

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

Thursday, May 16, 2019  
6:00 p.m.  
Washington County Quorum Court Room

FILED  
2019 JUN 21 AM 11:35  
BECKY LEVALLER  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

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 were no citizen comments.

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>.

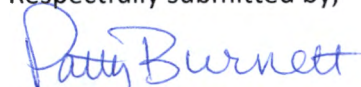
JP Harbison gave an update on the Finance & Budget Committee – The committee met and discussed the ordinances that were approved at tonight's meeting. There was discussion on the Performance Based Contract with Johnson Controls and a presentation on ankle bracelets by Darrell Slaughter. The next meeting 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

2019 MAY 20 PM 12: 01  
BECKY LEWIS  
CO. & PROBATE CLERK  
WASHINGTON, O. AR

FILED

**ORDINANCE NO. 2019-31**

**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 APPROVED BY  
THE PLANNING AND ZONING BOARD.**

**WHEREAS,** the Planning and Zoning Board granted a  
Conditional Use Permit on **May 2, 2019** , for the **Big Red Barn**; 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 ratification of a Conditional Use Permit  
for the **Big Red Barn** recommended for approval 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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

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

05-20-2019  
DATE

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

Introduced by: **JP Sam Duncan**  
Date of Adoption: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

## Big Red Barn CUP

**The Planning Board/Zoning Board of Adjustments approved the Big Red Barn CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

Donnie and Charlotte King are seeking Conditional Use Permit and Preliminary Large Scale Development approval for a commercial building for an event center.

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 in the City of Fayetteville Planning Area.

The project parcel (001-16774-004) is approximately 16.52 acres (more or less) in size.

The applicants will utilize an existing two-story barn as an event center. The total building height is approximately 44 feet. The first (ground) floor is approximately 5,250 square feet. The second (upper) story is 3,888 square feet.

A total of twelve (12) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. Two notifications were received in opposition of the project.

This project was not contentious. There was no public discussion.

**The Planning Board/Zoning Board of Adjustments approved the Big Red Barn CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

### **Water/Plumbing/Fire Conditions:**

City of Fayetteville Water conditions:

1. Please contact the City of Fayetteville Water Department should any water service related issues arise.

The Washington County Fire Marshal has the following conditions:

1. New and Existing Buildings and facilities shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
  - a. 505.1 New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their backgrounds. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.
2. The proposed project has a fire-flow that can be met by tanker support from the local Fire Department. The property shall not be split any further or the building added onto without an established water supply approved by the Washington County Sheriff Office Fire Marshal's Division. When a sufficient water supply is available, the owner shall install fire hydrants on site and install a NFPA 13 sprinkler system should they want to host more than 100 occupants without a fire watch from the local Fire Department.

- a. 507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
  - b. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
    - i. Exceptions:
      - 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.
      - 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.
3. You shall have an engineered statement insuring the drive and facility is compacted to 75,000 pounds submitted to the Washington County Sheriff Office Fire Marshal Division.
    - a. D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34,050kg).
  4. Add address to Fire Marshal on front page. 1155 W. Clydesdale Dr. Fayetteville, AR 72701
  5. Fix radius to be a minimum of 38'.
  6. Heights of power line on south side?
  7. Need to show Fire Lane No Parking signs.
  8. Trees need to be trimmed back to 13'6" at all times.
  9. Knox pad lock on gates and Knox Box on building (with tamper switch to fire alarm). Applicant's thoughts?
  10. Use of small building in back. If going to use need plans.
  11. They shall not host more than 100 occupants at any time without having a minimum of 4 certified Firefighters and a fire engine on site from the local fire department. They shall be on site until the event is over or there are less than 100 people left in the structure. A max occupancy sign shall be posted with the requirements as stated above along with a max occupancy sign for the upstairs area.
  12. A monitored fire alarm system with smoke and/or heat detectors shall be installed in the building. Plans shall be submitted to the Washington County Fire Marshal for review ASAP.
  13. Any indoor displays shall comply with section 314 of the fire code. This is to include any vehicles in the building as display during any event.
  14. Any open flame shall comply with section 308 of the Arkansas Fire Prevention Code.
  15. The power sliding doors shall comply with section 1008.1.4.2 & 1008.1.4.3.
  16. What is the proposed plan for securing the big red outer sliding doors? Should we have them comply like security grilles in a business like we see in a mall? Section 1008.1.4.4
  17. Type of exit door up stairs? Needs panic hardware.
  18. Egress balcony needs to comply with section 1019 of the Arkansas Fire Prevention Code volume I. (Request the fire marshal to read this section)
  19. Need suppression system on stove in kitchen and a class k fire extinguisher.
  20. During events there shall be clear defined aisles that are not blocked. Be mindful of the interior stairs.
  21. Exterior egress lighting needs to be shown.
  22. The walls must be rated.
  23. A suppression system will be needed for the stove.
  24. A passing structural analysis must be obtained.

