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

Thursday, September 17, 2020
6:00 p.m.
Washington County Courthouse/
Via Video Zoom Conference

2020 OCT 19 PM 3:35
BECKY LEWALLEN
Clerk
FILED

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

11 JP Patrick Deakins led the prayer and pledge.

12
13
14 Members present were JP Lance Johnson, JP Susan Cunningham, JP Derek Thomas,
15 JP Judith Yanez, JP Patrick Deakins, JP Lisa Ecke, JP Sam Duncan, JP Shawndra
16 Washington, JP Eva Madison, JP Andrea Jenkins, JP Suki Highers, JP Sue Madison,
17 JP Willie Leming, JP Ann Harbison, and JP Butch Pond.

18
19 A request to amend the agenda and add two discussion items: 1) update and overview
20 on the radio contract and tax; 2) an overview on the red dirt pit in Brentwood was made
21 by JP Deakins and seconded by JP Leming. A voice vote was called and all members
22 unanimously voted to approve the request. A motion to adopt the amended agenda was
23 made by JP S Madison and seconded by JP Jenkins. A voice vote was called and all
24 members unanimously voted to approve the motion. The amended agenda was
25 adopted.

26
27 A motion to suspend the rules and read all ordinances and resolution by title only was
28 made by JP S Madison and seconded by JP Harbison. A voice vote was called and all
29 members unanimously voted to approve the motion.

30
31 There were no citizen comments.

32
33 A motion to approve the August 20th minutes with a correction was made by JP S
34 Madison. The corrected minutes were approved.

35
36 Judge Joseph Wood presented his Judge's Report. Judge Wood presented to the Court
37 a Purchasing Department Report of the Disposal of County Property for August. Judge
38 Wood also gave updates on the Census, COVID-19 pandemic, and The National Center
39 for State Courts. Judge Wood recognized the Road Department for receiving the Safety
40 Award and the IT Department for receiving 2nd place for the Center for Digital
41 Technology.

42
43 A motion to amend the agenda and add an open public hearing to agenda item 10.1 to
44 comply with the IRS regulations was made by JP E Madison and seconded by JP S
45 Madison. A voice vote was called and all members unanimously voted to approve the
46 motion.

47
48 Judge Joseph Wood introduced agenda item 8.1. This ordinance was on second
49 reading. County Attorney Brian Lester read the ordinance by title only, "AN
50 ORDINANCE AMENDING ORDINANCE 2019-86 BY REDUCING THE TOTAL
51 AMOUNT OF \$144,057 IN JAIL OPERATIONS AND MAINTENANCE BUDGET
52 (30170418) FOR 2020; AND RETURNING THOSE FUNDS TO UNAPPROPRIATED
53 RESERVES IN THE JAIL OPERATIONS AND MAINTENANCE FUND (3017)". A
54 motion to postpone indefinitely was made by JP Deakins and seconded by JP S
55 Madison. A voice vote was called and all members unanimously voted to approve the
56 motion.

57
58 Judge Joseph Wood introduced the items on the consent agenda. County Attorney
59 Brian Lester read each ordinance by title only, 9.1 "AN ORDINANCE CHANGING THE
60 TITLE OF COMPUTER ADMINISTRATOR TO COMPUTER/DATA ADMINISTRATOR
61 IN THE RECORDER'S COST BUDGET FOR 2020". 9.2 "AN ORDINANCE
62 RECOGNIZING ADDITIONAL REVENUE OF \$4,803.36 IN THE DEM FUND; AND,
63 APPROPRIATING \$4,803.36 FROM THE DEM FUND TO THE DEM BUDGET FOR
64 2020". 9.3 "AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$31,167 IN
65 THE JDC GRANT FUND; AND, APPROPRIATING \$31,167 FROM THE JDC GRANT
66 FUND TO THE JUVENILE DETENTION CENTER GRANT-IN-AID 2020/2021 BUDGET

