

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

February 9, 2017

The Cleburne County Quorum Court met in regular session in the Waychoff Center at 320 Trailwood Drive, Heber Springs, Arkansas. The meeting was call to order at 6:01 p.m. County Judge Jerry Holmes presided. Roll call was taken. PRESENT: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. ABSENT: Pate (arrived at 6:02 p.m. after roll call). A prayer was offered by Mr. Tim Crumpton. The Pledge of Allegiance was led by Judge Jerry Holmes.

Judge Holmes gave a word of thanks to Mrs. Alma Smith and staff for providing dinner and for hosting the February, 2017 Quorum Court meeting. Mrs. Smith gave details concerning a grant application.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Caldwell to approve the minutes of the January 12, 2017 regular meeting, seconded by JP Goff. Voice vote, motion carried unanimously.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

The committee is trying to set up a monthly meeting schedule. JP Evans wanted to report to the court that the Handbook committee was paid for the last meeting, and after reviewing the past minutes, the members agreed that they were not to be compensated for such meeting. JP Evans also suggested, if the court approves, the members of the committee will take one half the payment for the February Regular Quorum Court meeting to correct the payment for the Personnel Handbook meeting in lieu of having to adjust any previous transactions concerning payroll. After discussion the court did clarify that any Personnel Handbook Committee meeting(s) from this date forward would be compensated at the amount set for special meetings.

Motion made by JP Malone that the Personnel Handbook Committee will be paid for the meetings from this date forward, seconded by JP Lange. Voice vote, motion carried unanimously.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Presentation was given from SouthBuild, Collierville, Tennessee (Mr. Stephen Claborn, Mike Kelley, and Mr. Jim Langford—Justice Design & Construction Management). The presentation was in regard to the county detention center and looking down the road to the possible remodel or construction.

Judge Holmes recognized the letter of appreciation from Ms. Teri Renner, Community School.

Judge Holmes stated a copy of the Legislative Audit (January 1, 2015-December 31, 2015) will be available if needed for review.

Proposed Ordinance 2017-002-2016 Budget Clean-up

JP Foust 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. 2015-032, WHICH ADOPTED THE BUDGET FOR CALENDAR YEAR 2016 AND/OR OTHER PURPOSES"**

JP Foust made a motion to adopt the Ordinance, seconded by JP Evans. Discussion followed. Paul Muse, former Cleburne County Clerk, responded to JP Malone's questions regarding the Election Commission Budget- general

supplies line item and the County Clerk Budget -Health Insurance Matching line item. Mr. Muse explained the costs of programing the voting machines and other elections cost were much greater than anticipated, he also added, the county did receive some reimbursement from the state for those costs. Mr. Muse also explained the reason for the over-expenditure in the Health Insurance Matching line item was due to the number of unexpected retirees from the county. Mr. Muse added, in his opinion, this line item title may need to be modified for a better understanding of its use. County Attorney, Drew Smith, responded to JP Henegar's question regarding the Deputy Prosecuting Attorney Budget. Mr. Smith explained there was an increase for the Juvenile Prosecutor, who also receives monies from the same budget, but, in error, the same amount was not deducted from the Deputy Prosecutor. Mr. Smith added, when the error was discovered, payment was made to reimburse the county for that same amount. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. JP Foust made a motion to adopt the Emergency Clause, seconded by JP Malone. Roll Call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None.

Proposed Ordinance 2017-003-Amending Ordinance 2016-031 (Number of positions and starting salaries for non-elected county position in 2017)

JP Malone introduced an ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS: AN ORDINANCE AMENDING ORDINANCE 2016-031 TO ESTABLISH THE NUMBER OF POSITIONS AND STARTING SALARIES FOR NON-ELECTED COUNTY POSITIONS IN 2017.**

JP Malone made a motion to suspend the rules and place the ordinance on second reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. JP Malone read the ordinance by title only. JP Malone made a motion to suspend the rules and place the ordinance on third and final reading by title only, seconded by JP Roberts. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. JP Malone read the ordinance by title only. JP Malone made a motion to adopt the ordinance, seconded by JP Lange. Discussion followed. JP Choate asked for an explanation of the need for the additional personnel. Sheriff Brown explained to the Court his reasons for requesting additional personnel. JP Evans asked if we were currently under contract with the Corp. Sheriff Brown advised he has contacted the Corp to discuss the contract. Sheriff Brown also added he was asking the Corp to increase their portion of funds, but he has not heard back from them. After lengthy discussion concerning the negotiation of the contract between the county and the Corp, the reason for adding new positions, and the total costs of adding the positions, roll call was taken. Aye's: None. Nay's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. The ordinance failed to be adopted.

Quorum Court meeting was recessed at 7:58 p.m. and was called back to order at 8:14 p.m. by Judge Holmes.

Proposed Ordinance 2017-004-Amending Ordinance 2016-030 (Adopted the budget for the calendar 2017)

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. 2016-030 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2017 AND/OR OTHER PURPOSES.**

JP Malone made a motion to adopt the ordinance with the following amendments: remove the first paragraph beginning **WHEREAS** and the Line Item Group 1, all other parts of the ordinance to remain the same, seconded by JP Evans. County Attorney, Drew Smith, advised that the total adjustment to the sheriff's office budget also needed to be amended due to the deletion of Line Item Group 1. Discussion followed. Sheriff Brown gave reasons for increasing the Sheriff's Budget-Small Equipment by \$17,000.00 for purchase of additional pepper guns to replace Tasers. Roll Call was taken to adopt the amended Ordinance. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. . JP Malone made a motion to adopt the Emergency Clause, seconded by JP Choate. Roll Call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None.

JP Malone made a motion to withdraw the reading of proposed Ordinance 2017-005 and table until next meeting, seconded by JP Roberts. Voice Vote, motion carried unanimously.

COMMENTS FROM THE PUBLIC:

None

ANNOUNCEMENTS:

None

ADJOURNMENT:

JP Caldwell made motion to adjourn, seconded by JP Stone.

ATTESTED:

Rachelle Evans, Cleburne County Clerk

This _____ day of _____, 2017

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