

# CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

November 18, 2021

The Cleburne County Quorum Court met in regular session in the Cleburne Court Building, 922 South 9<sup>th</sup> Street, Heber Springs, Arkansas. The meeting was called to order at 6:01 p.m. County Judge Karl Martin presided.

PRESENT: Pearson, Henegar, Caldwell, Blackburn, Malone, Evans (arrived at 6:23), Martin, Foust, Tamburo, Roberts, Owens.

ABSENT: None

## READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Martin to approve the minutes of the October 14, 2021, regular meeting, seconded by JP Roberts. Voice vote, motion carried.

## REPORT OF TREASURER:

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

## REPORT OF COMMITTEES:

JP Foust stated that since the ambulance proposal was withdrawn during the Public Meeting there is no further information on which to report at this time.

## UNFINISHED BUSINESS:

### Proposed Ordinance No. 2021-Adoption of Heber Springs, AR City Ordinance 2019-08

JP Blackburn placed the Ordinance on a third reading: **"BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO ADOPT HEBER SPRINGS, ARKANSAS CITY ORDINANCE 2019-08, {AN ORDINANCE AWARDED AN EXCLUSIVE FRANCHISE FOR BUSINESS OF TRANSPORTING PERSONS WITHIN THE CITY OF HEBER SPRINGS BY MOTOR AMBULANCE FOR COMPENSATION; PROVIDING FOR APPROVAL OF RATE SCHEDULES; AND FOR OTHER PURPOSES}"**.

JP Blackburn read the Ordinance by title and made a motion to adopt the Ordinance, seconded by JP Martin. After a very lengthy discussion, JP Blackburn withdrew the Ordinance and will bring a Resolution before the Court at the December 2021 regular meeting.

## NEW BUSINESS:

A Letter from the Cleburne County Library Board was read recommending the appointment of Rebecca Prince to the Cleburne County Library Board due to the resignation of Kathy Alexander. The question was raised if Ms. Prince could serve on the Library Board and serve as a Heber Springs City Alderman. Attorney Drew Smith advised he would research the matter. This appointment will be brought to the Court at the December 2021 regular meeting.

### Proposed Ordinance No. 2021-Establish Millage

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 ESTABLISHING THE MILLAGE RATES FOR 2021"**.

JP Henegar made a motion to adopt the ordinance, seconded by JP Pearson. Clarification was made that the only changes from the previous year were County General Fund from 3.3 mills to 3.7 mills and County Road from .9 mills to .5 mills. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

**Passed and adopted as Ordinance 2021-027.**

### Proposed Ordinance No. 2021-Fire Department Sales Tax Funds

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 ORDINANCE ESTABLISHING THE SALES TAX FUNDS FOR RURAL FIRE DEPARTMENTS FOR 2022"**.

JP Martin made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Blackburn. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Martin read the Ordinance by title only. JP Martin made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Blackburn. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Martin read the Ordinance by title only. JP Martin made a motion to adopt the Ordinance, seconded by JP Blackburn. Discussion followed. A question was raised as to the distribution being affect by a 501(c)(3) status. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Martin made a motion to adopt the Emergency Clause, seconded by JP Blackburn. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.  
**Passed and adopted as Ordinance 2021-028.**

JP Pearson 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 ADOPTING THE SHERIFF'S OFFICE PAY SCALE AND COMPENSATION FOR DUTIES".**

JP Pearson made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Pearson read the Ordinance by title only. JP Pearson 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, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Pearson read the Ordinance by title only. JP Pearson made a motion to adopt the Ordinance, seconded by JP Martin. Discussion followed. Roll Call was taken. Ayes: Blackburn, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: Caldwell. JP Martin made a motion to adopt the Emergency Clause, seconded by JP Blackburn. Roll Call was taken. Ayes: Blackburn, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: Caldwell.  
**Passed and adopted as Ordinance 2021-029.**

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 AND CREATING LONGEVITY PAY TO BE PAID IN DECEMBER OF EACH APPROVED YEAR".**

JP Evans made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, 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, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Evans read the Ordinance by title only. JP Evans made a motion to adopt the Ordinance, seconded by JP Martin. Discussion followed. JP Henegar made a motion to incorporate the example as an attachment to the Ordinance, seconded by JP Pearson. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Evans made a motion to adopt the Ordinance as amended, seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.  
**Passed and adopted as Ordinance 2021-030.**

#### **Proposed Ordinance No. 2021-Appropriation of Money in the Rural Fire Department Fund**

JP Pearson 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 FOR THE RURAL FIRE DEPARTMENT FUND".**

JP Pearson made a motion to adopt the ordinance, seconded by JP Roberts. Discussion followed. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

**Passed and adopted as Ordinance 2021-031.**

**Proposed Ordinance No. 2021-Equalization Board Compensation**

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 ESTABLISHING RATE OF COMPENSATION FOR CLEBURNE COUNTY EQUALIZATION BOARD"**.

JP Malone made a motion to adopt the ordinance, seconded by JP Pearson. Discussion followed. Ayes: Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: Blackburn. **Passed and adopted as Ordinance 2021-032.**

Court recessed 7:37 p.m.

Court reconvened 7:46 p.m.

