

ORDINANCE 2023- 6

IN THE MATTER OF ESTABLISHING A NEW FUND FOR THE
DESHA COUNTY SHERIFF OFFICE, COUNTY OF DESHA STATE OF
ARKANSAS;

BE IT ENACTED BY THE QUORUM COURT OF DESHA COUNTY,
STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO ESTABLISH A NEW FUND FOR THE DESHA
COUNTY SHERIFF CONTRIBUTION FUND.

WHEREAS; the fund be in the name of THE DESHA
COUNTY SHERIFF CONTRIBUTION FUND. THE FUND
NUMBER WILL BE 3400 AND OFFICE NUMBER 400.

NOW, THEREFORE BE IT ORDAINED THAT THE DESHA
COUNTY QUORUM COURT, AUTHORIZED THE DESHA
COUNTY CLERK AND DESHA COUNTY TREASURER TO
SET UP THE DESHA COUNTY SHERIFF CONTRIBUTION
FUND.

DATED THIS 16th DAY OF March, 2023

APPROVED: _____



RICHARD TINDALL DESHA COUNTY JUDGE

ATTEST: _____



VALERIE DONALDSON DESHA COUNTY CLERK

**AN ORDINANCE ENTITLED: AN ORDINANCE TO AMEND
ORDINANCE 2021-12**

WHEREAS, the American Rescue Plan Act “ARPA or Rescue,” provides fiscal relief funds to local governments and other program areas aimed at mitigating the continuing effects of the pandemic and it provides for at least four eligible use funding categories; and

WHEREAS, Desha County adopted Ordinance 2021-12 on December 20, 2021, approving Line Item 1 through Line Item 3 which were submitted to the Quorum Court for consideration; and

WHEREAS, it is now our desire to amend Ordinance 2021-12, of the following Line Items;

Line Item 2. Advertise by County (covid and county) \$15,000.00

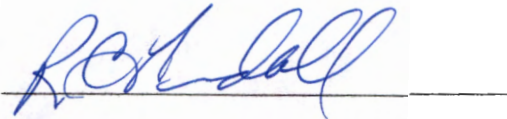
Line Item 3. Line item to pay ER Assist \$20,000.00.

NOW, THEREFORE, be it resolved by the Quorum Court of Desha County, that:

Section 1. Desha County Resolution 2021-12 is hereby amended and removes in its entirety Item 2 and Item 3.

Section 2. In lieu of Item 2 and Item 3, \$35,000 be turned back into the unallocated funds of American Rescue Plan Funds, for future projects.

Section 3. This Resolution is hereby approved on this 16th day of March 2023.



Desha County Judge, Richard Tindall



Desha County Clerk, Valerie Donaldson

**DESHA COUNTY QUORUM COURT
SPECIAL MEETING
FEBRUARY 23, 2023**

Desha County Quorum Court met February 23, 2023, at 1:30 P.M. at the Desha County Courthouse for purposes of a special called meeting.

Opening Prayer: JP2, G. Lynn Weatherford.

Pledge of Allegiance: All

Roll Call: County Clerk, Valerie Donaldson.

JP	MEMBER	PRESENT	ABSENT
1	Mr. Jackson	x	
2	Mr. Weatherford	x	
3	Ms. Watkins	x	
4	Mr. Helton	x	
5	Mr. Mankin	x	
6	Mr. Holt	x	
7	Ms. Kolb	x	
8	Ms. Wilson	x	
9	Mr. Sims	x	

Others in attendance were Onie Norman and Deputy Sheriff, Jonathan Byrd.

I. OLD BUSINESS

ORDINANCE 2023-5. An Ordinance authorizing payment for FEMA Mitigation in a flood prone area.

The Ordinance was read by County Clerk, Valerie Donaldson in its entirety for a first reading.

A motion to read by title only for a second reading was made by JP 2, G. Lynn Weatherford, and seconded by JP 4, Rick Helton. The roll was called. All were in favor, motion passed.

A motion to read by title only for a third and final reading was given by JP 2, G. Lynn Weatherford and seconded by JP 9, Norris Sims. The Ordinance was read by title only for a third and final reading. The roll was called. All were in favor.

A motion to accept Ordinance 2023-5 with a revision to strike out the 200-dollar amount for the closing cost was made by JP 2, G. Lynn Weatherford and seconded by JP 4, Rick Helton. The roll was called. All were in favor.

ORDINANCE 2023-5 PASSED.

RESOLUTION 2023-4. A Resolution authorizing Richard Tindall, County Judge to sign on behalf of Desha County all documents to purchase property on 173 Miller Lane and 191-A Pendleton, Dumas, Arkansas.

