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THE FULTON COUNTY REGULAR QUORUM COURT MEETING SCHEDULED FOR FEBRUARY 16<sup>TH</sup> WAS CANCELLED DUE TO WINTER WEATHER AND RESCHEDULED FOR FEBRUARY 24<sup>TH</sup>, 2021 AT 6 P.M. AT THE FAIRGROUNDS MILLER-HICKINBOTHAM BUILDING.

BEFORE THE MEETING, CLERK BISHOP GAVE EACH JUSTICE A COPY OF THE PERSONNEL POLICY AND A LIST OF THE COUNTY EMPLOYEES WITH THEIR PAY RATE.

THE MEETING OPENED WITH PLEDGE AND SILENT PRAYER.

ROLL CALL BY THE CLERK WITH 7 JUSTICES PRESENT. JUSTICE KINDER AND JUSTICE PRIVETT WERE ABSENT.

A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY JOANNA DEFOE TO ACCEPT THE MINUTES AS PRESENTED. THE MOTION PASSED BY ROLL CALL 7 YEAS.

A MOTION WAS MADE BY ROBERT ELLIOTT AND SECONDED JOANNA DEFOE TO APPROVE THE CLERK'S REPORT. THE MOTION PASSED BY ROLL CALL 7 YEAS.

A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY ROBERT ELLIOTT TO APPROVE THE TREASURER'S REPORT. THE MOTION PASSED BY ROLL CALL 7 YEAS.

A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY ROBERT ELLIOTT TO ADOPT A RESOLUTION IN FURTHERANCE OF THE CARES ACT AND RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY DUE TO THE COVID-19 PANDEMIC EMERGENCY CERTAIN ORGANIZATIONS, NAMELY THE SALEM, VIOLA, AND MAMMOTH SPRING SENIOR CENTERS, THE SALEM BACKPACK PROGRAM, THE VIOLA FOOD/BACKPACK PROGRAM, AND MAMMOTH SPRING SHINING LIGHT FOOD PANTRY, THE AGAPE FOOD ROOM PROGRAM, AND THE SALEM ASSEMBLY OF GOD FOOD PROGRAM. A CONTRACT FOR SERVICES HAS BEEN ENTERED INTO BY AND BETWEEN FULTON COUNTY AND THE AFOREMENTIONED ENTITIES FOR THE SUM OF \$2,000 EACH. THE MOTION PASSED BY ROLL CALL 7 YEAS. (RESOLUTION 2021-01) JUDGE STATED THE APPROPRIATION WOULD BE NEXT MONTH.

JUDGE CLAYTON INFORMED THE JUSTICES THE SPRING RIVER BRIDGE PROJECT WAS BID AT 1:30 P.M. TODAY AND THERE WERE 3 BIDS SUBMITTED. WEST PLAINS BRIDGE CONSTRUCTION IN WEST PLAINS, MO BID WAS \$3,491,499.98 WITH COMPLETION IN 300 DAYS. ROBERSON CONTRACTORS IN POPULAR BLUFF, MO \$4,264,411.83 WITH COMPLETION IN 220 DAYS. JENSON CONSTRUCTION IN DES MOINES, IA \$4,364,028.64 WITH COMPLETION IN 500 DAYS. THE BIDS WILL BE REVIEWED ON FRIDAY AND HOPEFULLY ON MONDAY THE STATE DIRECTOR WILL SIGN THE CONTRACT WITH THE LOW BIDDER. JUDGE STATED THE ESTIMATED PROJECT ALL ALONG HAS BEEN \$4,000,000, SO THE LOWEST BID IS UNDER THAT. JUDGE INDICATED THE CONSTRUCTION SHOULD START IMMEDIATELY. JUDGE SAID THERE IS ONE POSSIBLE THING THAT COULD COME UP AND THAT IS TRUE WITH ANY PROJECT AND THAT IS AN ENVIRONMENTAL ISSUE.

THE BOGGY POINT PROJECT IS GETTING READY TO START. THE COUNTY HAS BUDGETED FOR THIS AND HOPEFULLY THE PROJECT WILL BE OUT FOR BIDS IN THE NEXT FEW WEEKS.

