

Mayor: Ethan J. Barnes

Recorder-Treasurer: Willow R. Sharp

Council Members: Tony Berry, Amy Clay-Thomas, Natalie Quintana-DuBois, Ginni Kauffman, Sue Taylor, Laura Smith

City Attorney: M. Joseph Grider

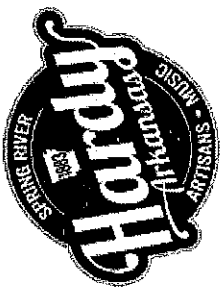
City of Hardy, Arkansas

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**Hardy City Council
Special Business Meeting Minutes
April 30, 2025**

The meeting was called to order at 5:14 p.m. by Mayor Ethan J. Barnes. Mayor Barnes led all in the Pledge Of Allegiance; Councilman Dr. Tony Berry offered the invocation. Recorder- Treasurer Willow R. Sharp called the council roll: Quintana-DuBois, Berry, Clay-Thomas, Smith, Taylor, and Kauffman were all present. City Attorney M. Joseph Grider, Mayor Barnes, and R-T Sharp were also present. Quorum was established with six of six council members present.

New Business:

Update on Disaster Recovery Phase of the April 5, 2025, Flooding Event:

Mayor Barnes addressed the council with an update in reference to the recent devastation. The update included information related to Hardy being under- water for a period of time, large amounts of debris in and around the flooded areas, and that there were thankfully zero fatalities as a result of the natural disaster. Mayor thanked the joint cooperation between the Hardy Police Department, the Hardy Volunteer Fire Department (HVFD), the Sharp County Sheriff's Office (SCSO), the National Weather Service, and all local and state entities that were involved in the preparation process as precautions were underway approximately five days in advance of the disaster. With assistance from the SCSO, highly suggested evacuation notices were posted or hand- delivered to properties and home-owners that were subject to flooding of the Spring River. Mayor continued that typically the City does not have a five-day advanced notice that a flood is expected of the Spring River. Historically, there is very little time to take precautionary measures to prepare or evacuate due to high-waters.

Mayor offered that the National Weather Service (NWS) implemented new technology to predict the potential flooded areas of the Spring River with historical data and mapping programs. The map that was provided allowed for officials and volunteers to alert affected areas. By guidance of the NWS map, the City of Hardy Street Department was able to work with the Sharp County Community Corrections' work program (SCCCWP) to build road barriers to shut down roadways that would ultimately be closed for traffic. The SCCCWP filled sandbags by hand at first, and later worked with the HVFD, and the Arkansas Division of Emergency Management to obtain and utilize the U.S. Army Corps of Engineers (USACE) sand-bagging machine to fill sandbags to disburse over 2,000 sandbags to homeowners and business owners in and around Hardy to protect their real and personal property.

Mayor provided that the development of River Bend Park outside of the city limits of Hardy is where a lot of the debris came that flooded into Loberg Park and littered along the banks of the Spring River and in the waterway. Mayor reminded that there is no Planning and Zoning outside of the city limits for River Bend Park and that the area is a private gated-community on private property. Mayor also provided that the Arkansas Division of Environmental Quality had Water Inspectors and Air Inspectors in the area of River Bend Park and other areas around the city ensuring compliance with state rules and regulations. Mayor also offered that literature was available to the public ~~in the area of River Bend Park~~ ^{and} ~~in the area of River Bend Park~~ ^{the Arkansas} ~~in the area of River Bend Park~~ ^{7/15/25} ~~in the area of River Bend Park~~ ^{16/25}

City of Hardy, Arkansas
Recorder-Treasurer Office

Department of Labor and Licensing regarding hiring a licensed contractor and how to rebuild a structure properly after a disaster. Mayor also provided that there were documents available from the U.S. Federal Emergency Management Agency (FEMA) that suggested how every business should have a plan, how homeowners can take precautions to prepare for a natural disaster, and how to potentially acquire flood insurance from the National Flood Insurance Program.

