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

Thursday, August 20, 2020
6:00 p.m.
Via Video Zoom Conference

2020 SEP 21 PM 2:06
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

County Judge Joseph K. Wood called the meeting to order at 6:00 p.m.

JP Lisa Ecke led the prayer and pledge.

Members present were JP Lance Johnson, JP Susan Cunningham, JP Derek Thomas, 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 request to amend the agenda and add agenda items 10.1–14.1 to the consent agenda was made by JP S Madison. A request to add ordinance 20-O-060 to the agenda was made by JP Deakins. A request to add ordinance 20-O-059 to the agenda was made by JP Leming. A motion to adopt the agenda with the amendments was made by JP Ecke and seconded by JP Pond. A voice vote was called and all members present unanimously voted to approve the motion. The amended agenda was adopted.

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

During citizen's comments, Mac Mayfield and Beth Coger spoke about the Homeland Security Grant Program Funds.

A motion to approve the July 16th minutes was made by JP S Madison and seconded by JP Deakins. 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 July. Judge Wood shared with the Court that for the month of August Washington County has celebrated the 100th year of the women's suffrage movement. Judge Wood also gave an update on the COVID-19 pandemic.

Judge Joseph Wood introduced the items on the consent agenda. County Attorney Brian Lester read each ordinance by title only; 10.1 "AN ORDINANCE CREATING ONE POSITION OF DEPUTY CORONER IN THE CORONER BUDGET; AND, APPROPRIATING THE AMOUNT OF \$48,499 FROM THE UNAPPROPRIATED RESERVES TO THE CORONER BUDGET FOR 2020". 11.1 "AN ORDINANCE APPROPRIATING \$28,856.10 FROM THE COMMUNICATION FACILITY/EQUIPMENT FUND TO THE COMMUNICATION FACILITY/EQUIPMENT BUDGET (30140400) FOR 2020". 12.1 "AN ORDINANCE RECOGNIZING AND APPROPRIATING REVENUE IN THE AMOUNT OF \$852,365.70 IN THE ROAD DEPARTMENT BUDGET FOR 2020". 13.1 "AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT OF \$69,350 IN THE RURAL COMMUNITY GRANT FUND FOR 2020; AND, APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR 2020". 14.1 "AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN THE AMOUNT OF \$13,699 IN THE LAW ENFORCEMENT GRANT FUND; AND, APPROPRIATING \$13,699 FROM THE LAW ENFORCEMENT GRANT FUND TO THE JAG GRANT BUDGET FOR 2020". A motion to adopt all the ordinances was made by JP Harbison and seconded by JP Ecke. 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 Thomas: Yes

JP Yanez: Yes

JP Deakins: Yes

JP Ecke: Yes

66 JP Duncan: Yes
67 JP Washington: Yes
68 JP E Madison: Yes
69 JP Jenkins: Absent
70 JP Highers: Yes
71 JP S Madison: Yes
72 JP Leming: No
73 JP Harbison: Yes
74 JP Pond: Yes
75 The motion was approved.
76

77 **Ordinance 2020-45, AN ORDINANCE CREATING ONE POSITION OF DEPUTY**
78 **CORONER IN THE CORONER BUDGET; AND, APPROPRIATING THE AMOUNT OF**
79 **\$48,499 FROM THE UNAPPROPRIATED RESERVES TO THE CORONER BUDGET**
80 **FOR 2020, was adopted.**
81

82 **Ordinance 2020-46, AN ORDINANCE APPROPRIATING \$28,856.10 FROM THE**
83 **COMMUNICATION FACILITY/EQUIPMENT FUND TO THE COMMUNICATION**
84 **FACILITY/EQUIPMENT BUDGET (30140400) FOR 2020, was adopted.**
85

86 **Ordinance 2020-47, AN ORDINANCE RECOGNIZING AND APPROPRIATING**
87 **REVENUE IN THE AMOUNT OF \$852,365.70 IN THE ROAD DEPARTMENT**
88 **BUDGET FOR 2020, was adopted.**
89

90 **Ordinance 2020-48, AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT**
91 **OF \$69,350 IN THE RURAL COMMUNITY GRANT FUND FOR 2020; AND,**
92 **APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR**
93 **2020, was adopted.**
94

95 **Ordinance 2020-49, AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN**
96 **THE AMOUNT OF \$13,699 IN THE LAW ENFORCEMENT GRANT FUND; AND,**
97 **APPROPRIATING \$13,699 FROM THE LAW ENFORCEMENT GRANT FUND TO**
98 **THE JAG GRANT BUDGET FOR 2020, was adopted.**
99

