



WASHINGTON COUNTY, ARKANSAS
County Courthouse

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

Thursday, October 17, 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 September 19, 2019. (6.1)
7. **COUNTY JUDGE'S REPORT** (7.1 - 7.2) JUDGE JOSEPH WOOD

NEW BUSINESS

8. **CONSENT AGENDA:**
 1. **AN ORDINANCE CHANGING THE TITLE OF PERSONNEL POSITIONS IN THE JAIL BUDGET FOR 2019; AND, APPROPRIATING THE AMOUNT OF \$1,734.96 TO SALARY LINE ITEMS IN THE JAIL BUDGET FOR 2019** *Item 19-I-0101* (8.1) JP BUTCH POND
 2. **AN ORDINANCE INCREASING THE SALARY OF THE DIRECTOR OF VETERANS AFFAIRS IN THE VETERANS AFFAIRS BUDGET FOR 2019** *Item 19-I-103* (8.2) JP BUTCH POND
 3. **AN ORDINANCE INCREASING THE SALARY OF THE COUNTY ATTORNEY IN THE COUNTY ATTORNEY BUDGET FOR 2019** *Item 19-I-105* (8.3) JP BUTCH POND

4. **AN ORDINANCE INCREASING THE SALARY OF THE GRANTS ADMINISTRATOR IN THE GRANTS DEPARTMENT BUDGET FOR 2019** *Item 19-I-104 (8.4)* JP BUTCH POND
5. **AN ORDINANCE INCREASING THE SALARY OF THE PURCHASING MANAGER IN THE GENERAL SERVICES BUDGET FOR 2019** *Item 19-I-106 (8.5)* JP BUTCH POND
6. **AN ORDINANCE CHANGING THE TITLE OF DEPUTY ASSESSOR II TO AMENDMENT 79 ADMINISTRATOR IN THE COUNTY ASSESSOR'S BUDGET FOR 2019** *Item 19-I-097 (8.6)* JP BUTCH POND
7. **AN ORDINANCE CHANGING THE TITLE OF THE DEPUTY ASSESSOR I TO DEPUTY ASSESSOR II IN THE COUNTY ASSESSOR'S BUDGET FOR 2019** *Item 19-I-098 (8.7)* JP BUTCH POND
8. **A LINE ITEM TRANSFER REQUEST – ROAD DEPARTMENT** (8.8) JP ANN HARBISON
9. **AN ORDINANCE APPROPRIATING MONEY IN THE CIRCUIT COURT VII BUDGET FOR 2019** *Item 19-I-111 (8.9)* JP ANN HARBISON
10. **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$929,761 IN THE DEM GRANT FUND; AND, APPROPRIATING THE AMOUNT OF \$929,761 FROM THE DEM GRANT FUND TO VARIOUS HOMELAND SECURITY BUDGETS FOR 2019** *Item 19-I-095 (8.10)* JP ANN HARBISON
11. **AN ORDINANCE REDUCING THE TOTAL AMOUNT OF \$145,000 FROM THE RURAL COMMUNITY GRANTS FUND; AND, APPROPRIATING THE AMOUNT OF \$145,000 TO THE ASPHALT LINE ITEM IN THE ROAD DEPARTMENT BUDGET FOR 2019** *Item 19-I-099 (8.11)* JP ANN HARBISON
12. **AN ORDINANCE ANTICIPATING REVENUES OF \$53,000 IN THE ARKANSAS HERITAGE PRESERVATION PROGRAM (AHPP) GRANT FUND (3518-0630); AND, APPROPRIATING \$53,000 TO VARIOUS LINE ITEMS IN THE AHPP BUDGET FOR 2019** *Item 19-I-100 (8.12)* JP ANN HARBISON
13. **AN ORDINANCE RECOGNIZING THE AMOUNT OF \$67,500 IN THE RURAL COMMUNITY GRANT FUND FOR 2019 AND APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR 2019** *Item 19-I-102 (8.13)* JP ANN HARBISON
14. **AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES OF \$88,371.49 FROM THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF'S BUDGET FOR 2019** *Item 19-I-096 (8.14)* JP ANN HARBISON

9. **WEDINGTON MINE RED DIRT PIT APPEAL HEARING** (9.1) **JUDGE JOSEPH WOOD**
Conditional Use Permit Request
Location: Section 05 Township 16 Range 31
Owner and Applicant: Wedington Mine, LLC
Location Address: 15792 Harmon Rd Fayetteville, AR 72704
Approximately: 60.83 acres
Proposed Land Use: Commercial Open-Cut Red Dirt Mine
Project Number – 2019-123 Planner: Nathan Crouch
10. **APPEAL HEARING DISCUSSION BY QUORUM COURT**
11. **QUORUM COURT ACTION ON THE WEDINGTON MINE CUP**
Item 19-1-109 Item 19-1-110 (11.1 – 11.2)
12. **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD** **JP SUE MADISON**
(Johnson & Smith Residential) Item 19-1-107 (12.1 – 12.2)
13. **AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD** **JP WILLIE LEMING**
(Moua) Item 19-1-108 (13.1 – 13.2)
14. **COMMITTEE REPORTS:**
 - o COUNTY SERVICES (14.1)
 - o FINANCE & BUDGET (14.2)
 - o JAILS/LAW ENFORCEMENT/COURTS (14.3)
 - o PERSONNEL (14.4)
15. **ADJOURNMENT**

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

Thursday, September 19, 2019

6:00 p.m.

Washington County Quorum Court Room

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

JP Jenkins led the prayer and pledge.

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

A motion to adopt the agenda with additions of adding an ordinance ratifying a conditional use permit and an ordinance appropriating \$25,000 was made by JP S Madison and seconded by JP Jenkins. 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 and the resolution be read in its entirety 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 motion.

During citizen comments, Prairie Grove Mayor Sonny Hudson spoke on the jail fees. Carol Widder spoke about the jail study.

A motion to approve the August 15th minutes was made by JP S Madison and seconded by JP Duncan. A voice vote was called and all members present unanimously voted to approve the minutes.

Judge Joseph Wood presented his Judge's Report. Judge Wood presented to the Court a Purchasing Department Report of the Disposal of County Property for August.

JP Leming introduced agenda item 8.1. County Attorney Brian Lester read the resolution in its entirety, "A RESOLUTION HONORING THE PITTS BROTHERS AS THE WASHINGTON COUNTY 2019 FARM FAMILY OF THE YEAR". A motion to adopt the resolution was made by JP Leming and seconded by JP S Madison. A roll call vote was called and all members present unanimously voted to adopt the resolution.

Resolution 2019-11, A RESOLUTION HONORING THE PITTS BROTHERS AS THE WASHINGTON COUNTY 2019 FARM FAMILY OF THE YEAR, was adopted.

JP Deakins introduced agenda item 9.1. This ordinance was on its second reading. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE TO ESTABLISH THE DAILY FEE CHARGED TO MUNICIPALITIES FOR HOUSING PRISONERS IN THE COUNTY JAIL". A motion to suspend the rules and advance the ordinance to a third and final reading was made by JP Duncan

and seconded by JP Harbison. There were no public comments. A roll call vote was called and the votes were tallied as follow:

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

The motion was approved. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE TO ESTABLISH THE DAILY FEE CHARGED TO MUNICIPALITIES FOR HOUSING PRISONERS IN THE COUNTY JAIL". A motion to adopt the ordinance was made by JP Duncan and seconded by JP Deakins. There were comments made by various members of the Court and Judge Joseph Wood. During public comments, Brandy Weaver, Prairie Grove Mayor Sonny Hudson, Jim Neighbors, and Sarah Moore spoke. A roll call vote was called and the votes were tallied as follow:

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

The motion was approved

Ordinance 2019-60, AN ORDINANCE TO ESTABLISH THE DAILY FEE CHARGED TO MUNICIPALITIES FOR HOUSING PRISONERS IN THE COUNTY JAIL, was adopted.

