

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

December 8, 2022

The Cleburne County Quorum Court met in regular session in the Cleburne Court Building, 222 South 1st Street, Heber Springs, Arkansas. The meeting was called to order at 6:02 p.m. County Judge JP Malone presided.

PRESENT: Hall, Henegar, Malone, Evans, Martin, Foust, Tamburo, Holmes. ABSENT: Caldwell, Backlund, Jett.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Malone, seconded by JP Martin to approve the October 13, 2022, and the November 17, 2022, minutes. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Ambulance: JP Foust reported that all seems to be going well. JP Foust answered JP Tamburo, that to his knowledge, the dispatch problem has been solved. After the first of the year a meeting will be scheduled to review the ambulance service.

Jail: JP Evans reported the Sheriff advised that the plumbing issue is being addressed and everything is moving along as planned. JP Evans further reported that he has plans to visit Baxter County and look through the new jail addition.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

JP Evans made a motion, seconded by JP Foust to move Item K to the end of the Agenda. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None

Proposed Resolution No. 2022-Declaring a Vacancy in JP District Four

JP Foust introduced a Resolution: **"A RESOLUTION DECLARING A VACANCY IN THE OFFICE OF JUSTICE OF THE PEACE, DISTRICT FOUR (4), CLEBURNE COUNTY, STATE OF ARKANSAS"**.

JP Foust made a motion to adopt the Resolution, seconded by JP Evans. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None

Passed and adopted as Resolution 2022-11.

JP Foust presented the Matching Fund checks to the EMS and Fire Departments that were present at the meeting.

Proposed Resolution No. 2022-Updated Fee Schedule-Waste Connections

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

JP Evans made a motion to adopt the Resolution, seconded by JP Martin. Brief discussion followed clarifying the updated rates. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None

Passed and adopted as Resolution 2022-12.

FILED
2023 JAN 23 AM 9:16
RACELLE E. EVANS
CLERK
CLEBURNE COUNTY CLERK

Proposed Ordinance No. 2022-LLEBG Grant-Sheriff

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 APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 AND FOR OTHER PURPOSES"**.

JP Malone made a motion to adopt the Ordinance, seconded by JP Martin. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None
Passed and adopted as Ordinance 2022-041.

Proposed Ordinance No. 2022-Wal-Mart Grant-Sheriff

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 APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 AND FOR OTHER PURPOSES"**.

JP Malone made a motion to adopt the Ordinance, seconded by JP Martin. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None
Passed and adopted as Ordinance 2022-042.

Proposed Ordinance No. 2022-Amend Sheriff Budget

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 NO. 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 TO AMEND THE SHERIFF BUDGET TO INCREASE THE NON-CONTRIBUTORY RETIREMENT LINE ITEM"**.

JP Evans made a motion to adopt the Ordinance, seconded by JP Martin. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None
Passed and adopted as Ordinance 2022-043.

Proposed Ordinance No. 2022-Amend Budget-Library

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

JP Foust made a motion to adopt the Ordinance, seconded by JP Holmes. Brief discussion on the purpose of the appropriations requested by the Ordinance. Zach Cothorn, Librarian, was present to answer budget questions. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None
Passed and adopted as Ordinance 2022-044.

Proposed Ordinance No. 2022-Transfer-Capital Projects 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 COUNTY GENERAL TO THE CAPITAL PROJECTS FUND"**.

JP Henegar made a motion to adopt the Ordinance, seconded by JP Evans. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None
Passed and adopted as Ordinance 2022-045.

Proposed Ordinance No. 2022-Transfer from ARPA to County General

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 FUNDS FROM THE ARPA FUND TO COUNTY GENERAL"**.

JP Henegar made a motion to adopt the Ordinance, seconded by JP Evans. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None
Passed and adopted as Ordinance 2022-046.

Proposed Ordinance No. 2022-Establish Millage

JP Martin 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 ESTABLISHING THE MILLAGE RATES FOR 2022"**.

JP Martin made a motion to adopt the Ordinance, seconded by JP Foust. Discussion followed. County Clerk reported that this being a reappraisal year and according to the rollback formula the only changes in millages in Cleburne County are the City of Concord rolled back from 5.0 mills to 4.7 mills, City of Fairfield Bay rolled back from 5.0 mills to 4.9 mills, and the City of Quitman rolled back from 4.4 mills to 3.9 mills. Roll call was taken. Ayes: Evans, Foust, Hall, Henegar, Holmes, Malone, Martin, Tamburo. Nays: None

Passed and adopted as Ordinance 2022-047.