The Resolution was read by County Clerk, Valerie Donaldson. A motion to accept the resolution was given by JP 7, Rita Kolb and seconded by JP 2, G. Lynn Weatherford. All were in favor.

RESOLUTION 2023-4 PASSED.

RESOLUTION 2023-5 A Resolution approving the release of funds from the American Rescue Plan to The Dumas Police Department.

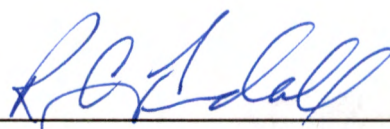
An Ordinance was approved months prior, however a resolution was read.

The Resolution was read by County Clerk, Valerie Donaldson. JP 2, G. Lynn Weatherford motioned to approve the resolution, and it was seconded by JP 8, Dollie Wilson. All were in favor.

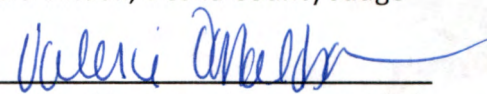
RESOLUTION 2023-5 PASSED.

Motion to adjourn was made by JP 2, G. Lynn Weatherford and seconded by JP 3, Patricia Watkins.
Meeting Adjourned.

Date: 3/16-23

Approved: 
Richard Tindall, Desha County Judge

Date: 3/16/23

Attest: 
Valerie Donaldson, Desha County Clerk

DESHA COUNTY QUORUM COURT

February 16, 2023

Desha County Quorum Court met February 16, 2023 at 1:30 p.m. at the Desha County Courthouse.

OPENING PRAYER: JP2, G. Lynn Weatherford

PLEDGE OF ALLEGIANCE: Judge Richard Tindall

ROLL CALL: CHIEF DEPUTY Kimberly D. Clay-Moore

JP	MEMBER	PRESENT	ABSENT
1	Troy Jackson Jr	X	
2	G. Lynn Weather	X	
3	Patricia Watkins	X	
4	Ricky Helton	X	
5	Hollis Mankin	X	
6	Kenneth Holt Jr	X	
7	Rita Kolb	X	
8	Dollie Wilson	X	
9	Norris Sims	X	

I. MINUTES

The February minutes were approved as mailed with a motion to accept by JP2, G. Lynn Weatherford and seconded by JP4, Ricky Helton. All were in favor, Motion passed.

II. TREASURER'S REPORT

A motion to approve the Treasurer's report was made by JP7, Rita Kolb and seconded by JP8, Dollie Wilson. All were in favor, Motion passed.

III. SHERIFF'S REPORT

Sheriff Mitch Grant reported The Desha County Sheriff's Dept patrolled 20,166 miles providing services to the Desha County Citizens and responded to 64 calls for service. The officers recovered stolen property, investigated 36 incidents and 6 accident reports. They also attended public relation events at The Jodie Partridge Center in Dumas, McGehee Basketball Games, and The Boys and Girls Club in McGehee.

IV. NEW BUSINESS

RESOLUTION 2023-1

A Resolution of The Quorum Court of Desha County, Arkansas, authorizing West Central Arkansas Planning and Development District, Inc. to submit an application for (FMA) Flood Mitigation Assistance Funds to the state of Arkansas on behalf of the Desha County Judge. A motion to accept was made by JP5 Hollis Mankin and seconded by JP9 Norris Sims. All were in favor. **RESOLUTION 2023-1 Passed.**

ORDINANCE 2023-5

An Appropriation Ordinance authorizing the payment for FEMA mitigation of 2 houses in a flood prone area and \$128,650.00 placed in budget to purchase said houses.

The Ordinance was read by Chief Deputy Kimberly D. Clay-Moore in its entirety. JP2, G. Lynn Weatherford made a motion to suspend the rules and read by title only for the second and third reading and seconded by JP1, Troy Jackson. JP2, G. Lynn Weatherford asked the judge if there needed to be a roll call after each reading or if they could have just one roll call. The judge stated it would be best to have one after each reading. Kristen Lancaster interrupted the roll call stating the figures were incorrect. JP3, Patricia Watkins made a motion to Table **ORDINANCE 2023-5** until the correct figures have been added to this ordinance and seconded by JP8, Dollie Wilson. All were in favor. **ORDINANCE 2023-5 Tabled.**

Karen Barlow, grant consultant, introduced RESOLUTION 2023-2, Resolution approving the allocation of funds from the American Rescue Plan Act 2021 to for approved countywide projects and RESOLUTION 2023-5, Resolution approving the release of funds American Rescue