**Health Department Conditions:**

1. A Food Service Application may be applied for as long as there is a 3 compartment sink. Please contact the Department of Health.

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

1. Any work done in the County right-of-way will require a permit from the Washington County Road Department prior to construction.

**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:**

Signage:

All proper signs must be visible on the fence if required.

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:

Please utilize an opaque screening method or plant vegetation if required.

**Addressing Conditions:**

1. The applicant must apply for 911 addresses to be assigned if needed.
2. Please make sure the address is visible from the road.

**Utility Conditions:**

Ozarks Electric conditions:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or [wmahaffey@ozarksecc.com](mailto:wmahaffey@ozarksecc.com)

**Planning Conditions:**

1. Any further expansion or other use not described here must come before the Planning Office and/or the Planning Board.

**City of Fayetteville Planning Department Conditions:**

1. In light of the proposed conditional use permit's proximity to existing and planned residential



uses, City of Fayetteville Planning staff recommends that events held at this property that include outdoor music be limited to the Friday and Saturday dates and times proposed in the request letter. To assure that those outdoor music events that do occur are of limited impact, staff recommends noise volume limits comparable to those within residential areas of Fayetteville.

This includes the following:

a. 7:00 AM to 11:00 PM - 60 dB(A)

b. 11:00 PM to 7:00 AM - 55 dB(A)

Thank you for your consideration.

**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.

DEC 17 11:51 AM '19  
CLERK OF COURT  
WASHINGTON CO. AR  
2019 MAY 20 PM 12:01  
FILED

ORDINANCE NO. 2019-32

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 APPROVED BY THE PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board granted a Conditional Use Permit on May 2, 2019, for the Thomas Pearson Wireless Communications Facility; and,

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

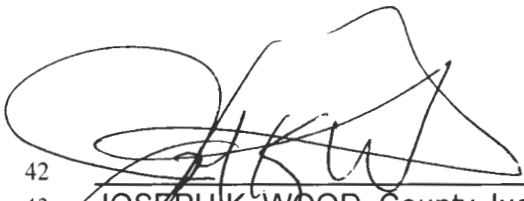
WHEREAS, ratification will not affect any appeal rights any person may have.

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

ARTICLE 1. That the ratification of a Conditional Use Permit for the Thomas Pearson Wireless Communications Facility recommended for approval 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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

42   
43 \_\_\_\_\_  
44 JOSEPH K. WOOD, County Judge

05-20-2019  
DATE

45  
46   
47 \_\_\_\_\_  
48 BECKY LEWALLEN, County Clerk

49  
50 Introduced by: **JP Sam Duncan**  
51 Date of Adoption: **May 16, 2019**  
52 Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,**  
53 **E. Madison, Jenkins, Highers, S. Madison, Leming,**  
54 **Harbison, Pond**  
55  
56 Members Voting Against:  
57 Members Abstaining:  
58 Members Absent: **Deakins, Washington**  
59

## **Thomas Pearson Wireless Communications Facility CUP**

**The Planning Board/Zoning Board of Adjustments approved the Thomas Pearson Wireless Communications Facility CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

BRT Group, LLC is seeking Conditional Use Permit approval to construct and operate a wireless communications facility.

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 (001-11521-002) is approximately 8.26 acres (more or less) in size.

