

AGENDA
Cleburne County Quorum Court
Thursday, August 11, 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. None
6. **New Business:**
 - a. Ordinance No. 2022-027-County Ambulance/Survival Flight-**Judge Martin**
 - b. Proposed Ordinance No. 2022-Appropriation for County Wide Ambulance Service -**JP Malone**
 - c. Discussion of Cleburne County 911 Dispatch-**JP Blackburn**
 - d. Proposed Ordinance No. 2022-Juvenile Officer Grant-**JP Caldwell**
 - e. Proposed Ordinance No. 2022-Salaries per Employee Mechanic/Shop Foreman and Landfill Operator-**JP Henegar**
 - f. Proposed Ordinance No. 2022-Starting Salary Landfill-**JP Evans**
7. **Comments from the Public:**
8. **Announcements:**
 - a. Next Regular Quorum Court Meeting Thursday, September 8, 2022.
9. **Adjournment:**

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

July 14, 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 6:02 p.m. County Judge Karl Martin presided. PRESENT: Hall, Henegar, Caldwell, Blackburn, Malone, Evans, Martin, Foust, Roberts, Tamburo. ABSENT: Holmes.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the June 9, 2022, regular meeting, seconded by JP Martin. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Ambulance: JP Foust advise the Ambulance committee is awaiting the ruling from the hearing scheduled for July 18, 2022, regarding the Proposed Ambulance Ordinance of July 2021.

Jail: JP Evans reported the Jail committee met with Mr. Sterling concerning Jail standards and the Sheriff is working on maintenance issues that need to be addressed--mainly plumbing issues. Sheriff reported he is working on getting quotes on correcting plumbing and generator issues. The committee discussed an area that was changed to a multipurpose room to reopen for the use of holding inmates. Sheriff Brown informed the Court of a 15 (fifteen) member committee that has been established to review the Jail issues to possibly give an outside perspective on Jail and make recommendations to the Court.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Election Commissioner Joe Tournear updated the Court on the closing of three (3) Vote Centers: Pleasant Ridge Baptist Church, Heber Springs City Hall, and Beth-El Chapel.

Judge Martin recognized Jane Chastain to address the Court regarding an EMS issue.

Kelly Beatty, Arkansas CAMA Technology (ACT), addressed the Court to review the reappraisal and the increases in the assessments for 2022. Mr. Beatty reported that of approximately 31,000 properties, approximately 22,372 properties showed an increase in value. The notices from the County Assessor's office will be mailed July 15, 2022.

Proposed Resolution No. 2022-Waste Connection Fee Schedule

JP Evans introduced a Resolution: "A RESOLUTION AUTHORIZING A NEW FEE SCHEDULE WITH WASTE CONNECTIONS TRANSFER STATION".

JP Evans made a motion to adopt the Resolution, seconded by JP Martin. After lengthy discussion concerning the pricing, JP Malone made a motion to amend the resolution to read:

Section 1, sentence 3:

"The Cleburne County Quorum Court wishes to change that to the customer paying the percentage of \$75 a ~~1,000~~ 2,000 lbs of trash."

Section 2, line 5:

"Percentage of a ton(s) at \$75 per ~~1,000~~ 2,000 lbs;

Motion was seconded by JP Martin. Voice Vote, motion carried. JP Henegar made a motion to adopt Resolution as amended, seconded by JP Malone. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Malone, Martin, Roberts, Tamburo. Nays: None.

Passed and adopted as Resolution 2022-06.

Proposed Ordinance No. 2022-Appropriation of Money to Offset Equipment Purchase for Volunteer EMS Service

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 FOR THE PURCHASE OF SERVICE EQUIPMENT FOR VOLUNTEER EMS SERVICE".**

JP Caldwell made a motion to adopt the Ordinance, seconded by JP Roberts. JP Henegar advised that the last meeting, the Finance Committee did discuss putting procedures/criteria in place for the volunteer EMS to request/receive funds to be consistent for all. Lengthy Discussion followed. For clarification, Ms. Siler stated the equipment will be placed on the Wilburn ambulance. JP Caldwell made a motion to amend the Ordinance to:

"1000-0306-3103 Grants in Aid 3196 Miscellaneous Reimbursement",

seconded by JP Foust. Voice vote, motion carried--nays noted. JP Foust made a motion to adopt the Ordinance as amended, seconded by JP Caldwell. Roll Call was taken. Ayes: Caldwell, Evans, Foust, Hall, Henegar, Malone, Martin, Roberts. Nays: Blackburn, Tamburo.

