



WASHINGTON COUNTY, ARKANSAS
County Courthouse

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

Thursday, January 21, 2021
6:00 p.m.
Washington County Quorum Court Room/Via Zoom

AGENDA

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 December 17, 2020 and Special Quorum Court meetings of December 21, 2020 and December 22, 2020. (6.1 – 6.3)
7. **COUNTY JUDGE'S REPORT** (7.1) JUDGE JOSEPH WOOD
8. **POWERS AND DUTIES OF THE QUORUM COURT,
FREEDOM OF INFORMATION ACT, GENERAL MEETING
CONDUCT, AND MEETING PROCEDURES** COUNTY ATTY BRIAN LESTER
9. **AN EMERGENCY ORDINANCE ESTABLISHING STANDNG
COMMITTEES OF THE QUORUM COURT; AND, REPEALING
ORDINANCE 2019-01** Item 21-O-004 (9.1) JP SAM DUNCAN
10. **AN ORDINANCE AUTHORIZING THE COUNTY JUDGE
TO ENTER INTO A CONTRACT FOR SERVICES WITH
THE ASSOCIATION OF ARKANSAS COUNTIES; AND
APPROPRIATING \$5,874 TO BE PAID FOR MEMBERSHIP
THEREIN** Item 21-O-005 (10.1) JP LISA ECKE

11. **SELECTION OF REPRESENTATIVE TO SERVE ON THE ARKANSAS ASSOCIATION OF QUORUM COURTS FOR THE 2021-2022 TERM** JUDGE JOSEPH WOOD
12. **REVIEW OF THE PROSECUTING ATTORNEY'S HOT CHECK FEE ACCOUNT FOR 2020** (12.1) PROS ATTY MATT DURRETT

UNFINISHED BUSINESS

13. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD (62 MOTOR CITY)** JP WILLIE LEMING
This ordinance was postponed at the December Quorum Court meeting.
Item 20-O-077 (13.1 - 13.2)
14. **AN ORDINANCE ESTABLISHING MINIMUM STANDARDS OF HABITABILITY FOR RESIDENTIAL RENTAL PROPERTY** JP EVELYN RIOS STAFFORD
This ordinance is on second reading. Item 20-O-090 (14.1)
15. **AN ORDINANCE TO ESTABLISH THE WASHINGTON COUNTY ANNUAL BUDGET FOR THE CALENDAR YEAR 2021** JP ANN HARBISON
This ordinance is on second reading. Item 20-O-094 (15.1)

NEW BUSINESS

16. **BLUE SPRINGS RV PARK APPEAL HEARING** (16.1-16.2) JUDGE JOSEPH WOOD
Conditional Use Permit Request
Location: Section 06 Township 17 Range 28
Owner and Applicant: Capstone Builders, Inc.
Location Address: 20540 Blue Springs Rd WC 70
Approximately: 31.91 acres
Proposed Land Use: Construct and Operate an RV Park
Project Number: 2020-261 Planner: Sita Nanthavong
17. **APPEAL HEARING DISCUSSION BY QUORUM COURT**
18. **QUORUM COURT ACTION ON THE BLUE SPRINGS CUP**
Item 21-O-009 Item 21-O-010 (18.1 – 18.2)
19. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD (CUSTOM LAWNCARE & LANDSCAPING)** JP PATRICK DEAKINS
Item 21-O-006 (19.1 – 19.2)
20. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD (PHILLIPS MINOR SUBDIVISION)** JP WILLIE LEMING
Item 21-O-007 (20.1 – 20.2)

21. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD (RUBY GRAHAM RESIDENTIAL)** JP SAM DUNCAN
Item 21-O-008 (21.1 – 21.2)
22. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD (HOGEYE WIRELESS COMMUNICATIONS FACILITY)** JP JIM WILSON
Item 21-O-012 (22.1 – 22.2)
23. **AN ORDINANCE APPROPRIATING \$176,368.57 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE JAIL BUDGET (30170418) FOR 2021** JP PATRICK DEAKINS
Item 21-O-001 (23.1)
24. **AN ORDINANCE APPROPRIATING \$298,050.96 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF BUDGET (10000400) FOR 2021** JP PATRICK DEAKINS
Item 21-O-002 (24.1)
25. **AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT OF \$34,675 IN THE RURAL COMMUNITY GRANT FUND FOR 2021; AND, APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR 2021** JP PATRICK DEAKINS
Item 21-O-003 (25.1)
26. **AN ORDINANCE APPROPRIATING \$4,500 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE CIRCUIT COURT VI BUDGET (1000.0406) FOR 2021** JP PATRICK DEAKINS
Item 21-O-011 (26.1)
27. **AN ORDINANCE APPROPRIATING THE TOTAL AMOUNT OF \$38,389.57 FROM THE GENERAL FUND TO THE VEHICLES LINE ITEM IN THE ANIMAL SHELTER BUDGET (35160308) FOR 2021** JP PATRICK DEAKINS
Item 21-O-013 (27.1)
28. **COMMITTEE REPORTS:**
- COUNTY SERVICES
 - FINANCE & BUDGET
 - JAILS/LAW ENFORCEMENT/COURTS
 - PERSONNEL
29. **ADJOURNMENT**

1
2
3
4
5
6
7
8
9

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

Thursday, December 17, 2020

6:00 p.m.

Washington County Courthouse/

Via Video Zoom Conference

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

11
12 JP Suki Highers led the prayer and pledge.

13
14 Members present were JP Lance Johnson, JP Susan Cunningham, JP Judith Yanez,
15 JP Patrick Deakins, JP Lisa Ecke, JP Sam Duncan, JP Shawndra Washington, JP Eva
16 Madison, JP Andrea Jenkins, JP Suki Highers, JP Sue Madison, JP Willie Leming, JP
17 Ann Harbison, and JP Butch Pond. JP Derek Thomas was absent
18

19 A request to amend the agenda and add all resolutions to the consent agenda was
20 made by JP S Madison and seconded by JP Highers. A roll call vote was called and the
21 votes were tallied as follow:

22 Johnson – No
23 Cunningham – No
24 Thomas – Absent
25 Yanez – No
26 Deakins – No
27 Ecke – No
28 Duncan – No
29 Washington – Yes
30 E Madison – Absent
31 Jenkins –No
32 Highers – Yes
33 S Madison – Yes
34 Leming – No
35 Harbison – No
36 Pond – Yes

37 The motion failed. A motion to adopt the agenda was made by JP Deakins and
38 seconded by JP Leming. A voice vote was called and all members present unanimously
39 voted to adopt the agenda.
40

41 A motion to suspend the rules and read all ordinances and resolutions by title only was
42 made by JP S Madison and seconded by JP Duncan. A voice vote was called and all
43 members present unanimously voted to approve the motion.
44

45 During citizen’s comments, Mac Mayfield spoke about the Treasurer’s Report from the
46 December Finance & Budget Committee meeting and about the CARES Act money.
47 Beth Coger spoke about the budget process.
48

49 A motion to approve the November 19th minutes was made by JP S Madison and
50 seconded by JP Harbison. A voice vote was called and all members present
51 unanimously voted to approve the motion.
52

53 Judge Joseph Wood presented his Judge’s Report. Judge Wood presented to the Court
54 a Purchasing Department Report of the Disposal of County Property for November.
55 Judge Wood asked the Court to acknowledge receipt of the Washington County’s
56 Legislative Audit for the Year 2018. All members present acknowledged receipt of the
57 2018 audit. Judge Wood also presented to the Court two board appointments for the
58 Northwest Arkansas National Airport Authority; Tom Lundstrum and Mervin Jebaraj. A
59 motion to approve the two appointments was made by JP Pond and seconded by JP
60 Harbison. There was a comment made by JP E Madison. A voice vote was called and
61 majority of the Court voted to approve the motion. JP E Madison opposed.
62

63 Judge Joseph Wood introduced agenda item 8.1. County Attorney Brian Lester read the
64 resolution by title only, “A RESOLUTION TO EXPRESS APPRECIATION OF
65 WASHINGTON COUNTY TO SUSAN CUNNINGHAM FOR SERVICE AS A JUSTICE
66 OF THE PEACE FOR WASHINGTON COUNTY”. A motion to adopt the resolution was
67 made by JP Harbison and seconded by JP Pond. There were comments made by
68 various members of the Court and Judge Joseph Wood. There were no public
69 comments. A voice vote was called and all members present unanimously voted to
70 adopt the resolution.
71

72 **Resolution 2020-11, A RESOLUTION TO EXPRESS APPRECIATION OF**
73 **WASHINGTON COUNTY TO SUSAN CUNNINGHAM FOR SERVICE AS A JUSTICE**
74 **OF THE PEACE FOR WASHINGTON COUNTY, was adopted.**
75

76 Judge Joseph Wood introduced agenda item 9.1. County Attorney Brian Lester read the
77 resolution by title only, “A RESOLUTION TO EXPRESS APPRECIATION OF
78 WASHINGTON COUNTY TO DEREK THOMAS FOR SERVICE AS A JUSTICE OF
79 THE PEACE FOR WASHINGTON COUNTY”. A motion to adopt the resolution was
80 made by JP S Madison and seconded by JP Harbison. There were no public comments.
81 A voice vote was called and all members present unanimously voted to adopt the
82 resolution.
83

84 **Resolution 2020-12, A RESOLUTION TO EXPRESS APPRECIATION OF**
85 **WASHINGTON COUNTY TO DEREK THOMAS FOR SERVICE AS A JUSTICE OF**
86 **THE PEACE FOR WASHINGTON COUNTY, was adopted.**
87

88 Judge Joseph Wood introduced agenda item 10.1. County Attorney Brian Lester read
89 the resolution by title only, “A RESOLUTION TO EXPRESS APPRECIATION OF
90 WASHINGTON COUNTY TO JUDITH YANEZ FOR SERVICE AS A JUSTICE OF THE
91 PEACE FOR WASHINGTON COUNTY”. A motion to adopt the resolution was made by
92 JP S Madison and seconded by JP Jenkins. There were comments made by various
93 members of the Court and Judge Joseph Wood. There were no public comments. A
94 voice vote was called and all members present unanimously voted to adopt the
95 resolution.
96

97 **Resolution 2020-13, A RESOLUTION TO EXPRESS APPRECIATION OF**
98 **WASHINGTON COUNTY TO JUDITH YANEZ FOR SERVICE AS A JUSTICE OF THE**
99 **PEACE FOR WASHINGTON COUNTY, was adopted.**
100

101 Judge Joseph Wood introduced agenda item 11.1. County Attorney Brian Lester read
102 the resolution by title only, "A RESOLUTION TO EXPRESS APPRECIATION OF
103 WASHINGTON COUNTY TO ANDREA JENKINS FOR SERVICE AS A JUSTICE OF
104 THE PEACE FOR WASHINGTON COUNTY". A motion to adopt the resolution was
105 made by JP Harbison and seconded by JP Pond. There were comments made by
106 various members of the Court and Judge Joseph Wood. During public comments,
107 Sherry Main spoke. A voice vote was called and all members present unanimously
108 voted to adopt the resolution.
109

110 **Resolution 2020-14, A RESOLUTION TO EXPRESS APPRECIATION OF**
111 **WASHINGTON COUNTY TO ANDREA JENKINS FOR SERVICE AS A JUSTICE OF**
112 **THE PEACE FOR WASHINGTON COUNTY, was adopted.**
113

114 Judge Joseph Wood introduced agenda item 12.1. County Attorney Brian Lester read
115 the resolution by title only, "A RESOLUTION TO EXPRESS APPRECIATION OF
116 WASHINGTON COUNTY TO SUE MADISON FOR SERVICE AS A JUSTICE OF THE
117 PEACE FOR WASHINGTON COUNTY". A motion to adopt the resolution was made by
118 JP S Madison and seconded by JP E Madison. There were comments made by various
119 members of the Court and Judge Joseph Wood. During public comments, Sherry Main
120 spoke. A voice vote was called and all members present unanimously voted to adopt
121 the resolution.
122

123 **Resolution 2020-15, A RESOLUTION TO EXPRESS APPRECIATION OF**
124 **WASHINGTON COUNTY TO SUE MADISON FOR SERVICE AS A JUSTICE OF THE**
125 **PEACE FOR WASHINGTON COUNTY, was adopted.**
126

127 Judge Joseph Wood introduced agenda item 13.1. County Attorney Brian Lester read
128 the resolution by title only, "A RESOLUTION TO EXPRESS APPRECIATION OF
129 WASHINGTON COUNTY TO ANN HARBISON FOR SERVICE AS A JUSTICE OF THE
130 PEACE FOR WASHINGTON COUNTY". A motion to adopt the resolution was made by
131 JP Pond and seconded by JP Ecke. There were comments made by various members
132 of the Court and Judge Joseph Wood. During public comments, Treasurer Bobby Hill
133 spoke. A voice vote was called and all members present unanimously voted to adopt
134 the resolution.
135

136 **Resolution 2020-16, A RESOLUTION TO EXPRESS APPRECIATION OF**
137 **WASHINGTON COUNTY TO ANN HARBISON FOR SERVICE AS A JUSTICE OF**
138 **THE PEACE FOR WASHINGTON COUNTY, was adopted.**
139

140 Judge Joseph Wood introduced agenda item 14.1. This ordinance was on third and final
141 reading. County Attorney Brian Lester read the ordinance by title only, AN ORDINANCE
142 RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY
143 THE PLANNING AND ZONING BOARD (62 MOTOR CITY)". A motion to postpone the
144 ordinance to next month was made by JP Leming and seconded by JP Jenkins. A voice

145 vote was called and all members present unanimously voted to approve the motion.
146 This ordinance will be on next month's agenda.
147

148 Judge Joseph Wood introduced agenda item 15.1. This ordinance was on third and final
149 reading. County Attorney Brian Lester read the ordinance by title only, "AN
150 ORDINANCE CHANGING THE TITLE OF JUVENILE CAREWORKER TO JUVENILE
151 DETENTION OFFICER IN THE JUVENILE DETENTION CENTER BUDGET FOR
152 2020". A motion to adopt the ordinance was made by JP Pond and seconded by JP
153 Leming. There were comments made by JP E Madison, Judge Joseph Wood, and
154 County Attorney Brian Lester. There were no public comments. A roll call vote was
155 called and the votes were tallied as follow:

- 156 Johnson – Yes
- 157 Cunningham – Yes
- 158 Thomas – Absent
- 159 Yanez – Yes
- 160 Deakins – Yes
- 161 Ecke – Yes
- 162 Duncan – Yes
- 163 Washington – No
- 164 E Madison – No
- 165 Jenkins – No
- 166 Highers – No
- 167 S Madison – No
- 168 Leming – Yes
- 169 Harbison – Yes
- 170 Pond – Yes

171 The motion was approved.
172

173 **Ordinance 2020-74, AN ORDINANCE CHANGING THE TITLE OF JUVENILE**
174 **CAREWORKER TO JUVENILE DETENTION OFFICER IN THE JUVENILE**
175 **DETENTION CENTER BUDGET FOR 2020, was adopted.**
176

177 Judge Joseph Wood introduced agenda item 16.1. This ordinance was on third and final
178 reading. County Attorney Brian Lester read the ordinance by title only, "AN
179 ORDINANCE CHANGING THE TITLE OF JANITORIAL PERSON TO JANITORIAL
180 TRAINER/FLOOR TECHNICIAN IN THE BUILDING AND GROUNDS BUDGET FOR
181 2020". A motion to adopt the ordinance was made by JP Pond and seconded by JP
182 Ecke. There were no public comments. A roll call vote was called and the votes were
183 tallied as follow:

- 184 Johnson – Yes
- 185 Cunningham – Yes
- 186 Thomas – Absent
- 187 Yanez – Yes
- 188 Deakins – Yes
- 189 Ecke – Yes
- 190 Duncan – Yes
- 191 Washington – Yes

192 E Madison – No
193 Jenkins – No
194 Highers – No
195 S Madison – No
196 Leming – No
197 Harbison – Yes
198 Pond – Yes
199 The motion was approved.
200

201 **Ordinance 2020-75, AN ORDINANCE CHANGING THE TITLE OF JANITORIAL**
202 **PERSON TO JANITORIAL TRAINER/FLOOR TECHNICIAN IN THE BUILDING AND**
203 **GROUPS BUDGET FOR 2020, was adopted.**
204

205 Judge Joseph Wood introduced agenda item 17.1. This ordinance was on third and final
206 reading. County Attorney Brian Lester read the ordinance by title only, “AN
207 ORDINANCE SETTING CONTROLS FOR THE 2021 BUDGET”. A motion to adopt the
208 ordinance was made by JP Duncan and seconded by JP Deakins. There were
209 comments made by various members of the Court. There were no public comments. A
210 roll call vote was called and the votes were tallied as follow:

211 Johnson – Yes
212 Cunningham – Yes
213 Thomas – Absent
214 Yanez – No
215 Deakins – Yes
216 Ecke – Yes
217 Duncan – Yes
218 Washington – No
219 E Madison – No
220 Jenkins – No
221 Highers – No
222 S Madison – No
223 Leming – No
224 Harbison – Yes
225 Pond – Yes
226 The motion failed.
227

228 Judge Joseph Wood introduced agenda item 18.1. This ordinance was on third and final
229 reading. County Attorney Brian Lester read the ordinance by title only, “AN
230 ORDINANCE APPROPRIATING \$1,308,438 FROM UNAPPROPRIATED RESERVES
231 IN VARIOUS FUNDS TO VARIOUS BUDGETS TO COMPENSATE FOR THE 27TH
232 PAY PERIOD FOR COUNTY EMPLOYEES”. A motion to adopt the ordinance was
233 made by JP Harbison and seconded by JP Pond. There was a comment made by JP E
234 Madison. There were no public comments. A roll call vote was called and the votes
235 were tallied as follow:

236 Johnson – No
237 Cunningham – No
238 Thomas – Absent

239 Yanez – Yes
240 Deakins – No
241 Ecke – Yes
242 Duncan – No
243 Washington – Yes
244 E Madison – Yes
245 Jenkins – Yes
246 Highers – Yes
247 S Madison – Yes
248 Leming – Yes
249 Harbison – Yes
250 Pond – Yes

251 The motion was approved.

252

253 **Ordinance 2020-76, AN ORDINANCE APPROPRIATING \$1,308,438 FROM**
254 **UNAPPROPRIATED RESERVES IN VARIOUS FUNDS TO VARIOUS BUDGETS TO**
255 **COMPENSATE FOR THE 27TH PAY PERIOD FOR COUNTY EMPLOYEES, was**
256 **adopted.**

257

258 Judge Joseph Wood introduced agenda item 19.1. This ordinance was on second
259 reading. County Attorney Brian Lester read the ordinance by title only, “AN
260 ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$1,129,349 IN THE DEM
261 GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$1,129,349 FROM THE
262 DEM GRANT FUND TO VARIOUS HOMELAND SECURITY BUDGETS FOR 2020”. A
263 motion to suspend the rules and advance the ordinance to third and final reading was
264 made by JP Harbison and seconded by JP Duncan. A voice vote was called and
265 majority of the members present voted to approve the motion. JP E Madison opposed.
266 County Attorney Brian Lester read the ordinance by title only, “AN ORDINANCE
267 ANTICIPATING ADDITIONAL REVENUES OF \$1,129,349 IN THE DEM GRANT
268 FUND; AND APPROPRIATING THE AMOUNT OF \$1,129,349 FROM THE DEM
269 GRANT FUND TO VARIOUS HOMELAND SECURITY BUDGETS FOR 2020”. A
270 motion to adopt the ordinance was made by JP Harbison and seconded by JP Pond.
271 There were comments made by various members of the Court. During public
272 comments, Sarah Moore, Sherry Main, and Beth Coger spoke. A roll call vote was
273 called and the votes were tallied as follow:

274 Johnson – Yes
275 Cunningham – Yes
276 Thomas – Absent
277 Yanez – Yes
278 Deakins – Yes
279 Ecke – Yes
280 Duncan – Yes
281 Washington – No
282 E Madison – No
283 Jenkins – No
284 Highers – No
285 S Madison – No

286 Leming – Yes
287 Harbison – Yes
288 Pond – Yes
289 The motion was approved.
290

291 **Ordinance 2020-77, AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF**
292 **\$1,129,349 IN THE DEM GRANT FUND; AND APPROPRIATING THE AMOUNT OF**
293 **\$1,129,349 FROM THE DEM GRANT FUND TO VARIOUS HOMELAND SECURITY**
294 **BUDGETS FOR 2020, was adopted.**
295

296 Judge Joseph Wood introduced items on the consent agenda. County Attorney Brian
297 Lester read each ordinance by title only, 20.1 “AN ORDINANCE CHANGING THE
298 TITLE AND GRADES OF VARIOUS POSITIONS IN THE CIRCUIT COURT III
299 BUDGET FOR 2020”. 20.2 “AN ORDINANCE ANTICIPATING REVENUE TOTALING
300 \$1,846,000 IN THE CRISIS STABILIZATION UNIT (CSU) GRANT FUND; AND,
301 APPROPRIATING \$1,846,000 FROM THE CSU GRANT FUND TO THE OTHER
302 PROFESSIONAL SERVICES LINE ITEM IN THE CSU GRANT FUND BUDGET FOR
303 2020”. 20.3 “AN ORDINANCE RECOGNIZING REVENUE OF \$217,852.20 IN THE
304 CENTER FOR TECH AND CIVIC LIFE (CTCL) GRANT FUND (35200514); AND,
305 APPROPRIATING SAID \$217,852.20 TO VARIOUS LINE ITEMS IN THE ELECTION
306 COMMISSION (10000109) AND COUNTY CLERK (10000101) BUDGETS FOR 2020”.
307 20.4 “AN ORDINANCE RECOGNIZING AND APPROPRIATING REVENUE IN THE
308 AMOUNT OF \$88,292.71 IN THE ROAD DEPARTMENT BUDGET FOR 2020”. 20.5
309 “AN ORDINANCE APPROPRIATING \$3,220.62 TO THE BUILDINGS AND GROUNDS
310 BUDGET FOR 2020”. A motion to adopt all the ordinances was made by JP Harbison
311 and seconded by JP Pond. There were no public comments. A roll call vote was called
312 and all members present unanimously voted to adopt the ordinances.
313

314 **Ordinance 2020-78, AN ORDINANCE CHANGING THE TITLE AND GRADES OF**
315 **VARIOUS POSITIONS IN THE CIRCUIT COURT III BUDGET FOR 2020, was**
316 **adopted.**
317

318 **Ordinance 2020-79, AN ORDINANCE ANTICIPATING REVENUE TOTALING**
319 **\$1,846,000 IN THE CRISIS STABILIZATION UNIT (CSU) GRANT FUND; AND,**
320 **APPROPRIATING \$1,846,000 FROM THE CSU GRANT FUND TO THE OTHER**
321 **PROFESSIONAL SERVICES LINE ITEM IN THE CSU GRANT FUND BUDGET FOR**
322 **2020, was adopted.**
323

324 **Ordinance 2020-80, AN ORDINANCE RECOGNIZING REVENUE OF \$217,852.20 IN**
325 **THE CENTER FOR TECH AND CIVIC LIFE (CTCL) GRANT FUND (35200514); AND,**
326 **APPROPRIATING SAID \$217,852.20 TO VARIOUS LINE ITEMS IN THE ELECTION**
327 **COMMISSION (10000109) AND COUNTY CLERK (10000101) BUDGETS FOR 2020,**
328 **was adopted.**
329

330 **Ordinance 2020-81, AN ORDINANCE RECOGNIZING AND APPROPRIATING**
331 **REVENUE IN THE AMOUNT OF \$88,292.71 IN THE ROAD DEPARTMENT BUDGET**
332 **FOR 2020, was adopted.**
333

334 **Ordinance 2020-82, AN ORDINANCE APPROPRIATING \$3,220.62 TO THE**
335 **BUILDINGS AND GROUNDS BUDGET FOR 2020, was adopted.**
336

337 Judge Joseph Wood introduced agenda item 21.1. County Attorney Brian Lester read
338 the resolution by title only, "A RESOLUTION OF THE QUORUM COURT OF
339 WASHINGTON COUNTY, ARKANSAS CERTIFYING LOCAL COUNTY
340 GOVERNMENT ENDORSEMENT OF STEEL YARD, INC., TO PARTICIPATE IN THE
341 CONSOLIDATED INCENTIVE (TAX BACK) ACT OF 2003". A motion to adopt the
342 resolution was made by JP Deakins and seconded by JP Harbison. There were no
343 public comments. A roll call vote was called and all members present unanimously
344 voted to adopt the resolution.
345

346 **Resolution 2020-17, A RESOLUTION OF THE QUORUM COURT OF WASHINGTON**
347 **COUNTY, ARKANSAS CERTIFYING LOCAL COUNTY GOVERNMENT**
348 **ENDORSEMENT OF STEEL YARD, INC., TO PARTICIPATE IN THE**
349 **CONSOLIDATED INCENTIVE (TAX BACK) ACT OF 2003, was adopted.**
350

351 Judge Joseph Wood introduced agenda item 22.1. County Attorney Brian Lester read
352 the ordinance by title only, "AN ORDINANCE APPROVING AN INTERLOCAL
353 AGREEMENT BETWEEN WASHINGTON COUNTY ("COUNTY") AND THE CITIES OF
354 ELKINS, ELM SPRINGS, FARMINGTON, FAYETTEVILLE, GOSHEN, GREENLAND,
355 JOHNSON, LINCOLN, PRAIRIE GROVE, TONTITOWN, WEST FORK, AND
356 WINSLOW ("CITIES") FOR CONTINUATION IN THE WASHINGTON COUNTY
357 REGIONAL AMBULANCE AUTHORITY ("WCRAA)". A motion to suspend the rules
358 and advance the ordinance to second reading was made by JP Duncan and seconded
359 by JP Pond. A voice vote was called and all members present unanimously voted to
360 approve the motion. County Attorney Brian Lester read the ordinance by title only, "AN
361 ORDINANCE APPROVING AN INTERLOCAL AGREEMENT BETWEEN
362 WASHINGTON COUNTY ("COUNTY") AND THE CITIES OF ELKINS, ELM SPRINGS,
363 FARMINGTON, FAYETTEVILLE, GOSHEN, GREENLAND, JOHNSON, LINCOLN,
364 PRAIRIE GROVE, TONTITOWN, WEST FORK, AND WINSLOW ("CITIES") FOR
365 CONTINUATION IN THE WASHINGTON COUNTY REGIONAL AMBULANCE
366 AUTHORITY ("WCRAA)". A motion to suspend the rules and advance the ordinance to
367 third and final reading was made by JP Pond and seconded by JP Ecke. A voice vote
368 was called and all members present unanimously voted to approve the motion. County
369 Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE APPROVING
370 AN INTERLOCAL AGREEMENT BETWEEN WASHINGTON COUNTY ("COUNTY")
371 AND THE CITIES OF ELKINS, ELM SPRINGS, FARMINGTON, FAYETTEVILLE,
372 GOSHEN, GREENLAND, JOHNSON, LINCOLN, PRAIRIE GROVE, TONTITOWN,
373 WEST FORK, AND WINSLOW ("CITIES") FOR CONTINUATION IN THE
374 WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY ("WCRAA)". A
375 motion to adopt the ordinance was made by JP Duncan and seconded by JP Harbison.
376 There was a comment made by JP Washington. There were no public comments. A roll
377 call vote was called and all members present unanimously voted to adopt the
378 ordinance.
379

380 **Ordinance 2020-83, AN ORDINANCE APPROVING AN INTERLOCAL AGREEMENT**

381 **BETWEEN WASHINGTON COUNTY (“COUNTY”) AND THE CITIES OF ELKINS,**
382 **ELM SPRINGS, FARMINGTON, FAYETTEVILLE, GOSHEN, GREENLAND,**
383 **JOHNSON, LINCOLN, PRAIRIE GROVE, TONTITOWN, WEST FORK, AND**
384 **WINSLOW (“CITIES”) FOR CONTINUATION IN THE WASHINGTON COUNTY**
385 **REGIONAL AMBULANCE AUTHORITY (“WCRAA”), was adopted.**
386

387 Judge Joseph Wood introduced agenda item 23.1. County Attorney Brian Lester read
388 the ordinance by title only, “AN ORDINANCE ESTABLISHING MINIMUM STANDARDS
389 OF HABITABILITY FOR RESIDENTIAL RENTAL PROPERTY”. A motion to suspend
390 the rules and advance the ordinance to second reading was made by JP Jenkins and
391 seconded by JP Highers. A roll call vote was called and the votes were tallied as follow:

- 392 Johnson – No
- 393 Cunningham – No
- 394 Thomas – Absent
- 395 Yanez – Yes
- 396 Deakins – No
- 397 Ecke – No
- 398 Duncan – No
- 399 Washington – Yes
- 400 E Madison – Yes
- 401 Jenkins – Yes
- 402 Highers – Yes
- 403 S Madison – Yes
- 404 Leming – No
- 405 Harbison – Abstain
- 406 Pond – No

407 The motion failed to receive the super-majority vote required to advance the ordinance.
408 This ordinance will be on next month’s agenda and will be on second reading.
409

410 Judge Joseph Wood introduced agenda item 24.1. County Attorney Brian Lester read
411 the ordinance by title only, “AN ORDINANCE TO ESTABLISH THE WASHINGTON
412 COUNTY ANNUAL BUDGET FOR THE CALENDAR YEAR 2021”. A motion to amend
413 the ordinance and include items that were approved by the Court since the 2021 budget
414 was presented was made by JP Harbison and seconded by JP Ecke. There were
415 comments made by various members of the Court and County Attorney Brian Lester. A
416 roll call vote was called and the votes were tallied as follow:

- 417 Johnson – Yes
- 418 Cunningham – Yes
- 419 Thomas – Absent
- 420 Yanez – No
- 421 Deakins – Yes
- 422 Ecke – Yes
- 423 Duncan – Yes
- 424 Washington – No
- 425 E Madison – No
- 426 Jenkins – No
- 427 Highers – No

428 S Madison – No
429 Leming – Yes
430 Harbison – Yes
431 Pond - Yes
432 The motion was approved. A motion to adopt the ordinance as amended was made by
433 JP Pond and seconded by Johnson. There were comments made by various members
434 of the Court. A point of order request was made by JP E Madison because the comment
435 being made was out of line and asked that they keep the comments in line and
436 respectful. During public comments, Sarah Moore, Beth Coger, and Sherry Main spoke.
437 A roll call vote was called and the votes were tallied as follow:
438 Johnson – Yes
439 Cunningham – Yes
440 Thomas – Absent
441 Yanez – No
442 Deakins – No
443 Ecke – Yes
444 Duncan – Yes
445 Washington – No
446 E Madison – No
447 Jenkins – No
448 Highers – No
449 S Madison – No
450 Leming – No
451 Harbison – Yes
452 Pond - Yes
453 The motion failed to receive the super-majority vote required to pass with one reading.
454 This ordinance will be on next month’s agenda and will be on second reading.
455
456 The County Services Committee did not meet in December.
457
458 JP Harbison presented the December Finance & Budget Committee Report. The
459 Committee met on December 8th and received the Treasurer, Employees’ Insurance,
460 and Comptroller Reports. The Committee approved five ordinances. During Budget
461 Review, the Committee discussed the Elkins District Court, Road Department, and an
462 ordinance establishing the Washington County annual budget. The Committee
463 approved the Elkins District Court’s request and the Road Department budget. The
464 ordinance establishing the Washington County annual budget failed.
465
466 Jails/LE/Courts Committee did not meeting in December. The monthly reports were
467 emailed and posted on the county website.
468
469 The Personnel Committee did not meet in December.
470
471 A motion to adjourn the meeting was made by JP Pond.
472
473 The meeting was adjourned at 8:15 p.m.
474 *Patty Burnett*

475 Patty Burnett
476 Quorum Court Coordinator

1
2
3
4
5
6
7
8
9

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

Monday, December 21, 2020

5:00 p.m.

Washington County Courthouse/
Via Video Zoom Conference

10 County Judge Joseph K. Wood called the meeting to order at 5:00 p.m.

11 JP Willie Leming 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 motion to adopt the agenda was made by JP Harbison and seconded by JP Pond. A
20 voice vote was called and all members unanimously voted to adopt the agenda.
21

22 A motion to suspend the rules and read the ordinance by title only was made by JP
23 Leming and seconded by JP Deakins. A voice vote was called and all members
24 unanimously voted to approve the motion.
25

26 During citizen's comments, Sarah Moore spoke about the CARES Act money and the
27 budget. Lou Sharp encouraged the Court to look at solutions to help people facing
28 evictions. Beth Coger provided the Court with statistics about evictions. Jon Comstock
29 and Allie Brown spoke about people being evicted. Sherry Main spoke about the
30 CARES Act money.
31

32 Judge Joseph Wood introduced agenda item 6.1. County Attorney Brian Lester read the
33 ordinance by title only, "AN ORDINANCE TO ESTABLISH THE WASHINGTON
34 COUNTY ANNUAL BUDGET AND BUDGET CONTROLS FOR THE CALENDAR
35 YEAR 2021". A motion to adopt the ordinance was made by JP Harbison and seconded
36 by JP Pond. There were comments made by various members of the Court. There were
37 no public comments. A roll call vote was called and the votes were tallied as follow:

38 JP Johnson: Yes

39 JP Cunningham: Yes

40 JP Thomas: Yes

41 JP Yanez: No

42 JP Deakins: Yes

43 JP Ecke: Yes

44 JP Duncan: Yes

45 JP Washington: No

46 JP E Madison: No

47 JP Jenkins: No

48 JP Highers: No

49 JP S Madison: No

50 JP Leming: No
51 JP Harbison: Yes
52 JP Pond: Yes
53 The motion failed to receive the super-majority vote required to pass with one reading.
54 A motion to suspend the rules and advance the ordinance to second reading was made
55 by JP Harbison and seconded by JP Duncan. A roll call vote was called and the votes
56 were tallied as follow:
57 JP Johnson: Yes
58 JP Cunningham: Yes
59 JP Thomas: Yes
60 JP Yanez: No
61 JP Deakins: Yes
62 JP Ecke: Yes
63 JP Duncan: Yes
64 JP Washington: No
65 JP E Madison: No
66 JP Jenkins: No
67 JP Highers: No
68 JP S Madison: No
69 JP Leming: Yes
70 JP Harbison: Yes
71 JP Pond: Yes
72 The motion failed to receive the super-majority vote required to advance the ordinance.
73 There were comments made by various members of the Court. A motion to adjourn the
74 meeting was made by JP E Madison and seconded by JP S Madison. A roll call vote
75 was called and the votes were tallied as follow:
76 JP Johnson: No
77 JP Cunningham: No
78 JP Thomas: No
79 JP Yanez: Yes
80 JP Deakins: No
81 JP Ecke: No
82 JP Duncan: No
83 JP Washington: Yes
84 JP E Madison: Yes
85 JP Jenkins: Yes
86 JP Highers: Yes
87 JP S Madison: Yes
88 JP Leming: No
89 JP Harbison: No
90 JP Pond: No
91 The motion failed. There were comments made by various members of the Court. A
92 motion to adjourn was made by JP Duncan and seconded by JP Pond. A roll call vote
93 was called and the votes were tallied as follow:
94 JP Johnson: Yes
95 JP Cunningham: Yes

96 JP Thomas: No
97 JP Yanez: Yes
98 JP Deakins: No
99 JP Ecke: No
100 JP Duncan: Yes
101 JP Washington: Yes
102 JP E Madison: Yes
103 JP Jenkins: Yes
104 JP Highers: Yes
105 JP S Madison: Yes
106 JP Leming: No
107 JP Harbison: No
108 JP Pond: Yes
109 The motion was approved.
110
111 The meeting was adjourned at 6:00 pm.
112
113 *Patty Burnett*
114 Patty Burnett
115 Quorum Court Coordinator
116

1
2
3
4

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

5
6
7
8
9

Tuesday, December 22, 2020
8:00 p.m.

10
11

Washington County Courthouse/
Via Video Zoom Conference

12

County Judge Joseph K. Wood called the meeting to order at 8:00 p.m.

13

JP Pond led the prayer and pledge.

14
15
16
17
18

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.

19
20
21

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

22
23
24
25

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

26
27
28
29
30
31
32
33

During citizen's comments, Sara Moore spoke about the CARES Act money, rental evictions, and the budget. Lou Sharp spoke about rental evictions. Beth Coger requested the Court to share their position on the CARES Act money. Hawley Woods shared her personal story of being a small business owner and the struggles she has had to make rent. Sherry Main spoke about the 2021 budget. Clint Schnekloth spoke about the use of the CARES Act money and the crisis situation on the rental eviction. Allie Brown spoke about the CARES Act money.

34
35
36
37
38
39
40

Judge Joseph Wood introduced agenda item 6.1. This ordinance was on second reading. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE TO ESTABLISH THE WASHINGTON COUNTY ANNUAL BUDGET AND BUDGET CONTROLS FOR THE CALENDAR YEAR 2021". A motion to suspend the rules and advance the ordinance to third and final reading was made by JP Pond and seconded by Ecke. There were comments made by various members of the Court. There were no public comments. A roll call vote was called and the votes were tallied as follow:

41

JP Johnson: Yes

42

JP Cunningham: Yes

43

JP Thomas: Yes

44

JP Yanez: No

45

JP Deakins: Yes

46

JP Ecke: Yes

47

JP Duncan: Yes

48

JP Washington: No

49

JP E Madison: No

50

JP Jenkins: Yes

51 JP Highers: No
52 JP S Madison: No
53 JP Leming: Yes
54 JP Harbison: Yes
55 JP Pond: Yes
56 The motion was approved. County Attorney Brian Lester read the ordinance by title only,
57 "AN ORDINANCE TO ESTABLISH THE WASHINGTON COUNTY ANNUAL BUDGET AND
58 BUDGET CONTROLS FOR THE CALENDAR YEAR 2021". A motion to adopt the
59 ordinance was made by JP Harbison and seconded by JP Pond. There was a comment
60 made by JP E Madison. A point of order request was made by JP Ecke because the
61 comment being made was not germane to the agenda. A motion to amend the budget and
62 set aside one million dollars of the CARES Act funding to be ear marked for community
63 rental and housing assistant in some form was made by JP E Madison and seconded by JP
64 S Madison. A roll call vote was called and the votes were tallied as follow:
65 JP Johnson: No
66 JP Cunningham: No
67 JP Thomas: No
68 JP Yanez: Yes
69 JP Deakins: No
70 JP Ecke: No
71 JP Duncan: No
72 JP Washington: Yes
73 JP E Madison: Yes
74 JP Jenkins: Yes
75 JP Highers: Yes
76 JP S Madison: Yes
77 JP Leming: No
78 JP Harbison: No
79 JP Pond: No
80 The motion failed. There were comments made by various members of the Court. During
81 public comments, Melissa Terry, Sarah Peace, Sherry Main, Lou Sharp, Clint Schneklath,
82 and Evelyn Rios Stafford spoke. A roll call vote was called and the votes were tallied as
83 follow:
84 JP Johnson: Yes
85 JP Cunningham: Yes
86 JP Thomas: Yes
87 JP Yanez: No
88 JP Deakins: Yes
89 JP Ecke: Yes
90 JP Duncan: Yes
91 JP Washington: No
92 JP E Madison: No
93 JP Jenkins: No
94 JP Highers: No
95 JP S Madison: No
96 JP Leming: Yes
97 JP Harbison: Yes
98 JP Pond: Yes

99 The motion was approved.

100

101 **Ordinance 2020-84, AN ORDINANCE TO ESTABLISH THE WASHINGTON COUNTY**
102 **ANNUAL BUDGET AND BUDGET CONTROLS FOR THE CALENDAR YEAR 2021, was**
103 **adopted.**

104

105 A motion to adjourn the meeting was made by JP Pond and seconded by JP Duncan.

106 A roll call vote was called and the votes were tallied as follow:

107 JP Johnson: Yes

108 JP Cunningham: Yes

109 JP Thomas: Yes

110 JP Yanez: No

111 JP Deakins: Yes

112 JP Ecke: Yes

113 JP Duncan: Yes

114 JP Washington: No

115 JP E Madison: No

116 JP Jenkins: No

117 JP Highers: No

118 JP S Madison: No

119 JP Leming: Yes

120 JP Harbison: Yes

121 JP Pond: Yes

122 The motion was approved.

123

124 The meeting was adjourned at 8:55 pm.

125

126 *Patty Burnett*

127 Patty Burnett

128 Quorum Court Coordinator

Joseph K. Wood
County Judge



Jousy Mancia
Fixed Asset Manager

WASHINGTON COUNTY, ARKANSAS
Purchasing Department Disposal of County Property

December, 2020

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 December, 2020.

Court Order	File Date	Description
2020-167	12/07/20	I010200168, I010200275, I010200353, I010200379 , Ionaire Space Heater Circuit Clerk, I044400109, I044400130, I044400287, I044400511, I044400513 Juvenile Detention
2020-181	12/18/20	I010200484, I010100205, I010200015 Circuit Clerk, HP Laserjet M1319f Printer from Judge Lindsay
2020-182	12/18/20	I0105000102 Assessor, I010800185 Building & Grounds, I010200274 Circuit Clerk, I040300320 Judge Zimmerman, I010400125 Collector, I04440033

Item 21-O-004

ORDINANCE NO. 2021-

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

AN EMERGENCY ORDINANCE ESTABLISHING STANDING COMMITTEES OF THE QUORUM COURT; AND, REPEALING ORDINANCE 2019-01.

WHEREAS, pursuant to A.C.A. §14-14-904(a), the Washington County Quorum Court has the authority to create standing committees, with the members of said committees to be appointed by the County Judge; and,

WHEREAS, the Quorum Court desires to repeal Ordinance 2019-01.

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

ARTICLE 1. The following standing committees of the Quorum Court are hereby established:

- (a) Finance and Budget
(b) Jail/Law Enforcement/Courts
(c) County Services
(d) Personnel

ARTICLE 2. Each Committee shall provide for its own organization and management of its affairs, including the election of its own chair and vice chair.

ARTICLE 3. In order to allow time for its members to be present, no committee meeting shall begin prior to 6:00 p.m.

ARTICLE 4. Washington County Ordinance 2019-01 is repealed.

ARTICLE 5. EMERGENCY CLAUSE. Due to the potential

42 harm to the health, safety, and property caused by not having committees, it is hereby
43 declared that an emergency exists and this ordinance shall be, and is, effective from the
44 date of its passage.

45
46
47
48
49
50

JOSEPH K. WOOD, County Judge

DATE

51
52
53
54
55
56
57
58
59
60
61
62

BECKY LEWALLEN, County Clerk

Introduced by: **JP Sam Duncan**
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History:
Quorum Court History:

ORDINANCE NO. 2021-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AUTHORIZING THE COUNTY JUDGE TO ENTER INTO A CONTRACT FOR SERVICES WITH THE ASSOCIATION OF ARKANSAS COUNTIES; AND APPROPRIATING \$5,874 TO BE PAID FOR MEMBERSHIP THEREIN.

WHEREAS, Washington County is a member of the Association of Arkansas Counties; and,

WHEREAS, membership provides services to the County, such as legislative representation, general research, training, various public conferences, and the right to participate in any one (1) of four (4) benefit programs; and,

WHEREAS, pursuant to A.C.A. § 14-20-107, the Quorum Court must authorize participation in the Association.

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

ARTICLE 1. The County Judge is hereby authorized to enter into a contract with the Association of Arkansas Counties for 2021.

ARTICLE 2. There is hereby appropriated the amount of \$5,874 from unappropriated reserves of the General Fund to the Dues and Membership Line Item of the General Services Budget (100001 18.3090) for 2021.

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

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

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Lisa Ecke**

Date of Adoption:

Members Voting For:

Members Voting Against:

Members Abstaining:

Members Absent:

Committee History:

Quorum Court History:



OFFICE OF THE PROSECUTING ATTORNEY

MATT DURRETT

District Prosecutor

FOURTH JUDICIAL DISTRICT
WASHINGTON AND MADISON COUNTIES

DEPUTY PROSECUTORS:

Micka Hatcher • Terra Stephenson • Charles M. Duell • Brian Lamb • Kevin Metcalf • Sarah Ashley • Natalie Morrison • Sara Swearingin • Courtney Cassidy
John Snyder • Chloe Fackler • Darrington Parrish • Jonathan Dixon • Brent Bryant • Dylan Weisenfels • Whitney Doolittle • Elijah Bentley

January 1, 2021

**TO: ALL MEMBERS OF THE WASHINGTON COUNTY QUORUM COURT AND
COUNTY JUDGE JOSEPH WOOD**

RE: HOT CHECK FEES

Pursuant to ACA §16-21-120, I am hereby supplying you with the required information concerning the Prosecutor's Hot Check Fee Account for 2020.

Hot Check Fee Account Balance on December 31, 2019	\$65,271.41
Total Hot Check Fees Collected in 2020	\$6,264.11
TOTAL	\$71,535.52
<u>EXPENSES</u>	
Office Supplies	\$4,600.39
Utilities	\$6,392.28
Travel and Registration Expenses	\$5,055.58
Check Restitution Trust Account	\$4,535.72
Greene County Sheriff	\$50.00
Medical Records	\$155.35
TOTAL EXPENSES	\$20,789.32
Total Hot Check Fee Account Balance on December 31, 2020	\$50,746.20

Should you have any questions, please feel free to contact me.

Sincerely,

Matt Durrett
Prosecuting Attorney

Item 20-O-077

ORDINANCE NO. 2021-

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 62 Motor City project on October 1, 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 62 Motor City project recommended for approval by the Planning and Zoning Board is hereby ratified.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

42
43
44
45
46
47 Introduced by: **JP Willie Leming**
48 Date of Adoption:
49 Members Voting For:
50 Members Voting Against:
51 Members Abstaining:
52 Members Absent:
53
54
55 Committee History: Planning and Zoning Board (10-01-2020); Passed to QC
56 Quorum Court History: Regular Quorum Court (10-15-2020); First Reading
57 Regular Quorum Court (11-19-2020); Second Reading
58 Regular Quorum Court (12-17-2020); Third Reading; Postponed
59 until next month

62 Motor City Conditional Use Permit

The Planning Board/Zoning Board of Adjustments approved the 62 Motor City CUP, with conditions, request on October 1, 2020 (7 members voted "in favor", 0 members voted "against", 0 members were absent, 0 members abstained).

The applicant, William Alfaro, is requesting conditional use permit approval to operate an auto sales dealership.

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

The project parcel is not in a planning area.

The proposal is located on the northern side of W Hwy 62. There are no residential structures on the property at this time.

The applicant would like to operate an auto sales dealership on a parcel that is approximately 10.00 acres in size.

The auto sales dealership would be situated on the southeastern corner of the property. The applicant has estimated that the total area the auto sales dealership would utilize will fit within a 100x100 foot fenced area. Along the northern side of the fenced in area, an 8x20 foot office will be placed. There will be no water or septic connected to the building.

Parking will be along the front and sides of the fenced in area. The vehicles for sale will be centered in the middle of the 100x100 foot enclosure.

The applicant plans on placing gravel on and around the parking lot area. Fencing will surround the auto dealership area to provide safety for both the surrounding neighbors and for the applicant's inventory. The applicant will place a sign, but the sign will not be lit. The auto dealership will have its own driveway that connects to Hwy 62. Permitting for connecting to the Highway must be approved by the Arkansas Department of Transportation.

The surrounding uses are agricultural on the North, South, and East sides. To the West, the adjoining property use is residential. Within a half mile radius is a small service station, and another automotive dealership.

Notifications were mailed to surrounding property owners within 300 feet of the project parcel's exterior boundary. No comments were received against or in favor of the project. During the Planning Board public comment period of the project, there were no comments from the public.

The Planning Board members did voice concerns about the appearance of non-operational vehicles offending nearby neighbors. A condition was placed by the Board members that the applicant must install privacy fencing or other suitable material to shield non-operational vehicles from view of the public driving on the public road.

Staff does not expect this project to be contentious.

The Planning Board/Zoning Board of Adjustments approved the 62 Motor City CUP request on October 1, 2020 (7 members voted “in favor”, 0 members voted “against”, 0 members were absent, 0 members abstained) with the following conditions:

Utility Conditions

Electricity – 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

Phone – PG Telco

1. Please contact PG Telco for telephone concerns and questions.

Water – City of Lincoln

1. The City of Lincoln is unable to provide fire protection because the water line is too small.

Fire Safety Conditions

Fire Marshal

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

Lincoln Rural Fire Department

1. The access road must support up to 85,000lbs and be certified by an engineer.
2. A cul-de-sac or approved turn-around must be constructed to Arkansas Fire Code and be 100 foot in diameter to accommodate the larger vehicle the Fire Department has.
3. The entry road must be 20 feet wide minimum.

Sewer/Septic Conditions

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

Drainage Conditions

1. Should the applicant deviate from their plans to cover the project area with gravel or if the applicant plans to alter the current existing grades, further review will be needed per the County Engineer.

Environmental Conditions

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

Road Conditions

1. A permit from the Arkansas Highway and Transportation Department (AHTD) is required prior to any work being completed in the right-of-way.

Signage Conditions

1. All signs must be out of the right of ways.
2. Signs may not exceed 24 square feet in size.
3. Signs shall not be directly lit.

Lighting Conditions

1. 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.

Screening Conditions

1. All outdoor storage areas and dumpsters, to include the gate, shall be screened with opaque material of a uniform type.
2. Any vegetation along the eastern portion of the bordering parcel must remain or if removed, must be replaced with vegetation for screening/privacy purposes.
3. The applicant shall utilize privacy fencing or similar opaque material to shield non-operational vehicles from view from the public road.

Planning Conditions

1. The Conditional Use Permit is specifically to allow an auto dealership only. The size of the auto dealership shall not exceed one acre in size. Any future land uses not allowed by the current zoning must come before the Planning Board/Zoning Board for conditional use permit approval and ratified by the Quorum Court.
2. The applicant must address all technical review comments as the project proceeds through to completion.

Standard Conditions for All Projects

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. All CUPs 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.

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

ORDINANCE NO. 2021-

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

**AN ORDINANCE ESTABLISHING MINIMUM
STANDARDS OF HABITABILITY FOR
RESIDENTIAL RENTAL PROPERTY.**

WHEREAS, there are multiple units of residential real property in unincorporated Washington County being offered for rent or lease to the general public; and

WHEREAS, it is in the interest of Washington County to protect the lives of the residents of these properties, as well as the lives of those living and working near those properties, and the lives of first responders who must answer emergency calls on those properties; and

WHEREAS, because Washington County government makes a substantial monetary investment in training and equipping emergency responders and providing infrastructure for emergency services, it is also in the interest of Washington County to prevent, if possible, and mitigate, if necessary, those emergencies that do occur on residential real property.

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

ARTICLE 1. Minimum residential habitability standards. If any portion of real property is leased or rented for use as a residence, the property shall have, at the time possession is delivered to the tenant or tenants:

- a) A functioning smoke alarm;
- b) An operable entry door and unobstructed means for a person to enter and exit;
- c) An operable door or window leading directly to the exterior of the rental unit from every sleeping room;
- d) An available source of electricity;
- e) A source of potable drinking water;
- f) A source of wastewater connected to a waste disposal system that conforms to state and local building and plumbing codes

- in existence on the date the system was installed;
- g) An available source of hot and cold running water;
- h) Glass or translucent plexiglass completely covering all windows; and
- i) An available source of heating.

ARTICLE 2. Unless the tenant agrees in writing to accept responsibility to renovate, remodel, or complete the renovation, remodeling, or construction of real property, the provisions of Article 1 shall supersede any contrary provision of an oral or written rental agreement.

ARTICLE 3. Nothing in this Ordinance shall be construed to excuse a tenant from paying rent or preventing a landlord from exercising any remedy provided at law upon a tenant’s default under a rental or lease agreement.

ARTICLE 4. A landlord shall be deemed to be in compliance with Article 1 if the landlord supplies the tenant, at the time of the initial possession, a written form with which to list any defects in Article 1, and the tenant:

- a) Signs the form without noting a defect in an item listed in Article 1; or
- b) Fails to return the form to the landlord within two (2) business days.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Sue Madison, JP Evelyn Rios Stafford**
 Date of Adoption:
 Members Voting For:
 Members Voting Against:
 Members Abstaining:
 Members Absent:

Committee History: County Services (03/10/2020); No action taken
Quorum Court History: Regular Quorum Court (12/17/2020); First Reading

ORDINANCE NO. 2021-

APPROPRIATION ORDINANCE

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

AN ORDINANCE TO ESTABLISH THE WASHINGTON COUNTY ANNUAL BUDGET FOR THE CALENDAR YEAR 2021.

WHEREAS, the Washington County Quorum Court approves and adopts the 2021 Budget for Washington County, Arkansas.

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

ARTICLE 1. The Quorum Court of Washington County, Arkansas hereby adopts the annual budget for calendar year 2021, which is attached hereto. Said budget reflects the anticipated revenues of Washington County and the expenditures authorized for each department within each fund of said County, the number and compensation of deputies and County employees, and the compensation of County Officers.

ARTICLE 2. A copy of the 2021 Budget shall be on file in the County Clerk’s Office and shall be available for inspection and copying during normal business hours.

ARTICLE 3. The said 2021 Budget is hereby incorporated herein and adopted in full, and all expenditures reflected therein are authorized to be expended.

ARTICLE 4. Budget Controls. It is the responsibility of each elected official and/or department head to operate within the guidelines of the budget as adopted or amended by the Quorum Court. The guidelines are described in the following paragraphs:

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

42
43
44 The budget for each County department consists of appropriations of authorized
45 expenditures in the following major categories:

46 Personal Services (Regular Salaries, Extra Help, Overtime & Fringe)

- 47 • Supplies
- 48 • Other Services and Charges
- 49 • Capital Outlay
- 50 • Debt Service
- 51 • Inter-fund Transfers

52
53
54 Expenditures will be limited to the amounts appropriated in the above categories.

55
56 Transfers in Personal Services categories or transfers between departments may
57 only be made by Ordinance.

58
59 Grant funds are not subject to the restrictions in this paragraph. Line item transfers
60 within a departmental budget may be made within and into all categories, with the
61 exception of the Personal Services Category as outlined in Budget Control #1. Transfers
62 going into or out of the Capital Outlay Category shall not exceed \$20,000 per year in the
63 General Fund, excluding the County Judge-Emergency Budget; any transfers exceeding
64 this limit will require approval of the Quorum Court. No department may purchase supplies
65 or other services and charges for another department except for utilities and cleaning and
66 maintenance services provided by the Buildings & Grounds Department aggregated into
67 the general budget. This does not apply to departments who work together in cost sharing
68 projects.

69
70 Appropriations for use of grant funds must be made by ordinance with a grant
71 agreement approved by the County Judge. All personnel positions funded by grants will
72 be annotated as such and may be abolished upon expiration of the grant. The Quorum
73 Court must approve in-kind cost for grants prior to grant acceptance. All Grants will be
74 administered through the County Grants Administration Office with all billings and
75 financial reporting being handled in the Comptroller's Office.

76
77 All approved purchases must be made with a Purchase Order or P-Card and follow
78 the written purchasing procedures as established by the County Judge.

79
80 The Comptroller will transfer monies monthly from individual departmental budgets
81 into the Insurance Benefit Fund for all full time positions and qualifying part time
82 employees regardless of whether all positions in the departments are filled.

83
84 Surplus personnel appropriations shall be de-appropriated from Full-time Salaries
85 on a quarterly basis (April/July/October). These surplus funds shall be restored to
86 unappropriated reserves.

87
88 All employees will receive a salary increase of \$1,560, which shall be divided
89 equally between the pay periods in 2021, and shall become effective the first pay check
90 of 2021. Maximum salary caps in all grades shall be suspended for the 2021 Budget Year.
91 The Sheriff "step" positions will receive the raises as passed by Ordinance 2018-64
92 instead of the flat pay increase. All other positions not in the Sheriff "step" system will
93 receive the same flat pay increase that other employees in the County receive.

94
95 Full-time Elected Officials shall receive a pay increase based on years of elected
96 service as outlined below per Ordinance No. 2016-68 and shall go into effect the first pay
97 check of 2021.

- 98
99 1st Year; 80% of the maximum for that year
100 2nd Year; 82.5% of the maximum for that year
101 3rd Year; 85% of the maximum for that year
102 4th Year; 87.5% of the maximum for that year
103 5th Year; 90% of the maximum for that year
104 6th Year; 92.5% of the maximum for that year
105 7th Year; 95% of the maximum for that year
106 8th Year; 97.5% of the maximum for that year
107 9th Year and each year following; 100% of the maximum for that year

108
109
110 The County Judge-Emergency Budget monies are not to be granted to individual
111 citizens but are to be used to pay for expenses incurred by the County in assisting the
112 citizens at large when the County Judge has declared an emergency pursuant to
113 A.C.A.§12-75-101, et seq.

114
115 **ARTICLE 4.** If any part of this Ordinance is held invalid, such
116 invalidity will not affect any other portion of this Ordinance.

117
118 **ARTICLE 5.** All County laws and parts of law in conflict with
119 this Ordinance are hereby repealed.

120
121
122 _____
123 JOSEPH K. WOOD, County Judge DATE

124
125
126 _____
127 BECKY LEWALLEN, County Clerk

128
129 Introduced by: **JP Ann Harbison**
130 Date of Adoption:
131 Members Voting For:

132 Members Voting Against:

133 Members Abstaining:

134 Members Absent:

135

136

137 Committee History: Finance & Budget Committee (12/08/2020); Failed

138 Quorum Court History: Regular Quorum Court (12/17/2020); First Reading

Blue Springs RV Park CUP

The Planning Board/Zoning Board of Adjustments approved the Blue Springs RV Park CUP, with conditions, request on November 5, 2020 (6 members voted "in favor", 0 members voted "against", 1 member was absent).

The applicant, Capstone Builders, is requesting conditional use permit approval to construct and operate an RV park.

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

This project was approved by the Planning Board on October 4, 2012 and ratified by the Quorum Court on October 12, 2012. The project was not contentious at the time and there were no appeals. The applicant was unable to complete their project within the approved time frame.

The project parcel is not in a planning area.

The proposal is located along Blue Springs Rd WC 70 which is just south of Hwy 412.

The project parcel is approximately 31.91 acres.

The project will be accessible from Blue Springs Road WC 70. The RV park will be paved with asphalt. The proposal calls for a pool, dog kennels, and general office and other facilities.

There are two septic areas. The first septic area will be approximately 0.25 acres in size and will service the office building, pool areas, and other facilities and potentially cross under a future access road. The second septic area is also 0.25 acres in size and will service the actual RVs.

If the CUP request is granted, the applicant must proceed with large scale development permitting.

Staff sent notifications to surrounding property owners within 300 feet of the project parcel. Staff did not receive comments stating opposition or favor of the project.

At the Planning Board meeting, one neighbor voiced some concerns regarding the project, but did not oppose. Mr. Shannon Sherman, a neighbor on Blue Springs Road, noted that the curve to the north of the project parcel can be dangerous. Mr. Sherman stated that he and some of his nearby neighbors utilized a spring for water and that there was a ravine nearby. He wanted to make sure that the springs were not affected by the proposed development.

Mr. James McCarty with the Beaver Water District noted that there were a lot of other RV Parks in the area. King's River RV Park worked with the Beaver Water District to lower their density to allow for a lesser impact on the lake. Mr. McCarty noted concern about what precedent this may cause by allowing yet another RV Park into the area. Beaver Water District is in opposition of the project as is. They stated they would be in approval if the developers would lower their density to 1 unit per acre.

Planning Board Chair Joel Kelsey noted that the area was already saturated with RV Parks.

Project Engineer Cody Sexton with Blew & Associates detailed a map showing the natural flow of water from the project parcel location. Using the natural contours and topography of the area, he showed that a drop of water traveling from the project's septic fields would have to travel 3200 feet from one field and 2700 from another field to reach the lake. The other RV Parks were much closer to the Lake than this proposed one.

There was no further discussion.

The Planning Board/Zoning Board of Adjustments approved the Blue Springs RV Park CUP, with conditions, request on November 5, 2020 (6 members voted "in favor", 0 members voted "against", 1 member was absent)

Utility Conditions

Electricity – Ozarks Electric

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the RV Park will be at full cost to the developer.
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 RV Park 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 Lot must be shown on final plat before Ozarks Electric will sign the final plat.
6. 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 RV Park and again when construction is within three months of completion. Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com

Phone – AT&T

1. Please contact AT&T for telephone concerns and questions.

Water – City of Springdale

1. Please contact the City of Springdale for water concerns and questions.

Gas – Black Hills

1. Please contact Black Hills for natural gas concerns and questions.

Fire Safety Conditions

Fire Marshal

1. The architect/engineer will need to base the project off of the Arkansas Fire Prevention Code for the entire project. Please contact the Fire Marshal for an acknowledgement form

Nob Hill Rural Fire Department

1. Please contact the Nob Hill Fire Department for fire safety concerns and questions.

Sewer/Septic Conditions

1. Septic system, soils information, and RV park must go through ADH approval process before any permits are granted by ADH.

Drainage Conditions

1. A drainage report will be required during the large scale development portion of this project. The applicant should utilize the Drainage Report Checklist provided by the County Engineer.

Environmental Conditions

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

Road Conditions

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Signage Conditions

1. All signs must be out of the right of ways.
2. Signs may not exceed 24 square feet in size and 8 feet in height.
3. Signs shall not be directly lit.
4. Signs may not be placed in the County Right of Way.

Lighting Conditions

1. 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.

Screening Conditions

1. All outdoor storage areas and dumpsters, to include the gate, shall be screened with opaque material of a uniform type.
2. Care should be taken to leave as much of the wooded area intact to assist with visually secluding the RV park from neighboring properties.

Addressing Conditions

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Conditions

1. The Conditional Use Permit is specifically to allow an RV park only. Any future land uses not allowed by the current zoning must come before the Planning Board/Zoning Board for conditional use permit approval and ratified by the Quorum Court.
2. The applicant must address all technical review comments as the project proceeds through to completion.

Standard Conditions for All Projects

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. All CUPs 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.



WASHINGTON COUNTY PLANNING OFFICE

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

PLANNING BOARD/ZBA DECISION APPEAL

2020 NOV 18 AM 11:17
BEVERLY WALLER
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

I, Shannon Sherman
name
20416 Blue Springs Rd
address
870-243-5237/dssherman4@gmail.com
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board/ Zoning Board of Adjustments (ZBA). My appeal is being filed within thirty (30) days of the decision as required by Ordinances 2009-33, 43, 67, and 2010-02 amending Section 11-206; "Appeals from Board" in "Chapter 11-Planning and Development, Article VI-Zoning" in Washington County, Arkansas.

During the November 5th, 2020 meeting of the Washington County Zoning Board of Adjustments, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a (circle one) Commercial Use / Industrial Use / Residential Use / Other Use, located in Section 6, Township 17 N, Range R 29, in Washington County.

My understanding of the decision of the Washington County ZBA is as follows:

The Planning Commission approved the request to construct and operate an RV park at 20540 Blue Springs Rd. However, a Large Scale Development presentation must be reviewed by the Quorum Court. *This property shows to be zoned for agricultural purposes.

I am appealing this decision to the Quorum Court for the following reasons:

- Myself, along with longtime residents of the Blue Springs community have serious concerns about 1) our drinking water 2) the runoff of the waste that will affect beaver lake 3) traffic concerns that will impact WC 70 4) the S curve at the north point of the proposed park is not conducive for large vehicles 5) concern for increased crime, trespassing, and noise 6) appears that septic location is affected by timber and ravines

*Personally, I'm concerned about our natural spring being contaminated from the septic waste of 111 RVs

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

Shannon Sherman
(signature)

November 5th
date

PROJECT #
2020-261
WASHINGTON COUNTY
PLANNING DEPT.

RECEIVED
Nov 18 2020
WASHINGTON COUNTY
PLANNING

Item 21-O-009

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

ORDINANCE NO. 2021-

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 **Blue Springs RV Park** project on **November 5, 2020**; and,

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 ratify the Conditional Use Permit, pursuant to 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 the **Blue Springs RV Park** project recommended for approval by the Planning and Zoning Board is hereby ratified.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:
Date of Passage:
Members Voting For:

Item 21-O-010

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

ORDINANCE NO. 2021-

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 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 **Blue Springs RV Park** project on **November 5, 2020**; and,

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 deny the Conditional Use Permit, pursuant to 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 the **Blue Springs RV Park** project recommended for approval by the Planning and Zoning Board is hereby denied.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:

Item 21-O-006

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

ORDINANCE NO. 2021-

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 **Custom Lawncare and Landscaping** project on **December 10, 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 **Custom Lawncare and Landscaping** project recommended for approval by the Planning and Zoning Board is hereby ratified.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**
Date of Adoption:
Members Voting For:
Members Voting Against:

Custom Lawncare and Landscaping Conditional Use Permit

The Planning Board/Zoning Board of Adjustments approved the Custom Lawncare and Landscaping Conditional Use Permit, with conditions, request on December 10, 2020 (5 members voted “in favor”, 0 members voted “against”, 2 members were absent).

The applicant, Daryl Ohaviano, is requesting conditional use permit approval to allow the development and operation of a lawn care and landscaping business.

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 Springdale Planning Area.

The proposal is located between E Monitor Rd WC 91 and N Scott Hollow Rd WC 575.

The project parcel is approximately 33.64 acres. The applicant intends to utilize only the northern portion of the property that is already cleared for their development. The total disturbed area will be approximately 6.3 acres.

The applicant intends to construct two buildings in phases. The first building will be approximately 9,600 sq ft. The second building will be smaller and constructed at a later date.

The hours of operation will be Monday through Friday, from 7:00am to 6:00pm with occasional Saturdays and after-hours work.

It is estimated that there will be around 30-35 employees with Phase 1. The applicant does not intend to have on-site customers.

If the applicant receives its conditional use permit, they must return for the large scale development review. Some more technical items not covered within this CUP must and should be covered during the large scale development portion.

At the Planning Board meeting, there were no questions or discussion from the Planning Board members or the public.

Staff expects this project to be non-contentious and does not expect an appeal.

The Planning Board/Zoning Board of Adjustments approved the Custom Lawncare and Landscaping Conditional Use Permit, with conditions, request on December 10, 2020 (5 members voted “in favor”, 0 members voted “against”, 2 members were absent):

Utility Conditions

Electricity – 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

Phone – PG Telco

1. Please contact PG Telco for telephone concerns and questions.

Water – City of Springdale

1. The owner/developer shall be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading, paving, lot line adjustments or other matters.
2. Field locate and verify the location of existing water and sanitary sewer facilities located on proposed Lots. Indicate the location of these facilities on the drawing and provide adequate easements, on-site and off-site, acceptable to the Springdale Water Utilities. Easements shall be established such that a minimum 10-foot space shall be provided between the utility and any permanent structure and easements shall be provided such that a minimum of 10' is between the utility and easement line.
3. Any water taps to be installed on existing facilities shall be installed by Springdale Water Utilities at the owner or developer's expense.
4. Please be advised that private water meter service lines cannot cross adjacent properties in order to access services or be located and running parallel within a public utility easement.

Fire Safety Conditions

Fire Marshal

1. Please contact the Washington County Fire Marshal for fire safety concerns and questions.

Nob Hill Rural Fire Department

1. Please contact the Nob Hill Fire Department for fire safety concerns and questions.

Sewer/Septic Conditions

1. A soil analysis conducted by a designated representative of the Arkansas Department of Health must be provided before final approval may be given.

Environmental Conditions

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

Drainage/Engineering Conditions

1. The engineer is anticipating that the site distance on the west drive entrance to be an issue that will have to be resolved in the LSD. Also, with the amount of impervious area being added, it is probably safe for the applicant to assume detention will be required.

Signage Conditions

1. All signs must be out of the right of ways.
2. Signs may not exceed 24 square feet in size and 8 feet in height.
3. Signs shall not be directly lit.
4. Signs may not be placed in the County Right of Way.

Lighting Conditions

1. 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.

Screening Conditions

1. All outdoor storage areas and dumpsters, to include the gate, must be screened with opaque material of a uniform type.
2. Care should be taken to leave as much of the wooded areas intact.
3. Uniform opaque screening along Monitor Road must be included in the Large Scale Development review. Screening must, at minimum, shield the development from nearby residences or be the entire length of the northern boundary that parallels Monitor Road. Due to the nature of the proposal, plants may be utilized in lieu of fencing. Should the applicant wish to utilize plants, they should work with the Planning Department to assist with researching non-invasive native species to install.

Road Conditions

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Addressing Conditions

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Conditions

1. The Conditional Use Permit is specifically to allow a lawn care and landscaping business only. Any future land uses not allowed by the current zoning must come before the Planning Board/Zoning Board for conditional use permit approval and ratified by the Quorum Court.
2. If the CUP is approved, the applicant must continue this project through the Large Scale Development (LSD) process.

Standard Conditions for All Projects

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. All CUPs 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.

Item 21-O-007

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

ORDINANCE NO. 2021-

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 **Phillips Minor Subdivision** project on **December 10, 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 **Phillips Minor Subdivision** project recommended for approval by the Planning and Zoning Board is hereby ratified.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Willie Leming**

Phillips Minor Subdivision Conditional Use Permit

The Planning Board/Zoning Board of Adjustments approved the Phillips Minor Subdivision Conditional Use Permit , with conditions, request on December 10, 2020 (5 members voted “in favor”, 0 members voted “against”, 2 members were absent).

The applicants, Lisa Phillips and Jeffery Phillips, are requesting residential conditional use permit and minor subdivision approval to allow a 10.315 acre property to be split into three tracts and allow one (1) of the proposed tracts to be at a density that is less than one (1) acre per residential unit.

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

The project parcel is not in a planning area.

The proposal is located east of Tyree Mountain Rd WC 14.

The project parcel is approximately 10.315 acres and contains two existing residences. Sec 11-191.1 (a) of the Washington County Code of Ordinances state that single-family residential uses shall have a tract or parcel size of no less than one (1) acre in size. The proposed minor subdivision will leave a tract at a density of less than one (1) acre in size.

Sec. 11-79 (b)(2) of the Washington County Code of Ordinances state that the split may be exempt from Planning Board review if “The division of land into an unspecified number of tracts, each of which are at least forty (40) acres, more or less, in size.”

What the applicant proposes does not qualify for exemption and therefore must be reviewed by the Planning Board. The CUP must be ratified by the Quorum Court.

Original Tract

001-04665-001 – 10.315 acre, two residences

Proposed

Tract 1 – 7.664 acres with residence

Tract 2 – 1.908 acres, vacant

Tract 3 – 0.743 acres with residence

At the Planning Board meeting, there was little discussion by the Planning Board members. Mainly, the question of why did the applicant just create the tract at 1 acre to avoid the CUP? The applicant’s representative stated that their client wished to sell the piece and the buyer specifically requested the acreage. There were no further comments or discussion from either the Board, applicant, or public.

Staff does not expect this project to be contentious nor expect an appeal.

The Planning Board/Zoning Board of Adjustments approved the Phillips Minor Subdivision Conditional Use Permit , with conditions, request on December 10, 2020 (5 members voted “in favor”, 0 members voted “against”, 2 members were absent):

Utility Conditions:

Electricity – 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. Ozarks will need a 30 ft UE along existing overhead line.

Gas – Black Hills

1. Please contact Black Hills for any gas service concerns.

Phone – PG Telco

1. Please contact PG Telco for telephone concerns and questions.

Water – City of Lincoln

1. Please contact the City of Lincoln for water concerns and questions.

Fire Safety Conditions:

Fire Marshal

1. Please contact the Washington County Fire Marshal for fire safety concerns and questions.

Lincoln Rural Fire Department

1. Please contact the Department for fire safety concerns and questions.

Sewer/Septic Conditions:

1. A soil analysis conducted by a designated representative of the Arkansas Department of Health must be provided before final approval may be given.

Environmental Conditions:

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

Road Conditions:

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Addressing Conditions:

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Conditions:

1. All plat corrections must be addressed.
2. If the CUP is approved, the applicant must continue this project through the Minor Subdivision process.

Standard Conditions for All Projects:

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. All CUPs 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.

Item 21-O-008

ORDINANCE NO. 2021-

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 Ruby Graham Residential project on December 10, 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 Ruby Graham Residential project recommended for approval by the Planning and Zoning Board is hereby ratified.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Sam Duncan

Ruby Graham Residential CUP

The Planning Board/Zoning Board of Adjustments approved the Ruby Graham Residential CUP, with conditions, request on December 10, 2020 (6 members voted "in favor", 0 members voted "against", 1 member was absent).

The applicant, Ruby Graham, is requesting residential conditional use permit approval to add a second residence on his property.

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 within Fayetteville's Planning Area. The proposal is located on the south side of Weir Road WC#94.

The project parcel is approximately 1.75 acres and does not meet the zoning criteria for a second residence.

Sec 11-191.1 (a) of the Washington County Code of Ordinances state that single-family residential uses shall have a tract or parcel size of no less than one (1) acre in size. The addition of the second residences makes the property non-compliant with current County zoning.

The property in which the second residence will be placed on belongs to a family member of the applicant. The second residence will belong to the applicant themselves.

The Arkansas Department of Health has already approved the septic permit and design.

The City of Fayetteville provides water to this location.

The second residence will not be placed in any building setback.

Staff received two comments from surrounding neighbors in opposition to the project. Concerns with this project included potential negative affect on property values, zoning incompatibility and worries about a second septic system being placed on the property.

At the Planning Board meeting, the project was not contentious and the only public discussion came from the applicant themselves.

Staff does not expect this project to be contentious or have public discussion during the Quorum Court meeting.

Septic Conditions

1. Final approval is contingent upon the existing septic system for 4797 Weir Road WC94 passing a septic system inspection to check for possible malfunction.

Standard Conditions for All Projects

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. All CUPs 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.

Item 21-O-012

ORDINANCE NO. 2021-

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 Hogeye Wireless Communications Facility project on January 14, 2021; 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 Hogeye Wireless Communications Facility project recommended for approval by the Planning and Zoning Board is hereby ratified.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Jim Wilson

Hogeye Wireless Communications Facility CUP

The Planning Board/Zoning Board of Adjustments approved the Hogeye Wireless Communications Facility CUP, with conditions, request on January 14, 2021 (5 members voted “in favor”, 0 members voted “against”, 2 members were absent).

The applicant, Verizon Wireless through Faulk and Foster, is requesting conditional use permit approval to allow the development and operation of a wireless communications facility.

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

The project parcel is not in a Planning Area.

The proposal is located along Hogeye WC 26.

The project parcel is approximately 51 acres per the Washington County Public Map. Approximately, 0.24 acres will be utilized for the actual facility. The applicant is proposing a 30 foot access and utility easement and an additional 15 foot easement which will not be used for access.

The lease area will be approximately 100 feet by 100 feet. The actual facility will be 70 feet by 70 feet and fenced. The entrance to the facility will be through a 12 foot wide gate which will be locked.

The applicant states they are unable to co-locate on other existing towers due to the lack of towers in the area. There aren't towers or the towers in existence do not meet Verizon's criteria for co-location.

If the applicant is granted a conditional use permit, they will continue with tower review. If administrative tower review requirements cannot met, the review will then continue to the Planning Board review.

Planning Staff sent notifications to property owners within 300 feet of the project parcel. Two comments were received; both were opposed to the project.

The first comment was received on January 7, 2021 from the Cates Sisters Family Farm Trust. They asked that the CUP be denied due to concerns about planned growth (the tower should be placed closer to communities who need it more than the Hogeye area), the CUP approval would set a bad precedent for approval of other CUPs, that the tower would adversely affect desirable growth in the area, that the tower is compatible due to the current zoning. They stated the environmental impact of the facility is unknown and they had floodplain questions. A copy of the email was sent to the Planning Board in the Staff Report.

The second comment was received on January 8, 2021 from Lyna Medlock. They stated they did not want a 315' tall tower with blinking lights visible in their skyline, marring their enjoyment of the pastoral setting they live in. They questioned why the location was not farther south so as to service the Strickler and Cove Creek communities? Also, the area is prone to flooding. They noted concerns about how approval of this CUP would set a precedent for other CUPs and there would be unwanted or unattractive construction in the areas where people have chosen to live for its quiet enjoyment. A copy

of this email was not included in the Staff Report. Planning Staff did not receive the email in time to attach it to the Report, however, it was addressed at the Planning Board Meeting.

At the Planning Board meeting, there were no public comments. The applicant was at the meeting, but the Board members did not have questions for them.

As the members of the Quorum Court consider whether or not to approve and ratify this Conditional Use Permit, please know that there is a 30 day period in which the decision of the Planning Board may be appealed. Even though the Quorum Court members may vote to approve this CUP, the appeal period is still in effect.

The Planning Board/Zoning Board of Adjustments approved the Hogeye Wireless Communications Facility CUP, with conditions, request on January 14, 2021 (5 members voted "in favor", 0 members voted "against", 2 members were absent)

Utility Conditions

Electricity – 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

Phone – PG Telco

1. Please contact PG Telco for telephone concerns and questions.

Water – Washington Water Authority

1. Property is served off an 8" water main that parallels Hogeye RD on the north side. If water service is desired at the newly created property, please fill out and submit a "Request for Water Service" with the WWA Office. Form can be found at (www.washingtonwater.org).
2. The existing water main will run under the proposed access drive (~50' north of the centerline of Hogeye RD, not shown on plans) and will need an encasement to protect the main for long term traffic/construction loading, designed by a Professional Engineer in the State of AR and installed by the owner. Please contact the WWA office for more information.

Fire Safety Conditions

Fire Marshal

1. Please contact the Washington County Fire Marshal for fire safety concerns and questions.

Prairie Rural Fire Department

1. Please contact the Nob Hill Fire Department for fire safety concerns and questions.

Sewer/Septic Conditions

1. Should the applicant have need for septic in the future, they must return for review.

Environmental Conditions

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

Drainage/Engineering Conditions

1. A drainage study will be required during the tower review.

Signage Conditions

1. Signs shall not be directly lit.

Lighting Conditions

1. All outdoor lighting not mandated by Federal requirements must be shielded from neighboring properties. Any lighting not required by Federal regulations must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately.

Screening Conditions

1. Uniform opaque screening along the perimeter of the facility.

Road Conditions

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Addressing Conditions

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Conditions

1. If the CUP is approved, the applicant must continue this project through the tower review process. If the project does not meet the criteria for administrative review, approval must be granted by the Planning Board.

Standard Conditions for All Projects

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. All CUPs 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-

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
\$176,368.57 FROM UNAPPROPRIATED
RESERVES IN THE GENERAL FUND TO
VARIOUS LINE ITEMS IN THE JAIL BUDGET
(30170418) FOR 2021.**

WHEREAS, on March 27, 2020 Congress created the
Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) and appropriated
money to a Coronavirus Relief Fund (the “Fund”); and,

WHEREAS, in 2020, Washington County received
approximately \$4,500,000 from the Fund; and,

WHEREAS, the Sheriff’s Office seeks to utilize Fund
payments received by Washington County to purchase a full-body screening device; and,

WHEREAS, the full-body screening device will enhance
social distancing efforts between Washington County employees and detainees while
searching for contraband.

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

ARTICLE 1. There is hereby appropriated \$176,368.57 from
unappropriated reserves in the General Fund (1000) to the following line items in the Jail
Budget (30170418) for 2021:

Machinery and Equipment	(30170418.4004)	\$153,658.50
Other Professional Services	(30170418.3009)	10,574.39
Other Sundry Insurance	(30170418.3054)	10,117.50
Postage	(30170418.3021)	2,018.18

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

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History:
Quorum Court History:

Item 21-O-002

ORDINANCE NO. 2021-

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 \$298,050.96 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE SHERIFF BUDGET (10000400) FOR 2021.

WHEREAS, the Washington County Sheriff’s Office desires to improve the safety of both the community and its officers; and,

WHEREAS, the Washington County Sheriff’s Office desires to promote transparency in the day-to-day interactions between the community and its officers; and,

WHEREAS, in furtherance of those desires, the Washington County Sheriff’s Office seeks to purchase Body Worn Cameras (“BWCs”) for deputies assigned to patrol and detention.

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

ARTICLE 1. There is hereby appropriated \$298,050.96 from unappropriated reserves in the General Fund (1000) to the following line items in the Sheriff Budget (10000400) for 2021:

Small Equipment	(10000400.2002)	\$110,963.40
Software Support	(10000400.3102)	83,170.37
Other Sundry Insurance	(10000400.3054)	67,864.13
Computer/IT Equipment	(10000400.2009)	12,459.95
Computer Services	(10000400.3003)	7,681.05
General Supplies	(10000400.2001)	7,604.24
Computer Equipment	(10000400.4009)	6,521.74
Postage	(10000400.3021)	1,786.08

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

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**

Date of Adoption:

Members Voting For:

Members Voting Against:

Members Abstaining:

Members Absent:

Committee History:

Quorum Court History:

Item 21-O-003

ORDINANCE NO. 2021-

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 \$34,675 IN THE RURAL COMMUNITY GRANT FUND FOR 2021; AND, APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR 2021.

WHEREAS, Washington County received revenue of \$34,675 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 \$34,675 in the Rural Community Grant Fund (3503.7010) for 2021.

ARTICLE 2. There is hereby appropriated the total amount of \$34,675 from the Rural Community Grant Fund (3503.7010) to the Gravel, Dirt, and Sand line item in the Road Department Budget (20000200.2027) for 2021.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**
Date of Adoption:
Members Voting For:

Item 21-O-011

ORDINANCE NO. 2021-

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 \$4,500 FROM UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE CIRCUIT COURT VI BUDGET (1000.0406) FOR 2021.

WHEREAS, the Quorum Court approved a new employee position in the Circuit Court IV Budget for 2021; and,

WHEREAS, the newly created position needs a desk, chair, computer and a cell phone to provide the services for which it was created.

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

ARTICLE 1. There is hereby appropriated the total amount of \$4,500 from unappropriated reserves in the General Fund (1000) to the following line items in the Circuit Court VI Budget (1000.0406) for 2021:

General Supplies	(10000406.2001)	\$ 500
Computer/IT Equipment	(10000406.2009)	3,000
Cell Phones/Pagers/Radios	(10000406.3022)	1,000

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**

Item 21-O-013

ORDINANCE NO. 2021-

APPROPRIATION ORDINANCE

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

AN ORDINANCE APPROPRIATING THE TOTAL AMOUNT OF \$38,389.57 FROM THE GENERAL FUND TO THE VEHICLES LINE ITEM IN THE ANIMAL SHELTER BUDGET (35160308) FOR 2021.

WHEREAS, the Washington County Animal Shelter received donations totaling \$38,389.57 in 2019 for the purpose of purchasing a vehicle; and,

WHEREAS, the Quorum Court, in Ordinance 2020-35, appropriated said \$38,389.57 to the Animal Shelter Budget in 2020; and,

WHEREAS, the Animal Shelter is in the process of purchasing a transport vehicle, but was unable to finalize the purchase before December 31, 2020 due to the delays caused by the pandemic; and,

WHEREAS, the money for the vehicle needs to be appropriated to the Animal Shelter Budget for 2021.

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

ARTICLE 1. There is hereby appropriated the total amount of \$38,389.57 from the General Fund (1000) to the Vehicle line item in the Animal Shelter Budget (35160308.4005) for 2021.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk
Introduced by: **JP Patrick Deakins**