



**WASHINGTON COUNTY, ARKANSAS**  
**County Courthouse**

**REGULAR MEETING OF THE**  
**WASHINGTON COUNTY QUORUM COURT**

Thursday, June 20, 2019  
6:00 p.m.  
Washington County Quorum Court Room

**A G E N D A**

1. **CALL TO ORDER AND WELCOME** **JUDGE JOSEPH WOOD**
2. **PRAYER AND PLEDGE**
3. **ADOPTION OF AGENDA**  
At the beginning of each meeting, the agenda shall be approved. Any JP may request an item be added or removed from the agenda subject to approval of the Quorum Court.
4. **PRELIMINARY MOTIONS**
5. **CITIZEN'S COMMENTS**  
Fifteen-minute comment period with a three-minute limit for each individual to comment on items on the agenda or other items.
6. **APPROVAL OF MINUTES** – Approval of the minutes from the Regular Quorum Court meeting of May 16, 2019 and Special Quorum Court meeting of May 28, 2019.
7. **COUNTY JUDGE'S REPORT** (7.1) **JUDGE JOSEPH WOOD**

**NEW BUSINESS**

8. **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD** (8.1-8.2) **PATRICK DEAKINS**  
(River's Edge RV Park & Stables) *Item 19-I-065*
9. **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT** (9.1) **BUTCH POND**  
(Old Wire Services and Recreational Facilities)  
*Item 19-I-066*

10. **SMITH TOWING AND RECOVERY IMPOUND** (10.1 – 10.2) **JUDGE JOSEPH WOOD**  
Conditional Use Permit Request  
Location: Section 08 Township 13 Range 30  
Owner and Applicant: Josh & Amanda Smith  
Location Address: Winn Creek Rd., WC 228  
Approximately: +/- 1 acre / 1 parcel  
Proposed Land Use: Commercial Towing  
Project Number – 2018-337 Planner: Sita Nanthavong
- Introductory Remarks and Presentation by County Staff Summarizing the Project
  - Remarks from Applicable Public Agencies or Departments
  - Remarks by the Applicant/Supporters of the Project (*30-minute limit*)
  - Remarks by the Appellant/Opponents of the Project (*30-minute limit*)
  - Deliberation of the Quorum Court
11. **AN ORDINANCE RATIFYING OR DENYING A CONDITIONAL USE PERMIT DENIED BY THE PLANNING AND ZONING BOARD** (11.1) **ANN HARBISON**  
*Item 19-I-067*  
*At this time the time the Quorum Court will decide which Ordinance will be considered.*  
The Ordinance will be on first reading.
- Motion by a Member of the Quorum Court
  - Reading of the Ordinance
  - Possible Vote on Ordinance. If no action is taken by the Quorum Court, the Ordinance will be on second reading at the next regular Quorum Court meeting. However, the Quorum Court can amend the Ordinance; suspend the rules and move the Ordinance up to second reading; or suspend the rules and move the Ordinance up to second and third reading for adoption at this time.  
*Following the third and final reading:*
  - Deliberation of the Quorum Court
  - Public Comment- *Twelve-minute comment period with a three-minute limit for each speaker.*
12. **AN ORDINANCE APPROPRIATING \$10,000 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE QUORUM COURT BUDGET FOR 2019** (12.1) **LANCE JOHNSON**  
*Item 19-I-063*
13. **AN ORDINANCE AUTHORIZING MEMBERS OF THE QUORUM COURT TO PURCHASE VISION, DENTAL, AND LIFE INSURANCE** (13.1) **LISA ECKE**  
*Item 19-I-064*
14. **AN ORDINANCE CHANGING THE TITLE OF THREE FULL TIME POSITIONS IN THE ROADS DEPARTMENT BUDGET FOR 2019** (14.1) **ANN HARBISON**  
*Item 19-I-056*
15. **AN ORDINANCE APPROPRIATING \$100,000 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO THE OTHER PROFESSIONAL SERVICES LINE ITEM IN THE QUORUM COURT BUDGET (10000107-3009) FOR 2019** (15.1) **ANN HARBISON**  
*Item 19-I-068*
16. **A RESOLUTION SUPPORTING THE CONSTRUCTION OF A PLAYGROUND AT THE BRENTWOOD COMMUNITY PARK AND REST AREA** (16.1) **ANN HARBISON**  
*Item 19-I-057*

17. **A RESOLUTION AUTHORIZING WASHINGTON COUNTY TO** (17.1) **ANN HARBISON**  
**SUBMIT AN ARKANSAS COMMUNITY AND ECONOMIC**  
**DEVELOPMENT PROGRAM (ACEDP) GRANT APPLICATION**  
**TO THE STATE OF ARKANSAS** *Item 19-I-058*
  
18. **A RESOLUTION DESIGNATING A NON-PROFIT AGENCY AS THE** (18.1) **ANN HARBISON**  
**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) GRANT**  
**ADMINISTRATOR** *Item 19-I-059*
  
19. **A RESOLUTION AFFIRMING WASHINGTON COUNTY'S FAIR** (19.1) **ANN HARBISON**  
**HOUSING AND EQUAL OPPORTUNITY** *Item 19-I-060*
  
20. **A RESOLUTION ESTABLISHING AN ANTIDISPLACEMENT PLAN** (20.1) **ANN HARBISON**  
**FOR WASHINGTON COUNTY, ARKANSAS IN COMPLIANCE WITH**  
**ACED (ARKANSAS COMMUNITY AND ECONOMIC DEVELOPMENT)**  
**GRANTS PROGRAMS** *Item 19-I-061*
  
21. **A RESOLUTION TO ESTABLISH A POLICY PROHIBITING THE USE** (21.1) **ANN HARBISON**  
**OF EXCESSIVE FORCE BY LAW ENFORCEMENT UNDER THE**  
**JURISDICTION OF WASHINGTON COUNTY AGAINST INDIVIDUALS**  
**ENGAGED IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS**  
*Item 19-I-062*
  
22. **COMMITTEE REPORTS:**
  - COUNTY SERVICES
  - FINANCE & BUDGET
  - JAILS/LAW ENFORCEMENT/COURTS
  - PERSONNEL
  
23. **ADJOURNMENT**

**MINUTES OF THE  
REGULAR MEETING OF THE  
WASHINGTON COUNTY QUORUM COURT**

Thursday, May 16, 2019

6:00 p.m.

Washington County Quorum Court Room

County Judge Joseph K. Wood called the meeting to order.

JP Johnson led the prayer and pledge.