67 FOR 2020". 9.4 "AN ORDINANCE APPROPRIATING REVENUE OF \$22,059.84 FROM
68 THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM GRANT
69 FUND (CARES ACT OJP) TO THE GENERAL SUPPLIES LINE ITEM IN THE
70 SHERIFF (1000-0400), JAIL (3017-0418) AND JAIL MAINTENANCE (3017-0127)
71 BUDGETS FOR 2020". 9.5 "AN ORDINANCE TRANSFERRING \$2,901.26 FROM THE
72 FULL TIME SALARIES LINE ITEM TO THE PART TIME SALARIES LINE ITEM IN THE
73 VETERAN'S SERVICE BUDGET (10000800) FOR 2020". 9.6 "AN ORDINANCE
74 APPROPRIATING \$411,000 FROM THE BOND PRINCIPAL FUND (5800) TO THE
75 BOND PRINCIPAL BUDGET FOR 2020". A motion to adopt all the ordinances was
76 made by JP Harbison and seconded by JP S Madison. There were no public comments.
77 A roll call vote was called and all members unanimously voted to adopt the ordinances.
78

79 **Ordinance 2020-53, AN ORDINANCE CHANGING THE TITLE OF COMPUTER**
80 **ADMINISTRATOR TO COMPUTER/DATA ADMINISTRATOR IN THE RECORDER'S**
81 **COST BUDGET FOR 2020, was adopted.**
82

83 **Ordinance 2020-54, AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF**
84 **\$4,803.36 IN THE DEM FUND; AND, APPROPRIATING \$4,803.36 FROM THE DEM**
85 **FUND TO THE DEM BUDGET FOR 2020, was adopted.**
86

87 **Ordinance 2020-55, AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF**
88 **\$31,167 IN THE JDC GRANT FUND; AND, APPROPRIATING \$31,167 FROM THE**
89 **JDC GRANT FUND TO THE JUVENILE DETENTION CENTER GRANT-IN-AID**
90 **2020/2021 BUDGET FOR 2020, was adopted.**
91

92 **Ordinance 2020-56, AN ORDINANCE APPROPRIATING REVENUE OF \$22,059.84**
93 **FROM THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM**
94 **GRANT FUND (CARES ACT OJP) TO THE GENERAL SUPPLIES LINE ITEM IN THE**
95 **SHERIFF (1000-0400), JAIL (3017-0418) AND JAIL MAINTENANCE (3017-0127)**
96 **BUDGETS FOR 2020, was adopted.**
97

98 **Ordinance 2020-57, AN ORDINANCE TRANSFERRING \$2,901.26 FROM THE FULL**
99 **TIME SALARIES LINE ITEM TO THE PART TIME SALARIES LINE ITEM IN THE**
100 **VETERAN'S SERVICE BUDGET (10000800) FOR 2020, was adopted.**
101

102 **Ordinance 2020-58, AN ORDINANCE APPROPRIATING \$411,000 FROM THE**
103 **BOND PRINCIPAL FUND (5800) TO THE BOND PRINCIPAL BUDGET FOR 2020,**
104 **was adopted.**
105

106 Judge Joseph Wood introduced agenda item 10.1. This was an open public hearing
107 permitting the public to comment on the proposed use of the sale proceeds of the
108 Health Facilities Revenue Bonds. There were no public comments. County Attorney
109 Brian Lester read the resolution by title only, "A RESOLUTION APPROVING THE
110 ISSUANCE OF THE HEALTH AND EDUCATIONAL FACILITIES AUTHORITY OF THE
111 STATE OF MISSOURI HEALTH FACILITIES REVENUE BONDS". A motion to adopt
112 the resolution was made by JP S Madison and seconded by JP E Madison. Jill
113 Grimsley, representative of the Mercy Hospital Systems in the State of Arkansas spoke
114 to the Court. There were no public comments. A roll call vote was called and all
115 members unanimously voted to adopt the resolution.
116