THE JUDGE STATED HE HAD MET WITH THE STATE AID PEOPLE REGARDING THE STATE AID ROAD PROJECTS. THEY DROVE THE TWO ROADS HE HAD PREVIOUSLY DISCUSSED WITH THE JUSTICES REGARDING THE EAST HALF OF THE HEART ROAD AND THE NORTH END OF THE STURKIE ROAD. THE STATE IS IN THE PROCESS OF GETTING THE PAPERWORK TOGETHER. JUDGE STATED HE WAS GOING TO USE THE CHIP AND SEAL. THERE IS APPROX \$450,000 IN THE STATE AID FUND FOR THIS PROJECT.

THE 2020 AUDIT HAS BEEN RECEIVED BY THE STATE AND WILL BE PRESENTED TO THE LEGISLATIVE JOINT AUDIT COMMITTEE AT A LATER DATE.

JUDGE CLAYTON ASKED JUSTICE PHILLIPS WHERE WE WERE ON THE PERSONNEL POLICY. JUSTICE PHILLIPS STATED AFTER DISCUSSION WITH DIFFERENT PEOPLE HE THOUGHT A COMMITTEE WOULD NEED TO BE FORMED AND REVIEW THE POLICY AND MAKE THE CHANGES AT ONE TIME. JUSTICE PHILLIPS AND JUSTICE DEFOE VOLUNTEERED TO BE ON THE COMMITTEE. JUDGE STATED THIS IS GOING TO TAKE SOME TIME. JUDGE STATED HE WOULD APPOINT SOMEONE FROM THE COURTHOUSE, SHERIFF'S DEPT, ROAD DEPT, AND AN ELECTED OFFICIAL AND REPORT BACK WITH THOSE NAMES AT THE NEXT MEETING. THE COMMITTEE WOULD THEN BE FORMED, AND THEY COULD GET STARTED.

JUDGE STATED A PROPOSED PLAN OF ACTION WAS SENT OUT IN THE PACKETS REGARDING THE COURTROOM PROJECT. HE WOULD LIKE A FORMAL DETERMINATION FROM THE COURT IF THEY WANT TO PROCEED WITH THIS PROJECTION. HE DOESN'T WANT ANY DISPUTES TO COME UP LATER BECAUSE SOMEONE WASN'T AWARE OF WHAT IS GOING ON. A MOTION WAS MADE BY RAY MATTHEW AND SECONDED BY GARY PHILLIPS TO PROCEED WITH THE PROJECT. THE MOTION PASSED BY ROLL CALL 7 YEAS.

THE DECISION IS TO REBUILD THE EXISTING BUILDING OR CONSTRUCT A NEW ONE. JUDGE CLAYTON STATED THE PLAN IS TO TEAR DOWN THE SOUTH WING OF THE OLD NURSING HOME AND CONSTRUCT A NEW BUILDING ON THAT SITE. A METAL BUILDING DRESSED OUT TO LOOK NICE. THE REMAINING PART OF THE OLD NURSING HOME WILL NOT BE DEMOLISHED AT THIS TIME. THERE IS A POSSIBILITY IT MAY BE USED FOR STORAGE. AFTER DISCUSSION, THE JUSTICES WERE IN AGREEMENT WITH THE PLAN. JUDGE STATED THE COUNTY WOULD BE THE ONE TO TEAR DOWN THE BUILDING. JUDGE RECOMMENDED WE HIRE THE ARCHITECT WE HAVE BEEN WORKING WITH BECAUSE THIS IS A PUBLIC BUILDING AND IT IS SUBJECT TO CERTAIN REQUIREMENTS. JUDGE ASKED IF THERE WERE ANY OBJECTIONS AND NONE WERE SPOKEN. THE NEXT ITEM IS THE CONSTRUCTION OF THE PROJECT. SHOULD IT BE AN OUTSIDE CONTRACTOR, OR BY FULTON COUNTY ACTING AS CONTRACTOR? JUDGE STATED IT WAS GOING TO BE A LOT OF WORK ON SOMEBODY IF THE COUNTY DOES IT, BUT WOULD SAVE US ONE THIRD OF THE PROJECT COST. JUDGE RECOMMENDED THE COUNTY ACT AS THE CONTRACTOR. JUDGE ASKED IF THERE WERE ANY OBJECTIONS TO PROCEED WITH THE COUNTY ACTING AS THE CONTRACTOR AND NONE WERE SPOKEN. JUDGE STATED HE WAS GOING TO RUN AN AD (BID) FOR THE WINDOWS, DOORS, ROOF, ETC WITH A TIME FRAME TO HAVE THOSE ITEMS REMOVED THEN THE COUNTY WOULD TEAR DOWN AND DISPOSE OF THE BUILDING.

