

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

August 12, 2021

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 6:00 p.m. County Judge Jerry Holmes presided.

PRESENT: Pearson, Henegar, Caldwell, Blackburn, Evans, Martin, Foust, Tamburo, Roberts, Owens.

ABSENT: Malone

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the July 8, 2021, regular meeting, seconded by JP Henegar. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Ambulance Committee: JP Foust reported that a letter had been received from Survival Flight withdrawing their proposal. Discussion followed including comments from the public concerning ambulance issues.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Judge Holmes announced that Cleburne County had received a good report from Legislative Audit.

Judge Holmes reported that there had been a disposal of some vehicles from the Road Department and the Sheriff Department through Morgan Auction Service July 7, 2021.

Proposed Resolution No. 2021- Declaring a Vacancy in the Office of County Judge

JP Foust introduced a Resolution: "A RESOLUTION FOR THE PURPOSE OF DECLARING A VACANCY IN THE OFFICE OF COUNTY JUDGE OF CLEBURNE COUNTY, STATE OF ARKANSAS"

JP Foust made a motion to adopt the Resolution, seconded by JP Pearson. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

Passed and adopted as Resolution 2021-006.

JP Foust made a motion to go into Executive Session to interview applicants for the position, seconded by JP Tamburo. One applicant announced she was withdrawing her application for the position.

Quorum Court recessed at 6:37.

Quorum Court reconvened at 7:40.

Proposed Resolution No. 2021-Fill the Office of County Judge

JP Foust introduced a Resolution: "A RESOLUTION DECLARING THE APPOINTMENT OF A SUCCESSOR TO FILL VACANCY IN THE OFFICE OF COUNTY JUDGE"

JP Foust made a motion to adopt the Resolution appointing Karl Martin as Cleburne County Judge effective 12:01 a.m., October 1, 2021, seconded by JP Roberts. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Owens, Pearson, Roberts, Tamburo. Nays: Martin.

Passed and adopted as Resolution 2021-007.

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Proposed Resolution No. 2021-Authorizing Local Business (MEC) to participate in the Tax Back Program.

JP Evans introduced a Resolution: **"CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS 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 Henegar. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

Passed and adopted as Resolution 2021-008.

Proposed Ordinance 2021-Amend Budget-Jail Improvement Fund

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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND/OR OTHER PURPOSES TO AMEND THE JAIL IMPROVEMENT FUND BUDGET".**

JP Evans made a motion to adopt the Ordinance, seconded by JP Pearson. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

Passed and adopted as Ordinance 2021-019.

Proposed Ordinance 2021-Amend County Judge Budget

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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND FOR OTHER PURPOSES TO AMEND THE COUNTY JUDGE BUDGET".**

JP Evans made a motion to adopt the Ordinance with a correction made to the fund number from 10000 to 1000, seconded by JP Pearson. Judge Holmes responded to a question that these funds were to be used to pay for a federal audit that is required after the county received funds through the Covid Cares Act. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

Passed and adopted as Ordinance 2021-020.

Proposed Ordinance 2021-Amend Quorum Court Budget

JP Pearson 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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND FOR OTHER PURPOSES TO AMEND THE QUORUM COURT BUDGET".**

JP Pearson made a motion to adopt the Ordinance, seconded by JP Caldwell. Roll Call was taken. Ayes: Caldwell, Evans, Foust, Henegar, Owens, Pearson, Roberts, Tamburo. Nays: Blackburn, Martin.

Passed and adopted as Ordinance 2021-021.

Proposed Ordinance 2021-Cleburne County HVAC 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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND FOR OTHER PURPOSES".**

JP Caldwell made a motion to adopt the Ordinance, seconded by JP Martin. Judge Holmes responded to inquiries that this was to approve the spending of the HVAC Grant and reported that the HVAC is not working at this time and is not repairable. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

Passed and adopted as Ordinance 2021-022.

Proposed Resolution No. 2021-Right to Life

JP Pearson introduced a Resolution: "A RESOLUTION AFFIRMING THE COMMITMENT OF THE COUNTY OF CLEBURNE, ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING THE COUNTY OF CLEBURNE, ARKANSAS TO BE A PRO-LIFE COUNTY.

JP Pearson made a motion to adopt the Resolution, seconded by JP Owens. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.
Passed and adopted as Resolution 2021-009.

Proposed Ordinance No. 2021-Voluntary Emergency Medical Services Funding.

JP Blackburn placed the 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 APPROVING THE FUNDING OF EMERGENCY MEDICAL SERVICES FOR VOLUNTARY NON-PROFIT FIRE DEPARTMENTS AND/OR VOLUNTARY EMS AGENCIES THROUGHOUT CLEBURNE COUNTY"**.

JP Blackburn read the Ordinance. Proposed Ordinance will be placed on the September 2021 Agenda for second reading. Judge Holmes expressed his concern about this Ordinance possibly coming from what he felt to be an illegal meeting. JP Blackburn stated he had asked County Attorney Drew Smith and he confirmed it was legal.

JP Foust withdrew Proposed Ordinance No. 2021-Ambulance Service Contract to Begin October.

JP Foust withdrew Proposed Ordinance No. 2021-Ambulance Service Contract to Begin December.

JP Foust withdrew Proposed Ordinance No. 2021-Appropriate Funds for County Wide Ambulance Service.

COMMENTS FROM THE PUBLIC:

David Atwood spoke of his experience with the ambulance service. More discussion about the ambulance followed.

ANNOUNCEMENTS:

- Judge Holmes stated he would recommend the same Budget Committee from the previous year.
- Judge Holmes addressed the American Rescue Fund and concerns with the reports that will be required. The interim report will be due August 31, 2021, and on October 31, 2021, the next report will be due. He advised that some direction will be needed for the October report and recommended some money to be allocated for an agency to administer the funds.
- Judge's office has applied for 2 more Broadband grants, for the Edgemont and Quitman areas.
- The next regular Quorum Court meeting will be held Thursday, September 9, 2021.

ADJOURNMENT:

JP Caldwell made the motion to adjourn, seconded by JP Owens. Meeting adjourned at 8:47 p.m.

ATTESTED:


Kim Wallace, Cleburne County Administrative Deputy Clerk/HR Clerical

FILED
 2021 SEP 10 PM 2:34
 RYHELLE EVANS
 CLEBURNE COUNTY CLERK
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This 9th day of September 2021

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