

AGENDA
Cleburne County Quorum Court
Thursday, February 11, 2021
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. Jail Committee-**JP Evans**
 - b. Ambulance Committee-**JP Foust**
5. **Unfinished Business:**
 - a. Proposed Ordinance No. 2021-Budget Committee Members (2nd reading)-**JP Malone**
6. **New Business:**
 - a. Proposed Ordinance No. 2021-Courthouse Restoration Grant for Exterior Improvements-**JP Roberts**
 - b. Proposed Ordinance No. 2021-Clarifying County Zoning Regulations-**JP Foust**
 - c. Proposed Ordinance No. 2021-Bill of Rights Sanctuary for Cleburne County-**JP Blackburn**
 - d. Proposed Ordinance No. 2021-Juvenile Grant-**JP Evans**
 - e. Proposed Ordinance No. 2021-Covid Ordinance-**JP Caldwell**
 - f. Proposed Ordinance No. 2021-Blue & You Grant-**JP Malone**
7. **Comments from the Public:**
8. **Announcements:**
 - a. Next Regular Quorum Court Meeting Thursday, March 11, 2021.
9. **Adjournment:**

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

January 7, 2021

The Cleburne County Quorum Court met in regular session in the County Court Building, 922 South 9th Street, Heber Springs, Arkansas. The meeting was called to order at 6:01 p.m. County Judge Jerry Holmes presided. PRESENT: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans, Martin, Foust, Tamburo, Roberts, Owens.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the December 10, 2020 regular meeting, seconded by JP Roberts. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

JP Evans reported, that in dealing with COVID-19, Benchmark Construction Corporation has not been able to send any further information on the Jail renovation.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Ordinance No. 2021-Procedural Ordinance

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 ORDINANCE ESTABLISHING THE TIME, DATE AND PROCEDURAL RULES OF THE REGULAR MONTHLY MEETING OF THE CLEBURNE COUNTY QUORUM COURT"**.

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

Passed and adopted as Ordinance 2021-001.

Proposed Resolution No. 2021-AHPP Grant for the Cleburne County Courthouse

JP Evans introduced a Resolution: **"A RESOLUTION FOR THE PURPOSE OF SHOWING CLEBURNE COUNTY'S COMMITMENT TO THE AHPP GRANT FOR THE DEMOLITION AND INSTALLATION OF A NEW HVAC SYSTEM FOR THE CLEBURNE COUNTY COURTHOUSE"**.

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

Passed and adopted as Resolution 2021-001.

Proposed Ordinance No. 2021-Authorizing Ordinance Interlocal Agreement

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 ORDINANCE AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF CLEBURNE AND THE CITY OF HEBER SPRINGS REGARDING DISPATCHING SERVICES AND CITY PRISONERS HELD IN THE COUNTY JAIL"**.

JP Pearson made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Martin. Roll call was taken. Ayes: Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: Blackburn. JP Pearson read the Ordinance by title only. JP Pearson made a

motion to suspend the rules and place the Ordinance on the third and final reading by title only, seconded by JP Malone. Roll call was taken. Ayes: Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: Blackburn. JP Pearson read the Ordinance by title only. JP Pearson made a motion to adopt the Ordinance, seconded by JP Roberts. Very lengthy discussion followed including discussion concerning a fee for housing city inmates. Pam Gray, Treasurer, added that if a fee for housing inmates is charged it will need to be recorded separately from dispatch, and the amounts allocated to each will need to be determined. JP Caldwell called for the question. Roll call was taken. Ayes: Caldwell, Evans, Foust, Malone, Owens, Pearson, Roberts, Tamburo. Nays: Blackburn, Henegar, Martin. JP Pearson made a motion to adopt the Emergency Clause, seconded by JP Malone. Roll call was taken. Ayes: Caldwell, Evans, Foust, Malone, Owens, Pearson, Roberts, Tamburo. Nays: Blackburn, Henegar, Martin
Passed and adopted as Ordinance 2021-002.

Proposed Ordinance No. 2021- Establishing Number of Members of Budget Committee

JP Malone place 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 ESTABLISHING THE NUMBER OF QUORUM COURT MEMBERS ASSIGNED TO THE BUDGET COMMITTEE".**

JP Malone read the Ordinance. Proposed Ordinance will be placed on the March Agenda for second reading.