117 **Resolution 2020-08, A RESOLUTION APPROVING THE ISSUANCE OF THE**
118 **HEALTH AND EDUCATIONAL FACILITIES AUTHORITY OF THE STATE OF**
119 **MISSOURI HEALTH FACILITIES REVENUE BONDS, was adopted.**
120

121 Judge Joseph Wood introduced agenda item 11.1. County Attorney Brian Lester read
122 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
123 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
124 BOARD (BLACKBERRY RIDGE SUBDIVISION)". A motion to suspend the rules and
125 advance the ordinance to second reading was made by JP Duncan and seconded by
126 JP Ecke. A voice vote was called and all members unanimously voted to approve the
127 motion. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE
128 RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY
129 THE PLANNING AND ZONING BOARD (BLACKBERRY RIDGE SUBDIVISION). A
130 motion to suspend the rules and advance the ordinance to third and final reading was
131 made by JP Duncan and seconded by JP Leming. A voice vote was called and all

132 members unanimously voted to approve the motion. County Attorney Brian Lester read
133 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
134 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
135 BOARD (BLACKBERRY RIDGE SUBDIVISION). A motion to adopt the ordinance was
136 made by JP Duncan and seconded by JP S Madison. There were no public comments.
137 A roll call vote was called and all members unanimously voted to adopt the ordinance.
138

139 **Ordinance 2020-59, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**
140 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD**
141 **(BLACKBERRY RIDGE SUBDIVISION), was adopted.**
142

143 Judge Joseph Wood introduced agenda item 12.1. County Attorney Brian Lester read
144 the ordinance by title only, "AN ORDINANCE APPROPRIATING \$6,557.87 IN THE
145 QUORUM COURT BUDGET FOR 2020". A motion to adopt the ordinance was made by
146 JP Harbison and seconded by JP Leming. There were comments made by various
147 members of the Court. During public comments, David Freeman spoke. A roll call vote
148 was called and the votes were tallied as follow:

149 JP Johnson: Yes

150 JP Cunningham: Yes

151 JP Thomas: Yes

152 JP Yanez: No

153 JP Deakins: Yes

154 JP Ecke: Yes

155 JP Duncan: Yes

156 JP Washington: No

157 JP E Madison: No

158 JP Jenkins: No

159 JP Highers: No

160 JP S Madison: No

161 JP Leming: Yes

162 JP Harbison: Yes

163 JP Pond: Yes

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 Judge Joseph Wood introduced agenda item 13.1. Discussion items 1) radio contract
168 and tax; 2) red dirt pit in Brentwood. There were comments made by various members
169 of the Court, County Judge Joseph Wood, and County Attorney Brian Lester.
170

171 The County Services Committee did not meet in September.
172

173 JP Harbison presented the September Finance & Budget Committee Report. The
174 Committee met on September 8th and received the Treasurer, Employees' Insurance,
175 and Comptroller Reports. The Committee approved three requests made by Circuit
176 Clerk Kyle Sylvester. The Committee also approved seven ordinances and postponed
177 one ordinance until next month. The 2021 budget reviews were postponed until the
178 September 15th meeting.
179

180 JP Johnson presented the September Jails/LE/Courts Committee Report. The
181 Committee meet on September 1st. The Committee heard a presentation from the
182 National Center for State Courts on the Criminal Justice Assessment. The Committee
183 also discussed the Detention Services Intergovernmental Agreement. The monthly
184 reports were emailed and posted on the county website.
185

186 The Personnel Committee did not meet in September.
187

188 A motion to adjourn the meeting was made by JP Ecke and seconded by JP Leming.
189

190 The meeting was adjourned at 7:18 p.m.
191

192 *Patty Burnett*

193 Patty Burnett

194 Quorum Court Coordinator

FILED
2020 SEP 21 PM 2:31
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON COUNTY ARKANSAS

ORDINANCE NO. 2020-53

APPROPRIATION ORDINANCE

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

**AN ORDINANCE CHANGING THE TITLE OF
COMPUTER ADMINISTRATOR TO
COMPUTER/DATA ADMINISTRATOR IN THE
RECORDER'S COST BUDGET FOR 2020.**

WHEREAS, the Washington County Circuit Clerk desires to
change the title of one full-time position in the Washington County Recorder's Cost fund
for 2020.