100 Judge Joseph Wood introduced agenda item 8.1. County Attorney Brian Lester read the
101 resolution by title only, "A RESOLUTION OF THE QUORUM COURT OF
102 WASHINGTON COUNTY, ARKANSAS CERTIFYING LOCAL COUNTY
103 GOVERNMENT ENDORSEMENT OF NOWDIAGNOSTICS, INC., TO PARTICIPATE
104 IN THE CONSOLIDATED INCENTIVE (TAX BACK) ACT OF 2003". A motion to adopt
105 the resolution was made by JP Yanez and seconded by JP Leming. There were
106 comments made by JP Yanez, JP Ecke, JP Washington, NOWDiagnosics Director of
107 Manufacturing and Regulatory Affairs, Duane Poorman, and Springdale Chamber of
108 Commerce VP of Economics Development, Scott Edmondson. There were no public
109 comments. A roll call vote was called and all members unanimously voted to adopt the
110 resolution.
111

112 **Resolution 2020-07, A RESOLUTION OF THE QUORUM COURT OF WASHINGTON**
113 **COUNTY, ARKANSAS CERTIFYING LOCAL COUNTY GOVERNMENT**
114 **ENDORSEMENT OF NOWDIAGNOSTICS, INC., TO PARTICIPATE IN THE**
115 **CONSOLIDATED INCENTIVE (TAX BACK) ACT OF 2003, was adopted.**
116

117 Judge Joseph Wood introduced agenda item 9.1. County Attorney Brian Lester read the
118 ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT
119 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD
120 (ORELLANA'S AUTO SALES)". A motion to suspend the rules and advance the
121 ordinance to second reading was made by JP Deakins and seconded by JP Pond. A
122 voice vote was called and all members unanimously voted to approve the motion.
123 County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE
124 RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY
125 THE PLANNING AND ZONING BOARD (ORELLANA'S AUTO SALES)". A motion to
126 suspend the rules and advance the ordinance to third and final reading was made by JP
127 Deakins and seconded by JP Pond. A voice vote was called and all members
128 unanimously voted to approve the motion. County Attorney Brian Lester read the
129 ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT

130 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD
131 (ORELLANA'S AUTO SALES)". A motion to adopt the ordinance was made by JP
132 Deakins and seconded by JP Leming. There were comments made by JP Deakins and
133 JP Washington. There were no public comments. A roll call vote was called and all
134 members unanimously voted to adopt the ordinance.
135

136 **Ordinance 2020-50, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**
137 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD**
138 **(ORELLANA'S AUTO SALES), was adopted.**
139

140 County Judge Joseph Wood introduced agenda item 15.1. County Attorney Brian Lester
141 read the ordinance by title only, "AN ORDINANCE AMENDING ORDINANCE 2019-86
142 BY REDUCING THE TOTAL AMOUNT OF \$144,057 IN JAIL OPERATIONS AND
143 MAINTENANCE BUDGET (30170418) FOR 2020; AND RETURNING THOSE FUNDS
144 TO UNAPPROPRIATED RESERVES IN THE JAIL OPERATIONS AND
145 MAINTENANCE FUND (3017)". A motion to adopt the ordinance was made by JP
146 Deakins and seconded by JP Duncan. There were comments made by various
147 members of the Court and County Attorney Brian Lester. There were no public
148 comments. A roll call vote was called and the votes were tallied as follow:

149 JP Johnson: Yes
150 JP Cunningham: Yes
151 JP Thomas: No
152 JP Yanez: Yes
153 JP Deakins: Yes
154 JP Ecke: Yes
155 JP Duncan: Yes
156 JP Washington: No
157 JP E Madison: No
158 JP Jenkins: Yes
159 JP Highers: Yes
160 JP S Madison: No
161 JP Leming: No
162 JP Harbison: No
163 JP Pond: No

164 The motion failed to receive the super-majority vote required to pass with one reading.
165 This ordinance will be on next month's agenda and will be on second reading.
166