Proposed Ordinance No. 2021-Additional Transfer to the Capital Projects Fund From Coronavirus Relief Fund
JP Henegar 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 TRANSFERRING ADDITIONAL FUNDS FROM CORONAVIRUS RELIEF FUND TO THE CAPITAL PROJECTS FUND".**

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

Passed and adopted as Ordinance 2021-003.

Judge Holmes informed the Court of Order 2021-001, recorded in the County Clerk's office, for the Disposal of County Property (HP Laser Jet 8150-County Collector).

JP Caldwell inquired about continuing, into 2021, the COVID-19 related 80 (eighty) hours sick time allowed in 2020. JP Evans clarified that this continuation would be of any used/unused hours from 2020. JP Evans further clarified that no additional time would be given to the original 80 (eighty) hours, but employees may use, if needed, any hours of the 80 (eighty) that were unused in 2020.

COMMENTS FROM THE PUBLIC:

ANNOUNCEMENTS:

- Ambulance meeting scheduled for Wednesday, January 13, 2021 to be held at the Cleburne County Court Building at 2:30 p.m.
- Public Meeting scheduled for Thursday, January 14, 2021 to be held at the Cleburne County Court Building at 5:00 p.m.
- The next regular Quorum Court meeting will be held Thursday, February 11, 2021.

ADJOURNMENT:

JP Caldwell made motion to adjourn, seconded by JP Roberts. Meeting adjourned at 7:36 p.m.

ATTESTED:

Rachelle Evans, Cleburne County Clerk

This _____ day of _____ 2021

Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2021-ESTABLISHING NUMBER OF MEMBERS OF BUDGET COMMITTEE

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: " AN ORDINANCE ESTABLISHING THE NUMBER OF QUORUM COURT MEMBERS ASSIGNED TO THE BUDGET COMMITTEE."

WHEREAS the members of the Quorum Court comprise the legislative branch of the county government and are charged with the levy of taxes and the proper spending of tax dollars for the county as per ACA 14-14-904, and

WHEREAS, the Budget is reviewed by a committee of Quorum Court members assigned to the budget committee by the County Judge who is the Executive Branch of the county government, and

WHEREAS, the number of members of special committees can be determined by the members of the Quorum Court as per ACA 14-14-904, and

WHEREAS, the budget approval process is the single most important thing that the Quorum Court does.

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

Section 1. The Budget Committee will be comprised of five members of the Quorum Court and shall be appointed by the County Judge.

Section 2. Meetings of the budget committee will be paid at a rate of \$400 per meeting as per County Ordinance 2014-005.

Section 3. Nothing in this Ordinance shall prevent or hinder any member of the Quorum Court, or member of the public, from attending any budget meeting or budget presentation.

PASSED AND ADOPTED this _____th day of _____ 2021.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Jerry Holmes, Cleburne County Judge

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2021-COURTHOUSE RESTORATION GRANT FOR EXTERIOR IMPROVEMENTS

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".

WHEREAS, Cleburne County was awarded an extension on the \$96,676.89 left over on a grant awarded in 2019 to do electrical upgrades to prepare for new HVAC System(s) for the Cleburne County Courthouse. The Arkansas Historic Preservation Program approved September 10, 2020 the County's proposal of using the funding for repairs to the exterior of the Courthouse. The need exists to appropriate additional funding to pay for services to complete exterior improvements for the Cleburne County Courthouse. There was \$7,470.71 expended after the extension was given in 2020. Since said Grant numbers were not known until after the budget process, the amount of funding must be appropriated.

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

Section 1. The following appropriation is hereby approved:

Fund: 3505 Courthouse/Electrical Upgrade Grant-Old Courthouse

LINE ITEM	FROM	TO	CHANGE
3505-0108-3004 Engineering and Architectural	\$0.00	\$6,870.00	+\$6,870.00
3505-0108-3009 Other Professional Services	\$0.00	\$82,336.18	+\$82,336.18
Total Increase			\$89,206.18

FUND: 3505 Anticipated Revenue

REVENUE CODE	FROM	TO	CHANGE
3505-7010 State Grant	\$0.00	\$89,206.18	+\$89,206.18
Total Increase in Anticipated Revenue:			\$89,206.18

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 _____ 2021.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Jerry Holmes, Cleburne County Judge

Recorded: Book _____ Page(s) _____

**PROPOSED ORDINANCE NO. 2021-
ORDINANCE CLARIFYING COUNTY ZONING REGULATIONS.**

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS OF CLEBURNE COUNTY."