The Mayor reported that the Arkansas National Guard was sent to Hardy to assist with traffic control due to U.S. Highway 63 being impassable and closed due to water on the roadway in the areas of Forty Island Creek Bridge to Jonesboro by Rone Valley. The Mayor also reported that Arkansas State Police (ASP), Arkansas Highway Patrol, and Arkansas Game and Fish were called in to assist during the crisis. The Mayor also reported that during the flood, the SCSO offered to manage a Command Center housed in the HVFD specially for the flooding disaster and kept a rotation of dispatchers on site to facilitate the calls for emergency service and dispatch officers and first responders to those in need. The Mayor thanked the Dispatchers for their service during this difficult time.

The Mayor reported that there was one specific water rescue operation that took place late into the night of April 4 and into the early morning hours of April 5, 2025 at River Bend Park gate two. The Mayor thanked the Hardy Volunteer Fire Department Members, the Hardy Police Department Officers, the Sharp County Sheriff's Office Deputies—ALL first responders, law enforcement, EMTs, individuals who risked their lives to rescue a stranded individual that did not evacuate in time prior to the flooding of the Spring River. The Mayor recognized Hardy Fire Chief Josh Moore, Hardy Police Chief Scott Rose, Sharp County Sheriff Shane Russell, Hardy Fire Captain Jason Creasey, Hardy Fire Captain Scott Hart, Sharp County Sheriff's Lt. Bryce Trivitt, Sharp County Sheriff's Sgt. Lane King, and Sharp County Sheriff's Deputy Creston Duncan for their heroic efforts in a successful operation. Mayor reported that during this rescue operation, the HVFD Tanker Truck was unable to return from the rescue mission and was badly damaged from the fast rising waters of the flooding event. The HVFD Tanker Truck did have insurance coverage, and will be replaced with assistance of the insurance proceeds and the Arkansas Department of Agriculture's Forestry services program (Note: there will also be a \$10,000 grant from the State to assist in outfitting the replacement tanker truck).

The Mayor Reported that the Arkansas Division of Emergency Management (ADEM) sent two representatives to Hardy to assist our community during the time of the disaster. The Mayor thanked several businesses in town for providing lodging and meals to out-of-town assistance personnel.

The Mayor continued that over a two day period of time, the City of Hardy, the Sharp County Office of Emergency Management (SCOEM), ADEM, FEMA, and the U.S. Small Business Administration (SBA) conducted an assessment of over 135 damaged properties in Sharp County. In Hardy City Limits, there were 17 destroyed, 23 major, 13 minor, and 18 affected primary residences. The Mayor explained how the assessments must show water line marks, damaged floor boards, compromised heating/cooling units, debris inside the homes, watermark marks on the inside of the living spaces, etc. The Mayor thanked the Governor's Office and her team for ensuring an ample amount of time was allotted for survivors in Sharp County and Hardy City. When the decision is made regarding a Presidential Declaration from the White House, the entire State of Arkansas' damaged counties must have adequate damage to obtain the declaration to obtain application for Individual Assistance and to qualify for application for Public Assistance from FEMA and SBA. The Mayor included that because

the damage was so widespread amongst more than half of the state, there was typically only a 30 day window to assess the damaged areas. Due to the fact that several areas were still underwater with roads impassable to obtain assessments, that the Arkansas Federal Delegation had sent a letter to President Donald J. Trump requesting a time extension to assess damage beyond the allowed 30-day window. The Mayor encouraged the council and those in the audience to write their U.S. Senators, their U.S. Congressional representatives, their State Senators, and ask them to please help Arkansas obtain the Presidential Declaration for assistance.