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

ARTICLE 1. The title for the personnel position of Computer
Administrator Grade 19 (Position 0128013) in the Recorder's Cost budget of the General
Fund (30060128) is hereby changed to Computer/Data Administrator Grade 20 (Position
0128013) for 2020.



JOSEPH K. WOOD, County Judge

09. 21. 2020

DATE



BECKY LEWALLEN, County Clerk

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47 Introduced by: **JP Ann Harbison**
48 Date of Adoption: **September 17, 2020**
49 Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,**
50 **Duncan, Washington, E. Madison, Jenkins, Highers,**
51 **S. Madison, Leming, Harbison, Pond**
52 Members Voting Against:
53 Members Abstaining:
54 Members Absent:
55
56
57 Committee History: Finance & Budget Committee (09-08-2020); Passed to QC-Consent Agenda
58 Quorum Court History:

ORDINANCE NO. 2020-54

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 ADDITIONAL REVENUE OF \$4,803.36 IN THE DEM FUND; AND, APPROPRIATING \$4,803.36 FROM THE DEM FUND TO THE DEM BUDGET FOR 2020.

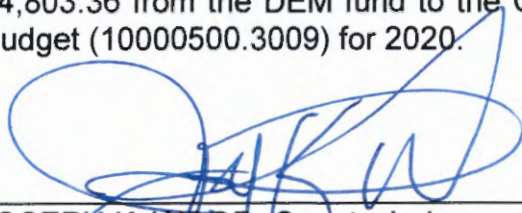
WHEREAS, Washington County received money for assistance with the disaster created by Hurricane Dorian; and,

WHEREAS, the Quorum Court desires to appropriate said money to the DEM Budget for 2020.

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

ARTICLE 1. There is hereby recognized additional revenue of \$4,803.36 in the DEM revenue line item of the DEM Fund for 2020.

ARTICLE 2. There is hereby appropriated the amount of \$4,803.36 from the DEM fund to the Other Professional Services line item in the DEM Budget (10000500.3009) for 2020.



JOSEPH K. WOOD, County Judge

08.21.2020

DATE



BECKY LEWALLEN, County Clerk

BECKY LEWALLEN
CO. & COUNTY CLERK
1000 MAIN ST
WASHINGTON, AR 72789

2020 SEP 21 PM 2:31

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Introduced by: JP Ann Harbison
Date of Adoption: September 17, 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: Finance & Budget Committee (09-08-2020); Passed to QC-Consent Agenda
Quorum Court History:

ORDINANCE NO. 2020-55

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 ADDITIONAL REVENUE OF \$31,167 IN THE JDC GRANT FUND; AND, APPROPRIATING \$31,167 FROM THE JDC GRANT FUND TO THE JUVENILE DETENTION CENTER GRANT-IN-AID 2020/2021 BUDGET FOR 2020.

WHEREAS, Washington County Juvenile Detention Center (JDC) has received grant-in-aid revenues in the amount of \$31,167 from the State of Arkansas.

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

ARTICLE 1. There is hereby recognized additional revenue of \$31,167 in the State Grants Revenue Line Item of the JDC Grant Fund (3510-0537) for 2020.

ARTICLE 2. There is hereby appropriated the amount of \$31,167 from the JDC Grant Fund to the following line items in the JDC-GIA 2020/2021 Budget for 2020:

General Supplies	(35100537-2001)	\$13,200
Small Equipment	(35100537-2002)	2,040
Janitorial Supplies	(35100537-2003)	5,000
Food	(35100537-2005)	5,000
Dues & Memberships	(35100537-3090)	3,167
Software Support & Maintenance Agreements	(35100537-3102)	2,760
TOTAL APPROPRIATION		\$31,167


BECKY L. WALKER
CO. & PROBATION CLERK
WASHINGTON COUNTY, ARK.

2020 SEP 21 PM 2:31

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JOSEPH K. WOOD, County Judge

09.24.2020
DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Ann Harbison**
Date of Adoption: **September 17, 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: Finance & Budget Committee (09-08-2020); Passed to QC-Consent Agenda
Quorum Court History:

ORDINANCE NO. 2020-56

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 REVENUE OF \$22,059.84 FROM THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM GRANT FUND (CARES ACT OJP) TO THE GENERAL SUPPLIES LINE ITEM IN THE SHERIFF (1000-0400), JAIL (3017-0418) AND JAIL MAINTENANCE (3017-0127) BUDGETS FOR 2020.

WHEREAS, Washington County has received an Office of Justice Programs Grant Award through the CARES Act totaling \$22,059.84 to replenish personal protective equipment used by the County as a result of the Coronavirus pandemic.

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

ARTICLE 1. There is hereby recognized revenue of \$22,059.84 from the Coronavirus Emergency Supplemental Funding Program Grant Fund (CARES Act OJP) (3513-0204) for 2020, which was received on March 20, 2020.

ARTICLE 2. There is hereby appropriated the total amount of \$22,059.84 to the following line items in the following budgets for 2020:

<u>Sheriff (10000400)</u>		
General Supplies	10000400-2001	\$1,049.05
Clothing and Uniforms	10000400-2006	617.71
Small Equipment	10000400-2002	185.00

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON COUNTY, AR

2020 SEP 21 PM 2:31

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42	Jail (30170127)		
43	General Supplies	30170127-2001	\$762.76
44	Janitorial Supplies	30170127-2003	148.14
45	Small Tools	30170127-2029	2,418.01

46			
47	Jail Maintenance and Operations (30170418)		
48	General Supplies	30170418-2001	\$9,645.64
49	Small Equipment	30170418-2002	238.03
50	Janitorial Supplies	30170418-2003	3,411.84
51	Medicine and Drugs	30170418-2004	281.90
52	Clothing and Uniforms	30170418-2006	1,853.14
53	Computer IT Equipment	30170418-2009	1,448.62

54

55 **TOTAL APPROPRIATION** **\$22,059.84**

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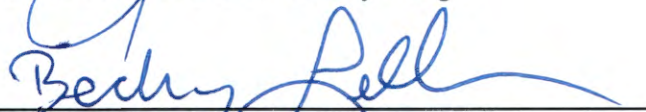
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60 JOSEPH K. WOOD, County Judge

09.21.2020

DATE

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63

64 BECKY LEWALLEN, County Clerk

65

66 Introduced by: **JP Ann Harbison**

67 Date of Adoption: **September 17, 2020**

68 Members Voting For: **Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,**

69 **Duncan, Washington, E. Madison, Jenkins, Highers,**

70 **S. Madison, Leming, Harbison, Pond**

71 Members Voting Against:

72 Members Abstaining:

73 Members Absent:

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76 Committee History: Finance & Budget Committee (09-08-2020); Passed to QC-Consent Agenda

77 Quorum Court History:

ORDINANCE NO. 2020-57

APPROPRIATION ORDINANCE

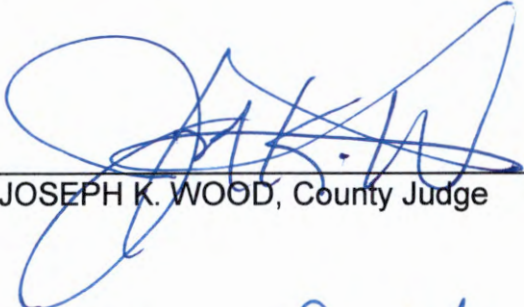
BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TRANSFERRING \$2,901.26 FROM THE FULL TIME SALARIES LINE ITEM TO THE PART TIME SALARIES LINE ITEM IN THE VETERAN'S SERVICE BUDGET (10000800) FOR 2020.

WHEREAS, a line item transfer is needed in the Veteran's Service Budget for 2020 which requires an ordinance.

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

ARTICLE 1. There is hereby transferred the total amount of \$2,901.26 from the Full Time Salaries line item (1001) in the Veteran's Service Budget (10000800) to the Part Time Salaries line item (1002) for 2020.



JOSEPH K. WOOD, County Judge

09. 24 2020

DATE



BECKY LEWALLEN, County Clerk

FILED
2020 SEP 21 PM 2:32
BECKY LEWALLEN
COUNTY CLERK
WASHINGTON COUNTY, ARK.

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47 **Introduced by: JP Ann Harbison**
48 **Date of Adoption: September 17, 2020**
49 **Members Voting For: Johnson, Cunningham, Thomas, Yanez, Deakins, Ecke,**
50 **Duncan, Washington, E. Madison, Jenkins, Highers,**
51 **S. Madison, Leming, Harbison, Pond**
52 **Members Voting Against:**
53 **Members Abstaining:**
54 **Members Absent:**
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57 **Committee History: Finance & Budget Committee (09-08-2020); Passed to QC-Consent Agenda**
58 **Quorum Court History:**

ORDINANCE NO. 2020-58

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 \$411,000 FROM THE BOND PRINCIPAL FUND (5800) TO THE BOND PRINCIPAL BUDGET FOR 2020.

WHEREAS, Washington County has adequate funds to pay off the Bond Principal on the bonds issued for the restoration of the Historic Courthouse and desires to pay off said bonds.

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


ARTICLE 1. There is hereby appropriated \$411,000 from the Bond Principal Fund (5800) to the following line items in the Bond Principal Budget for 2020:

Bond Principal	(58000117.5001)	\$ 400,000
Bond Interest	(58000117.5002)	10,000
Other Professional Services	(58000117.3009)	1,000



JOSEPH K. WOOD, County Judge

09.21.2020
DATE



BECKY LEWALLEN, County Clerk

2020 SEP 21 PM 2:32
BECKY LEWALLEN
COUNTY CLERK
WASHINGTON COUNTY, ARKANSAS

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Introduced by: JP Ann Harbison
Date of Adoption: September 17, 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: Finance & Budget Committee (09-08-2020); Passed to QC-Consent Agenda
Quorum Court History:

H-ED

2020 SEP 21 PM 2:32

BECKY CRAWFORD
GOV. & PRESIDENT CLERK
COURT HOUSE

RESOLUTION NO. 2020-08

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

**A RESOLUTION APPROVING THE
ISSUANCE OF THE HEALTH AND
EDUCATIONAL FACILITIES AUTHORITY OF
THE STATE OF MISSOURI HEALTH
FACILITIES REVENUE BONDS**

WHEREAS, the Health and Educational Facilities Authority of the State of Missouri (the "Authority") has represented that it is authorized by Chapter 360 of the Revised Statutes of the State of Missouri to issue bonds the interest on which is tax-exempt in order to finance certain educational and health facilities both within and outside of the State of Missouri; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that, in order for the interest on such bonds to be tax-exempt, a properly-noticed public hearing with respect to the issuance of such bonds and the facilities to be financed, refinanced, or reimbursed thereby be held in the jurisdiction in which the facilities being financed, refinanced, or reimbursed are located and that approval be provided by the governing body or the chief elected representative of such jurisdiction; and

WHEREAS, the Authority intends to issue one or more series of its Health Facilities Revenue Bonds (Mercy Health) in a principal amount not to exceed \$445,000,000 (the "Bonds"), and to loan the proceeds thereof to or for the benefit of Mercy Health, a Missouri nonprofit corporation, and its affiliates (collectively, "Mercy Health"), to finance, refinance, and reimburse the costs of health care facilities and equipment and furnishings that will be owned and operated by Mercy Health; and

WHEREAS, Mercy Health may use sale proceeds of the Bonds in an amount not to exceed \$20,000,000 to finance, refinance and reimburse the costs of the acquisition, construction, development, equipping and furnishing of a multi-specialty clinic and other related capital improvements that will be owned and operated by Mercy Health or Mercy Health Northwest Arkansas Communities, an Arkansas nonprofit corporation and affiliate of Mercy Health, subject to all applicable development and building codes, ordinances and approvals of Washington County, Arkansas (the

42 "County") with respect to construction projects in the County; and

43
44 **WHEREAS**, the Authority has requested the County to
45 provide "Host Approval" under Section 147(f) of the Internal Revenue Code in connection
46 with the use of the sale proceeds of the Bonds in the County; and

47
48 **WHEREAS**, the County has been assured that there will be
49 no financial liability accruing to the County as a result of such approval and that this
50 approval shall constitute approval solely for the purpose of permitting Mercy Health to
51 proceed with the use of the sale proceeds of the Bonds in the County; and

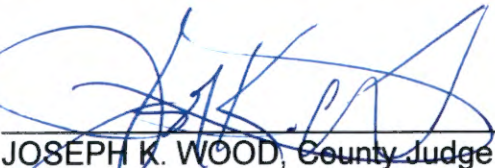
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53 **WHEREAS**, pursuant to the requirements of the Tax Equity
54 and Fiscal Responsibility Act of 1982 ("TEFRA"), Mercy Health provided for the
55 publication of notice of an open public hearing to permit the public to comment on the
56 proposed use of the sale proceeds of the Bonds; and

57
58 **WHEREAS**, the notice was published no later than
59 September 10, 2020, in the *Northwest Arkansas Democrat Gazette*, a newspaper of
60 general circulation in the County, which publication date is more than 7 days prior to
61 today's date; and

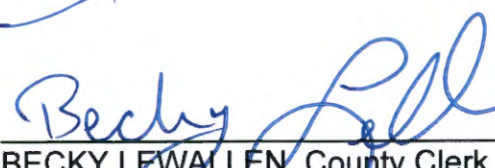
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63 **WHEREAS**, on today's date, the Washington County
64 Quorum Court held an open public hearing permitting the public to comment on the
65 proposed use of the sale proceeds of the Bonds;

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

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71 **ARTICLE 1.** The Washington County Quorum Court hereby
72 approves the use by Mercy Health of the sale proceeds of the Bonds in the County as
73 described in the notice of public hearing.

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79 JOSEPH K. WOOD, County Judge

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85 BECKY LEWALLEN, County Clerk

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Introduced by: **JP Butch Pond**
Date of Adoption: **September 17, 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:

FILED
2020 SEP 21 PM 2:32
BECKY LEWALLEN
COUNTY CLERK
WASHINGTON COUNTY ARKANSAS

ORDINANCE NO. 2020-59

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.

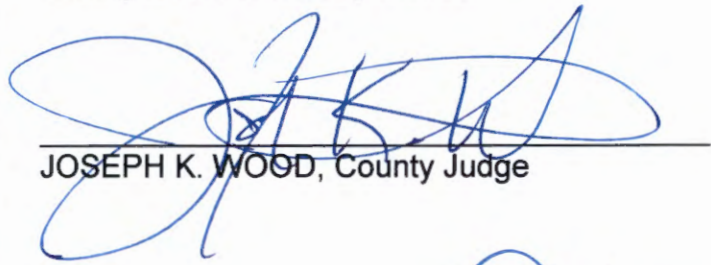
WHEREAS, the Planning and Zoning Board voted to recommend approval of a Conditional Use Permit for the **Blackberry Ridge Subdivision** project on **August 27, 2020**; and,

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 the **Blackberry Ridge Subdivision** project recommended for approval by the Planning and Zoning Board is hereby ratified.



JOSEPH K. WOOD, County Judge

09. 26. 2020

DATE



BECKY LEWALLEN, County Clerk

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Introduced by: **JP Sam Duncan**
Date of Adoption: **September 17, 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: **Planning and Zoning Board (08-27-2020); Passed to QC**
Quorum Court History:

Blackberry Ridge Subdivision CUP

The Planning Board/Zoning Board of Adjustments approved the Blackberry Subdivision CUP, with conditions, request on August 27, 2020 (7 members voted "in favor", 0 members voted "against", 0 members were absent).

The applicant, Tenfield Planters, LLC, with representation from Crafton Tull, is seeking Conditional Use Permit approval to allow lots in the proposed Blackberry Ridge Subdivision to be less than one (1) acre per lot.

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

The project parcel is in the City of Fayetteville planning area.

The subject parcels (001-17343-000 & 001-17315-000) are approximately 88 acres (more or less) total in size and are owned by Tenfield Planters, LLC.

The project is located off of W Weir Road WC 94 on the west side of the City of Fayetteville near Wheeler Road WC 84.

The applicant is proposing to develop a subdivision known as Blackberry Ridge Subdivision consisting of 66 lots. There are lots within the proposed subdivision that are less than an acre in size.

Since the density is less than one (1) acre, the applicant is requesting a Conditional Use Permit to allow a smaller density.

There was no public discussion for this project.

The County Planning Board/ Zoning Board of Adjustments voted unanimously to approve the CUP with the below conditions:

Utilities:

Ozarks Electric

1. Any damage or relocation of existing facilities will be at owner's expense.
2. All lot corners must be marked with stakes clearly identifying the lot number and all utility easement widths and road crossing requirements will be defined on the plat before Ozarks will begin construction.
3. All off site easements that are needed for Ozarks to extend electrical service to the subdivision 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. All conduits placed for the road crossings will be installed by the developer and must be 4 inch schedule 40 conduits at 48 inch in depth at final grade and marked with a post to identify the end of conduits. Conduits must extend past the edge of any obstructions so that they are accessible during construction. The number of conduits at the crossing will be determined by each utility provider that will be using the conduits at the road crossing. (Bare minimum of 5 Pipes)
5. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat. All conduits for road crossings and specific widths of U.E., Lot size, St. Light location and address to Lots must be shown on final plat before Ozarks Electric will sign the final plat.
6. Subdivisions will be built using Ozarks Electric Policy 45 (Developer is responsible for a percentage of the total cost of construction which is determined at the time the engineering design for electrical service) There will be extra charges to the Developer

- when extra time or materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
7. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.
 8. Developer must notify Staking Tech. if they are interested in Ozarks Street Lights or if they will be installing their own. If interested in Ozarks Street Light a picture will be provided if asked. Will need St. Light location on final plat. If developer decide to go with their own contact Cooperative representative below.
 9. Please contact Ozarks Electric when construction begins on subdivision and again when construction is within three months of completion.
Mike Phipps at 479-684-4696 OR (mhipps@ozarksecc.com)
 10. Crafton Tull will need to contact Mike Phipps for utility crossings. Possible charge to developer if 3 phase power needs to be extended to site.

AT&T

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

City of Fayetteville Water

1. The proposed 4" waterline connection through the subdivision is adequate for domestic water meters.
2. If fire hydrants are required per the fire marshal review, additional offsite upgrades will be necessary to the existing 4" waterlines.
3. Detailed engineering review of the waterline plans will be performed when a grading/utility permit application is submitted to the City.

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.

Wheeler Volunteer Fire Department

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

Health Department:

1. Please contact the Arkansas Department of Health should the need for septic arise in the future.

Washington County Road Department:

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. The applicant is still working with the County Engineer on drainage and road design. Final approval is contingent upon the County Engineer reviewing and approving the construction plans which shall include Weir Road and drainage.

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).

Planning:

1. Please submit the GPM Fire Flow (item 7 on the CUP checklist). This must be received before final approval of this project may be given.
2. Please submit the soil analysis to ensure that all lots will be able to support individual septic systems. This must be received before final approval of this project may be given. Should any "buildable" lots be deemed unsuitable for septic and lots need to be reconfigured, the applicant may need to resubmit their plans and possibly come before the Planning Board again and have their revised plans approved.

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.