Members present were JP Lance Johnson, JP Susan Cunningham, JP Harvey Bowman, JP Judith Yanez, JP Lisa Ecke, JP Sam Duncan, JP Eva Madison, JP Andrea Jenkins, JP Suki Highers, JP Sue Madison, JP Willie Leming, JP Ann Harbison, and JP Butch Pond. JP Patrick Deakins and JP Shawndra Washington were absent.

A motion to adopt the agenda was made by JP S Madison and seconded by JP Duncan. A voice vote was called and all members present unanimously voted to adopt the agenda.

A motion to suspend the rules and read all ordinances by title only was made by JP S Madison and seconded by JP E Madion. A voice vote was called and all members present unanimously voted to approve the motion.

There was no citizen's comment.

A motion to approve the April 18<sup>th</sup> minutes was made by JP S Madison and seconded by JP E Madison. A voice vote was called and all members present unanimously voted to approve the minutes.

Judge Joseph Wood presented his Judge's Report. He presented to the Court a Purchasing Department Report of the Disposal of County Property for April and gave his Department Report. He also gave an update on the Northwest Arkansas Crisis Stabilization Unit. Judge Wood also presented an appointment of Krystal McNaughton to the Washington County Board of Equalization. A motion to approve the appointment was made by JP Harbison and seconded by JP Ecke. There were comments made by JP Harbison and JP Yanez. A voice vote was called and all members present unanimously voted to approve the appointment.

Judge Joseph Wood introduced agenda item 8.1. Judge Wood explained to the Court that the County has selected the financial institution that will provide the financing for the Guaranteed Cost Savings Energy Contract with Johnson Controls. The Notice of Public Hearing will appear in the newspaper and will allow ten days before an ordinance can be passed. A Special Quorum Court meeting will be scheduled for May 28<sup>th</sup> at 6:00 p.m. to consider the Ordinance that will allow the County to close on the financing with the financial institution. There were comments made by various members of the Court.

JP Duncan introduced agenda item 9.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE

PLANNING AND ZONING BOARD (Big Red Barn)". A motion to adopt the ordinance was made by JP Duncan and seconded by JP E Madison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-31, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Big Red Barn), was adopted.**

JP Duncan introduced agenda item 10.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Thomas Pearson Wireless Communications Facility)". A motion to adopt the ordinance was made by JP Duncan and seconded by JP Jenkins. There was no public comment. A roll call vote was called and all members unanimously voted to adopt the ordinance.

**Ordinance 2019-32, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Thomas Pearson Wireless Communications Facility), was adopted.**

JP Leming introduced agenda item 11.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Dutch Mills Wireless Communications Facility)". A motion to adopt the ordinance was made by JP Leming and seconded by JP S Madison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-33, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Dutch Mills Wireless Communications Facility), was adopted.**

JP Harbison introduced agenda item 12.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Reese Residential)". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Pond. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-34, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING AND ZONING BOARD (Reese Residential), was adopted.**

JP Harbison introduced agenda item 13.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE CHANGING THE TITLE OF COMPUTER SOFTWARE DESIGN TECHNICIAN TO DESKTOP SUPPORT TECHNICIAN IN THE INFORMATION TECHNOLOGY BUDGET FOR 2019". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Pond. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-35, AN ORDINANCE CHANGING THE TITLE OF COMPUTER SOFTWARE DESIGN TECHNICIAN TO DESKTOP SUPPORT TECHNICIAN IN THE INFORMATION TECHNOLOGY BUDGET FOR 2019, was adopted.**

JP Harbison introduced agenda item 14.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE CHANGING THE TITLE OF HEAVY EQUIPMENT OPERATOR TO ASSISTANT OFFICE MANAGER IN THE ROADS DEPARTMENT BUDGET FOR 2019". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Ecke. During public comment, Sarah Moore spoke. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-36, AN ORDINANCE CHANGING THE TITLE OF HEAVY EQUIPMENT OPERATOR TO ASSISTANT OFFICE MANAGER IN THE ROADS DEPARTMENT BUDGET FOR 2019, was adopted.**

JP Harbison introduced agenda item 15.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE REDUCING \$970,000 IN THE UNAPPROPRIATED RESERVES OF THE ROAD DEPARTMENT FUND (2000); AND, APPROPRIATING \$970,000 IN THE ROAD DEPARTMENT BUDGET FOR 2019". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Highers. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-37, AN ORDINANCE REDUCING \$970,000 IN THE UNAPPROPRIATED RESERVES OF THE ROAD DEPARTMENT FUND (2000); AND, APPROPRIATING \$970,000 IN THE ROAD DEPARTMENT BUDGET FOR 2019, was adopted.**

JP Harbison introduced agenda item 16.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE APPROPRIATING \$12,000.00 FROM UNAPPROPRIATED RESERVES IN THE CIRCUIT COURT AUTOMATION FUND TO VARIOUS LINE ITEMS IN THE CIRCUIT COURT AUTOMATION BUDGET FOR 2019". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Duncan. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-38, AN ORDINANCE APPROPRIATING \$12,000.00 FROM UNAPPROPRIATED RESERVES IN THE CIRCUIT COURT AUTOMATION FUND TO VARIOUS LINE ITEMS IN THE CIRCUIT COURT AUTOMATION BUDGET FOR 2019, was adopted.**

JP Harbison introduced agenda item 17.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE APPROPRIATING THE AMOUNT OF \$13,500 FROM UNAPPROPRIATED RESERVES IN THE ASSESSOR'S AMENDMENT 79 FUND (3004) TO THE ASSESSOR'S AMENDMENT 79 BUDGET FOR 2019". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Ecke. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-39, AN ORDINANCE APPROPRIATING THE AMOUNT OF \$13,500 FROM UNAPPROPRIATED RESERVES IN THE ASSESSOR'S AMENDMENT 79 FUND (3004) TO THE ASSESSOR'S AMENDMENT 79 BUDGET FOR 2019, was adopted.**

JP Harbison introduced agenda item 18.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES OF \$62,129.84 FROM THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF'S BUDGET FOR 2019". A motion to adopt the ordinance was made by JP Harbison and seconded by JP S Madison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

**Ordinance 2019-40, AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES OF \$62,129.84 FROM THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF'S BUDGET FOR 2019, was adopted.**

JP Bowman gave an update on the County Services Committee - The committee met and Chief Carl Gales gave a report of the different departments around the County. There was discussion on provisions on minimum standards for residential rental property, there was no action taken. The next meeting will be June 3<sup>rd</sup>.