The Mayor offered information as it pertained to FEMA Public Assistance for the City of Hardy. Mayor reminded those that may be unaware of the unusual geographic terrain in this part of Arkansas and the Ozark Mountains. Mayor reported that there had been damage to the city parks, City Hall, the Police Department, city water infrastructure, wastewater infrastructure, city streets, technology, the Fire Department's equipment, street supplies, Street Department equipment, miscellaneous equipment, specifically a boat that was lost in a water rescue operation, debris removal, right-of-way clean-up and removal, the clean-up of the Spring River, assistance of administration cost to work with FEMA, etc. The Mayor concluded that there could easily be between \$3.3 and \$4.6 million of damages in the City of Hardy regarding the potential application for FEMA Public Assistance. The Mayor continued that the City does have flood insurance coverage from the Arkansas Municipal League Self-Insurance Fund Trust, however, the deductible was set at \$500,000.00 for the City to pay before any losses would be covered. Mayor did report that FEMA could potentially cover the insurance deductible of \$500,000.00, and then the insurance policy would cover any amount over the deductible, but only for what was insured at the time of the loss. The Mayor provided that the City did not have the half-million dollars to afford the deductible if a declaration was not awarded from President Trump. Mayor continued that the city's 1% sales tax revenue did not even remit the deductible amount in a one-year period. Mayor concluded that without a Presidential Declaration, the city would be facing severe challenges to recover from the disaster. Mayor further noted that the City would be reviewing insurance policies to research what items/buildings currently had coverage, and what did not have coverage, and asked for council to be mindful when there is an increase in insurance premiums due to obtaining insurance on currently uninsured or underinsured assets owned by the City.

The Mayor encouraged those in need to visit to the Old Hardy Gym tomorrow, May 1, 2025, and seek assistance from the American Red Cross (ARC). Mayor offered that to those who qualified, there could be some minor financial assistance available from the ARC. The Mayor also thanked the Hardy Church of Christ congregation and volunteers for their assistance during the disaster to all those who were in need of immediate necessities such as food, water, clothing, tarps, shovels, rakes, clean-up supplies, etc. The Churches of Christ Disaster Relief Effort offered resources to Hardy and the surrounding area for several weeks and the Mayor thanked Mr. Jimmy Dunlap for all of his volunteerism efforts during this time of recovery. Councilman Berry expressed his gratitude towards all of the young volunteers who helped survivors load supplies during the outreach effort.

The Mayor reported that if there were to be a Presidential Declaration issued, then the Public Assistance program would offer 75% reimbursement(s) to the City, while the City would have to cover the 25% of the recovery cost(s) associated with repairing damage to public property from the April 2-22, 2025 event. The Mayor added that any properly documented volunteer hours could count towards a shared portion of the 25% cost share of the City. Mayor Barnes reported that in Loberg Park, the Arkansas Division of Correction's North Central Unit Warden kindly assisted Hardy with 22 inmates

to help clean-up flooding debris that was left scattered in the park area. Items were separated by ADEM guidelines and properly disposed of to an ADEQ Permit Approved Burn Site for vegetation and other hazardous materials were disposed of to the Waste Connections of Arkansas Landfill. Mayor Barnes thanked the City of Jonesboro, Mayor Harold Copenhavor, and the City of Batesville, Mayor Rick Elumbaugh for sending Public Works assistance teams to help sort and load debris in the parks, and along the right-of-ways of the city streets from debris that was left in Hardy resident's yards. The Mayor also thanked ARDOT for their assistance with sending trucks and machinery to help sort hazardous materials from the flooding event. The Mayor thanked Arkansas State Senator John Payton for his state assistance he provided to the City, and thanked Arkansas House of Representatives members Trey Steimel and Bart Schultz for their assistance in coordination with the state for help to Hardy during the City's time of need. The Mayor also thanked the Sharp County Judge's Office for his help during the recovery phase of the disaster. Mayor reported that Judge Mark Counts worked very closely with the City to ensure Hardy had the support it needed to recover from the disaster. Mayor also thanked Mr. Todd Price of the Sharp County Road Department for his efforts in helping re-open roadways in the City after the flood. Mayor concluded that without the relationships and team-work from each entity helping Hardy during this time, the clean-up phase would have taken much, much longer than it did, however, clean-up will continue long after the initial recovery phase. Mayor Barnes thanked the people for allowing him to serve in this capacity to help Hardy residents and the city to recover from the flood.

