

**AGENDA**  
**Cleburne County Quorum Court**  
**Thursday, March 9, 2023**

**6:00 p.m.**

Cleburne County Court Building  
922 South 9<sup>th</sup> 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:**
5. **Unfinished Business:**
  - a. Proposed Resolution No. 2023-Sheriff Interim Filling of Vacancies-**JP Martin**
  - b. Proposed Ordinance No. 2023-Amend County Handbook-Sheriff (2<sup>nd</sup> reading)-**JP Wildmon**
6. **New Business:**
  - a. Fire Department/Volunteer EMS Services Matching Funds-**JP Caldwell**
  - b. Proposed Resolution No. 2023-Repeal Resolution No. 2023-01-**JP Martin**
  - c. Proposed Ordinance No. 2023-Amend 2023 Budget-Public Safety Grant-Sheriff-**JP Malone**
  - d. Proposed Ordinance No. 2023-Amend Salary for Court Building Budget-**JP Evans**
  - e. Informational/911 Communication-**JP Evans**
7. **Comments from the Public:**
8. **Announcements:**
  - a. Next Regular Quorum Court Meeting is Thursday, April 13, 2023.
9. **Adjournment:**

# CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

February 9, 2023

The Cleburne County Quorum Court met in regular session in the Cleburne Court Building, 922 South 9<sup>th</sup> 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, Wildmon, Owens.

ABSENT: Tamburo.

## READING, CORRECTION, AND DISPOSITION OF MINUTES:

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

## REPORT OF TREASURER:

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

## REPORT OF COMMITTEES:

Emergency Services Oversight Committee Meeting February 7, 2023. JP Foust reported it was a very productive meeting. Topics discussed: Training for dispatchers to provide better 911 services, County to pursue more permanent locations for ALS units, UHF/VHF radios to resolve communication issues. Dispatch report was distributed to the Court. The next meeting is scheduled for March 7, 2023.

## UNFINISHED BUSINESS:

### Proposed Resolution No. 2023-Sheriff Interim Filling of Vacancies

JP Martin introduced a Resolution: **A RESOLUTION PROVIDING FOR THE INTERIM FILLING OF VACANCIES FOR THE OFFICE OF CLEBURNE COUNTY SHERIFF DURING TIMES OF EMERGENCY.**

JP Martin made a motion, seconded by JP Fletcher to adopt the Resolution. Lengthy discussion followed that since the current Chief Deputy lives outside of Cleburne County should this position be on the list to fill the vacancy. JP Henegar made a motion to amend the resolution as follows: to strike Chief Deputy from number one and place CID Lieutenant to position one by name and move Patrol Lieutenant to position 2 by name and strike position 3. Attorney Haney advise that statute requires three in line for succession. JP Henegar added that position three be Alan Roberson. Motion to amend was seconded by JP Caldwell. A question was raised--Can the JP choose the line of succession or is that the decision of the Sheriff? Attorney Haney advised that according to statute the line of succession shall be designated by policy statement of the Sheriff and signed by the Sheriff and passed by Resolution of the Quorum court with signature of the Sheriff. Because the Resolution on the table did not include a signature line for the Sheriff, Attorney Haney advised to table the Resolution. JP Henegar retracted his motion and made a motion to table indefinitely, seconded by JP Caldwell. Roll call was taken on motion to table indefinitely. Ayes: Caldwell, Evans, Fletcher, Foust, Henegar, Malone, Martin, Moorehead, Owens, Wildmon. Nays: None. Absent: Tamburo

## NEW BUSINESS:

Judge Crosby brought for discussion the White/Cleburne County Mutual Aid Agreement. The documents were placed in the Quorum Court packet for review. JP Foust made a motion to allow the Judge to proceed with the Interlocal Agreement. Voice vote, motion carried.

### Proposed Ordinance No. 2023- Amend 2023 Budget-Other Sundry Insurance

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 FOR OTHER PURPOSES TO AMEND THE OTHER SUNDRY INSURANCE LINE ITEM".**

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

**Passed and adopted as Ordinance 2023-04**

**Proposed Ordinance No. 2023- Amend County Handbook-Sheriff**

JP Wildmon placed an Ordinance on the first reading: **BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING THE CLEBURNE COUNTY EMPLOYMENT POLICIES AND PROCEDURES HANDBOOK 7<sup>TH</sup> EDITION"**.