Judge Joseph Wood introduced the items on the Consent Agenda. County Attorney Brian Lester read each ordinance by title only, "AN ORDINANCE CHANGING THE TITLE OF KENNEL SUPERVISOR TO KENNEL SUPERINTENDENT IN THE ANIMAL SHELTER BUDGET FOR 2019". "AN ORDINANCE

CHANGING THE TITLE OF DIRECTOR (JUVENILE COURT/SPO) TO DIRECTOR (JUVENILE SERVICES/SPO) IN THE CIRCUIT COURT III BUDGET FOR 2019; AND, INCREASING THE SALARY FOR SAID POSITION". "AN ORDINANCE CHANGING THE TITLES OF HEAVY EQUIPMENT OPERATOR TO ROAD MAINTENANCE WORKER FOR THREE POSITIONS IN THE ROAD DEPARTMENT BUDGET FOR 2019". "AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES IN THE AMOUNT OF \$81,667 FROM THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF'S BUDGET FOR 2019". "AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN THE AMOUNT OF \$25,000; AND, APPROPRIATING \$25,000 TO THE JAIL OPERATION & MAINTENANCE BUDGET FOR 2019". Line Item transfer request in the amount of \$65,128 be transferred from 3014-0400-4009 (Computer Machinery/Equipment) to 3014-0400-3073 (Lease-Machinery and Equipment). A motion to adopt all the ordinances on the Consent Agenda and approve the line item transfer request was made by JP Pond and seconded by JP Jenkins. There were no public comments. A roll call vote was called and all members present unanimously voted to adopt the ordinances and approved the line item transfer request.

Ordinance 2019-61, AN ORDINANCE CHANGING THE TITLE OF KENNEL SUPERVISOR TO KENNEL SUPERINTENDENT IN THE ANIMAL SHELTER BUDGET FOR 2019, was adopted.

Ordinance 2019-62, AN ORDINANCE CHANGING THE TITLE OF DIRECTOR (JUVENILE COURT/SPO) TO DIRECTOR (JUVENILE SERVICES/SPO) IN THE CIRCUIT COURT III BUDGET FOR 2019; AND, INCREASING THE SALARY FOR SAID POSITION, was adopted.

Ordinance 2019-63, AN ORDINANCE CHANGING THE TITLES OF HEAVY EQUIPMENT OPERATOR TO ROAD MAINTENANCE WORKER FOR THREE POSITIONS IN THE ROAD DEPARTMENT BUDGET FOR 2019, was adopted.

Ordinance 2019-64, AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES IN THE AMOUNT OF \$81,667 FROM THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF'S BUDGET FOR 2019, was adopted.

Ordinance 2019-65, AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN THE AMOUNT OF \$25,000; AND, APPROPRIATING \$25,000 TO THE JAIL OPERATION & MAINTENANCE BUDGET FOR 2019, was adopted.

JP Harbison introduced agenda item 11.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE AUTHORIZING THE COUNTY TO DO BUSINESS WITH SOUTHERN GRAPHICS". A motion to adopt the ordinance was made by JP Harbison and seconded by JP Leming. There were comments made by JP E Madison, JP Pond, and JP S Madison. There were no public comments. A roll call vote was called and the votes were tallied as follow:

JP Johnson: Yes
JP Cunningham: Yes
JP Bowman: Yes
JP Yanez: Yes
JP Deakins: Yes
JP Ecke: Yes
JP Duncan: Yes
JP Washington: Absent
JP E Madison: No

JP Jenkins: No
JP Highers: Yes
JP S Madison: No
JP Leming: Yes
JP Harbison: Yes
JP Pond: Yes

The motion was approved.

Ordinance 2019-66, AN ORDINANCE AUTHORIZING THE COUNTY TO DO BUSINESS WITH SOUTHERN GRAPHICS, was adopted.

JP Deakins introduced agenda item 12.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING BOARD FOR THE CGC RV PARK". A motion to suspend the rules and advance the ordinance to a second reading was made by JP Deakins and seconded by JP Ecke. A voice vote was called and majority of the members voted to approve the motion. JP E Madison opposed. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING BOARD FOR THE CGC RV PARK". A motion to suspend the rules and advance the ordinance to a third and final reading was made by JP Deakins and seconded by JP Ecke. A voice vote was called and majority of the members voted to approve the motion. JP E Madison opposed. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING BOARD FOR THE CGC RV PARK". A motion to adopt the ordinance was made by JP Deakins and seconded by JP Pond. There were comments made by various members of the Court and Planning Director Nathan Crouch. A call for the question was made by JP Ecke. A voice vote was called and majority of the members voted to approve the motion. JP E Madison opposed. There were no public comments. A roll call vote was called and the votes were tallied as follow:

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

The motion was approved.

Ordinance 2019-67, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT APPROVED BY THE PLANNING BOARD FOR THE CGC RV PARK, was adopted.

JP Bowman introduced agenda item 13.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE APPROPRIATING \$25,000 FROM THE GENERAL FUND TO THE DEPARTMENT OF EMERGENCY MANAGEMENT BUDGET FOR 2019". A motion to amend the ordinance to have the consultant negotiate the contract for the radio communication system was made by JP Bowman. The motion failed due to lack of a second. A motion to adopt the ordinance was made by JP Bowman and seconded by JP Harbison. There were comments made by various members of the Court. A motion to postpone the ordinance indefinitely was made by JP Leming and seconded by JP E Madison. A voice vote was called and all members present unanimously voted to approve the motion. This ordinance is postponed indefinitely.

JP Bowman presented the September County Services Committee Report. During the September meeting Emergency Management Director John Luther gave an update on the emergency communication system. Roads Director Charles Ward gave an update on the Road Department. Buildings and Grounds Director Dwight Gonzalez gave a report on the Johnson Control's Performance Contract Progress.

JP Harbison presented the September Finance & Budget Committee Report. During the September meeting there were reports given by Treasurer Bobby Hill and Comptroller Shannon Worthen. There were five ordinances and one line item transfer request approved to be added to the Quorum Court Consent Agenda. There was discussion on an ordinance authoring the County to do business with Southern Graphics. There were budget discussions on the Budget Controls, County Clerk, and the County Judge's Departments. The Finance & Budget Committee also met on September 12th. There was a report given by Ozark Regional Transit Executive Director Joel Gardner. There were budget discussions on Circuit Court I, Circuit Court III, and Circuit Court VII.

JP Johnson gave an update on the Jails/LE/Courts Committee – The Committee did not meet due to lack of an agenda.

JP Pond presented the September Personnel Committee Report. During the September meeting Compensation Consultant Blair Johanson gave a presentation on the Employee Compensation Planning 2020 Budget. The Committee approved requests from Circuit Judge Stacey Zimmerman to adjust the pay of a position and to change the title and grade of a position. The Committee also approved requests from Judge Joseph Wood to adjust the pay on four positions and to change the title and grade on four positions. The Committee approved a request from Human Resource Director Michael Watson asking approval for two employees to receive Long Service pins for this year.

The meeting was adjourned at 7:20 p.m.

Respectfully submitted by,

Patty Burnett
Quorum Court Coordinator

Washington County Library System 2019

The Washington County Library System (WCLS) is primarily funded by a one mill levy on real and personal property tax that was passed in the November 1948 General Election. The millage and additional funding is distributed to the member libraries by the Washington County Library System Board. Six municipal and two branch libraries are members of the system. The municipal libraries are located in the cities of Elkins, Farmington, Lincoln, Prairie Grove, Springdale, and West Fork. The cities of Greenland and Winslow provide facilities and utilities for the branch libraries, while WCLS provides the materials and staff.