A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY CRIS NEWBERRY TO PLACE ORDINANCE 2021-02 ON FIRST READING AN EMERGENCY ORDINANCE TO ADDRESS LEAVE POLICIES IN TIMES OF A PUBLIC-HEALTH EMERGENCY DECLARED BY THE GOVERNOR OF THE STATE OF ARKANSAS. WHEREAS, THE COUNTY IS ATTEMPTING TO ENSURE EMPLOYEES ARE ABLE TO QUARANTINE WITHOUT SUFFERING

UNDUE HARDSHIP WHICH MAY BE CREATED BY LIMITED AVAILABILITY LEAVE. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY ROBERT ELLIOTT AND SECONDED BY JOANNA DEFOE TO SUSPEND THE RULE AND PLACE ORDINANCE 2021-02 ON 2<sup>ND</sup> READING BY TITLE ONLY. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY RAY MATTHEW TO SUSPEND THE RULE AND PLACE ORDINANCE 2021-02 ON 3<sup>RD</sup> AND FINAL READING BY TITLE ONLY. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY CARRIE ANDREWS AND SECONDED BY ROBERT ELLIOTT TO AMEND THE 1<sup>ST</sup> READING TO REFLECT THIS ORDINANCE TO BE RETROACTIVE TO JANUARY 1, 2021. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY ROBERT ELLIOTT AND SECONDED BY JOANNA DEFOE TO ADOPT ORDINANCE 2021-02. THE MOTION PASSED BY ROLL CALL 7 YEAS. (ORDINANCE 2021-02)

ANITA ROORK WITH SHERIFF'S DEPARTMENT ADDRESSED THE COURT REGARDING THE COLLECTION OF DISTRICT COURT FINES. ORDINANCE 2014-13 WAS PASSED DIRECTING THE FINES BE COLLECTED BY THE SHERIFF'S OFFICE. THE SHERIFF'S OFFICE IS REQUESTING THE DISTRICT COURT CLERK BE THE RESPONSIBLE PARTY. MS. ROORK STATED SHE HAD SPOKEN TO THE DISTRICT COURT CLERK, AND HE HAD NO OBJECTIONS. A MOTION WAS MADE BY RAY MATTHEW AND SECONDED BY GARY PHILLIPS TO PLACE ORDINANCE 2021-03 ON FIRST READING AN ORDINANCE NAMING THE FULTON COUNTY DISTRICT CLERK AS THE RESPONSIBLE PARTY FOR THE COLLECTION OF FINES ASSESSED IN THE DISTRICT COURT OF FULTON COUNTY ARKANSAS. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY RAY MATTHEW AND SECONDED BY ROBERT ELLIOTT TO SUSPEND THE RULE AND PLACE ORDINANCE 2021-03 ON 2<sup>ND</sup> READING BY TITLE ONLY. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY CRIS NEWBERRY AND SECONDED BY GARY PHILLIPS TO SUSPEND THE RULE AND PLACE ORDINANCE 2021-03 ON 3<sup>RD</sup> AND FINAL READING BY TITLE ONLY. THE MOTION PASSED BY ROLL CALL 7 YEAS. A MOTION WAS MADE BY ROBERT ELLIOTT AND SECONDED BY GARY PHILLIPS TO ADOPT ORDINANCE 2021-03. THE MOTION PASSED BY ROLL CALL 7 YEAS. (ORDINANCE 2021-03) EFFECTIVE 02/25/2021

CHIEF DEPUTY JOE BOSHEARS ADDRESSED THE COURT BRIEFLY REGARDING THE COMPREHENSIVE OPIOID ABUSE SITE-BASED GRANT PROGRAM (COAP).

A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY ROBERT ELLIOTT TO APPROPRIATE THE MONEY TO THE 911 FUND AND LAW ENFORCEMENT FROM THE APPROVAL ON THE JANUARY 11<sup>TH</sup> MEETING. \$4,121.56 SALARIES \$3,463.26/SS MATCH \$264.94/RET MATCH \$393.36. LAW ENFORCEMENT FUND \$9,170.18 SALARIES \$7,457.25/SS MATCH \$570.48/RET MATCH \$1,142.45. THE MOTION PASSED BY ROLL CALL 7 YEAS.