**Proposed Ordinance No. 2021-2022 Number of Positions and Starting Salaries**

JP Pearson 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 TO ESTABLISH THE NUMBER OF POSITIONS AND STARTING SALARIES FOR NON-ELECTED COUNTY POSITIONS"**.

JP Pearson made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Roberts. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Pearson read the Ordinance by title only. JP Pearson made a motion to suspend the rules and place the Ordinance on a third and final reading by title only, seconded by JP Roberts. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Pearson read the Ordinance by title only. JP Pearson made a motion to adopt the Ordinance by reference with a copy filed in the Cleburne County Clerk's Office, seconded by JP Evans. No discussion followed. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. JP Pearson made a motion to adopt the Emergency Clause, seconded by JP Martin. Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

**Passed and adopted as Ordinance 2021-033.**

**Proposed Ordinance No. 2021-2022 Employees and Salaries Per Employee**

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 ESTABLISHING THE NUMBER OF EMPLOYEES AND AUTHORIZED SALARY PER EMPLOYEE FOR EACH DEPARTMENT OF THE CLEBURNE COUNTY GOVERNMENT"**.

JP Evans made a motion to adopt the ordinance by reference with a copy filed in the Cleburne County Clerk's Office, seconded by JP Henegar. Discussion followed. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

**Passed and adopted as Ordinance 2021-034.**

**Proposed Ordinance No. 2021-2022 Budget**

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 ADOPTING AND APPROVING THE BUDGET FOR CLEBURNE COUNTY, ARKANSAS FOR THE YEAR 2022, MAKING SPECIFIC APPROPRIATIONS OF FUNDS SET IN THE BUDGET"**.

JP Henegar made a motion to adopt the ordinance by reference with a copy filed in the Cleburne County Clerk's Office, seconded by JP Evans. Noted: JP Henegar read the addition of Budget 1000-8888 Transfer Out in the amount of \$175,000 which increased County General to \$6,934,535.38 into the Budget. Discussion followed. JP Blackburn made a motion to fund \$8,000.00 to the Humane Society (GIA). Ayes: Blackburn, Malone, Martin, Tamburo. Nays: Caldwell, Evans, Foust, Henegar, Owens, Pearson, Roberts. There being no further discussion on the motion to pass the 2022 Budget as presented, Roll Call was taken. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

**Passed and adopted as Ordinance 2021-035.**

**Proposed Ordinance No. 2021-Additional Transfer to the 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 Pearson. Discussion followed. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. **Passed and adopted as Ordinance 2021-036.**

**Proposed Ordinance No. 2021-County Judge Budget-Retirement**

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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND FOR OTHER PURPOSES TO AMEND THE COUNTY JUDGE BUDGET AFFECTING THE NON-CONTRIBUTORY LINE ITEM"**.

JP Foust made a motion to adopt the ordinance, seconded by JP Owens. Discussion followed to clarify the reason for the change. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None.

**Passed and adopted as Ordinance 2021-037.**

**Proposed Ordinance No. 2021-Amend Ordinance 2020-031-Road Foreman**

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. 2020-031, WHICH ESTABLISHED THE NUMBER OF EMPLOYEES AND AUTHORIZED SALARY PER EMPLOYEE FOR EACH DEPARTMENT OF THE CLEBURNE COUNTY GOVERNMENT TO ADJUST THE MAXIMUM ROAD FOREMAN SALARY"**.

JP Caldwell made a motion to adopt the ordinance, seconded by JP Martin. Discussion followed. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Martin, Owens, Pearson, Roberts, Tamburo. Nays: None. **Passed and adopted as Ordinance 2021-038.**

**Proposed Ordinance No. 2021-Amend Quorum Court 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. 2020-032, WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2021 AND FOR OTHER PURPOSES TO AMEND THE QUORUM COURT BUDGET"**.

JP Evans made a motion to adopt the ordinance, seconded by JP Caldwell. Discussion followed. Ayes: Blackburn, Caldwell, Evans, Foust, Henegar, Malone, Owens, Martin, Pearson, Roberts, Tamburo. Nays: None. **Passed and adopted as Ordinance 2021-039.**

**Proposed Ordinance No. 2021-Ambulance Contract and Agreement**

JP Foust withdrew the proposed Ordinance.

**COMMENTS FROM THE PUBLIC:**

Mr. Brian Crawford from Drasco addressed the court regarding his views on the funding of the local ambulance service that was discussed during the October, 2021 regular Quorum Court meeting.

**ANNOUNCEMENTS:**

- Judge Martin reported on the disposal of County property by Order 2021-024 on file in the County Clerk's office.
- The next regular Quorum Court meeting will be held Thursday, December 9, 2021.

**ADJOURNMENT:**

JP Caldwell made the motion to adjourn, seconded by JP Henegar. Meeting adjourned at 8:32 p.m.

**ATTESTED:**



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Rachelle Evans, Cleburne County Clerk

This 9<sup>th</sup> day of December 2021

Book C Page (s) 25-29

2021 DEC 10 AM 10:15  
CLEBURNE COUNTY  
HEBER SPRINGS AR. 72543  
RACHELLE EVANS  
COUNTY CLERK