167 County Judge Joseph Wood introduced agenda item 16.1. County Attorney Brian Lester
168 read the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
169 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
170 BOARD (PBGH-SPRINGDALE HWY 412-DOLLAR GENERAL)". A motion to suspend
171 the rules and advance the ordinance to second reading was made by JP Deakins and
172 seconded by JP Pond. A voice vote was called and majority of the members voted to
173 approve the motion. JP Highers opposed. County Attorney Brian Lester read the
174 ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT
175 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD
176 (PBGH-SPRINGDALE HWY 412-DOLLAR GENERAL)". A motion to suspend the rules
177 and advance the ordinance to third and final reading was made by JP Deakins and
178 seconded by JP Leming. A voice vote was called and majority of the members voted to
179 approve the motion. JP Highers opposed. County Attorney Brian Lester read the
180 ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT
181 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD
182 (PBGH-SPRINGDALE HWY 412-DOLLAR GENERAL)". A motion to adopt the
183 ordinance was made by JP Deakins and seconded by JP Pond. There were comments
184 made by JP Deakins, JP Highers, and JP S Madison. There were no public comments.
185 A roll call vote was called and the votes were tallied as follow:

186 JP Johnson: Yes
187 JP Cunningham: Yes
188 JP Thomas: Yes
189 JP Yanez: No
190 JP Deakins: Yes
191 JP Ecke: Yes
192 JP Duncan: Yes

193 JP Washington: No
194 JP E Madison: No
195 JP Jenkins: No
196 JP Highers: No
197 JP S Madison: No
198 JP Leming: Yes
199 JP Harbison: Yes
200 JP Pond: Yes

201 The motion was approved.

202

203 **Ordinance 2020-51, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**
204 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD**
205 **(PBGH-SPRINGDALE 412-DOLLAR GENERAL), was adopted.**
206

207 County Judge Joseph Wood introduced agenda item 17.1. County Attorney Brian Lester
208 read the ordinance by title only, "AN ORDINANCE CALLING FOR A REFERENDUM
209 ELECTION ON THE SALE OF LIQUOR BY THE DRINK IN PRAIRIE GROVE,
210 ARKANSAS". A motion to suspend the rules and advance the ordinance to second
211 reading was made by JP Leming and seconded by JP Jenkins. A roll call vote was
212 called and all members unanimously voted to approve the motion. County Attorney
213 Brian Lester read the ordinance by title only, "AN ORDINANCE CALLING FOR A
214 REFERENDUM ELECTION ON THE SALE OF LIQUOR BY THE DRINK IN PRAIRIE
215 GROVE, ARKANSAS". A motion to suspend the rules and advance the ordinance to
216 third and final reading was made by JP Pond and seconded by JP Jenkins. A voice vote
217 was called and all members unanimously voted to approve the motion. County Attorney
218 Brian Lester read the ordinance by title only, "AN ORDINANCE CALLING FOR A
219 REFERENDUM ELECTION ON THE SALE OF LIQUOR BY THE DRINK IN PRAIRIE
220 GROVE, ARKANSAS". A motion to adopt the ordinance was made by JP Leming and
221 seconded by JP Jenkins. There no public comments. A roll call vote was called and all
222 members unanimously voted to adopt the ordinance.
223

224 **Ordinance 2020-52, AN ORDINANCE CALLING FOR A REFERENDUM ELECTION**
225 **ON THE SALE OF LIQUOR BY THE DRINK IN PRAIRIE GROVE, ARKANSAS, was**
226 **adopted.**
227

228 The County Services Committee did not meet in August.

229

230 JP Harbison presented the August Finance & Budget Committee Report. The
231 Committee met via video on August 11th and received the Treasurer, Employees'
232 Insurance, and Comptroller Reports. The Committee approved six ordinances and
233 tabled one ordinance until next month. The discussion on the 2021 budget will begin
234 next month.
235

236 The Jails/LE/Courts Committee did not meet in August. The monthly reports were
237 emailed and posted on the county website.
238

239 The Personnel Committee did not meet in August.
240

241 A motion to adjourn the meeting was made by JP Jenkins and seconded by JP E
242 Madison. The meeting was adjourned at 7:16 p.m.
243
244

245 *Patty Burnett*

246 Patty Burnett

247 Quorum Court Coordinator

FILED

2020 AUG 25 AM 8:06

DEBRA LEMWALLEN
CO. & PROBATE CLERK
WASHINGTON CO., AR

ORDINANCE NO. 2020-45

APPROPRIATION ORDINANCE

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

**AN ORDINANCE CREATING ONE POSITION
OF DEPUTY CORONER IN THE CORONER
BUDGET; AND, APPROPRIATING THE
AMOUNT OF \$48,499 FROM THE
UNAPPROPRIATED RESERVES TO THE
CORONER BUDGET FOR 2020.**

WHEREAS, the Washington County Coroner desires to add
one full time position in the County Coroner Budget for 2020.

