

AGENDA
Cleburne County Quorum Court
Thursday, September 8, 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. Proposed Resolution No. 2022-Declare Vacancy in JP District Ten-**JP Malone**
 - b. Arkansas Community Foundation-Mrs. Susan Vowels-**JP Foust**
 - c. Proposed Resolution No. 2022-Tigg Tax Back-**JP Evans**
 - d. Proposed Ordinance No. 2022-Pine Snag/Lobo EMS Service-**JP Malone**
7. **Comments from the Public:**
8. **Announcements:**
 - a. Next Regular Quorum Court Meeting Thursday, October 13, 2022.
9. **Adjournment:**

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

August 11, 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 6:01 p.m. County Judge Karl Martin presided.

PRESENT: Hall, Henegar, Caldwell, Blackburn, Malone, Evans, Martin, Foust, Tamburo, Holmes.

VACANCY: JP 10

READING, CORRECTION, AND DISPOSITION OF MINUTES:

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

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Ambulance: JP Foust stated there was Ambulance Committee business to be discussed during New Business.

Jail: JP Evans reported that the Jail Committee has been looking into options to increase capacity. Discussion followed. Next meeting will be August 26. With the resignation of JP Roberts, a new committee member will need to be appointed.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Judge Martin announced the Ordinance 2022-027 has been signed and published.

Proposed Ordinance No. 2022- Appropriation for County Wide Ambulance Service

JP Malone introduced an Ordinance: **BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2021-035 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"**.

JP Malone made a motion to adopt the Ordinance, seconded by JP Caldwell. Discussion followed concerning: service area, which contract states is all of Cleburne County and the contract cannot be amended other than dates at this time. Once implemented, a new ordinance could make amendments. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None.

Passed and adopted as Ordinance No. 2022-028.

JP Foust was excused from the meeting at 6:35.

JP Blackburn addressed the court and stated that most of his points were moot with the passing of the previous ordinance but did point out dispatch would have to call out Survival Flight for countywide calls.

Proposed Ordinance No. 2022-Juvenile Officer 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/OR OTHER PURPOSES TO ADD JUVENILE OFFICER GRANT"**.

JP Caldwell made a motion to adopt the Ordinance, seconded by JP Evans. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None.
Passed and adopted as Ordinance No. 2022-029.

Proposed Ordinance No. 2022-Amend Ordinance 2021-034 Number of Employees and Authorized Salary Per Employee

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 AMENDING ORDINANCE 2021-034 ESTABLISHING THE NUMBER OF EMPLOYEES AND AUTHORIZED SALARIES PER EMPLOYEE FOR EACH DEPARTMENT OF THE CLEBURNE COUNTY GOVERNMENT"**.

JP Henegar made a motion to adopt the Ordinance, seconded by JP Evans. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None.
Passed and adopted as Ordinance No. 2022-030.

Proposed Ordinance No. 2022-Starting Salary - Landfill

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 AMENDING ORDINANCE 2021-033 ESTABLISHING THE SALARIES FOR NON-ELECTED COUNTY POSITIONS"**.

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

Passed and adopted as Ordinance No. 2022-031.

COMMENTS FROM THE PUBLIC:

None

ANNOUNCEMENTS:

- The next regular Quorum Court meeting will be held Thursday, September 8, 2022.

ADJOURNMENT:

JP Caldwell made the motion to adjourn, seconded by JP Martin. Meeting adjourned at 6:49 p.m.

ATTESTED:

Kim Wallace, Cleburne County Administrative Deputy Clerk/HR Clerical

This _____ day of _____ 2022

Book _____ Page (s) _____

PROPOSED RESOLUTION NO. 2022-DECLARING A VACANCY IN JP DISTRICT 10

A RESOLUTION DECLARING A VACANCY IN THE OFFICE OF JUSTICE OF THE PEACE, DISTRICT TEN (10), CLEBURNE COUNTY, STATE OF ARKANSAS

WHEREAS, Mr. Paul Roberts, who presently holds the Office of Justice of the Peace, District Ten (10), Cleburne County, State of Arkansas, resigned August 11th, 2022, due to moving out of his district; and

WHEREAS, it is the obligation of the Quorum Court of the County of Cleburne, State of Arkansas, to declare that a vacancy has occurred in the Office of the Justice of the Peace, District Ten (10), in the County of Cleburne, State of Arkansas, as authorized by Amendment 55 of the Constitution of the State of Arkansas and *Arkansas Code Annotated § 14-14-1309*.

NOW, THEREFORE BE IT RESOLVED by the Quorum Court of the County of Cleburne, State of Arkansas, that a vacancy is declared to exist in the Office of Justice of the Peace, District Ten (10).

BE IT FURTHER RESOLVED by the Quorum Court of the County of Cleburne, State of Arkansas, that the Quorum Court of the County of Cleburne, State of Arkansas, will meet at the Cleburne County Court Building, 6:00 p.m. September 8, 2022, for the purpose of declaring the vacancy in the Office of the Justice of the Peace, District Ten (10).

FURTHERMORE, BE IT RESOLVED by the Quorum Court of the County of Cleburne, State of Arkansas, that this Resolution shall become effective immediately upon its passage and approval.

The Quorum Court approves this Resolution.

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 RESOLUTION NO. 2022-TIGG TAX BACK

RESOLUTION OF THE QUORUM COURT OF CLEBURNE COUNTY CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF TIGG HOLDINGS, LLC, DBA TIGG, LLC, A NEWTERRA COMPANY TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15- 4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

WHEREAS, Tigg Holdings, LLC, dba Tigg, LLC, a Newterra Company located at 250 Bolton Sullivan Road has sought to participate in the program and more specifically has requested benefits accruing from construction of the specific facility; and

WHEREAS, Tigg Holdings, LLC, dba Tigg, LLC, a Newterra Company has agreed to furnish the local government all necessary information for compliance.

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

1. Tigg Holdings, LLC, dba Tigg, LLC, a Newterra Company be endorsed by the Cleburne County Quorum Court for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. The Department of Finance and Administration is authorized to refund local sales and use taxes to Tigg Holdings, LLC, dba Tigg, LLC, a Newterra Company.
3. This resolution shall take effect immediately.

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-PINE SNAG/LOBO EMS SERVICE

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."

WHEREAS, the Cleburne County Quorum Court finds it necessary to help offset some of the equipment expenses that the volunteer EMS often need when responding to critical medical calls of our citizens and visitors in the county; and,

WHEREAS, The Cleburne County Quorum Court has previously indicated that it would be receptive to hearing request for the volunteer EMS service equipment purchases; and,

WHEREAS, the time has come to appropriate money for said volunteer EMS equipment purchases.

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

Section 1. The Quorum Court hereby approves the appropriation of funds to the Pine Snag/Lobo Volunteer EMS Service for purchase of a Respiratory Cardiac Monitor as well as a recertified ZOLL AED in the amount of Seven Thousand Sixty-Five Dollars and Forty-Eight Cents (\$7,065.48).

Section 2. The Quorum Court hereby approves the following appropriation.

FUND: 1006 ARPA Revenue Replacement Fund/DEPARTMENT: 301 Ambulance Service

LINE ITEM	FROM	TO	CHANGE
1006-0301-3196 Miscellaneous Reimbursement	\$0.00	\$7,065.48	+\$7065.48
1006-0301-3009 Other Professional Services	\$48,630.74	\$41,565.26	-\$7,065.48
TOTAL CHANGE IN EMS EQUIPMENT BUDGET			+\$0.00

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 the 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) _____