

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

March 9, 2017

The Cleburne County Quorum Court met in regular session in the County Court Building, 922 South 9th Street, Heber Springs, Arkansas. The meeting was call to order at 6:21p.m. County Judge Jerry Holmes presided. Roll call was taken. PRESENT: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. ABSENT: None. A prayer was offered by Mr. Wetzel Stark. The Pledge of Allegiance was led by Judge Jerry Holmes.

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Malone to approve the minutes of the February 9, 2017 regular meeting, seconded by JP Caldwell. 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 Lange. Voice vote, motion carried unanimously.

REPORT OF COMMITTEES:

JP Evans reported that a meeting is scheduled for Monday, September 13, 2017 at 9:00 a.m. in the Judge's Office. The committee will try to keep the meeting in a time frame of two or two and one half hours.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

RESOLUTION 2017-003-Authorization for Agreement with WRPDD

JP Evans introduced a resolution: "A RESOLUTION AUTHORIZING THE COUNTY JUDGE OF CLEBURNE COUNTY, ARKANSAS, TO ENTER INTO AN ADMINISTRATIVE AGREEMENT WITH THE WHITE RIVER PLANNING AND DEVELOPMENT DISTRICT, INC." JP Evans made a motion to adopt resolution, seconded by JP Stone. JP Choate inquired as to what the plans for the grant are. Ms. Alma Smith advised the grant is to be used to resolve issues with the roof on the Cleburne County Senior Citizens Center. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. The resolution was adopted.

RESOLUTION 2017-004-Authorization to Submit Grant Application

JP Roberts introduced a resolution: "A RESOLUTION AUTHORIZING THE COUNTY JUDGE OF CLEBURNE COUNTY, ARKANSAS, TO SUBMIT AN APPLICATION TO THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION FOR A COMMUNITY DEVELOPMENT PROJECT." JP Roberts made a motion to adopt resolution, seconded by JP Lange. JP Choate made mention that this resolution is to correct the roof issues of the Cleburne County Senior Citizens Center as referred to in Resolution 2017-003. Judge Holmes agreed. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. The resolution was adopted.

Proposed Ordinance 2017-Direct Deposit

JP Choate introduced an ordinance: "BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS: AN ORDINANCE ESTABLISHING AN ELECTRONIC WARRANTS TRANSFER (DIRECT DEPOSIT) SYSTEM DIRECTLY INTO PAYEES' ACCOUNTS IN FINANCIAL INSTITUTIONS IN PAYMENT OF ANY ACCOUNT ALLOWED AGAINST THE COUNTY."

JP Choate made a motion to suspend the rules and place the ordinance on second reading by title only, seconded by JP Caldwell. Roll call was taken. Aye's: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: Pate. JP Choate read the ordinance by title only. JP Choate made a motion to suspend the rules and place the ordinance on third and final reading by title only, seconded by JP Caldwell. Roll call was taken. Aye's: Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: Pate. JP Choate read the ordinance by title

only. JP Choate made a motion to adopt the ordinance, seconded by JP Caldwell. Discussion followed concerning employee participation and Electronic Fund Transfer effect on duties of the offices of County Treasurer and County Clerk. Roll call was taken. Aye's: Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: Pate, Henegar. The ordinance was adopted as ORDINANCE NO. 2017-004. JP Choate made a motion to adopt the Emergency Clause, seconded by JP Caldwell. Roll Call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. The Emergency Clause was adopted.

Proposed Ordinance 2017-Sheriff Positions and Salaries

JP Malone introduced an ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS: AN 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 Lange. 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 Lange. 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 Evans wanted to clarify that no additional cars would be needed this year. Concerns were expressed as to in the future the county budget being adopted before the signing of the contract with the Corp, and the potential obligations to the county this creates as to number of positions and salaries. Thanks were extended to Sheriff Chris Brown for the negotiation of the new contract increasing the funds paid to the county. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Choate, Roberts, Goff. Nay's: Foust. The ordinance was adopted as ORDINANCE NO. 2017-005. JP Malone made a motion to adopt the Emergency Clause, seconded by JP Lange. Roll Call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. The Emergency Clause was adopted.

Proposed Ordinance 2017-Sheriff Budget Ordinance

JP Malone introduced an ordinance: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS: 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, seconded by JP Lange. No Discussion followed. Roll Call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Choate, Roberts, Goff. Nay's: Foust. The ordinance was adopted as ORDINANCE NO. 2017-006. JP Malone made a motion to adopt the Emergency Clause, seconded by JP Pate. Roll Call was taken. Aye's: Pate, Henegar, Caldwell, Stone, Malone, Evans, Lange, Foust, Choate, Roberts, Goff. Nay's: None. The Emergency Clause was adopted.

JP Caldwell gave information regarding the Annual Fire Department Matching Funds Fundraiser Challenge (In honor of the late Justice of the Peace, Mr. Bobby Mooney). Monies for the challenge will be raised beginning with Memorial Day, Monday, May 29, 2017 and running through Labor Day, Monday, September 4, 2017. Individual Fire Departments will be challenged to raise at least \$750.00 to receive \$750.00 from the County. The Judge's Office will send notification to each Fire Department of the guidelines for 2017. JP Pate added information that at budget time, he will be asking that the Concord Fire Department get as much as the other fire departments.

Discussion on the sale of the Breakin' Bread building: Judge Holmes distributed a document in reference to A.C.A. §14-16-107. After lengthy discussion a motion was made by JP Caldwell to offer to sell to Breakin' Bread the building being leased to Breakin' Bread, as is, for the amount of \$45,000.00 cash and close within 30 days, allowing Cleburne County Judge, Jerry Holmes, to proceed forward with the sale of the building, seconded by JP Evans. Roll call was taken. Aye's: Pate, Henegar, Caldwell, Malone, Foust, Evans, Lange, Choate, Roberts, Goff. JP Stone abstained due to possible conflict of interest. Motion passed with the approval of Cleburne County Judge, Jerry Holmes, and over a two-thirds vote of the Quorum Court of Cleburne County.

COMMENTS FROM THE PUBLIC:

None

ANNOUNCEMENTS:

Judge Holmes announced that the next regular Quorum Court meeting scheduled for April 13, 2017 will be held at ASU Heber Springs at 6:00 p.m.

Judge Holmes and the Quorum Court recognized the retirement of Howard Chapin III, from First Security Bank--thanking him for his service to the community and being a part of the Quorum Court meetings.

Sherry Shearer added a thank you to the Quorum Court for letting Breakin' Bread buy the building and for letting them have leased the building to fill a great need in the community.

ADJOURNMENT:

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

ATTESTED:

Rachelle Evans, Cleburne County Clerk

This _____ day of _____, 2017

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