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

ARTICLE 1. There is hereby created one position of Deputy
Coroner (Position 0419004), Grade 17, in the Coroner Budget of the General Fund
(10000419) for 2020.

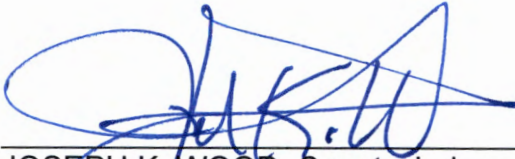
ARTICLE 2. There is hereby appropriated the total amount
of \$48,499 in the following salary line items in the Coroner Budget for 2020:

Salaries, Full Time	10000419.1001	\$ 37,500
Social Security Matching	10000419.1006	2,869
Noncontributory Retirement	10000419.1008	5,745
Health Insurance Matching	10000419.1009	2,330
Life Insurance Matching	10000419.1016	55

TOTAL APPROPRIATION \$ 48,499

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JOSEPH K. WOOD, County Judge

02.24.2020
DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**
Date of Adoption: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,
Duncan, Washington, E. Madison, Highers, S. Madison,
Harbison, Pond**
Members Voting Against: **Leming**
Members Abstaining:
Members Absent: **Jenkins**

Committee History: Finance & Budget Committee (08/11/2020); Passed to QC
Quorum Court History:

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2020 AUG 25 AM 8:06

FILED

ORDINANCE NO. 2020-46

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
\$28,856.10 FROM THE COMMUNICATION
FACILITY/EQUIPMENT FUND TO THE
COMMUNICATION FACILITY/EQUIPMENT
BUDGET (30140400) FOR 2020.

WHEREAS, the Washington County Sheriff's Office was
unable to forecast the needed communication upgrade in the Communication
Facility/Equipment Budget for 2020; and,

WHEREAS, the Communication Facility/Equipment Budget
does not have sufficient funds in its 2020 budget to pay for said services.

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


ARTICLE 1. There is hereby appropriated the amount of
\$28,856.10 from unappropriated reserves in the Communication Facility/Equipment Fund
(3014) to the Maintenance and Services line item in the Communication
Facility/Equipment Budget (30140400.2024) for 2020.



JOSEPH K. WOOD, County Judge

08.24.2020

DATE



BECKY LEWALLEN, County Clerk

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Introduced by: **JP Ann Harbison**
Date of Adoption: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,
Duncan, Washington, E. Madison, Highers, S. Madison,
Harbison, Pond**
Members Voting Against: **Leming**
Members Abstaining:
Members Absent: **Jenkins**
Committee History: Finance & Budget Committee (08/11/2020); Passed to QC
Quorum Court History:

ORDINANCE NO. 2020-47

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 AND APPROPRIATING REVENUE IN THE AMOUNT OF \$852,365.70 IN THE ROAD DEPARTMENT BUDGET FOR 2020.

WHEREAS, FEMA Grant funds in the amount of \$852,365.70 were received by Washington County in July 2020 to aid in the repairs of damage caused by excessive flooding in 2017; and,

WHEREAS, the repairs from said flood damage have been completed by the Road Department and the grant money now needs to be appropriated to the Road Department Budget.

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

ARTICLE 1. There is hereby recognized additional revenue of \$852,365.70 in the FEMA Brush Creek Bridge Fund (3400.0203) for 2020.

ARTICLE 2. There is hereby appropriated the amount of \$704,365.70 from the FEMA Brush Creek Bridge Fund (3400.0203) to the following line items in the Road Department Budget (2000.0200) for 2020:

Parts and Repairs	(20000200.2023)	\$ 20,000.00
Asphalt	(20000200.2025)	40,000.00
Culvert and Pipes	(20000200.2026)	30,000.00
Gravel, Dirt, and Sand	(20000200.2027)	20,000.00
Lumber and Pilings	(20000200.2028)	8,000.00
Bridges and Steel	(20000200.2031)	30,000.00
Other Professional Services	(20000200.3009)	556,365.70

