

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

WHEREAS, the Quorum Court has previously adopted Ordinance 89-45 Creating the Cleburne County Fair Board (hereinafter "CCFB") pursuant to Act 142 of 1975 codified at A.C.A. §14-137-107; this Ordinance shall amend Ordinance 89-45; and,

WHEREAS, the Quorum Court, in a continuing effort to support the operations, maintenance, community interest and participation in the Cleburne County Fair, and under its responsibility to define and clarify the powers and limitations of the CCFB, this Court directs the following:

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

Section 1. There has been established by Ordinance 89-45 the Cleburne County Fair Board.

Section 2. The Board shall be comprised of 5 members in accordance to A.C.A. § 14-137-108(a)(1), preferably who are residents of Cleburne County, Arkansas. Each member's term shall be five (5) years with the start dates of the 5 positions staggered such that one position becomes open annually January 1st of each year.

Section 3. Members of each public facilities board shall meet and organize by electing one (1) of their number as chairman, one (1) as vice chairman, one (1) secretary, and one treasurer, and such officer shall be elected annually thereafter in like manner. The duties of the secretary and treasurer may be performed by the same member. A.C.A. §14-137-109. Each public facilities board shall meet upon the call of its chairman, or a majority of its members, and at such times as may be specified in its bylaws for regular meetings. A simple majority of its members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present at a meeting of the board shall be necessary for any action taken by the board. The secretary of the board shall keep a record of the proceedings of the board and shall be custodian of all books, documents, and papers filed with the board and of the minute book or journal of the board and of its official seal.

Section 4. Initially the members of the Board shall be appointed by the Cleburne County Judge, these of which are listed by agreement of the current individuals involved in the fair operations. The initial five members of the Board here are recommended and confirmed as follows: Phillip Cannon for a two (2) year term, Stan Reynolds for a one (1) year term, Janie Evans for a five (5) year term, Lydia Guffey for a four (4) year term, and Frank Evans for a three (3) year term. Members of the Board shall continue to be elected by the membership of the board's service area pursuant to A.C.A. § 14-137-108(B)(i)(a) after their respective terms shall expire or in the case of an emergency vacancy.

At any time the Cleburne County Quorum Court reserves the right to change, by ordinance, the board election process to the statutory process as described as follows under A.C.A. §14-137-108: The existing CCFB members shall submit a list of 3 candidates for the CCFB to the County Judge at least 60 days prior to the vacancy on January 1st, the County Judge shall nominate from that list of 3 potential nominees a single candidate to recommend to the Quorum Court. The Quorum Court shall vote to confirm or deny the candidate for the CCFB. In the event that the CCFB fails to nominate 3 candidates in writing to the County Judge, the Judge may appoint a successor without CCFB nomination of candidates and subject to the confirmation of the Quorum Court.

Effort shall be made to maintain a diverse board representing all stakeholders in the mission of the Cleburne County Fair including but not limited to Agriculture, Business, Master Gardeners, FHA, 4H, Extension Homemakers, Schools, Nonprofits and other interested community members.

Section 5. The CCFB shall conduct regular meetings at least quarterly and shall notify the public and Quorum Court through the County Judge of all meeting dates and locations, except emergency meetings which shall require two (2) hour notice to the press and County Judge's office.

Section 6. All records of the CCFB shall be public records. The CCFB shall report all expenditures and receipts by annual report to the Quorum Court for review at the July Quorum Court meeting of each year. Approval of CCFB expenditures are not required under A.C.A. §14-107-104.

Section 7. The CCFB shall be responsible for the planning and day to day operations of the Cleburne County Fair and other fair related scheduled and unscheduled activities at the Cleburne County Fairground. Construction of facilities for public use may be undertaken by the CCFB at the fairgrounds with notice to the County Judge and shall be considered property of Cleburne County. The Cleburne County Judge will continue to assist in the maintenance and care of the grounds and buildings. It is anticipated that the Quorum Court, County Judge and CCFB work cooperatively to manage the growth, improvements, use and maintenance of the Cleburne County Fairgrounds.

Section 8. All funds appropriated by the Cleburne County Quorum Court shall be held in a separate bank account maintained and managed by the CCFB, which is separate from any accounts maintained by the Cleburne County Fair and Livestock Association, a nonprofit domestic corporation. The CCFB shall not be allowed to intermingle or combine funds with the Cleburne County Fair and Livestock Association, nor shall the CCFB be allowed to directly, or indirectly, transfer any county appropriated funds to the Cleburne County Fair and Livestock Association.

Section 9. The CCFB shall continue to have the authority to take out debt financing agreements and incur debt but such actions shall require majority approval by the Quorum Court along with an estimation of how much money or general expenditure funds provided by Cleburne County will be used to repay such debt obligations.

Section 10. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

EMERGENCY CLAUSE

The Quorum Court hereby finds and determines an immediate clarification of County policy is required to resolve this issue and protect the financial and communication integrity of County Government; therefore, an emergency is hereby declared to exist, and this Ordinance being necessary for the preservation of the public peace, health, and safety shall be in effect from and after its passage and approval.

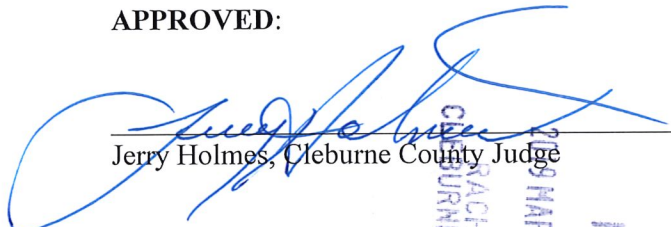
PASSED AND ADOPTED this 14th day of March 2019.

ATTEST:



Rachelle Evans, Cleburne County Clerk

APPROVED:



Jerry Holmes, Cleburne County Judge

Recorded: Book E Page(s) 2019-169

FILED
MAR 15 PM 2:34
RACHELLE EVANS
CLEBURNE COUNTY CLERK