Mayor Barnes reported that Arkansas Governor Sarah Huckabee Sanders flew to Hardy on April 7, 2025 to assess the damage first-hand. Governor Sanders was accompanied by her leadership team including Director A.J. Gary of the Arkansas Department of Public Safety, and Brigadier General Olen Chad Bridges, The Adjutant General of the Arkansas National Guard. The visit included a fly-over observation of the damaged area from Mammoth Spring to Hardy. Both the Sharp County Judge and Fulton County Judge were also aboard the helicopter to see the damage from a birds-eye-view. Mayor reported the damage to residences, streets, bridges, the railway, etc. were extremely important to understand exactly what the state needed to view to request the Presidential Declaration from the White House.

Mayor continued that after the fly-over observation, Governor Sanders conducted a press conference with the City of Hardy at the HVFD to provide an update regarding the first initial observation the flood damage. Mayor Barnes asked Governor Sanders to take a on-ground tour of the city parks after the flood to see exactly the damages on the ground to the city's public parks. Governor Sanders visited Loberg Park and the Buford Beach areas to observe the devastation.

Mayor Barnes reported that the NWS had returned to Hardy to discuss the projected flood maps and to assess after the flood the positive areas of impact. The NWS shared that in the future a rain gauge could be installed at the HVFD Station #1 to accurately collect data in the City of Hardy for NWS reporting data logs.

Mayor reported that his office to working with various agencies to address the hazardous materials in the Spring River waterway. At this time, there was not a plan in place from any agency to remove the debris from the Spring River due to the final responsible party of the waterway. Mayor clarified that the City does not have any jurisdiction over the Spring River, nor does the City control any actual clean-up of the waterway. The Mayor would continue to work with various agencies to request an

assessment of the Spring River and how to proceed with removing the debris to protect wildlife and the tourism economy for the City and its' business owners. The Mayor offered reassurances to stakeholders in the community by notifying council during the meeting that the elected officials across various levels are aware of the need to remove the debris from the Spring River, and that it will take the entire community extending an effort to all levels of elected officials that the debris must be removed to protect public safety. The Mayor concluded that the City can replace equipment, the City can replace damaged parks, but the City could not replace the loss of a life, and that he was proud that the collaborative efforts of many individuals protected the public safety with a result of zero fatalities related to the disaster.

The Mayor reported that this would be a long road to recovery, however the City could come out of this event stronger, and better than before, but only with help from local elected officials in Hardy, other elected officials from across the state, and from the general public in Hardy. The Mayor asked those in the room to please make contact with elected officials to request their support of a Presidential Declaration. The Mayor provided that the City was doing everything it could at this time, but would need a Presidential Declaration to move forward in the recovery/rebuilding phase. The Mayor did report that electrical repair work to the Hardy Campground and RV Park was underway to reopen some of the sites for use as soon as possible. Mayor also advised for those in need to report their damages to ARC at 1-800-RED-CROSS to request immediate assistance. Mayor concluded that if anyone needed materials regarding applying for assistance, to visit the Johnson Center where the City Hall was currently located after the flood due to the 124 Woodland Hills Road City Hall location taking on water damages. Mayor continued that the 870-856-3811 phone number to the City was back up and running, but that the old City Hall building would need major repairs made before moving forward.

The Mayor Reported that Hardy Water Works payments could be made online via the city's website, and that payments could still be dropped off in the big blue box outside of the old City Hall building. The Mayor assured that the Police, Fire, Water, and Street Departments were in operation and that public services were still available to the people. Councilman Berry commended the efforts from all City personnel for a job well done responding to the disaster, and how that he had seen flooding in Hardy before, however that this event was unlike the others with the amount of debris and devastation in the year 2025. Mayor added that with the Southfork River and Spring River meeting at Hardy, the amount of water was higher in Hardy than what was north of the U.S. 62/412 bridge. Mayor asked for those in Hardy to continue to assist their neighbors and help those in need during this difficult time, and also asked for the community to notify the city of any damages that the city may be unaware of after the disaster. The Mayor asked that the community please recognize all the individuals who continue to work around the clock to try to pick the pieces up. The Mayor recognized the Public Works team and commended them for their efforts to restore normalcy back to the City. The Mayor asked that the community please recognize our Police Officers, Firefighters, First Responders, medical teams, EMTs, Dispatchers, etc. for their services to the community.

