

PROPOSED ORDINANCE 26-03

Sponsored by: Justice Lachowsky

Be it enacted by the Quorum Court of the County of Faulkner, State of Arkansas. An Ordinance to be entitled: An Ordinance authorizing the borrowing of up to \$5,000,000.00 and execution of a promissory note to the lowest qualified bidder; and prescribing other matters pertaining thereto and to declare an emergency.

Section 1: The County Judge is hereby authorized to accept bids based on the lowest interest rate and is further authorized to borrow up to the sum of \$5,000,000.00 for funds to construct the Unit II Max detention facility.

Section 2: Under the authority of Amendment No. 78 to the Arkansas Constitution and Act No. 1808 of 2001, Faulkner County shall borrow from the lowest bidder of interest, as it relates to the necessary term, from a qualified financial institution.

Section 3: As provided in Amendment No.78, the annual debt service payments on the promissory note in each fiscal year shall be charged against and paid from the County General Fund for such fiscal year. In order to service the annual debt, it is hereby ordained that an amount of County General Fund sufficient to pay the promissory note shall be appropriated for such purposes. The County covenants with a qualified lending institution that it shall not take any action or suffer or permit any action to be taken or condition to exist which causes or may cause the interest payable on the promissory note to be included in gross income for Federal Income Tax purposes

Section 4: The County Judge, on behalf of the County, is hereby authorized and directed to do any and all things necessary to effectuate the execution and delivery of the security agent and the performance of all obligations of the County including the issuance, execution, and delivery of the promissory note, and the performance of all acts of whatever nature necessary to effectuate and carry out the authority conferred by this ordinance. Further, the County Judge is hereby authorized and directed, for and on behalf of the County, to execute all papers, documents, agreements, certificates, and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

Section 5: If any provision of this Ordinance or the application thereof to any person, entity, or circumstance is held to be invalid, such invalidity shall not affect

other provisions or applications, and, to this end, the provisions of this ordinance are declared to be severable.

Section 6: The adoption of this Ordinance is an emergency, and therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon passage.

Dated: January 20, 2026

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Attest: _____
Margaret Darter
Quorum Court Secretariat
Faulkner County, AR

Approved: _____
Allen Dodson
Faulkner County Judge
Faulkner County, AR