The lease area for the wireless communications facility is approximately 0.23 acres (more or less) or approximately 10,000 square feet. It will be 10x10 feet accessibly via W Hwy 16 from a 25 foot easement.

The applicant is not installing any type of building that will utilize septic/sewer.

A total of eight (8) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. Two notifications were received in opposition of the project.

This project was not contentious. There was one neighbor who spoke in regards to safety concerns of the entrance to the project being placed between two curves.

**The Planning Board/Zoning Board of Adjustments approved the Thomas Pearson Wireless Communications Facility CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

### **Water/Plumbing/Fire Conditions:**

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

1. The property is served from a 4" water main paralleling HWY 59. If water service from the Washington Water Authority (WWA) distribution system is desired, a Request for Water Service application will need to be filed with the WWA office (<https://washingtonwater.org/new-service-request>).

The Washington County Fire Marshal has the following conditions:

1. The road shall be a minimum of 26' wide with 38' turning radius and an approved turnaround. The access easement will need to be larger. This is for ladder truck access due to the height of the tower.
  - a. D103.2 Fire apparatus access roads shall not exceed 10 percent in grade.
    - i. Exception: Grades steeper than 10 percent as approved by the fire chief.
  - b. D103.3 The minimum turning radius shall be determined by the fire cede official.
  - c. D103.4 Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provision in accordance with table D103.4
  - d. 13'6" height clearance on driveway to tower add around tower
  - e. Fire Lane No Parking at front entrance.
2. There shall be a submitted statement from an engineer with their stamp of approval stating the drive is compacted to 75,000 pounds in all weather conditions.
  - a. D102.1 Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire departments apparatus by way of an approved fire apparatus

- access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of 75,000 pounds.
3. The proposed project has a fire-flow that can be met by tanker support from the local Fire Department. The property shall not be split any further without an established water supply approved by the Washington County Fire Marshal.
    - a. 507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
    - b. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
      - i. Exceptions:
        1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.
        2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.
  4. The property shall not be split any further or in a way that would require an approved fire apparatus access road without approval by the Washington County Fire Marshal.
    - a. 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
      - i. Exception: The fire code official is authorized to increase the dimensions of 150 feet where:
        1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with section 903.3.1.1, 903.3.1.2 or 903.1.3
        2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, non-negotiable grades or other similar condition, and an approved alternative means of fire protection is provided.
        3. There are not more than two Group R-3 or Group U occupancies.
  5. New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
    - a. 505.1 New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their backgrounds. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.
    - b. 505.2 Street or road signs. Streets and road shall be identified with approved signs. Temporary signs shall be installed at each street intersection when

construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

6. Should a building or generator be added to the site they shall obtain approval from the Washington County Fire Marshal.
7. Any gate? Needs to be size of driveway. Knox Lock on gate.

**Health Department Conditions:**

1. Please contact the Arkansas Department of Health if septic/sewer is needed in the future.

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

1. Any work done in the County right-of-way will require a permit from the Washington County Road Department prior to construction.
2. Please contact the Arkansas Department of Transportation to obtain proper permits and regulations prior to construction.

**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:**

Signage:

All proper signs must be visible on the fence.

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:

Please utilize an opaque screening method or plant vegetation.

**Addressing Conditions:**

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

**Utility Conditions:**

Ozarks Electric is the provider for this parcel. They have the following conditions:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or [wmahaffey@ozarksecc.com](mailto:wmahaffey@ozarksecc.com)

**Planning Conditions:**

1. Any further expansion or other use not described here must come before the Planning Office and/or the Planning Board.

**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.

BRADY LEWALLEN  
CLERK  
PLANS AND ZONING  
WASHINGTON CO. AR

2019 MAY 20 PM 12:02

FILED

**ORDINANCE NO. 2019-33**

**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 APPROVED BY THE PLANNING AND ZONING BOARD.**

**WHEREAS**, the Planning and Zoning Board granted a Conditional Use Permit on **May 2, 2019** , for the **Dutch Mills Wireless Communications Facility**; 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:**

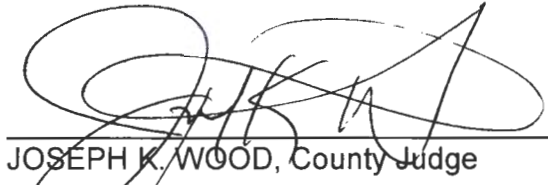
**ARTICLE 1.** That the ratification of a Conditional Use Permit for the **Dutch Mills Wireless Communications Facility** recommended for approval by the Planning and Zoning Board is hereby ratified.