JP Harbison gave an update on the Finance & Budget Committee – The committee met and discussed the ordinances that were approved at tonight’s meeting. There was discussion on the Performance Based Contract with Johnson Controls and a presentation on ankle bracelets by Darrell Slaughter. The next meeting will be June 11<sup>th</sup>.

JP Johnson gave an update on the Jails/LE/Courts Committee – The committee cancelled their meeting due to a conflict with the Sheriff’s golf tournament fundraiser. The next meeting will be June 10<sup>th</sup>.

JP Pond gave an update on the Personnel Committee - The committee met and approved pay adjustments on positions that were requested by Coroner Roger Morris, Prosecutor Matt Durrett, and Circuit Clerk Kyle Sylvester. The committee also approved the request to change the title and grade on two positions requested by Judge Joseph Wood. The next meeting will be June 10<sup>th</sup>.

A motion to adjourn the meeting was made by JP Ecke and seconded by JP E Madison. The meeting was adjourned at 6:45 p.m.

Respectfully submitted by,

Patty Burnett  
Quorum Court Coordinator

**MINUTES OF THE  
SPECIAL MEETING OF THE  
WASHINGTON COUNTY QUORUM COURT**

Tuesday, May 28, 2019

6:00 p.m.

Washington County Quorum Court Room

JP Yanez called the meeting to order.

A motion to elect JP Yanez to preside over the meeting in Judge Joseph Wood's absence was made by JP S Madison and seconded by JP Leming. A voice vote was called and all members present unanimously voted to approve the motion.

JP Cunningham led the prayer and pledge.

Members present were JP Susan Cunningham, JP Harvey Bowman, JP Judith Yanez, JP Patrick Deakins, JP Lisa Ecke, JP Eva Madison, JP Andrea Jenkins, JP Suki Highers, JP Sue Madison, JP Willie Leming, JP Ann Harbison, and JP Butch Pond. JP Lance Johnson, JP Sam Duncan, and JP Shawndra Washington were absent.

A motion to adopt the agenda was made by JP S Madison and seconded by JP Harbison. A voice vote was called and all members present unanimously voted to adopt the agenda.

A motion to suspend the rules and read all ordinances by title only was made by JP S Madison and seconded by JP Leming. A voice vote was called and all members present unanimously voted to approve the motion.

During citizen's comment, Ken Dunk shared his concerns about the proposed contract. A motion to suspend the rules and allow Mr. Dunk to continue to speak was made by JP Harbison and seconded by JP Pond. A voice vote was called and all members present unanimously voted to approve the motion. Mr. Dunk continued to speak to the Court. Jason Steele shared his concerns about the publication of the RFP. Alex Ray, Development Director for Johnson Controls Inc. spoke to the Court about the proposed contract. A motion to suspend the rules and allow Mr. Ray to continue to speak was made by JP Harbison and seconded by JP Ecke. A voice vote was called and all members present unanimously voted to approve the motion. Mr. Ray continued to speak and answered questions from the Court.

JP Deakins introduced agenda item 5.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE PROVIDING FOR THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE PURCHASE AGREEMENT BETWEEN WASHINGTON COUNTY, ARKANSAS, AND STERLING NATIONAL BANK; PROVIDING FOR THE PAYMENT OF LEASE PAYMENTS PURSUANT TO SUCH AGREEMENT; PROVIDING FOR THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AMONG WASHINGTON COUNTY, ARKANSAS, STERLING NATIONAL BANK, AS LESSOR, AND STERLING NATIONAL BANK, AS ESCROW AGENT; RATIFYING THE EXECUTION AND DELIVERY OF A PERFORMANCE CONTRACT DATED AS OF APRIL 23, 2019 BETWEEN WASHINGTON COUNTY ARKANSAS AND JOHNSON CONTROLS, INC.; PRESCRIBING



OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY". A motion to adopt the ordinance was made by JP Deakins and seconded by JP Jenkins. There were comments made by various members of the Court and County Attorney Brian Lester. A call for the question was made by JP Ecke and seconded by JP Jenkins. A voice vote was called and all members present unanimously voted to approve the call for the question. During public comment, Jennifer Steele spoke. A motion to suspend the rules and allow Ms. Steele to continue to speak was made by JP Pond and seconded by JP Harbison. A voice vote was called and all members present unanimously voted to approve the motion. Ms. Steele continued to speak to the Court. A roll call vote was called and the votes were tallied as follow:

JP Johnson: Absent  
JP Cunningham: Yes  
JP Bowman: No  
JP Yanez: Yes  
JP Deakins: Yes  
JP Ecke: Yes  
JP Duncan: Absent  
JP Washington: Absent  
JP E Madison: Yes  
JP Jenkins: Yes  
JP Highers: Yes  
JP S Madison: Yes  
JP Leming: No  
JP Harbison: Yes  
JP Pond: No

The motion failed. There were comments made by various members of the Court and County Attorney Brian Lester. A motion to reconsider the vote to adopt the ordinance was made by JP Bowman and seconded by JP S Madison. A voice vote was called and all members present unanimously voted to approve the motion. A motion to adopt the ordinance was made by JP Deakins and seconded by JP Highers. A roll call vote was called and the votes were tallied as follow:

JP Johnson: Absent  
JP Cunningham: Yes  
JP Bowman: Yes  
JP Yanez: Yes  
JP Deakins: Yes  
JP Ecke: Yes  
JP Duncan: Absent  
JP Washington: Absent  
JP E Madison: Yes  
JP Jenkins: Yes  
JP Highers: Yes  
JP S Madison: Yes  
JP Leming: No  
JP Harbison: Yes  
JP Pond: No

The motion was approved.

**Ordinance 2019-41, AN ORDINANCE PROVIDING FOR THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE PURCHASE AGREEMENT BETWEEN WASHINGTON COUNTY, ARKANSAS, AND STERLING NATIONAL BANK; PROVIDING FOR THE PAYMENT OF LEASE PAYMENTS PURSUANT TO SUCH AGREEMENT; PROVIDING FOR THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AMONG WASHINGTON COUNTY, ARKANSAS, STERLING NATIONAL BANK, AS LESSOR, AND STERLING NATIONAL BANK, AS ESCROW AGENT; RATIFYING THE EXECUTION AND DELIVERY OF A PERFORMANCE CONTRACT DATED AS OF APRIL 23, 2019 BETWEEN WASHINGTON COUNTY ARKANSAS AND JOHNSON CONTROLS, INC.; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY, was adopted.**

A motion to adjourn the meeting was made by JP E Madison and seconded by JP Jenkins. The meeting was adjourned at 7:30 p.m.