Proposed Ordinance No. 2022-Premium Pay for Year 2021 (\$1000/\$375)

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. 2021-035, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2022 AND FOR OTHER PURPOSES TO MAKE ADDITIONAL APPROPRIATIONS FOR PREMIUM PAY"**.

JP Foust made a motion to adopt the Ordinance, seconded by JP Malone. Discussion followed on the dollar amounts of premium pay to employees and elected officials, and how the \$5,000.00 Law Enforcement Stipend paid by the State of Arkansas should affect the dollar amount of premium pay to the eligible Law Enforcement officers from Cleburne County. JP Malone made a motion to amend the Ordinance to give the same amount of premium pay to all employees including the 27 deputies and the Sheriff by adding department 400: Salaries 27,000, Social Security \$2,066, and retirement \$4,137.00 for total of \$33,203.00 with changes in Section 1 to reflect the additional employees and Sheriff. Motion was not seconded, so JP Malone withdrew motion. Lengthy discussion followed as to how and why the dollar amounts were set for the Ordinance. Sheriff Brown did add comments on the matter. JP Henegar added he is opposed to any additional premium pay because basically the employees were paid, and he is concerned about when would the requests for premium pay end. Judge Martin added that the premium pay that was requested for 2020 was \$1,500.00 and the request was cut in half and would be revisited, so he was requesting an additional amount for year 2021. County Clerk Rachelle added that "premium pay" was set for the years 2020 and 2021. The previous premium pay was for year 2020 with this current request being for year 2021. JP Foust withdrew the Ordinance with the intention of placing a Proposed Premium Pay Ordinance on the January 2023 Agenda.

Quorum Court recessed at 7:25 p.m.

Quorum Court reconvened at 7:30 p.m.

Proposed Resolution No. 2022-Paper Ballots

JP Malone introduced a Resolution: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED: "A RESOLUTION PROVIDING FOR THE REDUCTION OF VOTER FRAUD AND INCREASE IN ELECTION INTEGRITY BY USE OF PAPER BALLOTS"**.

JP Malone made a motion to adopt the Resolution, seconded by JP Martin. Lengthy discussion followed as to: would the State continue to reimburse for Primary, would the County have to pay for the machines received from the State, how would the paper ballot process work, how vote centers (Ordinance 2018-14) would be affected, and several other questions. Cleburne County Attorney Drew Smith did contact the Office of the Secretary of State regarding who actually owns the machines, but no answers were received. Mr. Conrad Reynolds, CEO of Arkansas Voter Integrity Initiative, and Clint Lancaster, Saline County Attorney, addressed the Court encouraging the County to go to paper ballots and gave reasons why the County should go to paper ballots. Mr. Lancaster advised he would get in touch with Daniel Shultz, Director of the Arkansas Election Commission, and ask that he attend the January 2023 meeting to address the Court on the questions. With all the unanswered questions, JP Malone withdrew the Resolution with the intention of reintroducing it at the January 2023 meeting.

JP Evans withdrew the Proposed Ordinance-Premium Pay (\$750).

COMMENTS FROM THE PUBLIC:

None

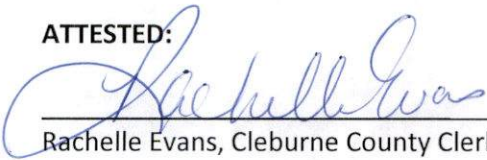
ANNOUNCEMENTS:

- The next regular Quorum Court meeting will be held Thursday, January 12, 2022.
- Judge Martin Announced the Disposal of County Property by Order 2022-018
- Judge Martin recognized the 2023 Offices that had a change in officials:
County Judge-Eric Crosby, County Treasurer-Felicia Hipp, County Assessor-Rachelle Miller,
JP District 1-Brian Moorehead, JP District 4-Linda Fletcher, JP District 10-Rob Owens, JP District 11-Samson Wildmon, Prosecuting Attorney-Drew Smith
- Judge Martin recognized the new County Attorney-Daniel Haney

ADJOURNMENT:

JP Martin made a motion to adjourn, seconded by JP Foust. The meeting adjourned at 8:19 p.m.

ATTESTED:



Rachelle Evans, Cleburne County Clerk

11-2-23
Date

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