**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.

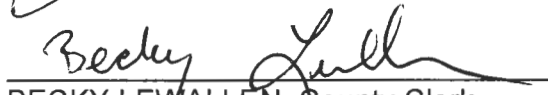
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41



42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

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

05-20-2019  
DATE

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

Introduced by: **JP Willie Leming**  
Date of Adoption: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

## **Dutch Mills Wireless Communications Facility CUP**

**The Planning Board/Zoning Board of Adjustments approved the Dutch Mills Wireless Communications Facility CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

Smith Communications is seeking Conditional Use Permit approval to construct and operate a wireless communications facility.

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 (001-05487-002) is approximately 11.50 acres (more or less) in size.

The proposed tower will be 285 feet tall.

The lease area for the wireless communications facility is approximately 0.23 acres (more or less) or approximately 10,000 square feet. It will be 100x100 feet accessibly via S Hwy 59 from an easement.

There are no known existing communications towers within a 2 mile radius of the project parcel.

The applicant is not installing any type of building that will utilize septic/sewer.

A total of eleven (11) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. Two notifications were received in opposition of the project.

This project was not contentious. There was no public discussion.

**The Planning Board/Zoning Board of Adjustments approved the Dutch Mills Wireless Communications Facility CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

### **Water/Plumbing/Fire Conditions:**

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

1. The property is served from a 4" water main paralleling HWY 59. If water service from the Washington Water Authority (WWA) distribution system is desired, a Request for Water Service application will need to be filed with the WWA office (<https://washingtonwater.org/new-service-request>).

The Washington County Fire Marshal has the following conditions:

1. The road shall be a minimum of 26' wide with 38' turning radius and an approved turnaround. The access easement will need to be larger. This is for ladder truck access due to the height of the tower.
  - a. D103.2 Fire apparatus access roads shall not exceed 10 percent in grade.
    - i. Exception: Grades steeper than 10 percent as approved by the fire chief.
  - b. D103.3 The minimum turning radius shall be determined by the fire cede official.
  - c. D103.4 Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provision in accordance with table D103.4
  - d. 13'6" height clearance on driveway to tower add around tower
  - e. Fire Lane No Parking at front entrance.
2. There shall be a submitted statement from an engineer with their stamp of approval stating the drive is compacted to 75,000 pounds in all weather conditions.

- a. D102.1 Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire departments apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of 75,000 pounds.
3. The proposed project has a fire-flow that can be met by tanker support from the local Fire Department. The property shall not be split any further without an established water supply approved by the Washington County Fire Marshal.
  - a. 507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
  - b. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
    - i. Exceptions:
      1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.
      2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.
4. The property shall not be split any further or in a way that would require an approved fire apparatus access road without approval by the Washington County Fire Marshal.
  - a. 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
    - i. Exception: The fire code official is authorized to increase the dimensions of 150 feet where:
      1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with section 903.3.1.1, 903.3.1.2 or 903.1.3
      2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, non-negotiable grades or other similar condition, and an approved alternative means of fire protection is provided.
      3. There are not more than two Group R-3 or Group U occupancies.
5. New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
  - a. 505.1 New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their backgrounds. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

- b. 505.2 Street or road signs. Streets and road shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.
6. Should a building or generator be added to the site they shall obtain approval from the Washington County Fire Marshal.
7. Any gate? Needs to be size of driveway. Knox Lock on gate.

**Health Department Conditions:**

1. Please contact the Arkansas Department of Health if septic/sewer is needed in the future.

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

1. Any work done in the County right-of-way will require a permit from the Washington County Road Department prior to construction.
2. Please contact the Arkansas Department of Transportation to obtain proper permits and regulations prior to construction.