BECKY LEWALLEN
 CO. & PROBATE CLERK
 WASHINGTON CO. AR
 2020 AUG 25 AM 8:06
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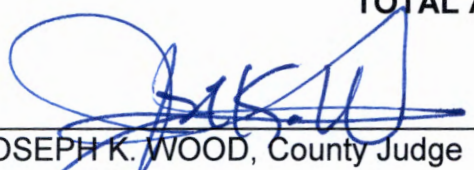
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ARTICLE 3. There is hereby appropriated the amount of \$148,000 from the FEMA Brush Creek Bridge Fund (3400.0203) to the following line items in the Road Department ½ Cent Sales Tax Budget (2000.0201) for 2020:

Plumbing and Electrical	(20000201.2022)	\$ 30,000.00
Culvert and Pipe	(20000201.2026)	50,000.00
Gravel, Dirt, and Sand	(20000201.2027)	68,000.00


TOTAL APPROPRIATION **\$ 852,365.70**



JOSEPH K. WOOD, County Judge

08.24.2020

DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**
Date of Adoption: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke, Duncan, Washington, E. Madison, Highers, S. Madison, Harbison, Pond**
Members Voting Against: **Leming**
Members Abstaining:
Members Absent: **Jenkins**

Committee History: Finance & Budget Committee (08/11/2020); Passed to QC
Quorum Court History:

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2020 AUG 25 AM 8:07

FILED

ORDINANCE NO. 2020-48

APPROPRIATION ORDINANCE

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

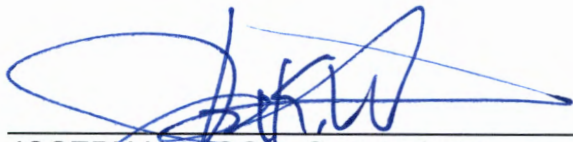
**AN ORDINANCE RECOGNIZING REVENUE
IN THE AMOUNT OF \$69,350 IN THE RURAL
COMMUNITY GRANT FUND FOR 2020; AND,
APPROPRIATING SAID AMOUNT TO THE
ROAD DEPARTMENT BUDGET FOR 2020.**

WHEREAS, Washington County received revenue of \$69,350
as a result of its Grant Application to the Arkansas Unpaved Roads Grant as authorized
by the Quorum Court in Resolution No. 2020-04.

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

ARTICLE 1. There is hereby recognized revenue of \$69,350
in the Rural Community Grant Fund (3503.7010) for 2020.

ARTICLE 2. There is hereby appropriated the total amount
of \$69,350 from the Rural Community Grant Fund (3503.7010) to the Gravel, Dirt, and
Sand line item in the Road Department Budget (20000200.2027) for 2020.



JOSEPH K. WOOD, County Judge

08.24.2020

DATE



BECKY LEWALLEN, County Clerk

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Introduced by: JP Ann Harbison
Date of Adoption: August 20, 2020
Members Voting For: Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke, Duncan, Washington, E. Madison, Highers, S. Madison, Harbison, Pond
Members Voting Against: Leming
Members Abstaining:
Members Absent: Jenkins

Committee History: Finance & Budget Committee (08/11/2020); Passed to QC
Quorum Court History:

2020 AUG 25 AM 8: 07
FILED
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2020-49

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 REVENUE IN THE AMOUNT OF \$13,699 IN THE LAW ENFORCEMENT GRANT FUND; AND, APPROPRIATING \$13,699 FROM THE LAW ENFORCEMENT GRANT FUND TO THE JAG GRANT BUDGET FOR 2020.

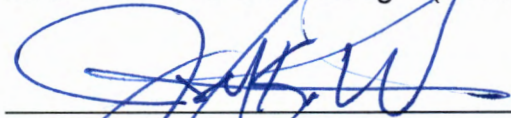
WHEREAS, Washington County has been notified of a grant award in the amount of \$13,699 from the Local Edward Byrne Memorial Justice Assistant Grant (JAG); and,

WHEREAS, this grant fund is a non-matching, reimbursable fund that, once spent, will be reimbursed to the County.

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

ARTICLE 1. There is hereby anticipated the amount of \$13,699 in the Law Enforcement Grant Fund (3514) for 2020.

ARTICLE 2. There is hereby appropriated the total amount of \$13,699 from the Law Enforcement Grant Fund (3514) to the Small Equipment line item in the JAG Grant Budget (35140587.2002) for 2020.