While approximately 17% of budgeted expenditures are used to staff the administrative office and provide services to the member libraries, the remaining 83% of the budgeted monies are distributed directly to the member municipal libraries and used to provide staff and materials for the two branch libraries.

The eight member libraries of the Washington County Library System checked out more than 1 million items annually between 2008 and 2018 and are on track to do the same in 2019. Libraries around the nation have been seeing declining circulation numbers in recent years while actually seeing more users in the libraries. Check outs of digital materials in 2018 (e-books and downloadable audiobooks) increased 18.3% over 2017.

Member libraries own over 390,000 physical items that are available for use by all county residents. Patrons of the system have access to 27,523 ebooks and 8,363 downloadable audiobooks through the Arkansas Library2Go Consortium.

4.5 FTE staff currently work for the Washington County Library System. Our primary function is to provide funding and services to the member libraries under the auspices of the Washington County Library Board. This is achieved with a full-time director (Glenda), full-time interlibrary loan librarian/administrative assistant, (Georgia) and a full-time catalog clerk/Greenland Branch clerk (Terri). In addition to the full-time staff, we have a part-time processing clerk (Nicky), a part-time courier (Harry), and two part-time branch clerks at Winslow (Carolyn and Jean). The three branch clerks operate and staff the Greenland and Winslow branches under the supervision of the director. We also have two volunteers: Norma comes in once a week to cover books with plastic jackets and George does special volunteer projects for us as needed.

Daily services provided to the libraries and their patrons include the provision and maintenance of the automated checkout system and online catalog and its content while providing user support for those systems. Interlibrary loan services allow patrons to request materials that are not available locally to be sent from other libraries in the United States for checkout from their local library at no cost. We reciprocate this service by loaning materials from our libraries to other libraries across the country. We provide cataloging and processing of materials for the libraries that choose to use that service. We provide a daily courier who transports materials between libraries so that patrons can borrow materials from other libraries in the system and return their materials to any library in the system. Staff provides general support to the libraries on a variety of topics. In addition to these services, the Greenland and Winslow Branch libraries are

Washington County Library System 2019

staffed 20 and 28 hours per week respectively. We also select, purchase, and process books, DVDs, and audiobooks for those branches. We also, as a member of the Arkansas Library2Go digital library consortium, select and purchase downloadable audiobooks and ebooks for use by system patrons.

Two of the member libraries, Prairie Grove and West Fork have made changes to their libraries during 2019. Prairie Grove moved to the vacant Walmart Express building and has combined the children's library and adult services into one space measuring over 15,000 square feet. The West Fork library is in the middle of an expansion project that will almost double the size of their library. The project is expected to be completed in October. Farmington is in the process of starting their expansion project. They will expand in size by approximately 1,000 square feet. The space will allow the library to provide a community room, a study room, and room for collection growth.

The Elkins Public Library applied for and received a \$20,000 federal grant to support digital inclusion, business development, and archive preservation. The project will begin in September and the library will have two years to achieve their goals of expanding the Elkins Robotics and Electronics Club that meets weekly and serves children in grades K-12. For the business outreach the library will team up with Startup Junkie to provide events that will help local businesses with information including digital marketing and business planning. The library will team with the Elkins Senior Center and residents to expand their local history information.

Washington County Library System 2019

Board Members

Susan Unger (Elkins)	18931 Briarfield Rd. Elkins, AR 72727 479-643-2282 susanungerbuys@gmail.com	Term expires 2022
Susan McCown (West Fork)	P.O. Box 156 West Fork, AR 72774 479-200-1588 susmccown@gmail.com	Term expires 2023
Vacant (Lincoln)		Term expires 2024
Karen McCratic (Prairie Grove)	434 Goosecreek Rd. Farmington, AR 72730 479-267-1747 ksuemc@icloud.com	Term expires 2024
Gary Ricker (At large)	P.O. Box 301 Greenland, AR 72737 479-521-5760 (work) ggricker@yahoo.com	Term expires 2024
Felice Barrett (Springdale)	1588 Asbury Ave. Springdale, AR 479-871-2585 felicehbarrett@gmail.com	Term expires 2020
Travis Warren (Farmington)	10976 Blue Sky Road Farmington, AR 72730 479-871-5011 (cell/text) 479-444-5526 (office) twarren@2river.com	Term expires 2021

WCLS Staff

Glenda Audrain	Director
Georgia Kunze	Interlibrary Loan/Administrative Clerk
Terri Underhill	Cataloging Clerk/Greenland Branch Clerk
Harry Beadles	Courier
Carolyn Engle	Winslow Branch Clerk
Jean Cosgrove	Winslow Branch Clerk
Norma Reed	Office Volunteer
George Knight	Project Volunteer

Joseph K. Wood
County Judge



Jousy Mancia
Inventory Manager

WASHINGTON COUNTY, ARKANSAS
Purchasing Department Disposal of County Property

September 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 September, 2019.

Court Order	File Date	Description
2019-214	9/12/19	Disposal of County Property-Judge Beaumont I040400460, Jail Maintenance Garbage Disposal, Electric Tilting Jacketed Kettle, RC 21 Dishwasher, Animal Shelter Feral Boxes, Metal Folding Chairs, Nozzle, Litter Box, Rubber Boots, Leashes, Plastic Chairs, Vacuum Filter, Grey Hoses, Pump for Gallon Jug, Coffee Maker, Handles for Broom / Scrub Brush, Pooper Scoopers on Sticks, Stainless Steel Bowl
2019-219	9/23/19	Disposal of County Property-Archives I011900192, Collector I010400381, I.T. I010700166, I011500002, N/A, Juvenile Court I0403000489, I0103000018, N/A Treasurer
2019-223	9/30/19	I010200173, I010200257, I010200361 Circuit Clerk, I011000075 Planning, I012100091 Purchasing, N/A Lochinvar Storage Tank 119 Gallons Sheriff's Maintenance, I040000029, I040000260, I040000269, I040000346, I040000347, I040000349, I040000881, Honeywell Heater, Black Metal Rack, Gray Paper Shredder, Eureka Vacuum, Chair Cushion, Step Stool Sheriff

Item 19-I-101
Personnel Committee (10/07/2019); Passed to Finance & Budget
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 CHANGING THE TITLE OF
PERSONNEL POSITIONS IN THE JAIL
BUDGET FOR 2019; AND, APPROPRIATING
THE AMOUNT OF \$1,734.96 TO SALARY
LINE ITEMS IN THE JAIL BUDGET FOR 2019.**

WHEREAS, the Quorum Court desires to change title of two
positions in the Jail Budget for 2019.

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

ARTICLE 1. The title of the personnel position of Human
Resources Administrator – Sheriff, Grade 19 (Position 0418112) is changed to Human
Resources Director – Sheriff, Grade 23 (Position 0418112) in the Jail Budget (30170418)
for 2019.

ARTICLE 2. The title of the personnel position of
Maintenance Tech Lead Trainer, Grade 18 (Position 0127002) is changed to Sheriff's
Maintenance Technician, Grade 18 (Position 0127002) in the Jail Budget (30170418) for
2019.