**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:**

Signage:

All proper signs must be visible on the fence.

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:

Please utilize an opaque screening method or plant vegetation.

**Addressing Conditions:**

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

**Utility Conditions:**

Ozarks Electric is the provider for this parcel. They have the following conditions:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-

2167 Or wmahaffey@ozarksecc.com

**Planning Conditions:**

1. Any further expansion or other use not described here must come before the Planning Office and/or the Planning Board.

**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.

2019 MAY 20 PM 12:02  
BECKY LEWALLEN  
CLERK PROBATE CLERK  
WASHINGTON CO. AR  
ILED

**ORDINANCE NO. 2019-34**

**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 APPROVED BY  
THE PLANNING AND ZONING BOARD.**

**WHEREAS,** the Planning and Zoning Board granted a  
Conditional Use Permit on **May 2, 2019** , for the **Reese Residential**; 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.

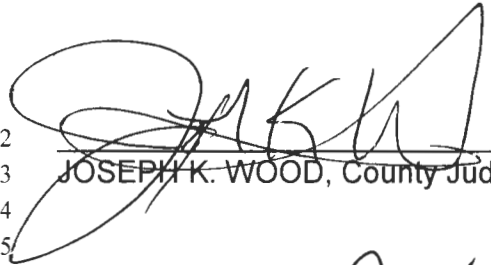
**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM  
COURT OF WASHINGTON COUNTY, ARKANSAS:**

**ARTICLE 1.** That the ratification of a Conditional Use Permit  
for the **Reese Residential** recommended for approval by the Planning and Zoning Board  
is hereby ratified.

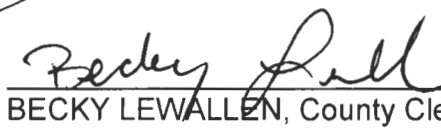
**ARTICLE 2. Emergency Clause.** It is hereby determined that  
it is in the best interest of the applicant and the public for this ordinance to be effective  
immediately; therefore, an emergency is declared to exist and this ordinance shall be and  
is effective on the date of its passage.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59

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

05-20-2019  
DATE

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

Introduced by: **JP Ann Harbison**  
Date of Adoption: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

## Reese Residential CUP

**The Planning Board/Zoning Board of Adjustments approved the Gingham Daisy CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

The owner of the property is James Wilhite, while the applicant is Emily Reese. This property is located in the Washington County unincorporated area to the west of Winslow, off of Hidden Valley Road WC-229.

This CUP request is to allow for Emily Reese to occupy a 3<sup>rd</sup> (third) residence on a parcel of 1.96 acres. Currently, the county limits residences to one per acre. The proposed residence is approximately 14' x 44' at the southwestern portion of the parcel.

A total of 5 (five) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. There were no responses supporting or opposing this proposal.

This project was not contentious. There was no public discussion.

**The Planning Board/Zoning Board of Adjustments approved the Reese Residential CUP, with conditions, request on May 2, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent). With the following conditions:**

### **Water/Plumbing/Fire Conditions:**

Washington County Fire Marshal:

1. Any New structures on the property shall not exceed 3600 square feet in size. Should you want larger structures you must submit the overall square footage to the Fire Marshal for review.
  - a. B105.1 One- and two-family dwellings. The minimum fire-flow and flow duration requirements for one- and two-family dwellings having a fire-flow calculation area that does not exceed 3,600 square feet shall be 1,000 gallons per minute for 1 hour. Fire-flow and flow duration for structures in excess of 3,600 square feet shall not be less than that specified in table B105.1.
2. The proposed project has a fire-flow that can be met by tanker support from the local Fire Department. The property shall not be split any further without an established water supply approved by the Washington County Fire Marshal.
  - a. 507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
  - b. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
    - i. Exceptions:
      1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.
      2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.
3. The property shall not be split any further or in a way that would require an approved fire apparatus access road without approval by the Washington County Fire Marshal.
  - a. 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall



comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- i. Exception: The fire code official is authorized to increase the dimensions of 150 feet where:
  1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with section 903.3.1.1, 903.3.1.2 or 903.1.3
  2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, non-negotiable grades or other similar condition, and an approved alternative means of fire protection is provided.
  3. There are not more than two Group R-3 or Group U occupancies.
4. There shall be interconnected smoke alarms that receive their primary power from the building wiring and have a secondary power source.
  - a. 907.2.11.2 Groups R-2, R-3, R-4, and I-1. Single or multiple-station smoke alarms shall be installed and maintained in groups R-2, R-3, R-4, and I-1 regardless of occupant load at all of the following locations:
    - i. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
    - ii. In each room used for sleeping purposes.
      1. Exception: Single or multiple station smoke alarm in group I-1 shall not be required where smoke detectors are provided in the sleeping rooms as part of an automatic smoke detection system.
    - iii. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than on full story below the upper level.
    - iv. 907.2.11.3 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarm shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedroom over background noise levels with all intervening doors closed.
  - b. 907.2.11.4 Power source. In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery back-up shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than required for overcurrent protection.
5. New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
  - a. 505.1 New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their backgrounds. Where required by the fire code official, address numbers shall be provided in additional approved locations to

facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

6. Houses shall be a minimum of 10' apart (the more distance the better) as according to the Arkansas Fire Prevention Code.

Washington Water Authority:

1. The property is served from a 3" water main paralleling Hidden Valley Road. If water service from the Washington Water Authority (WWA) distribution system is desired, a Request for Water Service application will need to be filed with the WWA office.

**Electric/Gas/Cable/Phone:**

Ozarks Electric

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.  
Wes Mahaffey At (479)263-2167 Or [wmahaffey@ozarksecc.com](mailto:wmahaffey@ozarksecc.com)

**Sewer/Septic/Decentralized Sewer Conditions:**

1. The septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence(s).

**Environmental Conditions:**

1. 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).

**Utility Conditions:**

Ozarks Electric

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.  
Wes Mahaffey At (479)263-2167 Or [wmahaffey@ozarksecc.com](mailto:wmahaffey@ozarksecc.com)

**Standard Conditions:**

1. Pay neighbor notification mailing fees (\$20.45) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 04/22/19).
2. Pay engineering fees. The total will be calculated for this project once all invoices have been 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. 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.

This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**ORDINANCE NO. 2019-35**

**APPROPRIATION ORDINANCE**


**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 COMPUTER SOFTWARE DESIGN TECHNICIAN TO DESKTOP SUPPORT TECHNICIAN IN THE INFORMATION TECHNOLOGY BUDGET FOR 2019.**

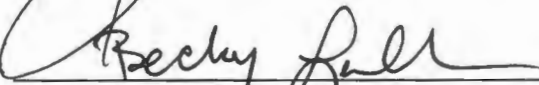
**WHEREAS,** the Washington County Information Technology Department desires to change the title of one full-time position for 2019.

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

**ARTICLE 1.** The title of the personnel position of Computer Software Design Technician (0115021), Grade 18, in the Information Technology Department Budget of the General Fund (Position 10000115) is hereby changed to Desktop Support Technician (Position 0115021), Grade 18, for 2019.

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

05-20-2019  
DATE

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

Introduced by: **JP Ann Harbison**  
Date of Passage: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan, E. Madison, Jenkins, Highers, S. Madison, Leming, Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

FILED  
2019 MAY 20 PM 12:02  
CLERK OF THE QUORUM COURT  
WASHINGTON COUNTY, ARKANSAS

2019 MAY 20 PM 12:02  
BECKY LEWALLEN  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

FILED

**ORDINANCE NO. 2019-36**

**APPROPRIATION ORDINANCE**

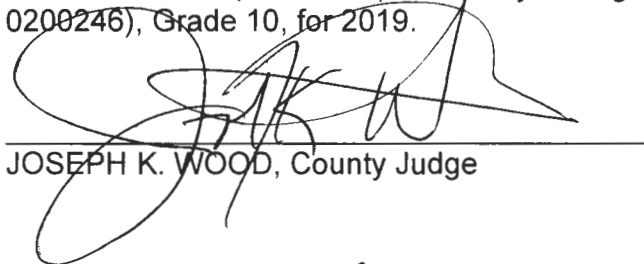
**BE IT ENACTED BY THE QUORUM  
COURT OF THE COUNTY OF  
WASHINGTON, STATE OF ARKANSAS,  
AN ORDINANCE TO BE ENTITLED:**