The proposed Ordinance will be placed on the second reading at the March 2023 Quorum Court regular meeting.

**Proposed Ordinance No. 2023- Amend 2023 Budget-Juvenile Court**

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 FOR OTHER PURPOSES TO AMEND THE JUVENILE COURT BUDGET"**.

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

**Passed and adopted as Ordinance 2023-05**

**Proposed Ordinance No. 2023- Law Enforcement Stipend**

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 FOR OTHER PURPOSES TO AMEND SHERIFF BUDGET FOR THE LAW ENFORCEMENT STIPEND**

JP Malone 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, Wildmon. Nays: None. Absent: Tamburo.

**Passed and adopted as Ordinance 2023-06**

**Proposed Resolution No. 2023-Land Exchange**

JP Foust introduced a Resolution: **BE IT APPROVED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; A RESOLUTION TO BE ENTITLED: "A RESOLUTION AUTHORIZING THE ENTRY INTO DISCUSSIONS WITH THE U.S. ARMY CORPS OF ENGINEERS FOR THE PURPOSE OF INQUIRING ABOUT A LAND EXCHANGE WITH THE COUNTY.**

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

**Passed and adopted as Resolution 2023-02.**

JP Evans made a motion to add Proposed Ordinance No. 2023-Senior Center Grant to the agenda, seconded by JP Martin. Voice vote, motion carried.

**Proposed Ordinance No. 2023- Senior Center Grant**

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 FOR OTHER PURPOSES TO ADD A BUDGET FOR THE CLEBURNE COUNTY SENIOR CENTER GRANT"**.

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

**Passed and adopted as Ordinance 2023-07**

**COMMENTS FROM THE PUBLIC:**

- Mr. Lynn Hartman addressed the Court with his view regarding the paper ballot issue.
- Members of the Election Committee are JP Martin, JP Fletcher, JP Owens, Commissioner Yarbrough. Judge advised he will be checking with Commissioner Crabtree so that both parties are represented on the committee. Attorney Haney advised that the ballots can only be opened by those declared in A.C.A 7-4-121. Attorney Haney asked that the Election Committee review the memorandums sent regarding Resolution 2023-01.

**ANNOUNCEMENTS:**

- The next regular Quorum Court meeting will be held Thursday, March 9, 2022.

**ADJOURNMENT:**

JP Malone made a motion to adjourn, seconded by JP Martin. The meeting adjourned at 7:46 p.m.

**ATTESTED:**

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

**RESOLUTION NO. 2023- SHERIFF INTERIM FILLING OF VACANCIES**

**A RESOLUTION PROVIDING FOR THE INTERIM FILLING OF VACANCIES FOR THE OFFICE OF CLEBURNE COUNTY SHERIFF DURING TIMES OF EMERGENCY**

Comes now Eric Crosby, Cleburne County Judge, in and for the County of Cleburne, State of Arkansas, this 12<sup>th</sup> day of January, 2023, and the Court, being well and sufficiently advised, finds *Arkansas Code 14-14-1310, Section (2)(A) through (D)* concerning the filling of vacancies in elective offices; that the Sheriff of Cleburne County, State of Arkansas, does hereby designate the following three (3) persons to be in line of succession to fill a vacancy in the Office of Sheriff on an interim basis:

1. Chief Deputy
2. CID Lieutenant
3. Patrol Lieutenant

The death or disability of a person in the line of succession shall result in a disqualification of that person and the next successive person on the list shall be appointed to fill said vacancy.

By affixing of his signature, the Sheriff of Cleburne County does hereby acknowledge that the above is a policy statement of his office.

In accordance with ACA 14-14-1310, Section (3)(A), this document shall be filed with the County Clerk and a file-marked copy shall be provided to the Director of the Arkansas Department of Emergency Management.

\_\_\_\_\_  
Chris Brown, Cleburne County Sheriff

The Quorum Court approves this Resolution.