A MOTION WAS MADE BY ROBERT ELLIOTT AND SECONDED BY JOANNA DEFOE TO APPROPRIATE \$74,347.42 CORONAVIRUS RELIEF FUND FULTON COUNTY FAIR. THE MOTION PASSED BY ROLL CALL 7 YEAS.

A MOTION WAS MADE BY ROBERT ELLIOTT AND SECONDED BY JOANNA DEFOE TO APPROPRIATE \$50,000 COAP GRANTS-IN-AID LAW ENFORCEMENT SALARIES \$17,500/SS MATCH \$1,338.75/RET MATCH \$2,681/HEALTH INS MATCH \$3,150/WORKMEN'S COMP \$142/UNEMPLOYMENT \$49/LIFE INS \$63/SUPPLIES \$1,000/SMALL EQUIPMENT \$2,244.28/CORONAVIRUS RELIEF FUND \$220/COMPUTER SERVICES \$295/POSTAGE \$103.05/CELL PHONES \$600/TRAVEL \$6,300/OTHER MISC \$87.50/TRAINING & EDUCATION \$14,226.42. THE MOTION PASSED BY ROLL CALL 7 YEAS.

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JUDGE INFORMED THE JUSTICES THE STATE HAS FILED AN OPIOIDS SETTLEMENT SUIT AGAINST SOME OF THE MAJOR OPIOID MEDICATION PROVIDERS. THEY THINK IT IS GOING TO SETTLE, AND THE MONEY WILL BE ALLOCATED AMONG THE STATE, CITIES, AND COUNTIES.

JUDGE INFORMED THE COURT THE ARKANSAS STATE HIGHWAY COMMISSION HAS RELEASED THEIR STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM FOR PUBLIC COMMENT. ITEMS OF INTEREST FOR FULTON COUNTY 2021 HIGHWAY 9 SOUTH REPLACING BRIDGES EST COST \$7,700,000, IN 2022 A BRIDGE ON HIGHWAY 223 SOUTH EST COST \$700,000, IN 2023 PINE HILL CREEK BRIDGE ON HIGHWAY 395 NORTH EST COST \$400,000.

JUDGE ASKED FOR PUBLIC COMMENT. JUSTICE DEFOE ASKED IF THEY COULD BE NOTIFIED BY PHONE OR EMAIL IF THE MEETING IS CANCELLED, AND WHEN WAS THE COURTHOUSE GOING TO OPEN BACK UP TO THE PUBLIC. JUDGE REPLIED THEY WOULD TRY TO WORK SOMETHING OUT ON THE CANCELLATION NOTIFICATIONS, AND THEY COURTHOUSE WILL BE OPENING ON MARCH 1<sup>ST</sup>. JUSTICE DEFOE THEN ASKED IF THEY COULD HAVE PRAYER NOT TO BE SILENT. JUDGE REPLIED HE HAD NO OBJECTION.

JUSTICE PHILLIPS READ A RESOLUTION THAT THE QUORUM COURT OF FULTON COUNTY, ARKANSAS SUPPORTS LAWS PASSED BY THE STATE LEGISLATURE TO DEFINE, PRESERVE, AND PROTECT THE INDIVIDUAL AND STATE RIGHTS AS FULLY AND CLEARLY AS POSSIBLE WITHIN THE BOUNDARY OF THE ARKANSAS AND UNITED STATES CONSTITUTIONS. (SB59) (HB1435) AFTER DISCUSSION, THE RESOLUTION WILL BE PRESENTED NEXT MONTH.

A MOTION WAS MADE BY CRIS NEWBERRY AND SECONDED BY RAY MATTHEW TO APPROVE THE ABOVE APPROPRIATIONS ON ORDINANCE 2021-04. THE MOTION PASSED BY ROLL CALL 7 YEAS. (ORDINANCE 2021-04) (TOTAL APPROPRIATION \$137,639.16)

A MOTION WAS MADE BY GARY PHILLIPS AND SECONDED BY ROBERT ELLIOTT TO ADJOURN AT 7:20 P.M. THE MOTION PASSED BY VOICE VOTE 7 YEAS.

ATTEST: Vickie Bishop  
VICKIE BISHOP, CLERK