**AN ORDINANCE CHANGING THE TITLE OF  
HEAVY EQUIPMENT OPERATOR TO  
ASSISTANT OFFICE MANAGER IN THE  
ROADS DEPARTMENT BUDGET FOR 2019.**

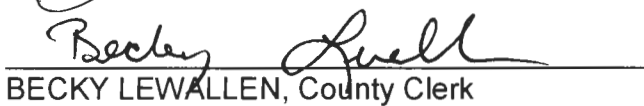
**WHEREAS,** the Washington County Roads Department  
desires to change the title of one full time position for 2019.

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

**ARTICLE 1.** The title of the personnel position of Heavy  
Equipment Operator (Position 0200246), Grade 11, in the Roads Department budget of  
the Road Fund (20000200) is hereby changed to Assistant Office Manager (Position  
0200246), Grade 10, for 2019.

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

05-20-2019  
DATE

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

Introduced by: **JP Ann Harbison**  
Date of Passage: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

2019 MAY 20 PM 12:02  
CLERK  
COUNTY CLERK  
WASHINGTON AR  
11-ED

**ORDINANCE NO. 2019-37**

**APPROPRIATION ORDINANCE**

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

**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.**

**WHEREAS**, the Washington County Road Department has completed the work to repair the Dye Creek Bridge that was damaged by flooding; and,

**WHEREAS**, the Washington County Road Department is currently working to repair damage to the Brush Creek Bridge that was damaged by flooding and needs additional funding to complete the repairs; and,

**WHEREAS**, Washington County anticipates revenue in the amount of \$1,622,100.35 from the Federal Emergency Management Agency (FEMA) and the Arkansas Department of Emergency Management (ADEM) for reimbursement for expenses incurred by the county to repair these bridges.

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

**ARTICLE 1.** There is hereby appropriated \$970,000 from unappropriated reserves in the Road Department Fund (2000) to the following line items in the Road Department Budget for 2019:

<u>Road Department Budget</u>		
Other Professional Services	(20000201.3009)	\$ 900,000.00
Machinery & Equipment Rental	(20000201.3071)	70,000.00
<b>TOTAL APPROPRIATION</b>		<b><u>\$ 970,000.00</u></b>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

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

05-20-2019  
DATE

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

Introduced by: **JP Ann Harbison**  
Date of Passage: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

2019 MAY 20 PM 12:02  
DEREK J. JENNIFER  
CLERK PROBATE CLERK  
WASHINGTON CO. AR

FILED

**ORDINANCE NO. 2019-38**

**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  
\$12,000.00 FROM UNAPPROPRIATED  
RESERVES IN THE CIRCUIT COURT  
AUTOMATION FUND TO VARIOUS LINE  
ITEMS IN THE CIRCUIT COURT  
AUTOMATION BUDGET FOR 2019.**

**WHEREAS**, the Circuit Courts of Washington County desire  
to purchase equipment that will allow the Courts to participate in video arraignments;  
and,

**WHEREAS**, the Circuit Court Automation Fund has  
adequate funds for said equipment, but the funds must be appropriated by the Quorum  
Court.