WHEREAS, the Cleburne County had originally been a member of the Cleburne County-Heber Springs Planning and Zoning Commission; and,

WHEREAS, the Cleburne County withdrew from participation in that commission in 1985;

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

Section 1. The County specially specifically rescinds ordinance 1986-1, and affirms that no Cleburne County-Heber Springs Planning and Zoning Commission exists at this time, nor has existed in the recent past.

Section 2. The County has no specific zoning requirements or building permit requirements other than those prescribed in this Ordinance or by the State of Arkansas (Department of Health, ect.).

Section 3. If any construction is to be done within twenty-five (25') feet of a Cleburne County Road right of way then the Cleburne County Judge's Office or the Cleburne County Road Department shall be contacted or notified.

Section 4. Nothing in this Ordinance should be interpreted to obstruct or prevent municipalities or subdivisions from imposing their own zoning regulations, building regulations, or building codes.

Section 5. All Ordinances and Resolutions, or parts thereof, which are in conflict herewith, are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED this _____ day of February 2021.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Jerry Holmes, Cleburne County Judge

Recorded: Book _____ Page(s) _____

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: AN ORDINANCE TO WITHDRAW THE COUNTY OF CLEBURNE FROM THE CLEBURNE COUNTY-HEBER SPRINGS PLANNING COMMISSION, TO REPEAL ALL PLANNING REGULATIONS, ZONING MAPS AND REGULATIONS, PERMIT FEES AND OTHER REGULATIONS.

Section 1: The Cleburne County-Heber Springs Planning and Zoning Commission was duly created in accordance with law, having been approved by an ordinance of the City of Heber Springs and a County Court order of the County Court of Cleburne County, Arkansas, adopting certain planning regulations, zoning maps and regulations, permit fees and other regulations.

Section 2: The Quorum Court hereby finds and determines that it is no longer in the best interest of the citizens of Cleburne County, Arkansas, to continue to participate in said joint Planning Commission, and therefore, the County hereby withdraws from participation in the Cleburne County-Heber Springs Planning Commission, and hereby repeals all previously adopted Planning regulations, zoning maps and regulations, permit fees and other regulations.

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Harold A. Cook
County Judge

Date: 3/8/1985

ATTEST:

David W. Staud
County Clerk

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: AN ORDINANCE TO AMEND PREVIOUS ORDINANCES AND PLANNING AND ZONING REGULATIONS, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

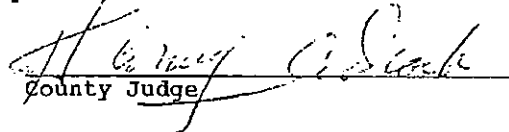
Section 1: The Cleburne County/Heber Springs Planning Commission has previously had a total of nine (9) members, six (6) of whom have been appointed by the City of Heber Springs and three (3) by the County of Cleburne.

Section 2: The Quorum Court hereby finds that it is in the best interest of the citizens of Cleburne County to change the method of appointment of Planning Board members, and it is further found that the City of Heber Springs does agree to the changes as hereinafter set out.


Section 3: From and after this date, there shall be eight (8) members of the Cleburne County/Heber Springs Planning Commission, four (4) of whom shall be appointed by the City of Heber Springs and four (4) by the County of Cleburne.

Section 4: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5: It is hereby found and determined by the Quorum Court that the effectiveness of this ordinance is essential for the operation of county government and that any delay in its effectiveness would work irreparable harm upon the proper administration and the provision of essential county governmental programs. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservation of the public peace, health, and safety, shall be in force and effect from and after its adoption.