JOSEPH K. WOOD, County Judge

08 24 2020
DATE



BECKY LEWALLEN, County Clerk

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Introduced by: **JP Ann Harbison**
Date of Adoption: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,
Duncan, Washington, E. Madison, Highers, S. Madison,
Harbison, Pond**
Members Voting Against: **Leming**
Members Abstaining:
Members Absent: **Jenkins**

Committee History: Finance & Budget Committee (08/11/2020); Passed to QC
Quorum Court History:

2020 AUG 25 AM 8:07
FILED
BECY LEMALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

RESOLUTION NO. 2020-07

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

A RESOLUTION OF THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS CERTIFYING LOCAL COUNTY GOVERNMENT ENDORSEMENT OF NOWDIAGNOSTICS, INC., TO PARTICIPATE IN THE CONSOLIDATED INCENTIVE (TAX BACK) ACT OF 2003.

WHEREAS, NOWDiagnostics, Inc., has applied for the Consolidated Incentive (Tax Back) Program, requesting benefits accruing for expansion to its business and equipment in Washington County, Arkansas; and

WHEREAS, local government must endorse a business applicant's participation in the Consolidated Incentive Act of 2003 for the business to benefit from the refunds/tax credits, as provided in A.C.A. § 15-4-270(d) of Act 182 of 2003; and

WHEREAS, NOWDiagnostics, Inc., has agreed to furnish Washington County all necessary information for compliance.

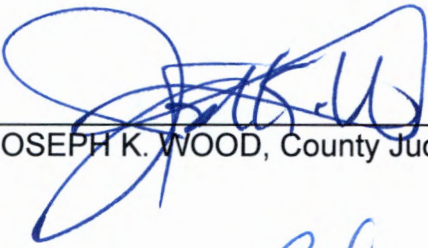
NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. NOWDiagnostics, Inc., be endorsed by the Quorum Court of Washington County for benefits from the refunds/tax credits as provided in the Consolidated Incentive (Tax Back) Act of 2003.


ARTICLE 2. The Department of Finance and Administration be authorized to refund local sales and use taxes to NOWDiagnostics, Inc., and that the County Judge be authorized to sign the application.

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JOSEPH K. WOOD, County Judge



BECKY LEWALLEN, County Clerk

08.24.2020
DATE

Introduced by: **JP Judith Yanez**
Date of Adoption: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,
Duncan, Washington, E. Madison, Jenkins, Highers,
S. Madison, Leming, Harbison, Pond**
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History:
Quorum Court History:

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2020 AUG 25 AM 8: 08

FILED

ORDINANCE NO. 2020-50

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

AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD.

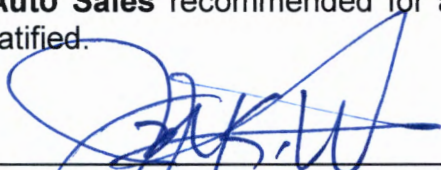
WHEREAS, the Planning and Zoning Board voted to recommend approval of a Conditional Use Permit for **Orellana's Auto Sales** on **July 23, 2020**; and,

WHEREAS, ratification is required by the Quorum Court; 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:

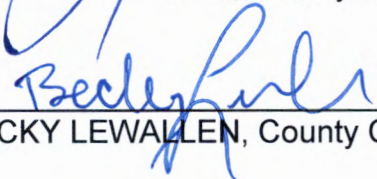
ARTICLE 1. That the Conditional Use Permit for **Orellana's Auto Sales** recommended for approval by the Planning and Zoning Board is hereby ratified.



JOSEPH K. WOOD, County Judge

08.24.2020

DATE



BECKY LEWALLEN, County Clerk

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Introduced by: **JP Patrick Deakins**
Date of Passage: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,
Duncan, Washington, E. Madison, Jenkins, Highers,
S. Madison, Leming, Harbison, Pond**
Members Voting Against:
Members Abstaining:
Members Absent:
Committee History:
Quorum Court History:

Orellana's Auto Sales CUP

The Planning Board unanimously approved Orellana's Auto Sales Conditional Use Permit (with conditions) on July 23, 2020.

Staff does not expect any appeals on this CUP.

CountyOrellana's Auto Sales CUP

Conditional Use Permit Approval Request
 Location Address: 17204 E Hwy 412
 JP District: Name, District #5, Patrick Deakins
 Approximately 5.6 acres
 Proposed Land Use: Used auto sales & temporary scrap auto storage
 Projects: 2020-131
 Planner: Nathan Crouch, ncrouch@co.washington.ar.us

Orellana's Auto Sales is requesting Conditional Use Permit approval for auto sales at their property at 17204 E Hwy 412. The applicants purchase vehicles at auctions and use various local mechanics to repair the vehicles, then sell them at the auto sales business. If this CUP is approved, the applicants plan to close their car lot on Thompson St and move the business to this location.

