

DESHA COUNTY QUORUM COURT
June 17, 2021

Desha County Quorum Court met June 17, 2021 at 1:30 p.m. at the Desha County Courthouse.

OPENING PRAYER: JP7, Ronnie Norris

PLEDGE OF ALLEGIANCE: JP 4, Gene Weser

Roll Call: County Clerk, Valerie Donaldson.

<u>JP</u>	<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
1	Joe James	x	
2	Lynn Weatherford	x	
3	Patricia Watkins	x	
4	Gene Weser	x	
5	Hollis Mankin	x	
6	Richard Smith	x	
7	Ronnie Norris	x	
8	Dollie Wilson	x	
9	Norris Sims	X	

I. MINUTES

The June minutes were approved as mailed with a motion to accept by Mr. Weser and seconded by Ms. Wilson. All were in favor, Motion passed.

II. TREASURER'S REPORT

A motion to approve the Treasurer's report was made by Mr. Smith and seconded by Mr. Weser. All were in favor, Motion passed.

III. OLD BUSINESS

None

IV. NEW BUSINESS

Ordinance 2021-7 An Ordinance to amend and increase the E911 Budget by \$60,000.00.

County Clerk Valerie Donaldson read the ordinance in its entirety. A motion to suspend the rules and read by title only for a second reading was made by Gene Weser and seconded by Ronnie Norris. The roll was called, all were in favor. The Ordinance was read by title only for a third reading with a motion to accept made by Mr. Weser and seconded by Mr. Smith. Roll was called. All were in favor Ordinance 2021-7 Passed.

Mr. Jermaine Victor Lee was on the agenda to speak.

Mr. Lee introduced himself and explained he was currently on workers compensation leave due to injuries he sustained while working at the Desha County Road Department. He explained he owned a small farm and has worked both jobs for years. Mr. Lee also stated that he was at the meeting with several complaints.

Mr. Lee said he filed a complaint with the Desha County Sheriff's office against the Road Supervisor for harassment and trespassing on his farmland. Mr. Lee said the supervisor was taking pictures while he was training a young man on how to drive his tractor since he was unable to do so. Mr. Lee said the supervisor sent him several text messages about his driving on the county roads recently and it made him feel threatened. He spoke of other heated encounters they had.

Mr. Lee said that he had called the County Judge Richard Tindall several times to ask him to talk to the supervisor about the constant harassment, but to his knowledge no action had taken place. Mr. Lee informed the court that his supervisor carried a pistol in the County Truck. He also stated that Ms. Patricia Collins who works at the Courthouse was sent a video by another road department employee. The video was of the supervisor's truck which showed a gun inside the console. The employee ask Ms. Collins to speak on his behalf due to his fear of being fired. Mr. Lee also preceded to say that he had a letter that the County Judge Richard Tindall sent to him stating that he had talked to Mr. Lee's doctor in which he was told, Mr. Lee's hip wasn't injured. At that point County Judge Richard Tindall said he had a copy of the letter and read it out loud to the Quorum Court. Mr. Lee said the name of the doctor on the letter was not his doctor and also that was not the same letter he received. Mr. Lee brought forth the letter he said he received from the (County Judge), and he read it to the (Quorum Court members. Mr. Lee also said the letter he was currently reading was on the Desha County Judges letterhead which proved he had the original letter. Ms. Patricia Watkins, JP District 3 reviewed the letter and showed it to the Judge. The Judge read notes to the Quorum Court of meetings he had with Mr. Lee when he was first elected. In the notes he stated that Mr. Lee and the majority of the Road Department Personnel attended several meetings voicing their concerns about issues going on at that time. The Judge said that Mr. Lee had complained about the former road supervisor as well and seemed to be the leader of the group. Mr. Lee said to the Quorum Court that he was told by the Judge that those meetings would be confidential. The County Judge said he never made that

comment. The County Judge, in his own words, told the Quorum Court it was his experience if Mr. Lee's mouth was moving he was probably telling a lie.

Ms. Onie Norman was in the audience and asked to speak. She said she didn't know what the Quorum Court could do about any of this, but felt Mr. Lee was doing things in the proper order. She stated it would be wise to document this in the minutes in case a serious situation arose in the future. She stated Mr. Lee contacted the County Judge several times which is his employer, filed police reports, and now had decided to bring it to the attention of the Quorum Court.

Ms. Watkins, JP 3 said it sounds like a problem if the Road Department employees felt like they had to bring to the Quorum Court, through another County employee concerning the gun, in fear that they would lose their jobs or be written up. She also stated that it needed to be resolved now before it got out of control. Ms. Watkins stated that County Judge may have not known there was a gun in the County Road Department vehicle before now, but it needed to be addressed. Patricia Collins spoke and said there was an Ordinance passed in 2017 that stated that Quorum Court members were allowed to carry a gun to their meetings. It said nothing about employees carrying a gun on the job. She then passed a copy of Ordinance 2017-4 to members of the court to read. In 2017 the 91st General Assembly of the State of Arkansas passed Act 1090 to allow Quorum Court Members to carry a concealed handgun on county property during Quorum Court sessions only.

