

CLEBURNE COUNTY QUORUM COURT JOURNAL OF PROCEEDINGS

June 8, 2023

The Cleburne County Quorum Court met in regular session in the Cleburne Court Building, 922 South 9th Street, Heber Springs, Arkansas. The meeting was called to order at 6:03 p.m. County Judge Eric Osby presided.

PRESENT: Moorehead, Henegar, Fletcher, Malone, Evans, Foust, Tamburo, Owens, Wildmon

ABSENT: Caldwell, Martin

JP Evans made a motion that the following items be placed on the June Agenda, seconded by Moorehead. Voice vote, motion carried.

- c. Proposed Ordinance No. 2023-Amend 2023 Budget-County Road
- d. Proposed Ordinance No. 2023-Amend 2023 Budget-Juvenile Drug Court Grant (2nd)
- e. Proposed Ordinance No. 2023-Amend 2023 Budget-Senior Center Grant (2nd)

READING, CORRECTION, AND DISPOSITION OF MINUTES:

Motion was made by JP Malone, seconded by JP Owens, to approve the May 2023 minutes. Voice vote, motion carried.

REPORT OF TREASURER:

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

REPORT OF COMMITTEES:

Election Committee: JP Fletcher reported with all the new Election laws, there was no need for the committee to continue to meet, so the members of the committee voted to bring it before the Court to dissolve the Election Committee, but to reserve the opportunity to reestablish if needed in the future. Committee was dissolved.

Emergency Services Oversight Committee: JP Foust asked that the report be given at the time the Proposed Ordinance for the Interlocal Agreement is discussed.

Budget Committee: JP Evans stated that the committee has not met, but he plans to call a meeting next week.

UNFINISHED BUSINESS:

Proposed Ordinance No. 2023-Tumbling Shoals/Ida Fire Dues

JP Fletcher made a motion to suspend the rules and place the proposed Ordinance on second reading by title only, seconded by JP Wildman. Roll call was taken. Ayes: Evans, Fletcher, Foust, Malone, Moorehead, Owens, Tamburo, Wildmon. Nays: Henegar. Absent: Caldwell, Martin. JP Fletcher read the proposed Ordinance by title only. The proposed Ordinance will be placed on the July Agenda for the third reading.

NEW BUSINESS:

Proposed Ordinance No. 2023-Protection of Right-of-Ways

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 ORDINANCE TO PROVIDE PENALTY PROVISIONS FOR THE PROTECTION AND MAINTENANCE OF COUNTY ROADS AND RIGHT-OF-WAYS"**.

JP Foust made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Fletcher. Roll call was taken. Ayes: Evans, Fletcher, Foust, Henegar, Malone, Moorehead, Owens, Tamburo, Wildmon. Nays: None. Absent: Caldwell, Martin. JP Foust read the Ordinance by title only. JP Foust made a motion to suspend the rules and place the Ordinance on the third and final reading by title only, seconded by JP Wildmon. Roll call was taken. Ayes: Evans, Fletcher,

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RACHELLE EVANS
CLERK
CLEBURNE COUNTY

Foust, Henegar, Malone, Moorehead, Owens, Tamburo, Wildmon. Nays: None. Absent: Caldwell, Martin. JP Foust read the Ordinance by title only. JP Foust made a motion to adopt the Ordinance, seconded by JP Fletcher. JP Wildmon made a motion to amend the Ordinance by striking section 3. Motion died for lack of second. After a very lengthy discussion, JP Henegar made a motion to strike sections 3, 4, and 8, seconded by JP Malone. The court continued discussion and motion was amended to add "damage to culverts" to the list included in section 2. After further discussion, JP Henegar withdrew his motion amending the Ordinance. JP Foust withdrew his motion to adopt the Ordinance for the purpose of editing the Ordinance and placing a revised proposed Ordinance on the July Agenda.

Proposed Ordinance No. 2023-Interlocal Agreement-City of Heber Springs

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 ORDINANCE TO APPROVE AND ADOPT AN INTERLOCAL AGREEMENT WITH THE CITY OF HEBER SPRINGS, ARKANSAS FOR THE JOINT EFFORT OF PROVIDING AN ALS/EMS BASE AT MOUNTAIN AIRE FIRE STATION"**.

JP Foust made a motion to suspend the rules and place the Ordinance on the second reading by title only, seconded by JP Fletcher. Roll call was taken. Ayes: Evans, Fletcher, Foust, Henegar, Malone, Moorehead, Owens, Tamburo, Wildmon. Nays: None. Absent: Caldwell, Martin. JP Foust read the Ordinance by title only. JP Foust made a motion to suspend the rules and place the Ordinance on the third and final reading by title only, seconded by JP Wildmon. Roll call was taken. Ayes: Evans, Fletcher, Foust, Henegar, Malone, Moorehead, Owens, Tamburo, Wildmon. Nays: None. Absent: Caldwell, Martin. JP Foust read the Ordinance by title only. JP Foust made a motion to adopt the Ordinance, seconded by JP Fletcher. After a very lengthy discussion, JP Henegar requested that in Section C and Section I "expansions and maintenance" be stricken as discussed in the May QC meeting, and the Court agreed that the amount of \$17,500 would be the maximum amount of the County's reimbursement. JP Henegar asked that the ESOC request a written commitment from Survival Flight that Survival Flight will house a unit at the Mountain Aire Station. JP Foust withdrew the motion to adopt the Ordinance stating that a revised Interlocal Agreement, with the amendments discussed and with the review of the County Attorney to verify all is in accordance with the existing contract, will be directed to the City of Heber Springs to discuss in the City Council meeting for possible approval, and then be added to the July Quorum Court Agenda. Kim Ezell advised the Court that the Drasco Fire Department would like the opportunity to discuss with the Court the possibility of housing the North ALS unit at the Drasco Fire Department.

Proposed Ordinance No. 2023-Amend 2023 Budget-County Road

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. 2022-040 WHICH ADOPTED THE BUDGET FOR THE CALENDAR YEAR 2023 AND/OR OTHER PURPOSES TO AMEND THE COUNTY ROAD BUDGET"**.

JP Evans made a motion to adopt the Ordinance, seconded by JP Henegar. Judge Crosby advised the Court he is not filling the Assistant Road Foreman position and will be using Part-Time employment. Roll call was taken. Ayes: Evans, Fletcher, Foust, Henegar, Malone, Moorehead, Owens, Tamburo, Wildmon. Nays: None. Absent: Caldwell, Martin.

Passed and Adopted as Ordinance 2023-18.