Plan Act 2021 to for approved project. JP3, Patricia Watkins asked Ms. Barlow for the procedures for someone who has been approved by the ARPA Committee and Quorum Court to receive their funds, that have been appropriated to them. Per Ms. Barlow, if **RESOLUTION 2023-5** is passed, the person would need to give the invoice to the treasurer and the treasurer will pay the invoice for them, and according to the federal guidelines in the Final Rules of the Rescue Funds purchases need to be made from vendor that is registered with an active registered SAM (System Awards Management). JP3, Watkins wanted it stated in the records, once the purchase has been made, the invoice is given to the treasurer, the treasurer pays the invoice, no one will have any problems receiving their merchandise, and won't have to spend any of their own money.

ORDINANCE 2023-4

An appropriation ordinance authorizing the payment for grant administrative services from funds received from the Coronavirus Fiscal Recovery Fund established under the American Rescue Plan: Amending the Annual Operating Budget for the calendar year 2023, and for other purposes. The Ordinance and The Contract of Services was read by Chief Deputy Kimberly D. Clay-Moore in its entirety. JP2, G. Lynn Weatherford made a motion to suspend the rules and read by title only for the second and third reading and seconded by JP5, Hollis Mankin. Roll was called for the motion, all were in favor. The Ordinance was read by title only for a second reading. Roll was called, all were in favor. The Ordinance was read by title only for a third reading. Roll was called, all were in favor. **ORDINANCE 2023-4 Passed.**

RESOLUTION 2023-2

Resolution approving the allocation of funds from the American Rescue Plan Act 2021 to for approved countywide projects. A motion to accept was made by JP5, Hollis Mankin and seconded by JP7, Rita Kolb. All were in favor. **RESOLUTION 2023-2 Passed.**

ORDINANCE 2023-2

An ordinance to be entitled: "An ordinance to establish a public comment period prior to the final decision on any ordinance, resolution or other final decision: establishing rules of procedures related thereto; to declare an emergency; and for other purposed" as follows. The Ordinance was read by Chief Deputy Kimberly D. Clay-Moore in its entirety. JP2, G. Lynn Weatherford made a motion to approval of the ordinance and suspend the rules and read by title only for the second and third reading and seconded by JP5, Hollis Mankin. Roll was called for the motion, all were in favor. The Ordinance was read by title only for a second reading. Roll was called, all were in favor. The Ordinance was read by title only for a third reading. Roll was called, all were in favor. **ORDINANCE 2023-2 Passed.**

ORDINANCE 2023-3

An ordinance to be be entitled: "An ordinance setting rules of procedure for the Desha County Quorum Court." The ordinance was read by JP3, Patricia Watkins, JP, 4 Rick Helton, JP1, Troy Jackson, and Chief Deputy Kimberly D. Clay-Moore in its entirety. JP2, G. Lynn Weatherford made a motion to suspend the rules and put the ordinance on a second reading and read by title only and seconded by JP1, Troy Jackson. Roll was called for the motion, all were in favor. The ordinance was read by title only. JP2, G. Lynn Weatherford made a motion to suspend the rules and put the ordinance on a third reading and seconded by JP1, Troy Jackson. JP2, G. Lynn Weatherford requested a voice vote . County Attorney Brooks Gill stated someone would need to make a motion before adopting this ordinance to amend this ordinance to allow voice vote per page 6 of this ordinance. Roll was called, all were in favor. The Ordinance was read by title only for a third reading. Roll was called, all were in favor. **ORDINANCE 2023-3 Passed.**

RESOLUTION 2023-3

In the matter of increasing the funds allocated to The Youth Improvement Club. Through the American Rescue Act Funds. A motion to accept was made by JP2, G. Lynn Weatherford and seconded by JP8, Dollie Wilson. All were in favor. **RESOLUTION 2023-3 Passed.**

V. ANNOUNCEMENT

JP8, Patricia Watkins stated she had just received a message from a citizen in her area who was trying to watch the meeting online and was not able to. Ms. Watkins shared with the citizens in

her area that the meetings are now being recorded, but the last 2 meetings aren't available for viewing. The clerk is legally responsible for all records and is responsible for record keeping. Therefore, the clerk should be doing the recording and the clerk should have the video and she suggests to the clerk department and quorum court that the clerk make sure they take charge of videoing every meeting so the public who can't make it to the meetings can still see the meetings. JP6, Ken Holt stated he received a complaint as well with not being able to watch the meeting online. Ms. Patricia also wanted to know who was if anyone was hired to clean the building due to the ladies' bathrooms are nasty and the building as a whole is not cleaned. Judge Tindall stated he would take care of it. County Collector Lisa Hutchison wanted to know how she could get rid of the obsolete materials in her office. She was advised by the judge she would need a court order.