Passed and adopted as Ordinance No. 2022-022.

Court recessed at 7:38 p.m.

Court reconvened at 7:45 p.m.

Proposed Ordinance No. 2022-Amend 2022 Budget-Court Security Grant

JP Roberts 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 FOR THE PURPOSE OF APPROPRIATING AND DISTRIBUTING COURT SECURITY GRANT FUNDS RECEIVED".**

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

Passed and adopted as Ordinance No. 2022-023

Proposed Ordinance No. 2022-Amend 2022 Budget-Sheriff (Reimbursement USSS)

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 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 AND/OR OTHER PURPOSES, TO AMEND THE SHERIFF BUDGET". BUDGET".**

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

Passed and adopted as Ordinance No. 2022-024

Proposed Ordinance no. 2022-Election Commission and Poll Worker Vehicle Accident Reimbursement Policy

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 ORDINANCE ESTABLISHING RATE OF REIMBURSEMENT FOR CLEBURNE COUNTY ELECTION COMMISSIONERS AND POLL WORKERS WHO SUSTAIN DAMAGES TO THEIR PERSONAL VEHICLE WHILE TRANSPORTING PHYSICAL VOTING DATA AND/OR VOTING EQUIPMENT".**

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

ORDINANCE NO. 2022-027

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE APPROVING THE CONTRACT WITH SURVIVAL FLIGHT EMS TO PROVIDE FOR AMBULANCE SERVICE THROUGHOUT CLEBURNE COUNTY".

WHEREAS, the Quorum Court recognizes the importance and the need for an ambulance service to provide emergency services to the residents of Cleburne County;

WHEREAS, the Quorum Court wants to authorize the issuance of a ground ambulance transportation service franchise in accordance with A.C.A. 14-266-107; and,

WHEREAS, the Quorum Court desires to award Survival Flight this ambulance service contract pursuant to A.C.A. 14-14-802 and 14-266-102.

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

Section 1: The Cleburne County Quorum Court held a public meeting on January 14th, 2021, at 922 South 9th Street, Heber Springs, Arkansas, at 5:00 P.M. Additionally, the public was notified in local publications of the date, time, and place of the public meeting. Survival Flight was the only company that submitted a proposal in accordance with the requirements established by Cleburne County.

Section 2: The Cleburne County Quorum Court, by and through the Ambulance Committee, has worked vigorously with Survival Flight to reach a final agreement based upon the proposal provided by Survival Flight for ambulance coverage for all areas of Cleburne County, Arkansas, excluding the City of Heber Springs. This agreement is attached to this Ordinance as Exhibit "A" and incorporated herein as if were listed word for word in this Ordinance.

Section 3: The Cleburne County Quorum Court hereby approves the County Judge to sign, execute and approve the Contract, as attached herein as Exhibit "A", that provides that Survival Flight will provide ambulance services for all of Cleburne County, Arkansas.

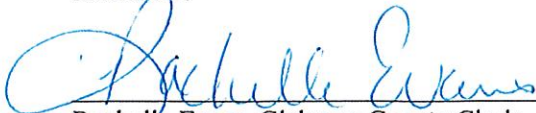
Section 4: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

EMERGENCY CLAUSE

The Quorum Court hereby finds and determines an immediate clarification of County policy is required to resolve the issue and protect the citizens of the Cleburne 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 8th day of July 2021.


ATTEST:


Rachelle Evans, Cleburne County Clerk

APPROVED:

 **FILED**
Karl Martin, Cleburne County Judge **M**

Recorded: Book E Page(s) ORD 348

JUL 19 2022
 CLERK
D.C.

**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 NO. 2021- 035 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 AND/OR OTHER PURPOSES FOR APPROVING ADDITIONAL FUNDING FROM THE ARPA FUNDS FOR A COUNTY WIDE AMBULANCE SERVICE.