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

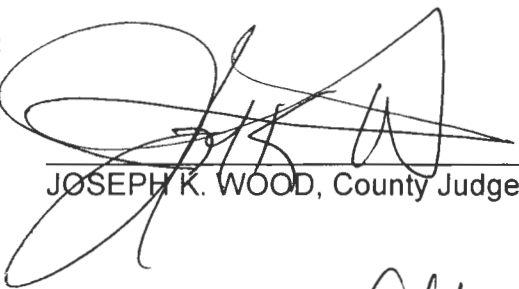
**ARTICLE 1.** There is hereby appropriated the total amount  
of \$12,000.00 from unappropriated reserves in the Circuit Court Automation Fund  
(3002) to the following line items in the Circuit Court Automation Budget (30020437) for  
2019:

<u>Circuit Court Automation</u>		
Small Equipment	(30020437.2002)	\$ 2,600.00
Computer/IT Equip.	(30020437.2009)	8,150.00
Dues/Memberships	(30020437.3090)	1,250.00
<b>TOTAL APPROPRIATION</b>		<b><u>\$ 12,000.00</u></b>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40



41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61



---

JOSEPH K. WOOD, County Judge

05-20-2019  
DATE



---

BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**  
Date of Passage: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

BECKY LEWALLEN  
CO. & PROBATE CLERK  
WASHINGTON CO. AR  
2019 MAY 20 PM 12:02

FILED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**ORDINANCE NO. 2019-39**

**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 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.**

**WHEREAS**, the Washington County Assessor needs to purchase a new server to continue providing services to the citizens of Washington County.

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

**ARTICLE 1.** There is hereby appropriated the total amount of \$13,500.00 from unappropriated reserves in the Assessor's Amendment 79 Fund (3004) to the Computer Machinery/Equipment Line Item (30040105-4009) in the Assessor's Amendment 79 Fund Budget for 2019.

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

05-20-2019  
DATE

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

Introduced by: **JP Ann Harbison**  
Date of Passage: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan,  
E. Madison, Jenkins, Highers, S. Madison, Leming,  
Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**

2019 MAY 20 PM 12:02  
BECKY LEMALLEE  
CLERK  
WASHINGTON CO. AR  
FILED

**ORDINANCE NO. 2019-40**

**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  
ADDITIONAL REVENUES OF \$62,129.84  
FROM THE GENERAL FUND TO  
VARIOUS LINE ITEMS IN THE  
SHERIFF'S BUDGET FOR 2019.**

**WHEREAS**, the Washington County Sheriff's Office routinely provides law enforcement services for special events throughout the County for which it receives payment; and,

**WHEREAS**, Washington County has received additional revenues in the amount of \$61,332.58 for special event services provided by the Washington County Sheriff's Office; and,

**WHEREAS**, Washington County is anticipating additional revenue in the amount of \$797.26 for special event services provided by the Washington County Sheriff's Office.

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

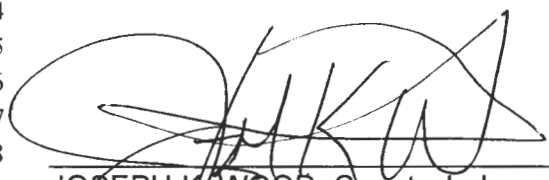
**ARTICLE 1.** There are hereby appropriated the total amount of \$62,129.84 from the General Fund to the following line items in the following budgets for 2019:

<u>General Fund/Sheriff:</u>		
Salaries, Part-Time	(10000400-1002)	\$0.00
Overtime	(10000400-1005)	\$34,546.31
Social Security	(10000400-1006)	\$2,642.79
Noncontributory Retirement	(10000400-1008)	\$5,292.50
Workers Compensation	(10000400-1010)	\$1,160.64
		<b>\$43,642.24</b>

43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74

<u>Jail Operations Fund/Jail:</u>		
Salaries, Part-Time	(10000400-1002)	\$0.00
Overtime	(30170418-1005)	\$14,634.33
Social Security	(30170418-1006)	\$1,119.56
Noncontributory Retirement	(30170418-1008)	\$2,241.97
Workers Compensation	(30170418-1010)	\$491.74
		<b>\$18,487.60</b>

**TOTAL APPROPRIATION: \$62,129.84**




---

JOSEPH K. WOOD, County Judge

05-20-2019

DATE



---

BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**  
Date of Passage: **May 16, 2019**  
Members Voting For: **Johnson, Cunningham, Bowman, Yanez, Ecke, Duncan, E. Madison, Jenkins, Highers, S. Madison, Leming, Harbison, Pond**  
Members Voting Against:  
Members Abstaining:  
Members Absent: **Deakins, Washington**