County Judge

Date: 1-6-1984

ATTEST:

County Clerk

PROPOSED ORDINANCE NO. 2021-BILL OF RIGHTS SANCTUARY FOR CLEBURNE CO

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE ENTITLED: "BILL OF RIGHTS SANCTUARY FOR CLEBURNE COUNTY".

Section 1. The Quorum Court of Cleburne County hereby Finds and declares:

Section 2.

A. In order to ensure the rights of the citizens of Cleburne County which are protected by the United States Constitution, and the Bill of Rights of that Constitution, which reserves the right of the citizens to decide on matters which concern their lives, liberty, and property in the ordinary course of affairs.

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner; nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in a militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

PROPOSED ORDINANCE NO. 2021-BILL OF RIGHTS SANCTUARY FOR CLEBURNE CO

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

B. The Quorum Court further finds that section 1 of the Fourteenth Amendment to the Constitution of the United States, all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. (Passed by Congress June 13, 1866, Ratified July 9, 1868.)

C. The right of the people is further protected from infringement by State, Federal and local governments under the ninth, tenth, and fourteenth amendment of the Constitution of the United States.

D. Cleburne County has the right to be free from the commanding hand of the State and Federal government and has the right to refuse to cooperate with state and federal government officials in response to unconstitutional state and federal government measures, and to proclaim a Bill of Rights Sanctuary for law-abiding citizens in their cities and county.

E. Therefore, through the enactment of this document, Cleburne County Arkansas is hereby declared to be a BILL of Rights Sanctuary County.

Section 3.

A. Notwithstanding any law, regulation, rule or order to the contrary, no agent, department, employee or official of Cleburne County, a political subdivision of the State of Arkansas, while acting in their official capacity, shall.

B. Knowingly and willingly, participate in any way in the enforcement of any unlawful or unconstitutional act, as defined herein, regarding Freedom of religion, Freedom of speech, Freedom of the people to peaceably assemble, Freedom of the press, Freedom to petition the government for a redress of grievances, the right of the people to keep and bear arms, will not be infringed and Amendment 1-27 of the Bill of Rights.

Section 4.

A. An "Unlawful Act" shall consist of any federal, state or local act, law, order, rule, or regulation, which restricts an individual's Constitutional rights. Any such "unlawful act" is invalid in Cleburne County and shall not be recognized by Cleburne County, and shall be considered null and void and of no effect in Cleburne County, Arkansas, and this shall include, but shall not be limited to the following:

1. Any tax, levy, fee, or stamp imposed on firearms, firearm accessories, or ammunition not common to all other goods and services on the purchase or ownership of those items by citizens;
2. Any registration or tracking of firearms, firearm accessories, or ammunition;
3. Any registration or tracking of the owners of firearms, firearm accessories, or ammunition;
4. Any act forbidding the possession, manner of carry, ownership, or use or transfer of any type of firearm, firearm accessory, or ammunition by citizens of the legal age;
5. Any act ordering the confiscation of firearms, firearm accessories, or ammunition from citizens;
6. Any prohibition, regulation, and or use restriction related to ownership or the constitutionally guaranteed lawful use or carry of firearms;
7. Any use of County funds or funds given to the County by any entity, to participate in a "gun buyback" program or event is hereby illegal;

PROPOSED ORDINANCE NO. 2021-BILL OF RIGHTS SANCTUARY FOR CLEBURNE CO

8. Any use of County Funds, or funds given to the county by any entity to any other government official or entity that violates or has violated any individual's rights as outlined in the Bill of Rights;
9. This Ordinance upon passage will be attached to the Counties Personnel Policy. Once passed all new and renewed County employees will read and sign that they understand this ordinance;
10. Any employee who refuses to adhere to this ordinance after passage is subject to termination; and
11. Any official, Department head, or employee who is in violation of this ordinance shall be subject to a fine of up to \$500.00 and or termination.

B. Exceptions:

1. The right to bear arms protection as provided to citizens by this ordinance does not apply to persons who have been, or may be in the future, convicted of felony crimes.
2. This ordinance is not intended to prohibit or affect in any way the prosecution of any crime for which the use of, or possession of, a firearm is an aggravating factor or enhancement to an otherwise independent crime, unless such crimes have been expunged by order of a court of competent jurisdiction.