County Judge Richard Tindall said if the Supervisor has a gun in the county truck he would tell him he couldn't carry it in the truck anymore.

Mr. Lee's mother asked to speak. She said she had two concerns. She wanted something to be done about the gun because she didn't want to receive a call that her son had been killed. She said she has also called several times about the road on Vickers lane because she has a sick elderly aunt that lives there. She stated she had left several messages with no response. The Judge said he was unaware of her calling.

Mr. Rancierfer asked to speak next. He said he came to Quorum Court a year ago and had requested gray rock gravel on Wolfe Project Road where he lives. The residents received red gravel which was mostly mud in his words. The Judge said red gravel was cheaper on the county. Mr. Rancierfer said that he was bringing the matter up because blue rock was put in a drive way of a private citizen and he had pictures to prove this. The Judge said he would like to see the pictures, and it wasn't his policy to pave driveways of private citizens.

Mr. Weatherford, JP 2 asked the county attorney if these matters should be discussed since Mr. Lee said there was a pending lawsuit. County Attorney Brooks Gill said the Quorum Courts duty is to legislate and the County Judges duty is to administrate his employees. He also said meetings are usually recorded and that could potentially be used in court. He said if Mr. Lee has complaints, the Judge is obligated to deal with the problem whichever way is legally correct.

Ms. Patricia Collins asked to speak. She said four citizens had asked her to address the quorum court with road issues since they could not attend the regularly held meetings at 1:30 p.m. which are during work hours for them. The Judge said he would not let her speak on the matter at this time.

Ms. Watkins reminded the Judge to read the letter sent by Mayor Simon of Dumas. The Judge said it wasn't on the agenda, but he thought the Mayor of Dumas was asking if any of the grant money the county received from the American recovery act could be released to help the citizens affected by the flooding. The Judge said that he could not do that. He was advised by people on the State level to sit on the money for a while. If he spends the money on things he was not supposed to the County would have to pay it back. Ms. Watkins ask if there was a need for the committee that he was appointing on how to spend money from the American Recovery Act was necessary. He replied it wasn't at this time.

Ms. Norman asked if there was an emergency disaster plan in place so if there is a disaster in the future the people would be better prepared to handle the situation. The Judge said that Ricky Terry was the Office of Emergency Manager and had been for many years. He stated there was a plan in place and he worked closely with Dumas and McGehee Fire departments, Police Departments, and Paramedics.

The Judge announced that Mr. Howard Bottoms called to let him know that he would use his trackhoe to clean a few county ditches at no charge to the County.

The Judge announced that the county had received 12,500 dollars plus an additional 15,000 dollars from the local farmers to help the county purchase a ditcher. He said it will cost about 30,000 dollars but hopefully the county will only have to make up the difference of about 3,000 or 4,000 dollars after farmers donate. He then said the county was currently repairing wash outs and had installed 12 culverts the day before. The county has hauled 967 loads of gravel so far this year which are 309.00 dollars a load. There will be 2 new lots with gravel on them. One will be located in McGehee and the other in Dumas. The gravel per load will cost 50.00 dollars less per load a used one in Little Rock for 17,500 dollars that was military grade.

Mr. Weser announced Ms. Dollie Wilson was in the County lines magazine representing Desha County. Mr. Weser also stated that the month before it took 11 days for the Quorum Court to get their agendas through the mail for their monthly meeting. He said it wasn't the fault of the County Clerk or the Post office for the delay. The postal service is 60 million dollars in the red. They are calling it redistricting which means the US Post Office is combining Arkansas and Oklahoma. All mail is sent to Oklahoma and then back to Arkansas to be delivered. The postal service is going up 3 cents in August per stamp said by Mr. Weser.

The Governor spoke in Jonesboro and said that Desha County and one other county had 50% vaccination rate. He said that Desha County and the other county were the top two counties with the highest vaccination rate.

Ronne Norris announced that this would be his last Quorum Court Meeting. His resignation will be effective in approximately ten days. He and his wife are moving closer to family members is the reason for his resignation.

V. ADJOURNMENT

A motion to adjourn was made by Gene Weser and seconded by Ronnie Norris. All were in favor. Meeting adjourned.

Date: _____

Date: 7-15-21

Approved: _____

Richard Tindall, Desha County Judge

Attest: _____

Valerie Donaldson, Desha County Clerk

* Judge Richard Tindall
gave back to me
unsigned on 7-20-21
Valerie Donaldson

7-21-21
FILED
Valerie Donaldson, Desha County Clerk
By: Valerie Donaldson Deputy
Valerie Donaldson

7-21-21
RECORD
Valerie Donaldson, Desha County Clerk
By: Valerie Donaldson Deputy
Valerie Donaldson
Book 2 PG 291