Discussion arose to what entity/agency had exact jurisdiction over the Spring River. Mayor Barnes offered that there seemed to be a disagreement between who exactly had the control over the body of water. The AGF and the USACE were deliberating who was responsible for what. Mayor Barnes had asked U.S. Senator Boozman's office to look into what could be requested from the federal level for help to clean the body of water. (It has since been determined that ADEM would attempt to assist

Sharp and Fulton counties with assistance from the Presidential Declaration regarding FEMA resources, as ADEM has determined that the responsibility lies with the State, and not a specific entity. At the time of record, there is a meeting scheduled with ADEM and the respecting local entities to assess the debris in the river, and how to best resolve the issue post devastation).

The next item for business of the special meeting was *Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck*. Mayor Barnes ask for Fire Chief Moore to approach the council. Mayor and Chief Moore offered information pertaining to ISO ratings for property owners in the Hardy Fire District. Chief Moore offered that the department would soon be reviewed for ISO inspection. Mayor and Chief Moore provided that the current fleet of trucks for the HVFD included a 1994 Squad truck. Mayor provided that the yellow truck had been used at Ground Zero in New York City on September 11, 2001 and was very old in the year 2025. Mayor provided that the truck had been serviced many times and was having some issues regarding the braking system and the electrical system. Mayor continued that the City could spend more money trying to repair the truck, but that the end result would be spending more money to repair than what the truck was valued for. Mayor reported that Chief Moore had made contact with an entity called GovDeals who provides a platform for other government entities to sell used equipment to other government entities. Mayor reported that the Chief had identified a used 2015 Ford F750 Super Duty Rescue Truck to replace the 1994 Squad truck for an incredible pricing opportunity. Chief had informed the Mayor that the truck was very well maintained, had considerably low mileage for its' age and use in a larger department, and was a great option for replacement of the 1994 Squad truck. Mayor referred to Chief for confirmation that when there is a motor vehicle accident, this type of truck must respond with extrication tools to potentially remove a human entrapment of a person/body. Mayor furthered that this was a requirement, and that the City should want to adhere to fire department protocol. Chief Moore concurred and provided that the new truck for acquisition was valued somewhere between \$100,000.00- \$150,000.00. The City was in a position to purchase the 2015 Ford F750 Super Duty Rescue Truck for only \$22,790.00. A prior council meeting had approved the sale of the old 1994 yellow Squad truck. Mayor and Chief provided that when the 1994 truck was eventually sold, those proceeds could pay off the new note for the finance of the 2015 Ford F750 Super Duty Rescue Truck. Mayor offered that the local bank in Hardy, FNBC Bank, had offered to finance the 2015 Ford F750 Super Duty Rescue Truck for the purchase price of \$22,790.00 at an interest rate of 5.25% fixed for five (5) years on monthly payments with an origination fee of \$150.00, resulting in a monthly payment of debt retirement in the amount of approximately \$440.00 a month. Mayor commended Fire Chief Moore for doing a job well done in locating such a fine deal for the city to consider, furthering that this is why we have a full-time paid Fire Chief for the Fire Department. Councilwoman Smith made a motion to waive the first, second, and third reading of Ordinance 2025-05, and to read Ordinance 2025-05 by title only. Councilwoman Taylor seconded the motion to waive the first, second, and third readings of *Ordinance 2025-05*, and to read *Ordinance 2025-05* by title only. Mayor Barnes called for a roll- call vote. R-T Sharp called the roll and the votes were as follows: Berry-yes, Clay-Thomas-yes, Kauffman-yes, Quintana-DuBois-yes, Smith-yes, Taylor- yes. City Attorney Grider read Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck by title only. Councilwoman Quintana-DuBois made a motion to approve *Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck*; Councilwoman Smith seconded the motion to approve *Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck*. R-T Sharp called the roll call for the approval of Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck and the vote was as follows: Berry- yes, Clay-Thomas-yes, Kauffman-

yes, Quintana-DuBois-yes, Smith-yes, Taylor-yes, Mayor Barnes declared *Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck* as approved and passed.