VI. ADJOURNMENT

A motion to adjourn was made by JP2, G. Lyn Weatherford and seconded by JP8, Dollie Wilson. All were in favor. Meeting adjourned.

Date: 3-16-23

Approve: 
Richard Tindall, Desha County Judge

Date: 3/16/23

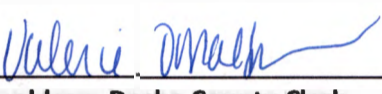
Attest: 
Valerie Donaldson, Desha County Clerk

Exhibit F

Resolution Establishing a Policy Prohibiting the Use of Excessive Force by Law Enforcement Agencies within the Applicant's Jurisdiction Against Individuals Engaged in Non-Violent Civil Rights Demonstrations

Resolution No. 2023- 6

Note: The following resolution must be enacted by each City or County as a condition of Arkansas Community and Economic Development Program funding.

Whereas, the County of Desha is applying for Arkansas Community and Economic Development Program funding.

Whereas, as required by the Housing and Community Development Act of 1974, as amended, it shall be the policy of Desha County to ensure that the following are true:

- I. The County of Desha has adopted and is enforcing this policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.
- II. The County of Desha will ensure that all law enforcement agencies within its jurisdiction will enforce all applicable State and local laws against physically barring entrance to or exit from a facility or location, which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
- III. In response to non-violent civil rights demonstrations, the County of Desha will be mindful and protective of the rights of all participants in such demonstrations, as well as any onlookers, bystanders, or any other persons located in the vicinity or owning property in the vicinity.
- IV. In connection with such demonstrations, the use of force shall be permitted only when necessary to protect the rights of individuals or to uphold the law. In no event shall the use of force in excess of that necessary to achieve the lawful goals of the County be permitted.

Now, therefore be it resolved that consistent with the goals and objectives of activities assisted under the Act, as amended, the Desha County will adopt and enforce the policy contained herein.

Dated: 3-16-23

Approved: 

Richard Tindall, Desha County Judge

Attest: 

Desha County Clerk

EXHIBIT F

EXHIBIT B
RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR
CDBG FUNDS

Resolution No. 2023- 7

Be it resolved by the Quorum Court of Desha County, State of Arkansas, a resolution to be entitled:

A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR ACEDP GRANT FUNDS TO THE
STATE OF ARKANSAS

WHEREAS: Desha County is applying for funds through the Arkansas Community and Economic Development Program, and

WHEREAS: It is necessary that certain conditions be met as part of the application requirements; and

WHEREAS: Desha County has, or will, conducted a public hearing and has an active Citizen Participation Plan/Community Development Plan, and as part of the application process has received and considered comments on community development and housing needs, and proposed activities; and

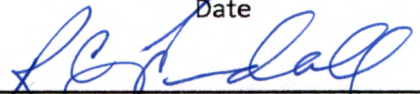
WHEREAS: As a result of the Community Development Planning activities; Desha County has identified and prioritized the community development and housing needs.

NOW THEREFORE BE IT RESOLVED THAT THE QUORUM COURT OF DESHA COUNTY ARKANSAS THAT:

The Judge of Desha County is hereby authorized, on behalf of Desha County to submit an application to the State of Arkansas for grant funds, under the Community Development provisions of the Arkansas Community and Economic Development Program, and to expend funds to accomplish such community development activities, if the grant is awarded.


This Resolution passed and adopted in regular session: 3-16-23

Date



Richard Tindall, Desha County Judge

ATTEST:



Desha County Clerk

RESOLUTION # 2023- 8

A RESOLUTION TO REPEAL RESOLUTION 2022-04 APPROVING “STANDARD ALLOWANCE” FOR GOVERNMENT SERVICES EXPENSES THOROUGH THE AMREICAN RESCUE PLAN ACT 2021 FUNDS.

WHEREAS, the American Rescue Plan Act “ARPA or Rescue,” provides fiscal relief funds to local governments and other program areas aimed at mitigating the continuing effects of the pandemic and it provides for at least four eligible use funding categories including one entitled “Revenue Replacement”; and

WHEREAS, Desha County adopted Resolution # 2022-04 on December 20, 2022 to adopt “Standard Allowance” for Governmental Services; and

WHEREAS, on Thursday, January 6, 2022, the United States Treasury published the ARPA Final Rule with official Commentary which clarified that the Uniform Grant Guidelines (UGG) and the Rescue Grant’s Award Terms and Conditions allowing Desha County to adopt the Standard Allowance instead of Revenue Loss; and

WHEREAS, Desha County has not used the Standard Allowance for any Governmental Service in which grant funding has not been paid to vendors; and

WHEREAS, the Desha County had already calculated their Revenue Loss and distributed American Rescue Funds into the four eligible funding categories prior to the passing of Resolution # 2022-04, and


WHEREAS, it is now our desire to repeal the earlier ARPA resolution 2022-04 in its entirety.