**PASSED AND ADOPTED** this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Eric Crosby, Cleburne County Judge

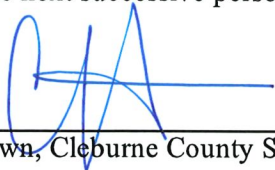
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**CLEBURNE COUNTY SHERIFF POLICY STATEMENT  
INTERIM FILLING OF VACANCIES**

The Sheriff of Cleburne County, State of Arkansas, does hereby designate the following three (3) persons to be in line of succession to fill a vacancy in the Office of Sheriff on an interim basis:

1. Chief Deputy
2. CID Lieutenant
3. Patrol Lieutenant

The death or disability of a person in the line of succession shall result in a disqualification of that person and the next successive person on the list shall be appointed to fill said vacancy.

  
\_\_\_\_\_  
Chris Brown, Cleburne County Sheriff

2/13/2023  
Date

**FILED**  
2023 FEB 14 PM 3:21  
RACHELLE EVANS  
CLEBURNE COUNTY CLERK

PROPOSED ORDINANCE NO. 2023-AMEND COUNTY HANDBOOK-SHERIFF

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE AMENDING THE CLEBURNE COUNTY EMPLOYMENT POLICIES AND PROCEDURES HANDBOOK 7<sup>TH</sup> EDITION".**

**WHEREAS**, The Cleburne County Sheriff's Office adopted a new Cleburne County Employment Policies and Procedures Handbook 7<sup>th</sup> Edition in November of 2018 (Ordinance 2018-028), and;

**WHEREAS**, The Sheriff's Office seeks to amend portions of the handbook in an effort to increase retention and recruiting of deputies and jailers, and;

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

Sections 12(A) and 16(B) of the County Employment Handbook shall be amended to read as follows:

12. Compensatory Time

A. As authorized by the Fair Labor Standards Act, any County employee, except law enforcement, who makes less than \$455 per week (40 hours), regardless of job duties, is eligible for overtime compensation. Law enforcement comp time will be based on time worked over 86 hours in a 14 consecutive day work period. Those County employee(s) who are eligible to receive overtime compensation may receive, in lieu of over-time pay, compensatory time off at a rate of one and one-half hours for each hour of overtime worked.

16. Work Requirements

B. The County's standard work week for each administrative office employee is thirty-seven and one-half (37 ½) hours consisting of 5 standard seven and one-half (7 ½) hour work days with a thirty (30) minute non-paid lunch break. The County Road Department work week for each employee is thirty-eight (38) hours consisting of 4 non-standard nine and one-half (9 ½) hour work days with a thirty (30) minute non-paid lunch break. Law enforcement and Jail personnel work schedules will be determined by the appropriate County Official based on 80 hours worked in a 14 consecutive day work period.

**PASSED AND ADOPTED** this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Eric Crosby, Cleburne County Judge

Recorded: Book \_\_\_\_\_ Page(s) \_\_\_\_\_

**PROPOSED RESOLUTION NO. 2023-REPEAL RESOLUTION 2023-01**

**BE IT APPROVED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED: "A RESOLUTION REPEALING CLEBURNE COUNTY RESOLUTION NO. 2023-01."**

**WHEREAS**, Cleburne County, Arkansas recently passed Resolution No. 2023-01 for the stated purpose of making elections fair, open, honest, and transparent to the electorate; and

**WHEREAS**, Resolutions typically are not binding, but in this particular instance Cleburne County Resolution No. 2023-01 is binding; and

**WHEREAS**, questions have arisen that may make it difficult for the County to act under Resolution No. 2023-01 as it currently reads; and

**WHEREAS**, the County can repeal Resolution 2023-01 by resolution, which would also be binding in nature, being passed in accordance with Ark. Code Ann. § 7-5-301; and

**WHEREAS**, the County has established a committee dedicated to reviewing the County's voting system and available options, which include options not initially contemplated at the time Resolution No. 2023-01 was passed; and

**WHEREAS**, the County desires to ensure that any voting system the County quorum court votes to use in elections is harmonious with all other laws of the State of Arkansas; and

**WHEREAS**, the Arkansas State legislature is now circulating laws specifically focusing on paper ballot voting in this current legislative session that may adversely affect the County if Resolution No. 2023-01 remains active county law; and

**WHEREAS**, the County will continue to work to ensure that the County's voting system is one that exemplifies honesty and integrity, and is one that the people of Cleburne County can trust when they cast their votes in any election.

**NOW, THEREFORE, BE IT RESOLVED** by the duly elected QUORUM COURT of Cleburne COUNTY, Arkansas, that, Cleburne County Resolution No. 2023-01 be repealed.

