

AGENDA
Cleburne County Quorum Court
Thursday, June 9, 2022
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. Ambulance Committee
 - b. Jail Committee
5. **Unfinished Business:**
 - a. Proposed Ordinance No. 2022-Appropriate funds for County Wide Ambulance Service-**JP Blackburn**
6. **New Business:**
 - a. Disposal of Property-Order 2022-08, Order 2022-09-**Judge Martin**
 - b. Proposed Resolution No. 2022-Renaming Hwy 25 Cadron Creek Bridge-**JP Evans**
 - c. Proposed Ordinance No. 2022-Correct 2022 Sheriff Budget Salaries/Corp OT-**JP Caldwell**
 - d. Proposed Ordinance No. 2022-Amend Ordinance No. 2021-033 Starting Salary 911 Dispatch-**JP Evans**
 - e. Proposed Ordinance No. 2022-Amend 2022-Emergency 911 Budget-**JP Evans**
7. **Comments from the Public:**
8. **Announcements:**
 - a. Next Regular Quorum Court Meeting Thursday, July 14, 2022.
9. **Adjournment:**

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

May 12, 2022

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 5:58 p.m. County Judge Karl Martin presided. PRESENT: Hall, Henegar, Caldwell, Blackburn, Malone, Evans, Martin, Foust, Tamburo, Roberts, Holmes. ABSENT: None.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Martin to approve the minutes of the April 14, 2022, regular meeting, seconded by JP Henegar. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Ambulance: JP Foust stated there was no Ambulance Committee business but would like to speak during Unfinished Business.

Jail: JP Evans reported that the Jail Committee had not met.

Finance: JP Evans stated that there would be a proposal coming from the Finance Committee to address the staffing and salary issues from the 911 department next month.

UNFINISHED BUSINESS:

JP Foust addressed the court concerning a vote on an Ordinance that would have awarded a contract for ambulance service that occurred in the July 2021 meeting. The vote had a result of 6-5 and it was believed at the time to have failed and was not signed by County Judge or published. However, reference was made to an Ordinance that was thought to have failed in the February 2022 meeting with the same vote results, but it was soon discovered that it required a simple majority and was still in timeframe to be signed and published. County Attorney Smith stated a voting memo had been sent out in April after the miscalculation of votes to prevent this happening in the future. He recommended that this issue concerning the July 2021 Ordinance be taken before a Circuit Court Judge for a Declaratory Opinion and tabling Proposed Ordinance items f and g from this meeting's agenda to avoid a situation where the county could possibly have two competing ambulance contracts. JP Henegar made a motion to table the Proposed Ordinance No. 2022- Ambulance Service Contract, and Proposed Ordinance No. 2022- Appropriate funds for County Wide Ambulance Service seconded by JP Evans. Roll Call was taken. Ayes: Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Roberts, Tamburo. Nays: Blackburn, Martin.

Proposed Ordinances Tabled.

NEW BUSINESS:

Judge Martin announced the school nominated Tracy Hudspeth to replace Gary Redd as the school appointee to the Cleburne County Board of Equalization, term ending in 2023. JP Henegar nominated Michael Galloway as the Quorum Court appointee to the Cleburne County Board of Equalization for a 3-year term. Voice vote; abstain: Henegar, motion carried.

Proposed Ordinance No. 2022- Reimbursement for Equipment for Volunteer EMS Service

JP Blackburn introduced an Ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN APPROPRIATION ORDINANCE FOR THE REIMBURSEMENT FOR VOLUNTEER EMS SERVICE EQUIPMENT"**.

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

JP Blackburn made a motion to adopt the Ordinance, seconded by JP Malone. Discussion followed concerning how financial information had been requested from Tumbling Shoals/Ida EMS Voluntary Department, as is the precedent with Grants-in-Aid but has not been received. Representative from the department, Mike Kirkpatrick, stated they have been tied up and would have a board meeting soon. Roll Call was taken. Ayes: Blackburn. Nays: Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo.

Proposed Ordinance Failed.

Proposed Ordinance No. 2022-Juvenile Drug Court Grant

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 THE CALENDAR YEAR 2022 AND TO ADD THE JUVENILE DRUG COURT BUDGET"**.

JP Caldwell made a motion to adopt the Ordinance, seconded by JP Henegar. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: None.

Passed and adopted as Ordinance 2022-016.

Proposed Ordinance 2022-Jail Healthcare Provider

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 ORDINANCE CREATING THE OFFICIAL POSITION OF COUNTY JAIL HEALTHCARE PROVIDER"**.

JP Malone made a motion to suspend the rules and place the Ordinance on second reading by title only seconded by JP Blackburn. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: None. JP Malone read the Ordinance by title only. JP Malone made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: None. JP Malone read the Ordinance by title only. JP Malone made a motion to adopt the Ordinance, seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: None. JP Malone made a motion to accept the Emergency Clause, seconded by JP Martin. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: None.

Passed and adopted as Ordinance 2022-017.