ARTICLE 3. There is hereby appropriated the total amount
of \$1,734.96 from unappropriated reserves in the Jail Fund (3017) to the following line
items in the Jail Budget for 2019:

Salaries, Full-Time (0418112) (30170418-1001)	\$ 1,410.88
Social Security Matching (30170418-1006)	107.93
Noncontributory Retirement (30170418-1008)	216.15

TOTAL APPROPRIATION \$ 1,734.96

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk
Introduced by: **JP Butch Pond**

Item 19-I-103
Personnel Committee (10/07/2019); Passed to Finance & Budget
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 INCREASING THE SALARY
OF THE DIRECTOR OF VETERANS AFFAIRS
IN THE VETERANS AFFAIRS BUDGET FOR
2019.**

WHEREAS, the Washington County Judge desires to increase the salary of the Director of Veterans Affairs for 2019.

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

ARTICLE 1. The salary of the Director of Veterans Affairs (Position 0800001) is hereby increased to \$48,735.

ARTICLE 2. There is hereby appropriated the total amount of \$887 from unappropriated reserves in the General Fund (1000) to the following salary line items in the Veterans Affairs Budget for 2019:

Salaries, Full-Time (0800001) (10000800-1001)	\$ 720
Social Security Matching (10000800-1006)	56
Noncontributory Retirement (10000800-1008)	111

TOTAL APPROPRIATION \$ 887

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Butch Pond**

Item 19-I-105
Personnel Committee (10/07/2019); Passed to Finance & Budget
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 INCREASING THE SALARY
OF THE COUNTY ATTORNEY IN THE
COUNTY ATTORNEY BUDGET FOR 2019.**

WHEREAS, the Washington County Judge desires to increase the salary of the County Attorney for 2019.

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

ARTICLE 1. The salary of County Attorney (Position 0122001) is hereby increased to \$110,000.

ARTICLE 2. There is hereby appropriated the total amount of \$8,129 from unappropriated reserves in the General Fund (1000) to the following salary line items in the County Attorney Budget for 2019:

Salaries, Full-Time (0122001) (10000122-1001)	\$ 6,610
Social Security Matching (10000122-1006)	506
Noncontributory Retirement (10000122-1008)	1,013

TOTAL APPROPRIATION \$ 8,129

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Butch Pond**

Item 19-I-104
Personnel Committee (10/07/2019); Passed to Finance & Budget
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 INCREASING THE SALARY
OF THE GRANTS ADMINISTRATOR IN THE
GRANTS DEPARTMENT BUDGET FOR 2019.**

WHEREAS, the Washington County Judge desires to increase the salary of the Grants Administrator for 2019.

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

ARTICLE 1. The salary of the Grants Administrator (Position 0120001) is hereby increased to \$59,613.

ARTICLE 2. There is hereby appropriated the total amount of \$887 from unappropriated reserves in the General Fund (1000) to the following salary line items in the Grants Department Budget for 2019:

Salaries, Full-Time (0120001) (10000120-1001)	\$ 720
Social Security Matching (10000120-1006)	56
Noncontributory Retirement (10000120-1008)	111

TOTAL APPROPRIATION \$ 887

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk
Introduced by: **JP Butch Pond**

Item 19-I-106
 Personnel Committee (10/07/2019); Passed to Finance & Budget
 Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 INCREASING THE SALARY
 OF THE PURCHASING MANAGER IN THE
 GENERAL SERVICES BUDGET FOR 2019.**

WHEREAS, the Washington County Judge desires to increase the salary of the Purchasing Manager for 2019.

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

ARTICLE 1. The salary of Purchasing Manager (Position 0118001) is hereby increased to \$48,905.

ARTICLE 2. There is hereby appropriated the total amount of \$1,265 from unappropriated reserves in the General Fund (1000) to the following salary line items in the General Services Budget for 2019:

Salaries, Full-Time (0118001) (10000118-1001)	\$ 1,028
Social Security Matching (10000118-1006)	79
Noncontributory Retirement (10000118-1008)	158

TOTAL APPROPRIATION \$ 1,265

 JOSEPH K. WOOD, County Judge

 DATE

 BECKY LEWALLEN, County Clerk

Introduced by: **JP Butch Pond**

Item 19-I-097
Personnel Committee (10/07/2019); Passed to Finance & Budget
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 CHANGING THE TITLE OF
DEPUTY ASSESSOR II TO AMENDMENT 79
ADMINISTRATOR IN THE COUNTY
ASSESSOR’S BUDGET FOR 2019.**

WHEREAS, the Washington County Assessor desires to
change the title of two full time positions in the Assessor’s Budget for 2019.

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

ARTICLE 1. The title of the personnel position of Deputy
Assessor II, Grade 11 (Positions 0105021 and 0105051) in the County Assessor’s Budget
of the General Fund (10000105), is hereby changed to Amendment 79 Administrator,
Grade 14 (Positions 0105021 and 0105051) for 2019.

ARTICLE 2. The salary of Positions 0105021 and 0105051,
in the County Assessor’s 2020 Budget, are hereby increased by \$2,663.

ARTICLE 3. There is hereby appropriated the total amount
of \$3,275 from unappropriated reserves in the General Fund (1000) to the following salary
line items in the County Assessor’s Budget for 2019:

Salaries, Full-Time	(10000105-1001)	\$ 2,663
Social Security Matching	(10000105-1006)	204
Noncontributory Retirement	(10000105-1008)	408

TOTAL APPROPRIATION **\$3,275**

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Butch Pond**

Item 19-I-098
Personnel Committee (10/07/2019); Passed to Finance & Budget
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 CHANGING THE TITLE OF
THE DEPUTY ASSESSOR I TO DEPUTY
ASSESSOR II IN THE COUNTY ASSESSOR’S
BUDGET FOR 2019.**

WHEREAS, the Washington County Assessor desires to
change the title of one full-time position in his budget for 2019.

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

ARTICLE 1. The title of the personnel position of Deputy
Assessor I, Grade 9 (Position 0105056) in the County Assessor’s Budget, of the General
Fund (10000105), is hereby changed to Deputy Assessor II, Grade 12 (Position 0105056)
for 2019.

ARTICLE 2. The salary of Position 0105056 in the County
Assessor’s 2019 Budget is hereby increased by \$221.

ARTICLE 3. There is hereby appropriated \$272 from
unappropriated reserves, in General Fund (1000), to the following salary line items in the
County Assessor’s Budget for 2019:

Salaries, Full-Time	(10000105-1001)	\$ 221
Social Security Matching	(10000105-1006)	17
Noncontributory Retirement	(10000105-1008)	34

TOTAL APPROPRIATION \$272

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Butch Pond**

LINE ITEM TRANSFER REQUEST

DEPARTMENT NAME: Road _____

DEPARTMENT BUDGET: _2000-0201_____

My department has met/will meet the 10% line item transfer limitation as stated in the 2019 Budget Controls. I am requesting a transfer of monies as stated below:

TRANSFER TO – LINE ITEM	TRANSFER FROM – LINE ITEM	AMOUNT	DESCRIPTION/REASON
3009	2027	216,900	We shifted priority to pay for dump truck support.
3009	2021	36,234	Dump truck support.
4005	4004	17,500	Had to replace service truck.

COMMENTS:



 ELECTED OFFICIAL OR DEPARTMENT HEAD

10-2-19

 DATE

Item 19-I-111

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 MONEY IN THE CIRCUIT COURT VII BUDGET FOR 2019.

WHEREAS, the Circuit Court VII needs to transfer money from two personal services line items to the food line item in its budget to pay for the anticipated costs to feed jurors; and

WHEREAS, an ordinance is required for said transfer.

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

ARTICLE 1. There is hereby reduced the total amount of \$808 from the following line items in the Circuit Court VII Budget and appropriated the total amount of \$808 to the Food line item (10000407-2005) in the Circuit Court VII Budget for 2019:

Salaries, Part-Time	(10000407-1002)	\$ 750
Social Security Matching	(10000407-1006)	58

TOTAL APPROPRIATION \$ 808

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**

Item 19-I-095
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 ANTICIPATING
ADDITIONAL REVENUES OF \$929,761 IN
THE DEM GRANT FUND; AND
APPROPRIATING THE AMOUNT OF
\$929,761 FROM THE DEM GRANT FUND TO
VARIOUS HOMELAND SECURITY BUDGETS
FOR 2019.**

WHEREAS, Washington County received notice of a grant award totaling \$929,761 from the Arkansas Department of Emergency Management.

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

ARTICLE 1. There is hereby anticipated additional revenue in the amount of \$929,761 in the Homeland Security Grants Revenue line item of the DEM Grant Fund (3511-7105) for 2019.

ARTICLE 2. There is hereby appropriated the amount of \$929,761 from the DEM Grant Fund to the following line items in the following budgets for 2019:

<u>USAR 2019</u>		
Small Equipment	(35110574-2002)	\$ 134,000.00
Parts and Repairs	(35110574-2023)	10,000.00
Training and Education	(35110574-3101)	110,000.00
Vehicles	(35110574-4005)	12,000.00
 <u>WMD 2019</u>		
Small Equipment	(35110575-2002)	59,200.00
Vehicles	(35110575-4005)	238,501.00

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43	<u>SWAT 2019</u>		
44	Small Equipment	(35110573-2002)	215,060.00
45	Training and Education	(35110573-3101)	51,000.00
46	Vehicles	(35110573-4005)	100,000.00
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48		TOTAL APPROPRIATION	\$ 929,761.00
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55	JOSEPH K. WOOD, County Judge		DATE
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60	BECKY LEWALLEN, County Clerk		
61	Introduced by:	JP Ann Harbison	
62	Date of Passage:		
63	Members Voting For:		
64	Members Voting Against:		
65	Members Abstaining:		
66	Members Absent:		

Item 19-I-099
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 REDUCING THE TOTAL
AMOUNT OF \$145,000 FROM THE RURAL
COMMUNITY GRANTS FUND; AND,
APPROPRIATING THE AMOUNT OF
\$145,000 TO THE ASPHALT LINE ITEM IN
THE ROAD DEPARTMENT BUDGET FOR
2019.**

WHEREAS, Washington County received an Unpaved Road Grant for Sugar Mountain Road and Musteen/Blue Hole Road; and

WHEREAS, there remains a balance of \$70,000 in unspent funds for the Sugar Mount Road Project, a balance of \$75,000 in unspent funds for the Musteen/Blue Hole Road Project; and

WHEREAS, the Road Department has completed the Sugar Mountain Road Project and the Musteen/Blue Hole Road; and,

WHEREAS, the Quorum Court desires to appropriate said unspent money from various funds in the Rural Community Grants Fund to the Asphalt line item in the Roads Department Budget for 2019.

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

ARTICLE 1. There is hereby reduced the following amounts from the following line items in the Rural Community Grants Fund (3503) Budget for 2019:

Sugar Mountain Road Grant	(35030624)	\$ 70,000
Musteen/Blue Hole Road Grant	(35030626)	75,000

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TOTAL REDUCTION

\$ 145,000

ARTICLE 2. There is hereby appropriated the said amount of \$145,000 to the Asphalt line item in the Road Department Budget (20000200-2025) for 2019.

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:

Item 19-I-100
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 ANTICIPATING REVENUES
OF \$53,000 IN THE ARKANSAS HERITAGE
PRESERVATION PROGRAM (AHPP) GRANT
FUND (3518-0630); AND, APPROPRIATING
\$53,000 TO VARIOUS LINE ITEMS IN THE
AHPP BUDGET FOR 2019.**

WHEREAS, Washington County has received confirmation of
a \$53,000 grant from the Arkansas Heritage Preservation Program for various restoration
projects at the Historic Washington County Courthouse.

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

ARTICLE 1. There is hereby anticipated revenue of \$53,000
in the AHPP Grant Fund (3518-0630) for 2019.

ARTICLE 2. There is hereby appropriated the amount of
\$53,000 from the AHPP Grant Fund to the following line items in the AHPP Grant Fund
for 2019:

General Supplies	(35180630-2001)	\$ 500
Building Materials and Supplies	(35180630-2020)	10,000
Other Professional Services	(35180630-3009)	37,000
Rent-Machinery & Equipment	(35180630-3071)	5,500

TOTAL APPROPRIATION: \$ 53,000

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**

Item 19-I-102
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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 RECOGNIZING THE
AMOUNT OF \$67,500 IN THE RURAL
COMMUNITY GRANT FUND FOR 2019 AND
APPROPRIATING SAID AMOUNT TO THE
ROAD DEPARTMENT BUDGET FOR 2019.**

WHEREAS, Washington County received \$67,500 as a result
of its Grant Application to the Arkansas Unpaved Roads Grant as authorized by the
Quorum Court in Resolution No. 2019-01.

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

ARTICLE 1. There is hereby recognized the total amount of
\$67,500 for the Rural Community Grant Fund (35037010) for 2019.

ARTICLE 2. There is hereby appropriated the total amount of
\$67,500 from the Rural Community Grant Fund (35037010) to the Gravel, Dirt, and Sand
line item (20000200-2027) in the Road Department Budget for 2019.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**

Item 19-I-096
Finance & Budget Committee (10/08/2019); Passed to QC with a DO PASS recommendation – Consent Agenda

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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
ADDITIONAL REVENUES OF \$88,371.49
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 \$83,163.83 for special event services provided by the Washington County Sheriff’s Office; and

WHEREAS, Washington County is anticipating additional revenue in the amount of \$5,207.66 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 is hereby appropriated the total amount of \$88,371.49 from the General Fund (1000) to the following line items for 2019:

<u>General Fund/Sheriff:</u>		
Salaries, Part-Time	(10000400-1002)	\$226.48
Overtime	(10000400-1005)	\$43,795.65
Social Security	(10000400-1006)	\$3,367.67
Noncontributory Retirement	(10000400-1008)	\$6,744.19
Workers Compensation	(10000400-1010)	\$1,479.12

42	<u>Jail Operations Fund/Jail:</u>		
43	Salaries, Part-Time	(10000400-1002)	\$0.00
44	Overtime	(30170418-1005)	\$25,930.76
45	Social Security	(30170418-1006)	\$1,983.68
46	Noncontributory Retirement	(30170418-1008)	\$3,972.66
47	Workers Compensation	(30170418-1010)	\$871.28
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49	TOTAL APPROPRIATION:		\$88,371.49
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57 _____
 JOSEPH K. WOOD, County Judge

_____ DATE

61 _____
 62 BECKY LEWALLEN, County Clerk

63
 64 Introduced by: **JP Ann Harbison**
 65 Date of Passage:
 66 Members Voting For:
 67 Members Voting Against:
 68 Members Abstaining:
 69 Members Absent:



WASHINGTON COUNTY PLANNING OFFICE

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

Agenda Item

E

Meeting- August 22, 2019
Project Name: **Wedington Mine CUP**
Project Number- **2019-123**
Planner- Nathan Crouch
ncrouch@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 zoning ordinance and criteria checklist when making decisions in these matters.

REQUEST: Conditional Use Permit approval for Wedington Mine to transition existing agricultural/residential property to open pit red dirt/clay/gravel extraction operations on a parcel of land that is 60.83 acres in size.

CURRENT ZONING: Project lies within the County's Zoned area. Agricultural and Single-Family Residential uses at a density of 1 unit per acre are allowed by right. Any other uses may be approved through the Conditional Use Permitting process.

PLANNING AREA: This project is not located in a city planning area. It is solely within Washington County's jurisdiction.

FUTURE LAND USE: Residential (Compatible to Surrounding Densities)

QUORUM COURT DISTRICT: District 7, Sam Duncan

FIRE SERVICE AREA: Wedington Rural FD

SCHOOL DISTRICT: Farmington

INFRASTRUCTURE: Water- Washington Water Authority

Electric- Ozarks Electric

Natural Gas- N/A

Telephone- AT&T

Cable- N/A

BACKGROUND/ PROJECT SYNOPSIS:

History of the proposed Rich Red Dirt mine and the issues it had that lead to its denial

In July, 2014, Conditional Use Permit approval was requested by Mark Rick to allow a commercial open-cut red dirt mine at this location. After being tabled multiple times the CUP request was denied at the November, 2014 meeting due to the following factors:

- Safety concerns regarding the proposed location of the haul road intersection with Harmon Road.
- Issues of compatibility
- The likelihood that this project will be injurious to the use and enjoyment of some of the other property in the surrounding area for the purposes already permitted, and substantially diminish and impair some property values within the surrounding area.

The current proposal

Now, Wedington Mine has purchased a portion of the property and is requesting Conditional Use Permit approval to allow a commercial open-cut red dirt mine on approximately 60.83 acres. This CUP request is not proposing any permanent structures or utility service at this time.

Access will be to the west from Harmon Road, near the Wedington Woods Subdivision entrance, with a proposed dump truck volume of 30-50 round trips daily (See applicant's Traffic Statement). Portions of the interior roads have been constructed and the connection to Harmon Road in Washington County's right-of-way is permitted and complete.

The applicant has received General Permit approval from the Arkansas Department of Environmental Quality to mine up to 20 acres. The applicant has provided a letter of credit for the required bonding to actively mine up to 4 acres at a time. It is the applicant's intent to mine only up to 4 acres at a time, with reclamation of the mined area at a rate such that no more than 4 acres will be actively active at once.

TECHNICAL CONCERNS:

Utilities

No structures or utilities are proposed for this development at this time.

Water/Plumbing:

Washington Water Authority has an 18-inch water main running along the east side of Harmon Road, beneath (perpendicular to) the applicant's access drive. WWA has stated that "due to the crucial function of this water main supplying the Washington Water North zone and the heavy equipment traffic generated by this CUP, the existing water main running under the proposed access drive will need a designed steel encasement."

However, WWA has stated they are willing to consider other options for protecting the water main. They will need the applicant to submit the preferred option to them to review.

Electric:

Ozarks Electric provided general technical comments:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense.
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.

Additional comments:

4. Ozark Electric has existing lines in the area. There is a 30ft. utility easement along all overhead lines.

Gas/Cable/Phone:

No comments/concerns at this time.

Fire Code

The Washington County Fire Marshal had no comment/concerns at this time as there are no structures proposed.

Septic:

No new septic systems are proposed.

Roads/Sight Visibility/Ingress-Egress/Parking:

Some interior roads have been constructed, and the paved access road entrance connection to Harmon Road, on Washington County right-of-way, is permitted and complete. The remainder of the haul road and interior roads remain private at this time.

Harmon Road (WC-31) is a thoroughfare that conveys north-south traffic west of, and parallel to, I-49. This county road carries traffic of all types and sizes, including school busses, freight trucks, dump trucks and trash trucks of varying sizes and capacities, passenger vehicles and motorcycles, etc.

Traffic Study

The Road Department is conducting an ongoing traffic study along the length of Harmon Road as part of Washington County's Comprehensive 5-year Road Plan. The first section of the study was conducted to determine the daily traffic volume along the section of Harmon Road between the entrance to Wedington Woods Subdivision (Dogwood Rd.) and the bottom of the hill to the south. The 7-day traffic study yielded traffic count data for each hour of the day, average daily traffic volume, vehicle type, and vehicle speed. (See attached Traffic Study report)

Some interesting data from the Traffic Study are as follows:

- Average Daily Traffic- 1487 vehicles
- 75% of vehicles travelling south (approaching the bottom of the hill) are at 30-40 MPH
- 62% of vehicles travelling north (down the hill) are at 40-50 MPH
- Traffic volume spikes from 3 – 7 PM
- Average of 62 vehicles per hour
- 70% of traffic is on weekdays, 30% on weekends

Next the Road Department will begin conducting similar traffic studies on all of the county roads that connect to Harmon Road in order to get those traffic volumes and make informed decisions regarding upgrades to the roadway.

In approximately 1 year the Road Department will conduct the traffic study again to determine the change in traffic volume and characteristics. At that time, the Road Department will have the data needed to determine if upgrades are necessary along Harmon Road.

Sight Distance/Speed Limit

5 years ago when Rich Red Dirt was proposed, the sight distance was measured from a proposed (approximate) location, and evaluated based on a 45 MPH speed limit which has a sight distance requirement of 500 ft for left hand turns and 430 ft for right hand turns. However, the County Road Department evaluated the characteristics of Harmon Road with respect to speed, curves, and slopes in the curves, and determined the speed limit should be posted at 35 MPH along the section between Hwy 16 and Gun Club Road. The sight distance requirement for 35 MPH speed zone is 390 ft for left hand turns and 335 ft for right hand turns. Now that construction of the haul road is complete, the County Road Department calculated the sight distance in accordance with the requirements of AASHTO's "A Policy on Geometric Design of Highways and Streets", also known as "The Green Book". They determined the sight distance to be 440 ft to the left (south) and 836 ft to the right (north).

This sight distance meets the requirement. The measurement was taken prior to mowing/clearing the right-of-way. Once the Road Department clears the right-of-way the sight distance is expected to increase.

Drainage:

The Washington County Contracted Engineer made the following comments:

1. At the CUP stage, I do not have any comments on drainage. However, at the LSD stage, a drainage report will need to be provided analyzing pre-versus post flows discharging from the site.
2. Regarding traffic, 30 to 50 trucks daily is not going to be enough to warrant any signals. However, it should be taken into account the damage to Harmon Road over time that the trucks will cause. I will let the Road Dept. address that though.

Additional comments concerning the site plan and drainage report will be requested at the Preliminary High-Impact Large Scale Development stage.

Environmental Affairs Concerns:

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).

Stormwater runoff and erosion will be evaluated at the next stage of permitting, Preliminary High-Impact Large Scale Development.

Signage/Lighting/Screening Concerns:

If the applicant desires a business sign, it must be placed outside the county road right-of-way, no larger than 24 square feet, and must not be lit from within. Any proposed signage must be submitted to the Planning office for review and approval prior to installation.

All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately (see attached diagram for examples).

COMPATIBILITY CONCERNS:

Surrounding Uses:

The surrounding land uses are predominantly single family residential and agricultural. However, there are a number of other dirt pits and a large quarry in the vicinity.

Staff feels that the applicant's request can be made compatible with the surrounding uses and residential densities with the conditions of approval listed below. (See attached Surrounding Uses map)

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

4. INDUSTRIAL

The chief goals for industrial development are:

Planning Staff's response to each item is shown in bold text.

- a. Provision of sites which are located adjacent to major thoroughfares or other adequate transportation facilities;
The subject property is adjacent to and takes access from Harmon Road (WC-31).
- b. Allocate land in sufficient quantity, where infrastructure exists, or will exist, so that industrial growth can be accommodated to benefit both industry, and the county. This will ensure that industrial land is protected from encroachment by non-industrial uses; and,
Within the vicinity there exist one active limestone quarry, three active red dirt mines, and two inactive red dirt mines. The infrastructure is available, or will be made available if this proposed red dirt mine is approved.
The Washington County zoning map doesn't designate areas in the county as suitable or unsuitable for industrial uses. However, as there are several mineral extraction operations in the vicinity Planning Staff feels the location for this proposal is suitable.
- c. Provide for ample utilities and services to support industrial development.
This proposal is not requesting any utilities, but there are overhead powerlines and an 18-inch water main adjacent to the subject property. If utility service is requested in the future there should be no problem providing it.

These goals can be achieved through the following operations:

- a. Adopt development regulations and standards to provide for quality development;

At this (CUP) stage land-use compatibility is being evaluated. If approved, the applicant must also receive High-Impact Large Scale Development approval, which is where the site design, stormwater, and technical specifics will be evaluated.

- b. Identify suitable land for reservation of future industrial growth;
As there are several mining/quarrying operations in the vicinity Planning Staff feels this location is suitable.
- c. Provide adequate services, utilities and accessibility;
Provided.
- d. Insulate industrial sites from other activities by location or buffers; and,
Buffering will be evaluated at the next stage off permitting.
- e. Require provision of ample off-street parking and loading space.
Not required for this proposal as parking and loading will be conducted on-site.

Future Land Use Plan

The County's Future Land Use Plan identifies the subject property as "Residential (Compatible to Surrounding Densities)".

When the Future Land Use Plan was developed there were already multiple dirt mines and a large quarry in the vicinity of the proposed mine. They were grandfathered into compliance.

It is Planning Staff's opinion that locating new dirt mines near other existing dirt mines makes the most sense with respect to compatibility.

SITE VISIT:

A site visit was conducted by planning staff on August 13, 2019. No issues were noted at that time

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within one-half mile of the boundary of this property were notified by certified mail of this proposed project.

As of 8-16-19, 30 comments have been received by Planning Staff all opposed to the proposal. Additionally, on 8-16-19 a petition with 34 signatures was received, all opposed to the proposal. (See attached neighbor petition map)

Staff will update the Planning Board at the meeting if any additional comments are received.

Sec. 11-200 – Criteria for Allowance of Conditional Uses

Planning Staff's response to each item is shown in bold text.

- a) The Board shall hear and decide requests for a conditional use and may authorize such if it finds:

- (1) That a written application has been filed with the Planning Office and the appropriate fee has been paid.

Filed & Paid.

- (2) That the applicant has provided proof that each property owner as set out in section 11-204 has been notified by return receipt mail.

Notifications were mailed on 7-23-19, 30 days prior to the Planning Board meeting.

- (3) That adequate utilities, roads, drainage and other public services are available and adequate or will be made available and adequate if the use is granted.

If this CUP request is approved and ratified, the applicant will submit documentation for High-Impact Large Scale Development review. At that time the technical aspect of the proposal will be evaluated.

- (4) That the proposed use is compatible with the surrounding area.

This requested land use can be made compatible with the surrounding area with the proposed conditions of approval, and through the High-Impact Large Scale Development review process.

- (5) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

A number of neighbors argue this proposed use will be detrimental to and endanger their public health, safety, comfort and general welfare. However, no objective data has been submitted for review.

- (6) That the conditional use will not be injurious to the use and enjoyment of other property in the surrounding area for the purposes already permitted, nor substantially diminish and impair property values within the surrounding area.

Similar to #5 above, no objective data has been submitted for review. There are multiple mines and a large quarry in the vicinity, and Staff is unaware of any litigation that has arisen due to compatibility issues with those operations.

- (7) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone.

If this Conditional Use is granted, future development along Harmon Road may actually source building materials from this development.

- b) If it is determined that there exist conditions that could be imposed by the Board that would significantly lessen the impact of the aforesaid, then the Board has the power to impose said conditions which shall be specifically set forth.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Wedington Mine Conditional Use Permit with the following conditions:

Planning Conditions:

1. Applicant must satisfy the issue as to which acreage will be mined, within the overall 60.83 acre property.
2. Applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Washington Water Authority Conditions:

1. The 18-inch water main beneath the access road must be protected.
2. At Large Scale Development stage, the applicant must provide engineered plans showing how the water main will be protected.

Fire Conditions:

1. No structures are proposed, so the County Fire Marshal has no comments or concerns at this time.

Sewer/Septic/Decentralized Sewer Conditions:

1. No new septic systems are proposed, so the Health Department has no comments or concerns at this time.

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

1. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Drainage Conditions:

1. At the LSD stage, a drainage report will need to be provided analyzing pre- versus post flows discharging from the site.
2. Additional comments concerning the site plan and drainage report will be requested at the Preliminary Large Scale Development stage.

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:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.

Signage/Lighting/Screening Conditions:

1. Signage cannot be placed in the County Right-of-Way.
2. If a sign is desired, a sketch must be submitted to Planning Staff for review and approval. Any signage must be no larger than 24 sq ft, and must not be lit from within.
3. Any outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately.

Standard Conditions:

1. Pay engineering fees within 30 days of project approval. Applicant will be billed once invoices are received. Any extension must be approved by the Planning Office.
2. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
3. This CUP must be ratified by the Quorum Court.
4. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
5. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o This project requires additional review (High-Impact Large Scale Development), and therefore, the applicant must submit for Preliminary project review within 12 months of this CUP project's ratification.

PRIOR PLANNING BOARD/ZONING BOARD OF ADJUSTMENTS ACTION:

_____ CUP Approved
_____ CUP Ratified
_____ Denied
_____ Tabled

Item 19-I-109

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 GRANTING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD OF ADJUSTMENTS.

WHEREAS, the Planning and Zoning Board of Adjustments granted a Conditional Use Permit for Wedington Mine on August 22, 2019.

WHEREAS, an appeal of the decision of the Planning and Zoning Board has been made to the Quorum Court, as allowed by the Washington County Code; and,

WHEREAS, after reviewing the information provided by the Planning Department, the applicant, and members of the community, the Quorum Court desires to grant the Conditional Use Permit, pursuant to 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 Wedington Mine granted by the Planning and Zoning Board of Adjustments is hereby granted.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk
Introduced by:

Item 19-I-110

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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 DENYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD OF ADJUSTMENTS.

WHEREAS, the Planning and Zoning Board of Adjustments granted a Conditional Use Permit for Wedington Mine on August 22, 2019.

WHEREAS, 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.

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

ARTICLE 1. That the Conditional Use Permit for Wedington Mine granted by the Planning and Zoning Board of Adjustments is hereby denied.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:

Item 19-I-107

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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 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 **September 26, 2019**, for the **Johnson & Smith 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 Conditional Use Permit for the **Johnson & Smith** 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 Sue Madison**

Johnson & Smith Residential CUP

The Washington County Planning Board approved the Johnson & Smith Residential Conditional Use Permit (with conditions) on September 26, 2019.

Staff does not expect any appeals on this CUP and recommends ratification of the project.

Fayetteville Planning Area

b. Johnson & Smith CUP

Conditional Use Permit Request

Location: Section 25, Township 16, Range 30

Owners: Claudia Smith & Alan Johnson

Applicant: Atlas Surveying

Location Address: 2718 S Dead Horse Mountain Rd WC 55

Approximately: +/- 1.82 acres / 1 parcel Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.03296914, Longitude: -94.11738285

Project #: 2019-205 Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

Alan Johnson and Claudia Smith are requesting to split a 2.16 acre parcel into two tracts at 0.69 and 1.47 acres.

The parent parcel lies within Fayetteville's Planning Area, and as such Minor Subdivision approval will not be required subsequent to this CUP, if approved.

There is one existing home on each proposed parcel. The home on proposed Tract B has the appropriate amount of frontage, but takes access from S. Dead Horse Mountain Road via shared driveway.

Conditional Use Permit approval is required due to proposed Tract A acreage is less than 1 acre, in an area of the county zoned to allow agricultural and/or single family residential lots at 1 unit per acre, by right. Any other uses may be approved through the CUP review and approval process.

There are existing septic systems installed at each residence.

The surrounding uses are mostly large agricultural lots, some small and large residential and multiple subdivisions within the neighbor notification radius.

Staff feels the applicant's request will be compatible with the surrounding uses. There should not be an increase in noise, minimal increase in traffic, and generally will not disturb the surrounding properties.

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this Conditional Use Permit request. No comments were received by mail or voiced at the Planning Board Meeting.

Staff does not expect this project to be contentious and recommended approval of the proposed Johnson & Smith Residential Conditional Use Permit with conditions.

The Planning Board/ Zoning Board of Adjustments approved (5 members voted "in favor", 0 members voted "against", 2 members were not present, and 0 members abstained) the project with the following conditions:

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

1. Please limit access to Dead Horse Mountain Road to a single, shared curb cut. This is consistent with adopted plans and ordinances of the City of Fayetteville, promotes a safe street condition, and allows for future development of Dead Horse Mountain Road to its currently-intended arterial classification.

2. If an additional driveway is desired in the future, driveway permitting may be required by the Washington County Road Department.

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).

Ozarks Electric Conditions:

1. Any damage or relocation of existing facilities will be at the 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.

Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Fees will be calculated once all invoices are received. Any extension must be approved by the Planning Office.
2. Pay engineering fees within 30 days of project approval. Fees will be calculated once all invoices are received. Any extension must be approved by the Planning Office.
3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
5. Lots that are over one-half acre in size will need to be addressed after the home location is known.
6. This CUP must be ratified by the Quorum Court.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o 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.

* County Ordinance allows for an appeal period (for any party: applicant, neighbor, member of the public, etc) within 30 days of the Planning Board/ZBA approval. Even if the Quorum Court ratifies the CUP; the right of appeal remains until the 30 days has passed. If an appeal is filed within the 30 day period then a subsequent hearing will be scheduled and held by the Quorum Court.*

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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 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 **September 26, 2019**, for the **Moua**; 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 **Moua** 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 Willie Leming**

Moua CUP

The Planning Board approved the Moua Conditional Use Permit (with conditions) on September 26, 2019.

Staff does not expect any appeals on this CUP and recommends ratification of the project.

County

d. Moua CUP

Conditional Use Permit Request

Location: Section 06, Township 16, Range 33

Applicant: Thomas Moua

Location Address: 24283 N HWY 244

Approximately: +/- 40.36 acres / 1 parcel Proposed Land Use: Public and Private Open Space

Coordinates: Latitude: 36.09406450, Longitude: -94.53235781

Project #: 2019-203 Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

The Hmong Association, Inc, a local non-profit association, is requesting Conditional Use Permit approval for the use of a private road, gazebo, and restroom on a 40 acre tract of land they use for cultural and community events, such as the annual Hmong New year as well as community events such as sports tournaments. *see attached letter from the applicant.

In the past the Hmong Association has used this property a couple times per year for these events, and Washington County has issued Temporary CUPs. However, at this time, as Washington County no longer issues Temporary CUPs, and that the Hmong Association is proposing the construction of permanent structures, the General Conditional Use Permit is now required.

As the cultural and community events aren't considered a permanent change to the land use this CUP review isn't considering the events. Planning Staff is only reviewing the access road, gazebo, and restrooms for compliance with Washington County ordinances.

The applicants have provided a signed septic permit, authorizing the construction of the system.

The surrounding uses are mostly large agricultural lots, some small and large residential and residential/agricultural parcels.

Staff feels the applicant's request will be compatible with the surrounding uses.

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this Conditional Use Permit request. No comments were received by mail or voiced at the Planning Board Meeting.

Staff does not expect this project to be contentious and recommended approval of the proposed Moua Conditional Use Permit with conditions.

The Planning Board/ Zoning Board of Adjustments approved (5 members voted "in favor", 0 members voted "against", 2 members were not present, and 0 members abstained) the project with the following conditions:

Fire Conditions:

1. "Fire Lane – No Parking" signs are required to be placed along the private road, in accordance with Arkansas Fire Code.
2. The private access road shall be constructed such that it will support 75,000 lbs in all weather conditions.
3. The private access road shall be constructed to a width approved by the Fire Marshal, in accordance with Arkansas Fire Code. The Fire Marshal has stated the road shall be constructed to 12 ft wide.

4. If a gate on the private access road is desired it must be placed so it will provide limited access for fire department only.

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 use of the restroom.
2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Drainage Conditions:

1. Side slope of the private road will be 2% maximum.
2. Ditches shall have maximum slopes of 3:1.
3. Provide scour protection downstream of pipe (culvert) discharge.
4. Minimum size of 24-inches is required for the culverts.

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.

Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Mailing fees will be calculated once all invoices have been received. Any extension must be approved by the Planning Office.
2. Pay engineering fees within 30 days of project approval. Engineering fees will be calculated once all invoices have been received. Any extension must be approved by the Planning Office.
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.
 - 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.

Additional Conditions:

1. The septic system must be setback from the neighbor's water well by at least 100 ft as per Arkansas Department of Health requirements.
2. The applicants shall communicate with the Washington County Sheriff's Dept the dates when the events are planned.

3. The applicants shall coordinate with the Washington County Sheriff's Dept to evaluate if there is a need to hire deputies for traffic control.
4. The events should generally adhere to the applicant's stated hours of 8am – 5pm, but shall not extend beyond daylight hours.

* County Ordinance allows for an appeal period (for any party: applicant, neighbor, member of the public, etc) within 30 days of the Planning Board/ZBA approval. Even if the Quorum Court ratifies the CUP; the right of appeal remains until the 30 days has passed. If an appeal is filed within the 30 day period then a subsequent hearing will be scheduled and held by the Quorum Court.*



WASHINGTON COUNTY, ARKANSAS

County Courthouse

COUNTY SERVICES COMMITTEE REPORT - OCTOBER

Harvey Bowman - Chairman

The County Services Committee met September 30th. The Committee heard a presentation from Beaver Watershed Alliance Executive Director Clell Ford. The Committee also received information and a recommendation on the Washington County Radio System.



WASHINGTON COUNTY, ARKANSAS

County Courthouse

FINANCE & BUDGET COMMITTEE REPORT - OCTOBER

Ann Harbison - Chairman

The Finance & Budget Committee met on September 23rd. There were budget discussions on Election Commission and Sheriff.

The Finance & Budget Committee also met on October 8th. There were reports given by Treasurer Bobby Hill and Risk Management Consultant Nelson Driver. There were two line item transfer requests and twelve ordinances approved to be added to the Quorum Court Consent Agenda. There were budget discussions on Collector, Assessor, and Circuit Clerk.



WASHINGTON COUNTY, ARKANSAS

County Courthouse

JAILS/LAW ENFORCEMENT/COURTS COMMITTEE REPORT - OCTOBER

Lance Johnson - Chairman

The Jails/Law Enforcement/Courts Committee met October 7th. There were Statistic Reports given on the Juvenile Detention Center, Sheriff's Enforcement, Detention, and Pre-Trial vs Bed Count. The Committee also received the Ombudsman's Report and Washington County Criminal Justice Workgroup Report.



WASHINGTON COUNTY, ARKANSAS

County Courthouse

PERSONNEL COMMITTEE REPORT - OCTOBER

Butch Pond - Chairman

The Personnel Committee met October 7th. The Committee approved a request from Sheriff Tim Helder to change the title and grade on two positions and to change the information on a job description. The Committee also approved the request from Judge Joseph Wood to adjust the pay on five positions and approved the request from Assessor Russell Hill to change the title and grade on three positions.