WHEREAS, The Quorum Court has previously approved an ambulance contract with Survival Flight, and

WHEREAS, the Cleburne County Quorum Court has reviewed the decision rendered by Circuit Judge Tim Weaver in Cleburne County Circuit Court Case No 12CV-22-105, and therefore has determined the time has come to bring this appropriation ordinance forward to fund the Ambulance Service Contract that was properly awarded in July of 2021.

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

Section 1. The following appropriations are hereby approved:

Fund-1006 ARPA Revenue Replacement Fund, Department-0301 Ambulance Service

LINE ITEM	FROM	TO	CHANGE
1006-0301-3009 Other Professional Services	\$0.00	\$48,630.74	+\$48,630.74
TOTAL CHANGE IN ARPA BUDGET			+\$48,630.74

Fund-1006 Anticipated Revenue

LINE ITEM	FROM	TO	CHANGE
1006-8828 Transfer From ARP Fund	\$0.00	\$2,320,508.16	+\$2,320,508.16
1006-7112 Corona Virus Relief	\$0.00	\$2,420,112.00	+\$2,420,112.00
TOTAL CHANGE IN ANTICIPATED REVENUE			+\$4,740,620.16

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) _____

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2022-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. 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 AND/OR OTHER PURPOSES TO ADD JUVENILE OFFICER GRANT."

WHEREAS, Cleburne County has been awarded a \$7,972.17 grant from the Administrative Office Of The Courts. The grant, a Juvenile Officer Funding grant, is for small equipment (to include but not limited to computer, and smart phones), and computer services. Since said grant was not completed in 2021, the amount of funding must be appropriated.

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

Section 1. The budget shall be amended and increased by adding the following appropriation:

Fund 3508 Juvenile Officer Grant, Department Juvenile Court

LINE ITEM	FROM	TO	CHANGE
3508-0414-2002 Small Equipment	\$0.00	\$4,192.29	+\$4,192.29
3508-0414-3102 Computer Software, Support, & Maint. Agree.	\$0.00	\$3,779.88	+\$3,779.88
TOTAL CHANGE IN JUVENILE OFFICER GRANT BUDGET			+\$7,972.17

Fund: 3508 Anticipated Revenue

REVENUE CODE	FROM	TO	CHANGE
3508-7010 State Grants	\$4,828.68	\$12,800.85	+\$7,972.17
TOTAL CHANGE IN ANTICIPATED REVENUE			+\$7,972.17

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 NO. 2022-AMEND ORDINANCE 2021-034 NUMBER OF
EMPLOYEES AND AUTHORIZED SALARY PER EMPLOYEE

BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: "AN APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2021-034 ESTABLISHING THE NUMBER OF EMPLOYEES AND AUTHORIZED SALARY PER EMPLOYEE FOR EACH DEPARTMENT OF THE CLEBURNE COUNTY GOVERNMENT".

WHEREAS, there has been a change in employees for the positions of Landfill Operator and Mechanic/Shop Foremen which has resulted in an increase in the maximum salary for said positions set forth by the Quorum Court by Ordinance No. 2021-034, and

WHEREAS, need exists to amend the 2022 Authorized Salary per Employee for the positions of Landfill Operator and Mechanic/Shop Foreman

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

Section 1. The following amendments to Ordinance No. 2021-034 regarding the Number of Employees and Authorized Salary per Employee for each department of the Cleburne County Government are hereby approved:

LANDFILL

Landfill Operator from \$27,833.75 to 31,858.25

COUNTY ROAD

Mechanic/Shop Foreman from \$30,223.75 to \$31,611.25

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 _____th day of _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____

PROPOSED ORDINANCE NO. 2022-STARTING SALARY-LANDFILL

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

WHEREAS, the Landfill Operator position is now requiring more rigorous training, compliance regulation responsibilities, and additional certification, and

WHEREAS, need exists to amend the 2022 Starting Salary for the Landfill Operator to compensate for the additional requirements.

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

Section 1. The following amendments in the starting salary for the position of Landfill Operator are hereby approved:

LANDFILL

Landfill Operator from \$27,458.75 to \$28,970.75

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 _____th day of _____ 2022.

ATTEST:

APPROVED:

Rachelle Evans, Cleburne County Clerk

Karl Martin, Cleburne County Judge

Recorded: Book _____ Page(s) _____