Proposed Ordinance 2022-Termination of Interlocal Dispatch Agreement

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 AUTHORIZING TERMINATION OF THE INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF CLEBURNE AND THE CITY OF HEBER SPRINGS REGARDING DISPATCHING SERVICES AND CITY PRISONERS BEING HELD IN THE COUNTY JAIL"**.

JP Evans made a motion to suspend the rules and place the Ordinance on second reading by title only seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: 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 Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Roberts, Tamburo. Nays: None. JP Evans read the Ordinance by title only. JP Evans made a motion to adopt the Ordinance, seconded by JP Martin. Discussion followed. JP Evans stated the current contract expires December 31, 2022 and requires six months' notice to terminate. Time is needed to calculate a new formula that would be agreeable to all parties. Roll Call was taken.

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Martin, Holmes, Malone, Roberts, Tamburo.
Nays: None.

Passed and adopted as Ordinance 2022-18.

COMMENTS FROM THE PUBLIC:

Questions were raised about voting procedures and ambulance service areas.

ANNOUNCEMENTS:

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

ADJOURNMENT:

JP Caldwell made the motion to adjourn, seconded by JP Martin. Meeting adjourned at 7:08 p.m.

ATTESTED:

Kim Wallace, Cleburne County Administrative Deputy Clerk/HR Clerical

This _____ day of _____ 2022

Book _____ Page (s) _____

**PROPOSED ORDINANCE NO. 2022-APPROPRIATE FUNDS FOR COUNTY WIDE
AMBULANCE SERVICE**

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 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022, APPROVING ADDITIONAL FUNDING FROM THE ARPA REVENUE REPLACEMENT FUND FOR COUNTY WIDE AMBULANCE SERVICE.

WHEREAS, the Quorum Court has previously given the authority for the Cleburne County Judge to approve an ambulance contract with Pafford Medical Services, and

WHEREAS, the time has come to appropriate those additional funds in order to continue to move forward with said contract that provides for ambulance service to Cleburne County.

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

Section 1. The Quorum Court hereby approves the following appropriation from the ARPA Revenue Replacement Fund:

FUND: 1006 ARPA Revenue Replacement Fund

LINE ITEM	FROM	TO	CHANGE
1006-0301-3009 Other Professional Services	\$0.00	\$135,000.00	+\$135,000.00
TOTAL INCREASE IN ARPA REVENUE REPLACEMENT FUND BUDGET			+\$135,000.00

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 _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____

IN THE COUNTY COURT OF CLEBURNE COUNTY, ARKANSAS

IN THE MATTER OF DISPOSAL
OF COUNTY PROPERTY

ORDER NO. 2022-008

NOW, on this 16th day of May 2022, this matter comes before the Court that necessity exists for the disposal of County property.

WHEREAS, the Assessor has determined equipment from the Cleburne County Sheriff's Office, described below, no longer works, has no value, and should be removed from the Asset List.

Description	Serial Number
60" Garland Range/Stove	Serial # unknown

Now, therefore, it is considered, ordered, and adjudged that the equipment described above from the Cleburne County Sheriff's Office be removed from the Asset List.

IT IS SO ORDERED.

Karl Martin
Cleburne County Judge Karl Martin
May 16, 2022

Recorded: Book 35 Page 35

FILED
2022 MAY 17 PM 12:29
RACHELLE EVANS
CLEBURNE COUNTY CLERK

IN THE COUNTY COURT OF CLEBURNE COUNTY, ARKANSAS

IN THE MATTER OF DISPOSAL
OF COUNTY PROPERTY

ORDER NO. 2022-009

NOW, on this 23rd day of May 2022, this matter comes before the Court that necessity exists for the disposal of County property.

WHEREAS, the Assessor has determined equipment from the Cleburne County Collector's Office, described below, no longer works, has no value, and should be removed from the Asset List.

Description	Serial Number
Sharp Copier / Fax / Scanner	25029051

Now, therefore, it is considered, ordered, and adjudged that the equipment described above from the Cleburne County Collector's Office be removed from the Asset List.

IT IS SO ORDERED.



Cleburne County Judge Karl Martin
May 23, 2022

Recorded: Book 35 Page 36

FILED
2022 MAY 26 PM 2:23
RACHELLE EVANS
CLEBURNE COUNTY CLERK

PROPOSED RESOLUTION NO. 2022-RENAMING HWY 25 CADRON CREEK BRIDGE

A RESOLUTION FOR THE PURPOSE OF RENAMING THE HIGHWAY 25 CADRON CREEK BRIDGE IN CLEBURNE COUNTY AS THE BL “BOZY” JOHNSTON MEMORIAL BRIDGE

WHEREAS, Bill Lynch, President of Eagle Bank and Trust, has requested that the Highway 25 Cadron Creek Bridge in Cleburne County be renamed as the BL “Bozy” Johnston Memorial Bridge; and

WHEREAS, this matter has been considered by the Cleburne County Quorum Court who concur with this request;

NOW, THEREFORE, BE IT RESOLVED by the Cleburne County Quorum Court that the Highway 25 Cadron Creek Bridge in Cleburne County be renamed as the BL “Bozy” Johnston Memorial Bridge.

