

**AGENDA**  
**Cleburne County Quorum Court**  
**Thursday, September 10, 2020**  
**6:00 p.m.**

Cleburne County Court Building  
922 South 9<sup>th</sup> 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**
5. **Unfinished Business:**
  - a. **Withdraw-Proposed Ordinance No. 2020-Establishing Number of Members of Budget Committee-JP Malone**
6. **New Business:**
  - a. **Proposed Resolution No. 2020-Declaring a Vacancy in District 9-JP Evans**
  - b. **Discussion on County Wide Ambulance Service-Judge Holmes (Guest Mayor Kerr and Others)**
  - c. **Proposed Ordinance No. 2020-Amend 2020 Health Budget-JP Henegar**
  - d. **Proposed Ordinance No. 2020-Amend 2020 Emergency 911 Budget- JP Foust**
  - e. **Proposed Ordinance No. 2020-Amend Procedural Ordinance 2019-001-JP Pearson**
  - f. **Proposed Resolution No. 2020-Supporting Issue 1 in Cleburne County-JP Roberts**
7. **Comments from the Public:**
8. **Announcements:**
  - a. **Next Regular Quorum Court Meeting Thursday, October 8, 2020.**
9. **Adjournment:**

# CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

August 13, 2020

The Cleburne County Quorum Court met in regular session in the County Court Building, 922 South 9<sup>th</sup> Street, Heber Springs, Arkansas. The meeting was called to order at 6:03 p.m. County Judge Jerry Holmes presided. PRESENT: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans, Foust, Grace, Roberts, Owens. ABSENT: None.

## **READING, CORRECTION, AND DISPOSITION OF MINUTES:**

Motion was made by JP Caldwell to approve the minutes of the July 9, 2020 regular meeting, seconded by JP Roberts. Voice vote, motion carried.

## **REPORT OF TREASURER:**

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

## **REPORT OF COMMITTEES:**

JP Evans reported the Jail Committee met twice in July and did not meet in August. An Ordinance is being brought before the Court asking for an appropriation to move forward in the process of Jail improvements.

## **UNFINISHED BUSINESS:**

Judge Holmes read a letter from Mr. John Ed Hendricks, President-Tumbling Shoals/Ida EMS, regarding ambulance service.

## **NEW BUSINESS:**

### **Proposed Ordinance No. 2020-Establishing Number of Members of Budget Committee**

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

JP Malone made a motion to suspend the Rules and place the Ordinance on a second reading, seconded by JP Grace. Roll call was taken. Ayes: Blackburn, Malone, Pearson. Nays: Caldwell, Evans, Foust, Grace, Henegar, Owens, Roberts. Required two-thirds vote of entire Court was not met so motion failed. Proposed Ordinance will be placed on the September 2020 Agenda for second reading.

### **Proposed Ordinance No. 2020-Establish Jail Improvement Fund**

JP Evans introduced an Ordinance: **"A 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. 2019-020, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2020 AND/OR OTHER PURPOSES TO ESTABLISH A JAIL IMPROVEMENT FUND."**

JP Evans made a motion to adopt the Ordinance, seconded by JP Roberts. Brief discussion followed. Roll call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Grace, Henegar, Malone, Owens, Pearson, Roberts. Nays: None. **Passed and adopted as Ordinance 2020-017.**

Judge Holmes asked Rebekah Knew, County Judge Administrative Assistant, to briefly report on a grant for broadband: Nine carriers have been contacted, but only one (Windstream) has shown an interest. The County's part has been submitted, and they should submit their part later in the week. This would cover some areas west of Pangburn and east of Hopewell. Ms. Knew stated that unfortunately the County cannot ask for a grant without an eligible ISPN internet provider that will do the work. The County continues to work on getting providers for other areas.

## **COMMENTS FROM THE PUBLIC:**

Shaine Keasler, Survival Flight, read letter regarding ambulance service. JP Blackburn commented on the letter.

**ANNOUNCEMENTS:**

- The next regular Quorum Court meeting will be held Thursday, September 10, 2020.

**ADJOURNMENT:**

JP Caldwell made motion to adjourn, seconded by JP Henegar. Meeting adjourned at 6:28 p.m.