Section 5. SEVERABILITY

The provisions of this act are hereby declared to be severable, and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

Section 6. EMERGENCY CLAUSE

It is found by the Quorum Court of Cleburne County that the citizens of Cleburne County, Arkansas have taken notice and voiced concerns for their rights under the U.S. Constitution and Bill of Rights. Therefore, an emergency is declared to exist and this ordinance known as the Bill of Rights Sanctuary Ordinance shall be in full force and effect from the date of passage and approval.

PASSED AND ADOPTED this ____th day of _____ 2021.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Jerry Holmes, Cleburne County Judge

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO 2021-JUVENILE OFFICER GRANT

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 2020 AND/OR OTHER PURPOSES TO AMEND THE JUVENILE OFFICER GRANT BUDGET."

WHEREAS, the Juvenile Officer Grant has been extended to May 2021 the 2021 Budget needs to be amended.

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

Section 1. The 2021 Budget shall be amended as follows:

Fund: 3508 Juvenile Officer Grant

LINE ITEM	FROM	TO	CHANGE
3508-0414-3030	\$0.00	\$2,007.61	+\$2,007.61
3508-0414-3101	\$0.00	\$5,000.00	+\$5,000.00
Total Increase:			\$7,007.61

Fund: 3508 Anticipated Revenue

REVENUE CODE	FROM	TO	CHANGE
3508-7010 State Grants	\$0.00	\$7,007.61	+\$7,007.61
Total Increase in Anticipated Revenue:			\$7,007.61

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 _____ 2021.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Jerry Holmes, Cleburne County Judge

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2021-COVID SICK LEAVE EXTENSION

BE IT ORDAINED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: **AN EMERGENCY ORDINANCE TO ADDRESS LEAVE POLICIES IN TIMES OF A PUBLIC-HEALTH EMERGENCY DECLARED BY THE GOVERNOR OF THE STATE OF ARKANSAS.**

WHEREAS, Governor Asa Hutchinson has declared a public-health emergency due to the COVID-19 virus entering Arkansas and this remains an issue in 2021;

WHEREAS, quarantine is one of the recommended management tools by the CDC to prevent the spread of COVID-19;

WHEREAS, it is in the best interest of the County, it's employees, and the public, that persons who have been exposed to COVID-19 or who have been diagnosed with COVID-19 be able to remain in quarantine for the full fourteen-day period;

WHEREAS, the County is attempting to ensure employees are able to quarantine without suffering undue hardship which may be created by limited availability of leave;

NOW, THEREFORE IT IS HEREBY ORDAINED AND ADOPTED:

- 1) During the state of public health emergency declared by the Governor due to COVID-19, the following rules will be in place:
- 2) An employee who needs leave for one of the following reasons may be placed on paid administrative leave until they are permitted to resume normal activities per current CDC or ADH guidelines at the time the leave is needed:
 - a. An employee has been in close contact with a known COVID-19 positive person and is subject to quarantine by the ADH and the Elected Official has not requested the employee continue to report to work under the "critical infrastructure worker" exception found in the ADH May 22, 2020 Quarantine Order; or
 - b. An employee has tested positive for COVID-19; or
 - c. An employee is symptomatic for COVID-19 and is seeking a diagnosis.
- 3) After the first need for leave under Section 2 above is completed, and the employee has returned to work, an employee shall only be eligible for additional paid administrative leave time under this Ordinance for a new exposure or new diagnosis.
- 4) Employees who qualify for paid administrative leave under Section 2 above, shall be paid the number of days recommended for quarantine by either:
 - a. Their healthcare provider;
 - b. The ADH by written recommendation; or,
 - c. The Elected Official or Supervisor of the employee.