PASSED AND ADOPTED this _____th day of _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____

ARKANSAS STATE HIGHWAY COMMISSION

ROBERT S. MOORE, JR.
CHAIRMAN
ARKANSAS CITY

DALTON A. FARMER, JR.
VICE CHAIRMAN
JONESBORO

PHILIP TALDO
SPRINGDALE



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KEITH GIBSON
FORT SMITH

MARIE HOLDER
LITTLE ROCK

LORIE H. TUDOR, P.E.
DIRECTOR

April 28, 2022

Mr. Bill Lynch - President
Eagle Bank and Trust
P.O. Box 1030
Heber Springs, Arkansas 72543

Dear Mr. Lynch:

Reference is made to your recent letter regarding naming the Highway 25 Cadron Creek Bridge in Cleburne County as the BL "Bozy" Johnston Memorial Bridge.

As you described, Mr. Johnston's career in highway construction definitely made an impact across our state. Our memorial signing program will require the Quorum Court of Cleburne County to pass a resolution to rename the bridge at this Highway 25 location. Once the resolution has been submitted to ARDOT, our staff will prepare the appropriate documents for presentation to the Highway Commission for a Minute Order approval. Upon approval from the Highway Commission, the County will receive a permit to procure and install the memorial signs per our specifications.

Thank you for your interest in Arkansas' transportation system.

Sincerely,

Lorie H. Tudor, P.E.
Director

c: Highway Commission
Deputy Director and Chief Operating Officer
Deputy Director and Chief Engineer
Assistant Chief Engineer – Operations
Maintenance
District 5

**PROPOSED ORDINANCE NO. 2022-CORRECT 2022 SHERIFF BUDGET-
SALARIES/CORP OT**

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 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 TO CORRECT THE SHERIFF BUDGET.

WHEREAS, an error was made when transferring amounts from the 2022 payroll worksheet to the proposed 2022 Sheriff Budget regarding the line items of Salaries Full Time and Corp. Overtime, and

WHEREAS, the Quorum Court needs to approve the initial proposed amounts and appropriate funds to correct this error.

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

Section 1. The Quorum Court hereby approves the following appropriations:

FUND: 1000-400 General Fund-Sheriff

LINE ITEM	FROM	TO	CHANGE
1000-400-1001 Salaries Full Time	\$1,057,264.38	\$1,074,715.00	+\$17,450.62
1000-400-1019 Corp Overtime	\$0.00	\$5,000.00	\$5,000.00
TOTAL INCREASE IN THE SHERIFF BUDGET			+\$22,450.62

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 _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____

**PROPOSED ORDINANCE 2022-AMEND ORDINANCE NO. 2021-033
STARTING SALARY 911 DISPATCH**

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN EMERGENCY ORDINANCE TO BE ENTITLED: "AN EMERGENCY ORDINANCE TO AMEND ORDINANCE 2021-033 ESTABLISHING THE NUMBER OF POSITIONS AND STARTING SALARIES FOR NON-ELECTED COUNTY POSITIONS TO REVISE THE STARTING SALARY FOR 911 DISPATCHERS".

WHEREAS, there is need to amend Ordinance 2021-033 for the purpose of revising the starting salary of 911 dispatchers.

WHEREAS, there is a need to make this Ordinance retroactive to May 8, 2022, and

WHEREAS, the 2022 salaries for Dispatchers, currently employed at the time of the passage of this Ordinance, will be amended by prorating, according to the retroactive date of this Ordinance, the total increase amount of the starting salary.

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

Section 1. The following starting salary for 911 Dispatchers shall be amended as follows:

Dispatchers (9) from starting salary of \$25,087.50 to starting salary of \$27,000.00

Section 2. This Ordinance being necessary for the protection and preservation of public health and safety, an emergency is hereby declared to exist, and this Ordinance shall be in force and shall take effect upon passage and approval of the Cleburne County Judge.

PASSED AND ADOPTED this _____th day of _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2022-AMEND 2022- 911 BUDGET

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 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 TO AMEND THE EMERGENCY 911 BUDGET.

WHEREAS, the need exists to appropriate funds due to amending Ordinance 2021-033 which increased the 2022 Nine One One Dispatchers starting salary, and

WHEREAS, need exists to amend the 2022 Emergency 911 Budget.

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

Section 1. The Quorum Court hereby approves the following appropriations:

FUND: 3020 Emergency 911/OFFICE: 501 Nine One One

LINE ITEM	FROM	TO	CHANGE
3020-501-1001 Salaries Full Time	\$274,513.00	\$285,110.00	+\$10,597.00
3020-501-1005 Overtime	\$6,000.00	\$13,000.00	\$7,000.00
3020-501-1006 Social Security Matching	\$23,557.00	\$24,375.00	+\$818.00
3020-501-1008 Retirement	\$44,878.00	\$46,510.00	+\$1,632.00
3020-501-1017 Holiday Pay	\$10,120.00	\$10,615.00	+\$495.00
TOTAL INCREASE IN THE EMERGENCY 911 BUDGET			+\$20,542.00

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 _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____