**ATTESTED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

This \_\_\_\_\_ day of \_\_\_\_\_, 2020

Book \_\_\_\_\_ Page(s) \_\_\_\_\_

**PROPOSED RESOLUTION NO. 2020-DECLARING A VACANCY IN JP DISTRICT 9**

**A RESOLUTION DECLARING A VACANCY IN THE OFFICE OF JUSTICE OF THE PEACE, DISTRICT NINE (9), CLEBURNE COUNTY, STATE OF ARKANSAS**

**WHEREAS**, Mr. Phil Grace, who presently holds the Office of Justice of the Peace, District Nine (9), Cleburne County, State of Arkansas, has moved out of his district effective August 15, 2020; 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 Nine (9), 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 Nine (9).

**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 10, 2020, for the purpose of declaring the vacancy in the Office of the Justice of the Peace, District Nine (9).

**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.

Entered this 10<sup>th</sup> day of September 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Jerry Holmes, Cleburne County Judge

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To the Cleburne County Judge and Quorum Court,

I Phillip Grace hereby resign my position as Justice of The Peace for District 9 effective August 15th. I resign as I am relocating my residency outside of Cleburne County. It has been an honor to serve with you all. Cleburne County is a great place with a bright future.

Phillip Grace

A handwritten signature in black ink, appearing to read 'P. Grace', written in a cursive style.

8/4/2020

PROPOSED ORDINANCE NO. 2020-AMEND 2020 HEALTH BUDGET

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. 2019-020, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2020 AND FOR OTHER PURPOSES, TO AMEND THE 2020 HEALTH BUDGET.

WHEREAS, the need exists to amend the 2020 Health Budget to appropriate funds to pay for a new phone system.

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

**Section 1.** The following appropriation is hereby approved:

**Fund: 1000-0300 Health Budget**

LINE ITEM	FROM	TO	CHANGE
1000-0300-3020 Telephone and Fax (Landline)	\$3,000	\$4,400	+\$1,400
<b>Total Change in Health Budget:</b>			<b>+\$1,400</b>

**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 \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2020.

ATTEST:

APPROVED:

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Jerry Holmes, Cleburne County Judge

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**PROPOSED ORDINANCE NO 2020-AMEND THE 2020 EMERGENCY 911 BUDGET**

**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. 2019-020, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2020 AND/OR OTHER PURPOSES TO AMEND THE EMERGENCY 911 BUDGET."**

**WHEREAS**, a 911 employee has earned Holiday Pay time off, and

**WHEREAS**, said employee has separated employment with the county and earned Holiday Pay needs to be paid in cash, and

**WHEREAS**, a request for certain employees to be paid a cash payment in lieu of time off for Holiday Pay, and

**WHEREAS**, need exist to amend the 2020 Emergency 911 Budget to appropriate money to the Holiday Pay Line Item for this compensation to be paid.

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

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

**Fund: 3020-0501 Emergency 911**

LINE ITEM	FROM	TO	CHANGE
3020-0501-1002 Salaries, Part-Time	\$27,950.00	\$24,450.00	-\$3,500.00
3020-0501-1017 Holiday Pay	\$0.00	\$3,500.00	+\$3,500.00
<b>Total Change in Emergency 911 Budget:</b>			<b>\$0.00</b>

**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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Jerry Holmes, Cleburne County Judge

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**PROPOSED ORDINANCE NO. 2020-AMEND PROCEDURAL ORDINANCE 2019-001**

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO AMEND PROCEDURAL ORDINANCE 2019-001 TO CHANGE THE DATE FOR THE NOVEMBER 2020 REGULAR QUORUM COURT MEETING."**

**WHEREAS** Procedural Ordinance 2019-001 sets the dates for the regular Quorum Court meetings for years 2019 and 2020, and

**WHEREAS**, it is necessary to change the Quorum Court regular November 2020 meeting from the second Thursday to the third Thursday to allow more time to complete the 2021 Cleburne County Budget to bring before the Quorum Court.

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

**Section 1.** To amend Section 6 (a) of Ordinance 2019-001 to read:

"In November 2019 and November 2020, the Quorum Court will convene on the third Thursday at the regular time and place."