- 5) This paid time shall not be taken out of any leave bank of the employee up to extension amount of 80 hours.
- 6) Employees who qualify for paid administrative leave due to a COVID-19 infection may be required to provide the following documentation upon the request of the employee's Elected Official and/or supervisor; however, this information may not be necessary if the Elected Official and/or supervisor approves paid administrative leave without such documentation:
 - a. Evidence of a positive COVID-19 test, or pending test result; or
 - b. A written note from a healthcare professional or the Arkansas Department of Health recommending quarantine or isolation due to a COVID-19 exposure, positive COVID-19 test or a pending COVID-19 test; and
 - c. A written note from a healthcare professional or Arkansas Department of Health releasing the employee to return to work after their isolation period has ended is suggested for the employee to return to work, but this requirement shall be left up to the discretion of the Elected Official or employee supervisor.
- 7) Employees who qualify for paid administrative leave due to experiencing symptoms of COVID-19 and seeking a medical diagnosis shall not be permitted to return to work until a release from a healthcare professional is provided or until approved by their Elected Official or employee supervisor
- 8) Employees who qualify for paid administrative leave due to quarantine based on close contact with a known positive individual may be required to provide the following documentation upon the request of the employee's Elected Official and/or supervisor; however, this information may not be necessary if the Elected Official and/or supervisor approves paid administrative leave without such documentation:
 - a. A written and signed statement with the following information:
 - i. The date of the close contact;
 - ii. The location the close contact occurred (i.e., work, home, church, etc.);
 - iii. Whether the employee has consulted with the ADH or health care professional regarding the close contact and need to quarantine.
 1. If the employee has consulted with the ADH or a healthcare provider due to close contact, they shall provide written documentation regarding the quarantine period.
- 9) Employees who have already taken time off under the originally awarded eighty (80) hours in year 2020 shall be allowed to use any remaining hours in 2021 but will not receive a new full eighty (80) hours in 2021. The purpose of this Ordinance is to extend the time for using these additional eighty (80) hours into year 2021 since COVID-19 continues to be a major factor in day-to-day activities.

- 10) Employees who choose to take time off during the declared public-health emergency for any reason other than those listed above, are still subject to the regular leave provisions as outlined in the County Personnel Policy.
- 11) This temporary policy change shall not affect offices or employees who have been approved by their supervisor to telework or work from home based on COVID-19 exposure or COVID-19 related hardships. Those offices shall remain allowed to manage their personnel accordingly to their telework arrangement as approved by their Elected Official and/or supervisor.
- 12) SEVERABILITY CLAUSE. The provisions of this Ordinance are severable. If any provision hereof shall be held to be invalid or inapplicable to any person or circumstance, such holding or invalidity shall not affect the validity or applicability of the remainder of the provisions hereof.
- 13) This Ordinance and the provisions herein shall be retroactive back to January 1, 2021.
- 14) This Ordinance and the provisions herein shall expire on December 31, 2021, if this Ordinance has not been repealed, replaced, or amended on an earlier date.

EMERGENCY CLAUSE. There is significant risk to public health and safety posed by the spread of COVID-19. The Cleburne County Quorum Court has determined that this Ordinance is necessary to help prevent the spread of the illness within the County and to members of the general public who may visit county offices. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the preservation of public health, safety and welfare, shall be effective from and after its date of passage.

APPROVED:

JERRY HOLMES,
CLEBURNE COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

RACHELLE EVANS,
CLEBURNE COUNTY CLERK

PROPOSED ORDINANCE NO. 2021-BLUE & YOU FOUNDATION ANNEX BUILDING GRANT

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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND FOR OTHER PURPOSES.

WHEREAS, Cleburne County Annex Building has been awarded a \$1,000 grant from the Blue & You Foundation. The need exists to appropriate the funding to pay for an AED (Automated External Defibrillator) for the Cleburne County Annex Building.

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

Section 1. The following appropriation is hereby approved:

Fund: 3510 Blue & You Foundation Grant

<u>LINE ITEM</u>	<u>FROM</u>	<u>TO</u>	<u>CHANGE</u>
3510-0104-2002 Small Equipment	\$0.00	\$500.00	+\$500.00
3510-0105-2002 Small Equipment	\$0.00	\$500.00	+\$500.00

Total Increase: \$1,000.00

<u>REVENUE CODE</u>	<u>FROM</u>	<u>TO</u>	<u>CHANGE</u>
3510-7095 Blue & You Foundation Grant	\$0.00	\$1,000.00	+\$1,000.00

Total Increase in Anticipated Revenue: \$1,000.00

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 11th Day of February 2021.

Jerry Holmes, Cleburne County Judge

ATTEST:

Rachelle Evans, Cleburne County Clerk

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