NOW, THEREFORE, be it resolved by the Quorum Court of Desha County, that:

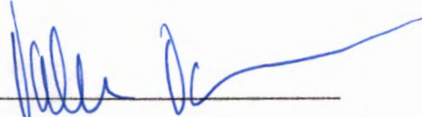
Section 1. Standard Allowance. Desha County Resolution 2022-04 is hereby repealed in its entirety, and it is considered void *ab initio*.

Section 2. In lieu of the “Standard Allowance” from the Resolution 2022-04, the Desha County has calculated their actual revenue loss according to the formula articulated in the final rule and managed their American Rescue Funds under the Public Health, Negative Economic Impacts, Public Health, Premium Pay, Infrastructure, Revenue Replacement, and administrative categories.

Section 3. This Resolution is hereby approved on this 16th day of March 2023.



Desha County Judge, Richard Tindall



Desha County Clerk, Valerie Donaldson

RESOLUTION # 2023- 9

A RESOLUTION TO REPEAL RESOLUTION 2021-08 ENTITLED: A RESOLUTION TO EMPOWER THE JUDGE TO CONTRACT WITH E.R. ASSIST.

WHEREAS, the American Rescue Plan Act “ARPA or Rescue,” provides fiscal relief funds to local governments and other program areas aimed at mitigating the continuing effects of the pandemic and it provides for at least four eligible use funding categories including one entitled “ADMINISTRATIVE”; and

WHEREAS, the Desha Quorum Court adopted Resolution # 2021-08 on December 16, 2021 to contract with E.R. Assist to perform administrative services in regard to the American Rescue Plan Act by performing contract labor at varying rates of \$35, \$65 and \$95 per hour depending on the employees used to a maximum amount for the ARPA funds of \$20,000; and

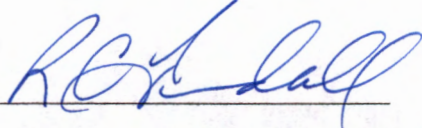
WHEREAS, E.R. Assist has not performed any administrative services or contract labor in regards to the American Rescue Plan Act or any other federal or state grant funding for Desha County; and


WHEREAS, the Desha County Quorum Court has not been invoiced nor paid any funds to E.R. Assist; and

WHEREAS, it is now our desire to repeal Resolution 2021-08 in its entirety; and

NOW, THEREFORE, be it resolved by the Quorum Court of Desha County, that: Desha County Resolution 2021-08 is hereby repealed in its entirety.

PASSED AND ADOPTED by the Desha County Quorum Court and signed by me, and the Recorder/Treasurer, in authentication of its passage this 16th day of March 2023.


Desha County Judge, Richard Tindall

Attest:

Desha County Clerk, Valerie Donaldson

RESOLUTION NO. 2023-10

A RESOLUTION BY DESHA COUNTY QUORUM COURT ADOPTING THE POLICY AND PROCEDURES AND THE INTERNAL CONTROLS FOR THE AMERICAN RESCUE PLAN ACT 2021

WHEREAS, Desha County has a responsibility to ensure it handles federal funds appropriately; and

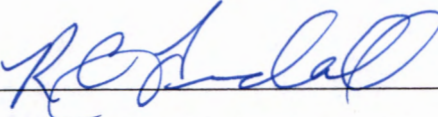
WHEREAS, written, adopted federal policies and procedures and the internal controls have may benefits in assisting the Quorum Court with the federal financial management of the County: and

WHEREAS, the Desha County Policies and Procedures, and the Internal Control documents outline procedures, safeguards, and internal controls for the financial management of the American Rescue Act of 2021: and

NOW, THEREFORE, BE IS RESOLVED, that Attachment A- Desha County Policy and Procedures, and Attachment B- Internal Control, attached hereto is hereby adopted.

PASSED AND ADOPTED by the Desha County Quorum Court and signed by me, and the County Clerk, in authentication of its passage this 16th day of February 2023.

DESHA COUNTY, ARKANSAS



Richard Tindall, Desha County Judge

Attest:



Valerie Donaldson, Desha County Clerk