Councilwoman Smith made a motion to enact the *Emergency Clause*. Councilwoman Quintana-DuBois seconded the motion to enact the *Emergency Clause*. R-T Sharp called the roll to enact the *Emergency Clause*. The vote was as follows: Berry-yes, Clay-Thomas-yes, Kauffman-yes, Quintana-DuBois-yes, Smith-yes, Taylor-yes. Mayor declared the Emergency Clause had passed. Mayor notified council that now that *Ordinance 2025-05 Purchase/Finance of a Used Fire Department Truck* was approved and enacted by the *Emergency Clause*, he would notify FNBC Bank to prepare the loan documents for signatures. Mayor concluded that this was a big investment for the City as the Fire Department prepared for an ISO rate survey in the coming months. Councilwoman Kauffman requested clarification regarding Section Seven (7) and Section Eight (8) of Ordinance 2025-05. City Attorney Grider provided that by law, the City could not borrow more than 5% of the value of assessed property in Sharp and Fulton Counties based off of the prior year assessments. City Attorney Grider affirmed that the city was not near the \$1,000,000.00+ threshold. City Attorney Grider clarified that the current amount of tax-exempt obligations of \$192,029.56 was not what would be repaid in the year of 2025—that the amount referenced was the designated amount of tax exempt obligations in sum.

Citizen Commentary:

Terri Hightower approached council. Mrs. Hightower expressed her concerns regarding the budget, appointments, how the budget was approved, what council does, how does the budget get prepared, and with the loans that are being made and the spending that is happening, how will the city pay the bills? Mrs. Hightower asked if the citizens should expect a tax increase. Mrs. Hightower continued with commentary regarding law enforcement, and Scott Rose. Mrs. Hightower commented that she was told that Scott Rose was having an inappropriate relationship with a young lady. Mrs. Hightower continued with commentary regarding photos. Mrs. Hightower commented that she had photos and that she had shown the photos to some council members. Mrs. Hightower commented she had submitted information to the state. Mrs. Hightower commented that now the city is aware of it and that he (Scott Rose) is not placed on Administrative Leave. City Attorney Grider clarified if there was a current investigation going, that he was not aware of it, then it would have to play out, and that the city does not have any information, and that he had a conflict. City Attorney Grider clarified that he was not an investigator, and if there were such allegations, that would be for the police. City Attorney Grider suggested to contact the police, the Sheriff. Mayor also provided that the city is dependent on sales tax revenue to repay debts. Mayor provided that the City was well under the 5% limitation. Mayor further provided that the we have a great criminal justice system—that the people have courts, and that each individual is innocent until proven guilty.

Adjournment:

Councilman Berry made a motion to adjourn the meeting. Councilwoman Smith seconded the motion to adjourn. Mayor called for a voice vote. All were in favor and the motion to adjourn passed. The meeting was declared adjourned at 6:13 p.m.

Respectfully submitted,

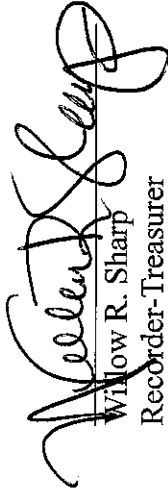
Willow R. Sharp

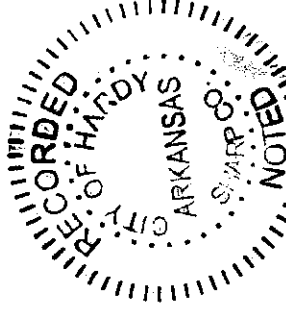
PASSED AND APPROVED THIS 14th DAY OF July, 2025

APPROVED:


Ethan J. Barnes
Mayor

ATTEST:


Willow R. Sharp
Recorder-Treasurer



Filed 7/16/25 Ms-8088
City of Hardy, Arkansas
Recorder-Treasurer Office