**Section 2.** In the event that any provisions 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 3.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Jerry Holmes, Cleburne County Judge

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**PROPOSED RESOLUTION NO. 2020-A RESOLUTION SUPPORTING ISSUE 1 IN CLEBURNE COUNTY**

**A RESOLUTION BY CLEBURNE COUNTY SUPPORTING ISSUE 1, PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CONTINUE A LEVY OF A ONE-HALF PERCENT SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES; COUNTY ROADS, BRIDGES, AND OTHER SURFACE TRANSPORTATION; AND CITY STREETS, BRIDGES, AND OTHER SURFACE TRANSPORTATION AFTER THE RETIREMENT OF THE BONDS AUTHORIZED IN ARKANSAS CONSTITUTION, AMENDMENT 91, AS SPECIAL REVENUE TO BE DISTRIBUTED UNDER THE ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW**

**WHEREAS**, Arkansas Constitution, Amendment 91, levies a one-half percent sales and use tax to provide additional funding for the state's four-lane highway system, county roads, and city streets; and,

**WHEREAS**, the one-half percent sales and use tax under Arkansas Constitution, Amendment 91 is due to expire on June 30, 2023 unless a new constitutional amendment is passed; and,

**WHEREAS**, Issue 1 proposes that the sales and use tax levied under Arkansas Constitution, Amendment 91 be continued to provide special revenue for use of maintaining, repairing, and improving the state's system of highways, county roads, and city streets; and,

**WHEREAS**, without continuation of this sales and use tax the state will be unable to meet the severe and pressing needs to maintain and improve the state's system of state highways, county roads, and city streets; and,

**WHEREAS**, Cleburne County will lose \$730,087 annually for our local county roads without the continuation of this sales and use tax,

**WHEREAS**, the continuation of the one-half percent sales and use tax will ensure future investment in the state highway system, county roads, and city streets; and,

**WHEREAS**, this investment will create jobs, aid in economic development, improve quality of life, and provide additional transportation infrastructure, including specifically, a four-lane highway construction plan designed to connect all regions of the state, and,

**WHEREAS**, the Arkansas Department of Transportation plan dedicates 76 percent of state highway funds to system preservation, improve almost 7,000 miles of non-Interstate highways over 10 years, repair/replace poor condition bridges over 10 years,

**WHEREAS**, it is beneficial for all counties to support Issue 1 as a necessary funding mechanism for our travel-infrastructure and will serve as an economic boom for the State.

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

**Section 1:** That we do hereby support the legal proposals found in Issue 1, as well as its adoption by the people of the State of Arkansas at the next general election.

**PASSED AND ADOPTED** this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rachelle Evans, Cleburne County Clerk

\_\_\_\_\_  
Jerry Holmes, Cleburne County Judge

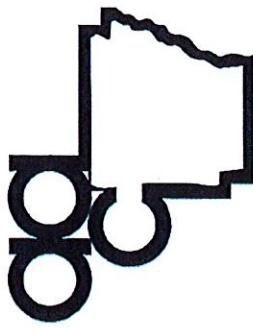
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# Arkansas Street, Road and Bridge Funding Sources

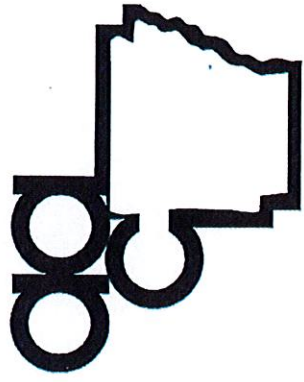
Budget education information about the one-half percent sales and use tax for transportation as it affects your city or county



Arkansas Municipal League  
301 W. 2nd Street  
North Little Rock, AR 72115  
501-374-3484  
arml.org



Association of Arkansas Counties  
1415 W. Third St.  
Little Rock, AR 72201  
501-372-7550  
arcounties.org



# Cleburne COUNTY

BUDGET LOST ANNUALLY BEGINNING IN 2024: \$730,087

COUNTY	CITY	.5% TURNBACK (FY 2024)
Cleburne		\$516,088
	Concord	\$5,687
	Greers Ferry	\$20,766
	Heber Springs	\$166,990
	Higden	\$2,797
	Quitman	\$17,759
	CITY TOTALS	\$213,999

Money the county received in 2019: \$536,046.37

Money the county has received so far in 2020: \$355,862.07