**PASSED AND ADOPTED** this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Eric Crosby, Cleburne County Judge

Recorded: Book \_\_\_\_\_ Page(s) \_\_\_\_\_



**PROPOSED ORDINANCE NO. 2023-PUBLIC SAFETY GRANT-SHERIFF**

**BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, 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 A PUBLIC SAFETY GRANT BUDGET”.**

**WHEREAS,** the Cleburne County Sheriff’s Office was awarded a grant to pay for body worn cameras and other items through the Arkansas Public Safety Equipment Grant.

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

**Section 1.** The following appropriation is hereby approved:

**Fund-3519 Public Safety Grant, Department-400 Sheriff**

LINE ITEM	FROM	TO	CHANGE
3519-0400-2002 Small Equipment	\$0.00	\$79,327.13	+\$79,327.13
<b>TOTAL INCREASE IN PUBLIC SAFETY GRANT BUDGET</b>			<b>+\$79,327.13</b>

**Fund-3519 Anticipated Revenue**

REVENUE CODE	FROM	TO	CHANGE
3519-7010 Public Safety Equipment Grant	\$0.00	\$79,327.13	+\$79,327.13
<b>TOTAL INCREASE IN ANTICIPATED REVENUE</b>			<b>+\$79,327.13</b>

**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 \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Eric Crosby, Cleburne County Judge

Recorded: Book \_\_\_\_\_ Page(s) \_\_\_\_\_

**PROPOSED ORDINANCE NO. 2023-AMEND 2022 COURT BUILDING BUDGET**

**BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2022-040 AND ORDINANCE 2022-039 TO CORRECT THE SALARIES, FULL TIME LINE ITEM IN THE COURT BUILDING BUDGET".**

**WHEREAS**, there is a need to correct the Salaries, Full Time line item in Court Building Budget, and

**WHEREAS**, the correction in the Court Building Budget Salaries, Full Time line item will require a correction in Ordinance 2022-039 which lists the salaries per employee.

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

**Section 1.** The following appropriation to correct Ordinance 2022-040 is hereby approved:

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

<b>LINE ITEM</b>	<b>FROM</b>	<b>TO</b>	<b>CHANGE</b>
1006-403-1001 Salaries, Full Time	\$14,437.00	\$14,580.00	+\$143.00
<b>TOTAL INCREASE IN COURT BUILDING BUDGET</b>			<b>+\$143.00</b>

**Section 2.** The following salary correction is hereby approved to amend Ordinance 2022-039:

**COURT BUILDING**

Maintenance (1/2) from \$14, 436.75 to \$14, 579.75

**Section 3.** 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 4.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**PASSED AND ADOPTED** this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2023.

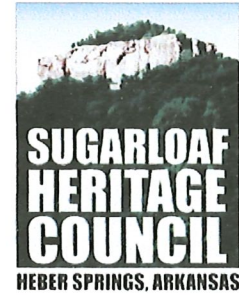
**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Eric Crosby, Cleburne County Judge

Recorded: Book \_\_\_\_\_ Page(s) \_\_\_\_\_



8-Feb-23

Judge Eric Crosby / Quorum Court  
300 West Main Street  
Heber Springs, AR 72543

On behalf of the Board of Directors of the Sugarloaf Heritage Council and our partner, Arkansas State University, I want to thank you for your contribution to our organization.

We have some exciting plans for the year! Besides our ongoing maintenance of the trails, benches and bridges, we have completed the Wildlife Trail and are adding a viewing platform on Waterfowl Pond. We have updated our brochure, Website and Facebook page which include maps showing the Summit, Tonawanda, Hidden Pond, Wildlife, and the Mountain bike/running trails.

Our next big plan is to install an Arkansas native plant garden and learning area at the trailhead. Once this is complete, we hope to kick off a summer learning series on Saturdays. I look forward to updating you with our progress.

Again, please accept our sincere thanks from the Sugarloaf Heritage Council, ASU, and the people who enjoy the trails.

Sincerely,

Robin L Harris, President  
Sugarloaf Heritage Council  
P.O. Box 87  
Heber Springs, AR 72543  
713-410-0873

[WWW.SugarloafHeritageCouncil.Org](http://WWW.SugarloafHeritageCouncil.Org)  
[SugarloafHeritageCouncil@Gmail.com](mailto:SugarloafHeritageCouncil@Gmail.com)