Not all the cars get sold. Some are used for their parts, then sold as scrap metal. The request is to allow storage of the scrapped cars as well, so the owner can sell them as scrap metal when the price is best.

The CUP is to allow used car sales, as well as scrap car storage.

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.

The Planning Board approved (7 members voted "in favor", 0 members voted "against") the project with the following conditions:

Utility Conditions:

1. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

Water Conditions:

1. If additional water service is required, please coordinate that with Springdale Water Utility.

Ozarks Electric Conditions:

1. If additional electric service is required, please coordinate that with Ozarks Electric.
2. Be aware of the location of the overhead power line utility easement. (30ft wide, centered on the power poles)
3. Do not place permanent structures inside the utility easement.

Septic Conditions:

1. If any additional septic system(s) are desired they must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation or operation.

2. No parking is allowed on any portion of the septic system including the alternate area. If you need help locating your septic lateral field please contact Planning Staff for assistance.

Road/Parking Conditions:

1. All entrance drives, employee and customer parking areas, must support 75,000lbs in all weather conditions.

Signage/Lighting/Screening Conditions:

1. Signage cannot be placed in the Right-of-Way.
2. Limit the size of the business sign to 24sq ft.
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.
4. Any trash dumpsters must be screened with an opaque material, to include the gate.
5. Install privacy fence, or equivalent, according to Planning Staff's recommendations.

Fire Code Conditions:

1. Business must be (and remain) in compliance with Arkansas State Fire Code.

Planning Conditions:

1. Do not allow vehicular fluids to drip onto the ground.
2. Drain the fluids from the vehicles before they are stored on this property.
3. No commercial mechanic shop is allowed.
4. No customers are allowed in the scrap vehicle storage area.

Standard Conditions:

1. Pay neighbor notification mailing fees (not calculated yet) within 30 days of project approval. Any extension must be approved by the Planning Office.
2. Pay engineering fees (not calculated yet) within 30 days of project approval. 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. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. This CUP must be ratified by the Quorum Court.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.
 - o All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State or local permits or approvals, if any, whether known or unknown to the Board or the Developer.

* 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.*

2020 AUG 25 AM 8:08
FILED
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2020-51

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

AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD.

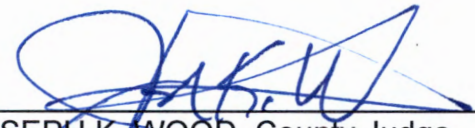
WHEREAS, the Planning and Zoning Board voted to recommend approval of a Conditional Use Permit for **PBGH-Springdale Hwy 412 (Dollar General)** on **July 23, 2020**; and,

WHEREAS, ratification is required by the Quorum Court; 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:

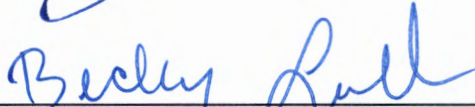
ARTICLE 1. That the Conditional Use Permit for **PBGH-Springdale Hwy 412 (Dollar General)** recommended for approval by the Planning and Zoning Board is hereby ratified.



JOSEPH K. WOOD, County Judge

08.24.2020

DATE



BECKY LEWALLEN, County Clerk

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Introduced by: **JP Patrick Deakins**
Date of Passage: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Deakins, Ecke, Duncan,
Leming, Harbison, Pond**
Members Voting Against: **Yanez, Washington, E. Madison, Jenkins, Highers,
S. Madison**
Members Abstaining:
Members Absent:
Committee History:
Quorum Court History:

PBGH-Springdale Hwy 412 (Dollar General) CUP

The Planning Board/Zoning Board of Adjustments approved PBGH-Springdale Hwy 412 (Dollar General) CUP, with conditions, request on July 23, 2020 (7 members voted "in favor", 0 members voted "against", 0 members were absent).

There were no public comments at the meeting. Some members of the public reached out to Planning the next day via email and commented that they had difficulties accessing the meeting via Zoom due to an inactive room URL. Staff mentioned the Quorum Court meeting and emailed information regarding how to appeal either or both the CUP and the Preliminary Large Scale projects.

The applicant, with representation from Blew and Associates, is requesting a conditional use permit.

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 within a planning area.

The proposal is located in the eastern portion of the County. It is situated on the northside of E AR Hwy 412 and east of W Hickory Flat Rd WC 97.