Respectfully submitted by,

Patty Burnett  
Quorum Court Coordinator

**Joseph K. Wood**  
County Judge



**Alisha Willett**  
Purchasing Manager

**WASHINGTON COUNTY, ARKANSAS**  
**Purchasing Department Disposal of County Property**

May 2019

A.C.A. §14-16-106 provides for the disposal of surplus property owned by a county. If it is determined by the county judge and the county assessor that any personal property owned by a county is junk, scrap, discarded, or otherwise of no value to the county, then the property may be disposed of in any manner deemed appropriate by the county judge. Below is a list of property disposed for the month of May, 2019.

<b>Court Order</b>	<b>File Date</b>	<b>Description</b>
2019-109	5/7/19	Assessor's N/A, I010500534,0463 Collector I010400305,0255 Environmental I07020079,0148
2019-130	5/30/19	Prosecutor I041600119,0120,0320,0321,0432,0433,0498 DEM 01050000018,0020,0208

ORDINANCE NO. 2019-

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

AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board granted a Conditional Use Permit on June 6, 2019, for the River’s Edge RV Park & Stables; and,

WHEREAS, immediate ratification is necessary by the Quorum Court to prevent undue delay and expense to the applicant; and,

WHEREAS, ratification will not affect any appeal rights any person may have.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That the Conditional Use Permit for the River’s Edge RV Park & Stables granted by the Planning and Zoning Board is hereby ratified.

ARTICLE 2. Emergency Clause. It is hereby determined that it is in the best interest of the applicant and the public for this ordinance to be effective immediately; therefore, an emergency is declared to exist and this ordinance shall be and is effective on the date of its passage.

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Introduced by: JP Patrick Deakins

**River's Edge RV Park & Stables CUP**

**The Planning Board/Zoning Board of Adjustments approved the River's Edge RV Park & Stables Conditional Use Permit, with conditions, request on June 6, 2019 (5 members voted "in favor", 0 members voted "against", 2 members were absent).**

Owner/Applicant Ray Dotson is requesting CUP approval for the use of an RV Park in the unincorporated area of Washington County, to the east of Springdale at the corner of Blue Springs Village Road (WC-386) and Ar. Hwy 412. All plans and calculations have been provided by Milholland Engineering.

This CUP request is to allow for the use of an RV park and stables on approximately 13 acres of a 50.68 acre parcel. This area combines the features of rural pastureland, while also allowing for the utility accommodations of an urban area, as there is a neighborhood to the west of the proposal. As horse stables are considered agricultural, and allowed by right, this CUP and subsequent Large Scale Development are permitting the RV Park only.

A total of 70 (seventy) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. There were two neighbor responses opposing this proposal.

This project was somewhat contentious, as 2 neighbors spoke in opposition to the project.

**The Planning Board/Zoning Board of Adjustments approved the River's Edge RV Park & Stables Conditional Use Permit, with conditions, request on June 6, 2019 (5 members voted "in favor", 0 members voted "against", 2 members were absent). With the following conditions:**

**Water/Plumbing:**

1. It appears as if a private plumbing system is being proposed for the development. Based on the layout and configuration of piping there appears to be two (2) cross connections that will not be allowed. The first cross connection is east of the proposed Bath House and the other is located just east of the unnamed county road. Please be advised that all existing unapproved water lines must be disconnected from the public water system.
2. Attached for your review and use please find the April 10, 2019 letter to Mr. Mel Milholland regarding the installation of a 2-inch water meter for the project and a design memo developed by McGoodwin, Williams and Yates on November 29, 2016.
3. The Springdale Water Utilities makes no claims, analysis or determinations for fire protection systems serving this facility. The project engineer is solely responsible for meeting all requirements as it pertains to fire protection for this project.
4. Field locate and verify the exact location of existing public water facilities and depict this location on the plat. The location of facilities appears to be from online GIS sources rather than through field location.
5. Engineer shall provide utility easements along the south property line of sufficient width to accommodate existing public water facilities. Please contact the Springdale Water Utilities for requirements and final acceptance of easements.
6. The owner/developer will be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading.
7. Please be advised that the review herein is for the purposes of general conformance to the requirements of Springdale Water Utilities as it pertains to the platting of property and does not constitute approval of plans to convert existing unaccepted water systems or their components. Any acceptance to existing components of the unaccepted water systems that were installed many years ago shall be by review of this department and the Arkansas Department of Health.

**Roads/Sight Visibility/Ingress-Egress/Parking Conditions:**

There were no comments received by the Washington County Road Department.

**Environmental Conditions:**

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

**Standard Conditions:**

1. Pay neighbor notification mailing fees (\$284.90) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 05/24/19).
2. Pay engineering fees within 30 days of project approval.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. This CUP must be ratified by the Quorum Court.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
  - o This project requires additional review (Final Large Scale Development), and therefore, the applicant must have completed all improvements within thirty-six (36) months of the Preliminary Large Scale Development approval.

ORDINANCE NO. 2019-

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

AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT.

WHEREAS, the Planning and Zoning Board denied a Conditional Use Permit on May 3, 2018, for the Old Wire Services and Recreational Facilities; and,

WHEREAS, the denial was appealed to the Quorum Court on July 19, 2018, and the denial was upheld by the Quorum Court on August 16, 2018; and,

WHEREAS, these decisions were appeal the Washington County Circuit Court where, on June 10, 2019, the Circuit Court granted Summary Judgment in favor of the applicant and directed the Quorum Court to issue a Conditional Use Permit; and,

WHEREAS, immediate ratification is necessary by the Quorum Court to comply with the orders of the Washington County Circuit Court and to prevent undue delay and expense to the applicant.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That the Conditional Use Permit for the Old Wire Services and Recreational Facilities is hereby ratified.

ARTICLE 2. Emergency Clause. It is hereby determined that it is in the best interest of the applicant and the public for this ordinance to be effective immediately; therefore, an emergency is declared to exist and this ordinance shall be and is effective on the date of its passage.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Butch Pond



# WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Dr.  
Fayetteville, AR 72701  
(479) 444-1724  
(479) 973-8417

Agenda Item

C

Meeting: March 28, 2019  
Project: Smith Towing & Recovery  
Impound CUP  
Project Number: 2018-339  
Planner: Sita Nanthavong  
snanthavong@co.washington.ar.us

## ZONING – CONDITIONAL USE PERMIT REQUEST

The determination as to whether a conditional use permit will be granted is subjective to a degree.  
The Zoning Board of Adjustments may act on issues discussed in the criteria checklist when making decisions in these matters.

**REQUEST:** Josh and Amanda Smith are requesting **Conditional Use Permit** approval to develop and operate a towing and recovery impound yard in an area where agricultural and single family uses are allowed by right.

**CURRENT ZONING:** Project lies within the County’s Zoned area (Agriculture/Single-Family Residential 1 unit per acre)

**PLANNING AREA:** None

**QUORUM COURT DISTRICT:** District 14, Ann Harbison

**FIRE SERVICE AREA:** Boston Mountain Rural

**SCHOOL DISTRICT:** Greenland

**INFRASTRUCTURE:** **Water-** Washington Water Authority  
**Telephone-** Century Tel

**Electric-** Ozarks Electric  
**Cable-** Cox Communications

**Natural Gas-** None

### **BACKGROUND/PROJECT SYNOPSIS:**

Josh and Amanda Smith of Smith Towing and Recovery Impound are seeking Conditional Use Permit approval to operate a towing and impound yard.

The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

The project parcel is not in a planning area.

The project parcel (001-00679-000) is approximately 1 acre (more or less) in size. It is accessible from Winn Creek WC 228.

The applicant states that there will not be any water, gas, electric, or septic service at the site as this is an area where impounded or towed vehicles are temporarily brought to. There is a fence around the location with sheet iron over the fence to keep visibility from Winn Creek Road at a minimum.

Please see the attached documents for more detailed information.



## **TECHNICAL CONCERNS:**

### **Water/Plumbing/Fire Issues:**

Washington Water Authority services this parcel and had the following concerns/comments:

1. If water service is desired in the future, a Request for Water Service Application needs to be filled out with the WWA office.
2. An 8" water main parallels both the western and southern property boundaries of the project. If an access drive is to be installed over the water main that is subject, but not limited, to traffic loading beyond conventional residential use or fire apparatus compaction standards, the water main will need to be encased at the owner's expense and under the supervision of WWA staff.
3. Once the main is exposed, if the existing water main alignment is not conducive for a field welded encasement based on horizontal or vertical deflection, the main will need to be rerouted at the owner's expense.
4. A construction site plan and construction detail needs to be submitted to the WWA Office for approval. The plan may be subject to Arkansas Department of Health approval.

The Washington County Fire Marshal had the following concerns/comments:

1. There shall be approved 911 address numbers placed in a on the gate, road, or both so that they are plainly legible and visible for responding emergency agencies.
2. Just note that the property shall not be split or developed any further without approval by the Washington County Sheriff Office Fire Marshal's Division.
3. You shall have an engineered statement insuring the driveway is compacted to 75,000 pounds and submit it to the Washington County Sheriff Office Fire Marshal Division.
4. The driveway shall be 20' wide with no turn around required.
5. The turning radius at the edge of the driveway shall be 38' radius.
6. Per Washington County Ordinance 2005-26:
  - a. The State Fire Code is State law regardless of whether the County has adopted it or not.
  - b. All plats for development in Washington County shall require the approval and signature of the County Fire Marshal; furthermore, the Planning Board shall not approve any plat until it has received assurance from the Fire Marshal that said plat is in conformance with the State Fire Code; specifically adequate ingress and egress, road quality, and sufficient water resources.

### **Health Department Issues:**

No comments/concerns were received from the Department of Health.

### **Electric/Phone:**

Ozarks Electric is the provider for this parcel. They did not submit comments/concerns.

Century Tel provides phone service for this area. They did not submit comments/concerns.

### **Roads/Sight Visibility/Ingress-Egress/Parking:**

The Washington County Road Department had the following concerns/comments:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.

2. There is to be no parking in the Washington County roadway at any time.

The site distance at the proposed entrance on Winn Creek WC 228 is very adequate.

**Drainage:**

The Washington County Contracted Engineer, Zach Moore, has reviewed this project and had the following comments/concerns:

1. The swale alongside the road seems to not be deep enough to fit a pipe underneath the driveway without substantial regrading of the roadside ditch. Please allow the small swale to be allowed to continue across the proposed gravel driveway and not be dammed up by the driveway.

**Environmental Concerns:**

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. [www.adeq.state.ar.us](http://www.adeq.state.ar.us)

**Signage/Lighting/Screening Concerns:**

Signage:

1. No signage is allowed within Washington County's road right-of-way (ROW).

Lighting:

All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram).

Screening:

Washington County Planning has the following concerns/comments:

1. Opaque privacy screening plans on the East, North, and West sides of the project site must be submitted and approved.
2. A landscaping plan must be submitted and approved. Landscaping must be well maintained.
3. No inoperable vehicles may be visible from the County Road.

**Sheriff's Office Concerns:**

Washington County Sheriff's Office had no comments on this project.

**Planning Concerns:**

1. For Sale Vehicles may not be placed on this site.
2. The site must remain generally neat and organized.
3. For Sale Vehicles may not be placed in the Washington County Right of Way.
4. The Washington County Right of Way must be kept clear from signage and other implements that may hinder the Road Department while performing maintenance.
5. All of the conditions must be met before business may be conducted.

## COMPATIBILITY CONCERNS:

### Surrounding Uses:

The surrounding uses are primarily residential/agricultural. There is an existing excavation yard approximately 635 feet to the northeast of the proposed entrance of the project. Less than 200 feet to the south of the southeastern corner of the project parcel is a commercial building that accesses Devil's Den Road. Interstate 49 is approximately 1600 feet to the east of the eastern border of the property.

### County's Land Use Plan (written document):

According to the County's Land Use Plan:

#### **Section III. Physical Development**

##### **2. LIGHT COMMERCIAL**

Continuing with the primary goal of retaining the rural characteristics of Washington County, light commercial uses should be allowed if:

- a. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses.

Staff is unsure that even with that with the proposed conditions this project can meet the goal of the County's Land Use Plan.

Privacy fencing/screening of adequate height may block the view of the towing yard from most nearby neighbors. There are two-story homes which will overlook the towing/impound yard. The neighbors which reside in taller homes will be able to see directly into the impound/towing yard.

Landscaping should assist with the visual appeal of the property as long as the applicant keeps up routine maintenance and removes all of the cut/downed trees from the property boundary.

There are concerns from the neighbors in regards to the potential noise and operating hours. The nature of the towing & recovery business is a 24/7 business. Towing trucks have very large engines that are noisy. The potential for disturbances in the middle of the night is very real. There will be business potentially conducted at all hours of the day and night depending upon when wrecked vehicles are brought to the yard.

There are also environmental concerns in regards to the impounded/wrecked vehicles leaking chemicals and other toxic substances into the ground. There are some neighbors that utilize wells and ponds for their water. These added chemicals and substances will not be compatible with the water filtration system of these neighbors. Some neighbors are worried that their ponds will be contaminated with these leaking fluids.

### Site Visit:

A site visit was conducted by Planning Staff on 02/20/2019.

The site is located off Winn Creek WC 228. Winn Creek is a dirt road that is maintained by the Washington County Road Department.

The property is surrounded by other parcels that are heavily agricultural and residential by nature. There is one commercial property to the southeast. The entrance to this business faces south along East Devil's Den Road.

**Neighbor Comments and Concerns:**

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this project proposal.

Staff mailed a total of seven (7) certified notifications on March 7, 2019. To date, staff has received fifteen (15) comments in opposition of the project.

All received comments have been included in this report.

Planning Staff will update the Board of any more comments.

**STAFF RECOMMENDATION:** Staff is withholding a recommendation the project. Staff will make a recommendation with the following conditions at the Planning Board Meeting:

**Water/Plumbing/Fire Conditions:**

Washington Water Authority services this parcel and had the following conditions:

1. If water service is desired in the future, a Request for Water Service Application needs to be filled out with the WWA office.
2. An 8" water main parallels both the western and southern property boundaries of the project. If an access drive is to be installed over the water main that is subject, but not limited, to traffic loading beyond conventional residential use or fire apparatus compaction standards, the water main will need to be encased at the owner's expense and under the supervision of WWA staff.
3. Once the main is exposed, if the existing water main alignment is not conducive for a field welded encasement based on horizontal or vertical deflection, the main will need to be rerouted at the owner's expense.
4. A construction site plan and construction detail needs to be submitted to the WWA Office for approval. The plan may be subject to Arkansas Department of Health approval.

The Washington County Fire Marshal had the following conditions:

1. There shall be approved 911 address numbers placed in a on the gate, road, or both so that they are plainly legible and visible for responding emergency agencies.
2. Just note that the property shall not be split or developed any further without approval by the Washington County Sheriff Office Fire Marshal's Division.
3. You shall have an engineered statement insuring the driveway is compacted to 75,000 pounds and submit it to the Washington County Sheriff Office Fire Marshal Division.
4. The driveway shall be 20' wide with no turn around required.
5. The turning radius at the edge of the driveway shall be 38' radius.
6. Per Washington County Ordinance 2005-26:
  - a. The State Fire Code is State law regardless of whether the County has adopted it or not.
  - b. All plats for development in Washington County shall require the approval and signature of the County Fire Marshal; furthermore, the Planning Board shall not approve any plat until it has received assurance from the Fire Marshal that said plat is in conformance with the State Fire Code; specifically adequate ingress and egress, road quality, and sufficient water resources.

**Health Department Conditions:**

1. Please submit septic design and permit to the Arkansas Department of Health for approval should the applicant wish to install a septic system in the future. The applicant will also have to have the soil analysis reviewed by the Planning Staff and be brought before the Planning Board for a modification of the original CUP.

**Roads/Sight Visibility/Ingress-Egress/Parking Conditions:**

The Washington County Road Department had the following concerns/comments:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.
2. There is to be no parking in the Washington County roadway or right of way at any time.

**Environmental Conditions:**

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. [www.adeq.state.ar.us](http://www.adeq.state.ar.us)

**Signage/Lighting/Screening Conditions:**

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately.
3. A sketch of the proposed sign must be submitted to Washington County Planning for approval prior to a sign being placed.
4. All outdoor storage and dumpster must be screened with opaque material (gates must be opaque too).
5. A landscaping plan must be submitted and approved. Landscaping must be well maintained.
6. No inoperable vehicles may be visible from the County Road.

**Addressing Conditions:**

1. The applicant must apply for 911 addresses to be assigned if needed.

**Utility Conditions:**

*Ozarks Electric:*

1. Please contact Ozarks Electric should future electrical issues arise.

*Century Tel:*

1. Please contact Century Tel should future telephone issues arise.

**Planning Conditions:**

1. Any further expansion or other use not described here must come before the Planning Office and/or the Planning Board.
2. For Sale Vehicles may not be placed on this site.
3. The site must remain generally neat and organized.
4. For Sale Vehicles may not be placed in the Washington County Right of Way or Road Way.

5. The Washington County Right of Way must be kept clear from signage and other implements that may hinder the Road Department while performing maintenance.
6. All of the conditions of this CUP must be met before business may be conducted.

**Additional and Standard Conditions:**

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office).
2. Pay engineering any fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. **This CUP must be ratified by the Quorum Court.**
5. **It is the applicant's responsibility to contact the Planning Office when inspections are needed.**
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

**PRIOR PLANNING BOARD/ZONING BOARD OF ADJUSTMENTS ACTION:**

\_\_\_\_\_ CUP Approved  
 \_\_\_\_\_ CUP Ratified  
 \_\_\_\_\_ Denied  
 \_\_\_\_\_ Tabled



# WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102  
Fayetteville, AR 72701  
(479) 444-1724  
(479) 444-1786 - Fax

## ZONING BOARD OF ADJUSTMENTS DECISION APPEAL

RECEIVED  
CLERK  
CO. & PROBATE  
WASHINGTON CO. AR

2019 APR 23 AM 10:51

FILED

I, Josh Smith (Smith towing and recovery)  
name  
18994 Wind Creek Rd WC 228 Winslow, AR 72989  
address  
479 422 7750 / smithtowingandrecovery@gmail.com  
phone/email

I am hereby filing an appeal of a recent decision of the Washington County Zoning Board of Adjustments (ZBA). My appeal is being filed within thirty (30) days of the decision as required by Ordinance 2009-33 amending Section 11-206; "Appeals from Board" in "Chapter 11-Planning and Development, Article VI-Zoning" in Washington County, Arkansas.

During the March 29, 2019 meeting of the Washington County Zoning Board of Adjustments, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a (circle one) Commercial Use Industrial Use / Residential Use / Other Use, located in Section 8, Township 13, Range 30, in Washington County.

My understanding of the decision of the Washington County ZBA is as follows:  
denied - unknown / no reason gave; ask planning Dept. again on 4/15/19. Said have to wait till next Planning meeting.

I am appealing this decision to the Quorum Court for the following reasons:  
members of the said board were not honest with their comments made at the planning board. The planning Dept. asked that we not add to the fence or ~~area~~ work to improve the property without approval from the board. I feel that I have done everything I can to work with the rules and reg. to open the impound. My land also joins commercial property.

I understand that the Quorum Court will follow the same procedures as the Washington County ZBA to reach a decision. The decision of the Quorum Court may be appealed to Circuit Court within thirty (30) days from said decision. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Josh Smith  
(signature)

4-22-19  
date

RECEIVED  
**Apr 23 2019**  
WASHINGTON COUNTY  
PLANNING

ORDINANCE NO. 2019-

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

AN ORDINANCE [RATIFYING [OR] DENYING] A CONDITIONAL USE PERMIT DENIED BY THE PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board denied a Conditional Use Permit on May 2, 2019, for Smith Towing and Recovery Impound; and,

WHEREAS, [immediate ratification is necessary by the Quorum Court to prevent undue delay and expense to the applicant; and, [OR] after reviewing the information provided by the Planning Department, the applicant, and members of the community, the Quorum Court desires to deny the Conditional Use Permit, as allowed by Washington County Code and the laws of the State of Arkansas.]

[WHEREAS, ratification will not affect any appeal rights any person may have.]

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That the Conditional Use Permit for the Smith Towing and Recovery Impound denied by the Planning and Zoning Board is hereby [ratified [OR] denied].

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

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BECKY LEWALLEN, County Clerk

Introduced by: JP Ann Harbison



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**ORDINANCE NO. 2019-**

**APPROPRIATION ORDINANCE**

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

**AN ORDINANCE APPROPRIATING \$10,000 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE QUORUM COURT BUDGET FOR 2019.**

**WHEREAS**, the Quorum Court desires to appropriate money for the use of its members to attend various conferences and events in their official capacities and on behalf of Washington County for training and professional development.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:**

**ARTICLE 1.** There is hereby appropriated the total amount of \$10,000 from the unappropriated reserves in the General Fund (1000) to the following line items in the Quorum Court Budget (10000107) for 2019:

<u>Quorum Court Budget</u>		
Common Carrier	(10000107-3031)	\$ 3,000.00
Meals and Lodging	(10000107-3094)	7,000.00
<b>TOTAL APPROPRIATION</b>		<b><u>\$ 10,000.00</u></b>

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Introduced by: **JP Lance Johnson**

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**ORDINANCE NO. 2019-**

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

**AN ORDINANCE AUTHORIZING MEMBERS  
OF THE QUORUM COURT TO PURCHASE  
VISION, DENTAL, AND LIFE INSURANCE.**

**WHEREAS**, the Quorum Court desires to authorize its members to purchase vision, dental, and life insurance coverage that are currently available for purchase by county employees.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM  
COURT OF WASHINGTON COUNTY, ARKANSAS:**

**ARTICLE 1.** The Quorum Court hereby authorizes its member to purchase vision, dental, and life insurance coverage that are available for purchase by all county employees.

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Introduced by: **JP Lisa Ecke**  
Date of Passage:  
Members Voting For:  
Members Voting Against:  
Members Abstaining:  
Members Absent:

ORDINANCE NO. 2019-

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

AN ORDINANCE CHANGING THE TITLE OF THREE FULL TIME POSITIONS IN THE ROADS DEPARTMENT BUDGET FOR 2019.

WHEREAS, the Washington County Roads Department desires to change the title of three full time positions for 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. The title of the personnel position of Bridge Supervisor, Grade 20 (0200010) in the County Road budget of the Road Fund (20000200) is hereby changed to Road & Bridge Supervisor, Grade 21 (0200010) for 2019.

ARTICLE 2. The title of the personnel position of Training Officer/One Call Officer, Grade 17 (0200233) in the County Road budget of the Road Fund (20000200) is hereby changed to Safety Training Supervisor, Grade 19 (0200233) for 2019.

ARTICLE 3. The title of the personnel position of Right-of-Way Coordinator, Grade 20 (0200011) in the County Road budget of the Road Fund (20000200) is hereby changed to Field Superintendent, Grade 23 (0200011) for 2019.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Ann Harbison

ORDINANCE NO. 2019-

APPROPRIATION ORDINANCE

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

AN ORDINANCE APPROPRIATING \$100,000 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO THE OTHER PROFESSIONAL SERVICES LINE ITEM IN THE QUORUM COURT BUDGET (10000107-3009) FOR 2019.

WHEREAS, the Quorum Court has asked the County Judge to engage the services of a qualified firm to perform an assessment of the criminal justice system in Washington County; and,

WHEREAS, the Quorum Court desires to appropriate sufficient money to pay for said services.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. There is hereby appropriated the total amount of \$100,000 from unappropriated reserves in the General Fund (1000) to the Other Professional Services Line Item in the Quorum Court Budget (100001047-3009) for 2019.

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Introduced by: JP Ann Harbison

RESOLUTION NO. 2019-

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION SUPPORTING THE CONSTRUCTION OF A PLAYGROUND AT THE BRENTWOOD COMMUNITY PARK AND REST AREA.

WHEREAS, Washington County, Arkansas recognizes the need to provide public recreation facilities for its' local citizens and visitors; and

WHEREAS, the County wishes to apply for FUN Park grant funds through the Arkansas Department of Parks and Tourism to develop a public park at the Brentwood Community Park and Rest Area; and,

WHEREAS, the County Judge and the Quorum Court understands that if granted funds for park development, they must provide land, by lease or ownership, to develop park facilities on; and,

WHEREAS, Washington County, Arkansas will sign a contract agreeing to provide the necessary resources to maintain this park and facilities for a period of 25 years.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. The Washington County Quorum Court hereby authorizes the County Judge to submit an application for grant funding to the Arkansas Department of Parks and Tourism to develop a public park.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Ann Harbison

RESOLUTION NO. 2019-

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING WASHINGTON COUNTY TO SUBMIT AN ARKANSAS COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAM (ACEDP) GRANT APPLICATION TO THE STATE OF ARKANSAS.

WHEREAS, Washington County is applying for grant funds through ACEDP; and

WHEREAS, the application process requires compliance with certain conditions; and,

WHEREAS, to meet such conditions, Washington County has conducted a public hearing and has an active Citizen Participation Plan/Community Development Plan; and,

WHEREAS, under such plan, Washington County will receive and consider comments from the community in identifying and prioritizing community development and housing needs.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That the County Judge is authorized to apply to the State of Arkansas for funds under ACEDP Economic Development provisions, and to expend funds under the terms of any grant approved under the application.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Ann Harbison

1 RESOLUTION NO. 2019-

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4 BE IT ENACTED BY THE QUORUM  
5 COURT OF THE COUNTY OF  
6 WASHINGTON, STATE OF ARKANSAS,  
7 A RESOLUTION TO BE ENTITLED:

8  
9 A RESOLUTION DESIGNATING A NON-  
10 PROFIT AGENCY AS THE COMMUNITY  
11 DEVELOPMENT BLOCK GRANT (CDBG)  
12 GRANT ADMINISTRATOR.

13  
14 WHEREAS, Washington County is applying to the Arkansas  
15 Economic Development Commission for an Arkansas Community and Economic  
16 Development Program (ACEDP) grant for pumper truck for the Evansville Volunteer Fire  
17 Department; and

18 WHEREAS, Washington County recognizes the need for  
19 assistance in administering the anticipated ACEDP grant in compliance with applicable  
20 Federal, State and Local laws; and,

21  
22 WHEREAS, Washington County has an existing relationship  
23 with the Northwest Arkansas Economic Development District (NWAEDD) and feels  
24 confident the NWAEDD will administer the above-referenced project competently.

25  
26 NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM  
27 COURT OF WASHINGTON COUNTY, ARKANSAS:

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29 ARTICLE 1. That the Washington County Quorum Court  
30 hereby authorizes the Washington County Judge to designate the NWAEDD as the  
31 project administrator for the above referenced ACEDP grant, subject to Arkansas  
32 Economic Development Commission approval, and the enter into a Contract for ACEDP  
33 Administrative Services with such agency for project administrative services.

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36 \_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

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BECKY LEWALLEN, County Clerk

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40  
41 Introduced by: JP Ann Harbison

1 RESOLUTION NO. 2019-

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4 BE IT ENACTED BY THE QUORUM  
5 COURT OF THE COUNTY OF  
6 WASHINGTON, STATE OF ARKANSAS,  
7 A RESOLUTION TO BE ENTITLED:

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10 A RESOLUTION AFFIRMING WASHINGTON  
11 COUNTY'S FAIR HOUSING AND EQUAL  
12 OPPORTUNITY

13  
14 WHEREAS, The Congress of the United States of America  
15 has declared that all citizens of the United States have the same right to inherit,  
16 purchase, lease, sell, hold, and convey real property; and

17  
18 WHEREAS, The Congress of the United States of America  
19 has declared that fair and open housing is to be the law of the land; and

20  
21 WHEREAS, The Congress of the United States of America  
22 has also declared that all citizens will have an equal opportunity for employment.

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24 NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM  
25 COURT OF WASHINGTON COUNTY, ARKANSAS:

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27 ARTICLE 1. That the County shall prohibit discrimination in  
28 public and private housing, in property ownership, and in employment opportunities. Be  
29 it further resolved that Washington County support and shall promote open housing and  
30 equal opportunity employment.

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JOSEPH K. WOOD, County Judge

\_\_\_\_\_ DATE

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BECKY LEWALLEN, County Clerk

39  
40  
41 Introduced by: JP Ann Harbison



RESOLUTION NO. 2019-

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION ESTABLISHING AN ANTIDISPLACEMENT PLAN FOR WASHINGTON COUNTY, ARKANSAS IN COMPLIANCE WITH ACED (ARKANSAS COMMUNITY AND ECONOMIC DEVELOPMENT) GRANTS PROGRAMS

WHEREAS, Washington County understands its obligation in receiving funds under the Housing and Community Development Act of 1974 to replace all low and moderate income (LMI) dwellings demolished or converted to another use as a direct result of work funded under the grant within three years of the commencement of demolition; and

WHEREAS, Washington County shall provide relocation assistance to each LMI household displaced by such demolition or conversion; and

WHEREAS, Washington County shall in such cases provide the following:

Section 1. The location and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted as a direct result of the assisted activity; and

Section 2. A schedule for commencement and completion of the demolition or conversion; and

Section 3. The location and approximate number of dwelling units by size that will be provided as replacements; and

Section 4. The funding source and a schedule for replacement; and

Section 5. The basis for concluding that each replacement

42 dwelling will remain an LMI dwelling unit for at least 10 years from initial occupancy.

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44 **NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM**  
45 **COURT OF WASHINGTON COUNTY, ARKANSAS:**

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47 **ARTICLE 1.** That consistent with the goals and objectives of  
48 activities assisted under the Housing and Community Development Act of 1974, the  
49 County will make every effort to minimize the displacement of persons from homes.

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JOSEPH K. WOOD, County Judge

\_\_\_\_\_ DATE

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BECKY LEWALLEN, County Clerk

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61 Introduced by: **JP Ann Harbison**

62 Date of Passage:

63 Members Voting For:

64 Members Voting Against:

65 Members Abstaining:

66 Members Absent:

RESOLUTION NO. 2019-

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION TO ESTABLISH A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT UNDER THE JURISDICTION OF WASHINGTON COUNTY AGAINST INDIVIDUALS ENGAGED IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS.

WHEREAS, Washington County is applying for AEDC (Arkansas Economic Development Commission) funding;

WHEREAS, a condition of funding is that Washington County adopt a policy to comply with the relevant section of the Housing and Community Development Act of 1974, 42 U.S.C. § 5304(1), as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS SHALL ENSURE AND ENFORCE THE FOLLOWING:

ARTICLE 1. Law enforcement agencies under Washington County’s jurisdiction shall not use excessive force against any individual engaged in non-violent civil rights demonstrations.

ARTICLE 2. Law enforcement agencies under Washington County’s jurisdiction shall not physically bar the entrance to or exit from a facility or location which is the subject of a non-violent civil rights demonstration.

ARTICLE 3. The County’s response to such non-violent civil rights demonstrations shall endeavor to protect the rights of the non-violent demonstration participants, persons located in the vicinity, and persons owning property in the vicinity.

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**ARTICLE 4.** If a non-violent civil rights demonstration should occur, force shall only be permitted when necessary to protect the rights of individuals or uphold the law, and the County shall only permit the least amount necessary to achieve its lawful goal.

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JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**  
Date of Passage:  
Members Voting For:  
Members Voting Against:  
Members Abstaining:  
Members Absent: