEPARTMENT"**.

JP Caldwell made a motion to adopt the Ordinance, seconded by JP Evans. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Tamburo. Nays: None. Absent: Wildmon.

Passed and adopted as Ordinance 2023-10.

Proposed Ordinance No. 2023-Amend Budget- Nine-One-One

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. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO PURCHASE COMMUNICATION REPEATERS FOR 911 SERVICES"**.

JP Malone made a motion to adopt the Ordinance, seconded by JP Martin. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Tamburo. Nays: None. Absent: Wildmon.

Passed and adopted as Ordinance 2023-11.

Proposed Ordinance No. 2023-Amend Budget-Juvenile Drug Court Grant

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. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO ADD THE JUVENILE DRUG COURT BUDGET."**

JP Malone made a motion to adopt the Ordinance, seconded by JP Fletcher. Discussion followed. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Tamburo. Nays: None. Absent: Wildmon.

Passed and adopted as Ordinance 2023-12.

Proposed Ordinance No. 2023-Amend 2023 Budget-Unemployment Compensation

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 APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO AMEND THE UNEMPLOYMENT COMPENSATION LINE ITEM"**.

JP Evans made a motion to adopt the Ordinance, seconded by JP Malone. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Tamburo. Nays: None. Absent: Wildmon.

Passed and adopted as Ordinance 2023-13.

Proposed Resolution No. 2023-Tax Back Program-Defiance Metal Products

JP Evans introduced a Resolution: **RESOLUTION OF THE QUORUM COURT OF CLEBURNE COUNTY CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF DEFIANCE METAL PRODUCTS DBA DEFIANCE METAL PRODUCTS OF ARKANSAS, INC. TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003)."**

JP Evans made a motion to adopt the Resolution, seconded by JP Caldwell. Discussion followed. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Tamburo. Nays: None. Absent: Wildmon.

Passed and adopted as Resolution No. 2023-05.

JP Evans made a motion to add to the Agenda Proposed Ordinance No. 2023-Amend 2022 Budget (clean-up) and Proposed Ordinance No. 2023-Amend Budget- District Court Automation, seconded by JP Owens. Voice vote, motion carried.

Proposed Ordinance No. 2023-Amend 2022 Budget (Clean-up)

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 APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2021-035, WHICH ADOPTED THE BUDGET FOR CALENDAR YEAR 2022 AND/OR OTHER PURPOSES FOR THE PURPOSE OF 2022 BUDGET CLEAN-UP."**

JP Caldwell made a motion to adopt the Ordinance by reference with a copy on file in the County Clerk's office, seconded by JP Evans. Discussion followed. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Malone, Martin, Moorehead, Owens, Tamburo. Nays: Henegar. Absent: Wildmon.

Passed and adopted as Ordinance 2023-14.

Proposed Ordinance No. 2023-Amend Budget-District Court Automation

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 APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO AMEND THE DISTRICT COURT AUTOMATION BUDGET"**.

JP Evans made a motion to adopt the Ordinance, seconded by JP Martin. Discussion followed. Roll call was taken. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Tamburo. Nays: None. Absent: Wildmon.
Passed and adopted as Ordinance 2023-15.

COMMENTS FROM THE PUBLIC:

- None

ANNOUNCEMENTS:

- Next Quorum Court Meeting is scheduled for Thursday, May 11, 2023.
- The Cleburne County Audit for the November 2022 Election is scheduled for Friday, April 21, 2023, at 10:00 a.m. in the Election Commission office located in the Claude Dill Complex. Date is subject to change.
- Senior Citizen Annual Fish Dinner-Friday, April 14, 2023, 5:30-7:00 p.m.

ADJOURNMENT:

JP Caldwell made a motion to adjourn, seconded by JP Foust. The meeting was adjourned at 7:34 p.m.

ATTESTED:

_____ Book _____ Page (s) _____
Rachelle Evans, Cleburne County Clerk Date

CLEBURNE COUNTY LIBRARY

1010 West Searcy St.
Heber Springs, AR 72543
(501) 362-2477
director@cleburnecountylibrary.com

April 28, 2023

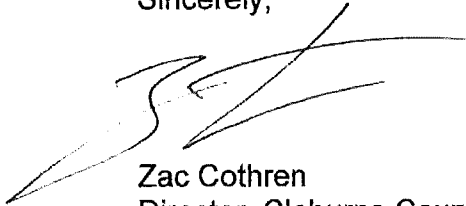
County Judge Eric Crosby
Cleburne County Judge's Office
Main Street
Heber Springs, AR 72543

Dear Judge Crosby:

Our Cleburne Library Board member Rebecca Prince has resigned from the Library Board of Trustees. We request that you appoint Dr. Kelli Harris to a 5-year term which runs until May 2028. We feel that Dr. Harris's background as a successful chiropractor and businesses owner in the community, in addition to being a county native with relationships throughout the county, will make her a valuable addition to the Library Board.

Thank you for your consideration in this matter.

Sincerely,



Zac Cothren
Director, Cleburne County Library

Cc Jeff Lynch, Cleburne County Library Board
Debra Sutterfield, Regional Librarian

PROPOSED RESOLUTION No. 2023-MUTUAL AID AGREEMENT-WHITE/FAULKNER

BE IT RESOLVED BY THE QUORUM COURT OF CLEBURNE COUNTY, STATE OF ARKANSAS; A RESOLUTION TO BE ENTITLED: "A RESOLUTION APPROVING MUTUAL AID AGREEMENTS AND/OR MEMORANDUM OF UNDERSTANDING BETWEEN CLEBURNE COUNTY OFFICE OF EMERGENCY MANAGEMENT AND THE OFFICE OF EMERGENCY MANGEMENT OF WHITE COUNTY AND FAULKNER COUNTY

WHEREAS, there is a need for the Cleburne County Office of Emergency Management and the White County Office of Emergency Management and the Faulkner County Office of Emergency Management to cooperate for a more efficient emergency and disaster response capabilities; and

WHEREAS, this agreement would permit the Cleburne County Office of Emergency Management to call for the assistance of the White County Office of Emergency Management and the Faulkner County Office of Emergency Management in emergency and disaster response operations; and

WHEREAS, by this agreement, Cleburne County Office of Emergency Management and White County Office of Emergency Management and Faulkner County Office of Emergency Management, understand that if a response is declared for mutual aid that third party reimbursement may be allowed for the cost of recovery; and

WHEREAS, by this agreement, the Cleburne County Office of Emergency Management and the White County Office of Emergency Management and the Faulkner County Office of Emergency Management make a good faith commitment to aid and assist each other if called to do so; and

WHEREAS, this agreement is subject to cancellation on the first of any month after giving or receiving 30 days of notification.

NOW, THEREFORE, IT IS RESOLVED that the Quorum Court of Cleburne County, Arkansas, that the Cleburne County Office of Emergency Management Director and the Cleburne County Judge are authorized to enter into a Mutual Aid Agreement and/or Memorandum of Understanding with White County and Faulkner County for mutual aid.

PASSED AND ADOPTED this _____th day of _____ 2023.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Eric Crosby, Cleburne County Judge

Recorded: Book _____ Page(s) _____

MUTUAL AID AGREEMENT

BETWEEN THE COUNTY OF WHITE DEPARTMENT OF EMERGENCY MANAGEMENT AND THE COUNTY OF CLEBURNE DEPARTMENT OF EMERGENCY MANAGEMENT

WHEREAS, there is a great need for the White County Department of Emergency Management and the Cleburne County Department of Emergency Management to cooperate together for better and more efficient emergency and disaster response capabilities for the two Counties; and

WHEREAS, life and property can be saved by this agreement;

NOW THEREFOERE; this agreement is entered into by the White County Department of Emergency Management and the Cleburne County Department of Emergency Management to permit the White County Department of Emergency Management to call for the assistance of the Cleburne County Department of Emergency Management or to permit the Cleburne County Department of Emergency Management to call for assistance of the White County Department of Emergency Management to assist in emergency and disaster response operations on the following terms and conditions.

FIRST, the White County Quorum Court has passed a resolution approving the terms of this agreement and authorizing the White County Judge and the White County Department of Emergency Management Coordinator to sign this agreement.

SECOND, the Cleburne County Quorum Court has passed a resolution approving the terms of this agreement and authorizing the Cleburne County Judge and the Cleburne County Department of Emergency Management Coordinator to sign this agreement.

THIRD, the White County Judge does hereby acknowledge that the Cleburne County Department of Emergency Management has permission to respond to White County upon request.

FOURTH, the Cleburne County Judge does hereby acknowledge that the White County Department of Emergency Management has permission to respond to Cleburne County upon request.

FIFTH, by this agreement, if either county responds to an incident, reimbursement can be expected for the cost of recovery.

SIXTH, by this agreement, both White County Department of Emergency Management and Cleburne County Department of Emergency Management make a good-faith commitment to aid and assist each other if called on to do so.

SEVENTH, this agreement is subject to cancellation of the first of any month after giving or receiving 30 days of cancellation notice.

Signed for Cleburne County

Signed for White County

Cleburne County Judge

White County Judge

Cleburne County
Department of Emergency Management

White County Director
Department of Emergency Management

Date _____

Date _____

MUTUAL AID AGREEMENT

BETWEEN THE COUNTY OF CLEBURNE DEPARTMENT OF EMERGENCY MANAGEMENT AND THE COUNTY OF FAULKNER DEPARTMENT OF EMERGENCY MANAGEMENT

WHEREAS, there is a great need for the Cleburne County Department of Emergency Management and the Faulkner County Department of Emergency Management to cooperate together for better and more efficient emergency and disaster response capabilities for the two Counties; and

WHEREAS, life and property can be saved by this agreement;

NOW THEREFOERE; this agreement is entered into by the Cleburne County Department of Emergency Management and the Faulkner County Department of Emergency Management to permit the Cleburne County Department of Emergency Management to call for the assistance of the Faulkner County Department of Emergency Management or to permit the Faulkner County Department of Emergency Management to call for assistance of the Cleburne County Department of Emergency Management to assist in emergency and disaster response operations on the following terms and conditions.

FIRST, the Cleburne County Quorum Court has passed a resolution approving the terms of this agreement and authorizing the Cleburne County Judge and the Cleburne County Department of Emergency Management Coordinator to sign this agreement.

SECOND, the Faulkner County Quorum Court has passed a resolution approving the terms of this agreement and authorizing the Faulkner County Judge and the Faulkner County Department of Emergency Management Coordinator to sign this agreement.

THIRD, the Cleburne County Judge does hereby acknowledge that the Faulkner County Department of Emergency Management has permission to respond to Cleburne County upon request.

FOURTH, the Faulkner County Judge does hereby acknowledge that the Cleburne County Department of Emergency Management has permission to respond to Faulkner County upon request.

FIFTH, by this agreement, if either county responds to an incident, reimbursement can be expected for the cost of recovery.

SIXTH, by this agreement, both Cleburne County Department of Emergency Management and Faulkner County Department of Emergency Management make a good-faith commitment to aid and assist each other if called on to do so.

SEVENTH, this agreement is subject to cancellation of the first of any month after giving or receiving 30 days of cancellation notice.

Signed for Faulkner County

Signed for Cleburne County

Allen Dodson, Faulkner County Judge

Eric Crosby, Cleburne County Judge

Shelia Moix, Director of Faulkner County Office of Emergency Management

Greg Carr, Director of Cleburne County Office of Emergency Management

Date

Date

PROPOSED ORDINANCE NO. 2023-AMEND 2023 BUDGET-ADDITIONAL MOTOR FUEL SALES TAX FUND

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. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO AMEND THE ADDITIONAL MOTOR FUEL SALES TAX FUND BUDGET.”

WHEREAS, the need exists to amend the 2023 Additional Motor Fuel Sales Tax Fund Budget to appropriate funds for replacing the Bridge on Betis Mountain Road due constant flooding issues.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, ARKANSAS:

Section 1. The following appropriation is hereby approved:

Fund-2003 Additional Motor Fuel Sales Tax Fund, Department-201 Additional Motor Fuel Sales Tax Fund

LINE ITEM	FROM	TO	CHANGE
2003-0201-2031 Bridge & Steel	\$0.00	\$100,000.00	+\$100,000.00
TOTAL CHANGE IN THE ADDITIONAL MOTOR FUEL SALES TAX FUND BUDGET			+\$100,000.00

Section 2. In the event that any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect the other provisions or applications to this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED this _____th day of _____ 2023.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Eric Crosby, Cleburne County Judge

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2023-AMEND 2023 BUDGET-COURT BUILDING-2nd

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. 2022-040, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND FOR OTHER PURPOSES TO AMEND THE COURT BUILDING BUDGET."

WHEREAS, the Cleburne County Court Building HVAC System has needed multiple repairs that were outside of the parameters of the maintenance contract, and

WHEREAS, the costs have exceeded the amount budgeted.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, ARKANSAS:

Section 1. The following appropriation is hereby approved:

Fund-1006 ARPA Revenue Replacement Fund, Department-403 Court Building

LINE ITEM	FROM	TO	CHANGE
1006-0403-2024 Maintenance & Service Contracts	\$28,000.00	\$38,000.00	+\$10,000.00
TOTAL CHANGE IN COURT BUILDING BUDGET			+\$10,000.00

Section 2. In the event that any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect the other provisions or applications to this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED this _____th day of _____ 2023.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Eric Crosby, Cleburne County Judge

Recorded: Book _____ Page(s) _____