The applicant is proposing to utilize 2.24 acres of the subject parcel (approximately 160 acres total) for a general merchandise retail store. Since the use is not residential or agricultural and therefore not allowed by current County zoning, a conditional use permit must be granted to allow this commercial use.

The Planning Board/Zoning Board of Adjustments PBGH-Springdale Hwy 412 (Dollar General) CUP request on July 23, 2020 (7 members voted "in favor", 0 members voted "against", 0 members were absent) with the following conditions:

Utilities:*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
5. 30Ft. U.E. along all Ozark electric overhead line.

AT&T

1. Please contact AT&T for future needs if phone service is desired.

Madison County Water

1. Please contact Madison County Water for water service..

Fire Safety:*Fire Marshal*

1. Though the Fire Marshal did not submit conditions, the applicant should seek to confer with the Fire Marshal to ensure that all lots are able to be serviced adequately in the event of a fire or other emergency.

Nob Hill Rural Fire Department

1. A three (3) hour fire rated wall between the stockroom and sales floor must be installed.
2. A fire alarm system for early warning must be installed.
3. Please contact the Nob Hill Rural Fire Department for inspections.

Health Department Issues:

1. All septic design and permits must be approved by the Arkansas Department of Health before installation of said septic system.

Road Issues:

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

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

Drainage:

1. All requests and concerns by the County Engineer must be addressed and found satisfactory.

Environmental Concerns:

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

Signage:

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

Lighting:

1. 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:

1. The applicant must utilize an opaque screening method for all dumpster areas.

Sheriff's Office Concerns:

1. Please contact the Washington County Sheriff's Office for any safety concerns.

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). This total will be calculated for this project once all invoices are received.

2. Pay any engineering 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. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

ORDINANCE NO. 2020-52

FILED
2020 AUG 25 AM 8:08
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

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4 **BE IT ENACTED BY THE QUORUM**
5 **COURT OF THE COUNTY OF**
6 **WASHINGTON, STATE OF ARKANSAS,**
7 **AN ORDINANCE TO BE ENTITLED:**
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10 **AN ORDINANCE CALLING FOR A**
11 **REFERENDUM ELECTION ON THE SALE OF**
12 **LIQUOR BY THE DRINK IN PRAIRIE GROVE,**
13 **ARKANSAS.**
14

15 **WHEREAS**, the City of Prairie Grove has passed a resolution
16 to call for a referendum election on the sale of liquor by the drink in Prairie Grove, pursuant
17 to A.C.A. § 3-9-206; and
18

19 **WHEREAS**, A.C.A. § 3-9-206(b)(1) requires the election to be
20 called by the Quorum Court; and
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22 **WHEREAS**, such an election would only allow liquor by the
23 drink in the wet areas of Prairie Grove; and
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25 **WHEREAS**, the general election of 2020 is scheduled for
26 November 3, 2020; and
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28 **WHEREAS**, the purpose of this Ordinance is to call for a
29 referendum election on the question of the sale of liquor by the drink in prairie grove,
30 Arkansas.
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32 **NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM**
33 **COURT OF WASHINGTON COUNTY, ARKANSAS:**
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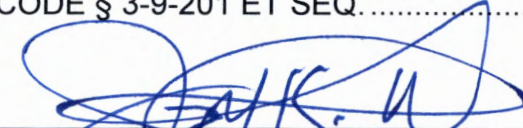
35 **ARTICLE 1.** There is hereby called a referendum election to
36 be held on November 3, 2020, at which election there shall be submitted to the electors
37 of the city of Prairie Grove the question of the sale of liquor by the drink in Prairie Grove.
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39 **ARTICLE 2.** The question of the sale of liquor by the drink
40 shall be place on the ballot for the election in substantially the following form:
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FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION
IN PRAIRIE GROVE, ARKANSAS, AS AUTHORIZED IN ARKANSAS CODE § 3-9-201
ET SEQ.....

AGAINST THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES
CONSUMPTION IN PRAIRIE GROVE, ARKANSAS, AS AUTHORIZED IN ARKANSAS
CODE § 3-9-201 ET SEQ.....



JOSEPH K. WOOD, County Judge

08 24, 2020
DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Andrea Jenkins and JP Willie Leming**
Date of Adoption: **August 20, 2020**
Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,
Duncan, Washington, E. Madison, Jenkins, Highers,
S. Madison, Leming, Harbison, Pond**
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History:
Quorum Court History: