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

Thursday, January 21, 2021
6:00 p.m.
Washington County Courthouse/
Via Video Zoom Conference

2021 FEB 22 AM 11:06
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

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

11
12 Judge Joseph Wood led the prayer and pledge.

13
14 Members present were JP Lance Johnson, JP Shannon Marti, JP Sean Simons, JP
15 Judith Yanez, JP Patrick Deakins, JP Lisa Ecke, JP Shawndra Washington, JP Eva
16 Madison, JP Robert Dennis, JP Suki Highers, JP Evelyn Rios Stafford, JP Willie
17 Leming, JP Jim Wilson, and JP Butch Pond. JP Sam Duncan was absent.

18
19 A request to amend the agenda and remove agenda item 15.1 and add ordinance item
20 21-O-014 was made by JP Deakins. A motion to adopt the agenda as amended was
21 made by JP Leming and seconded by JP Dennis. A voice vote was called and all
22 members present unanimously voted to adopt the agenda as amended.

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

27
28 During citizen's comments, Maxine LeBlanc, Evan Garner, Clint Schnekloth, Sarah
29 Moore, Terry Gosnell spoke about poverty, rental assistance, and CARES Act money.
30 Sherry Main welcomed the new JPs to the Court and asked the JPs to wear their masks
31 if they're not sitting six feet apart. Shannon Sherman, representing his neighbors in the
32 Blue Springs area shared concerns about the Blue Springs RV Park Conditional Use
33 Permit request.

34
35 A motion to approve the December 17th, 21st, and 22nd minutes was made by JP Ecke
36 and seconded by JP Pond. A voice vote was called and all members present
37 unanimously voted to approve the motion.

38
39 Judge Joseph Wood presented his Judge's Report. Judge Wood presented to the Court
40 a Purchasing Department Report of the Disposal of County Property for December.
41 Judge Wood gave an update to the Court on a grant that the county received from the
42 Treasury Department for Emergency Rental Assistance. Judge Wood also presented to
43 the Court three board appointments for the Planning Board; Lisa Miller, Kiara Lueres,
44 and Loren Shackelford. A motion to approve the appointments was made by JP Pond
45 and seconded by JP Dennis. There were comments made by JP Yanez, JP Madison,
46 and JP Rios Stafford. A voice vote was called and all members present unanimously
47 voted to approve the motion.

48
49 Judge Joseph Wood introduced agenda item 8.1. County Attorney Brian Lester
50 presented a presentation to the Court on the Powers and Duties of the Quorum Court,
51 Freedom of Information Act, General Meeting Conduct, and Meeting Procedures. There
52 were comments made by JP Rios Stafford, JP Madison, and JP Yanez.

53
54 Judge Joseph Wood introduced agenda item 9.1. County Attorney Brian Lester read the
55 ordinance by title only, "AN EMERGENCY ORDINANCE ESTABLISHING STANDING
56 COMMITTEES OF THE QUORUM COURT; AND, REPEALING ORDINANCE 2019-
57 01". A motion to adopt the ordinance was made by JP Ecke and seconded by JP
58 Deakins. There were comments made by JP Highers and JP Madison. There were no
59 public comments. A roll call vote was called and all members present unanimously
60 voted to adopt the ordinance.

61

62 **Ordinance 2021-01, AN EMERGENCY ORDINANCE ESTABLISHING STANDING**
63 **COMMITTEES OF THE QUORUM COURT; AND, REPEALING ORDINANCE 2019-**
64 **01, was adopted.**
65

66 Judge Joseph Wood introduced agenda item 10.1. County Attorney Brian Lester read
67 the ordinance by title only, "AN ORDINANCE AUTHORIZING THE COUNTY JUDGE
68 TO ENTER INTO A CONTRACT FOR SERVICES WITH THE ASSOCIATION OF
69 ARKANSAS COUNTIES; AND APPROPRIATING \$5,874 TO BE PAID FOR
70 MEMBERSHIP THEREIN". A motion to adopt the ordinance was made by JP Ecke and
71 seconded by JP Leming. There were comments made by JP Madison and JP Pond.
72 There were no public comments. A roll call vote was called and the votes were tallied as
73 follow:

74 JP Johnson: Yes

75 JP Marti: Yes

76 JP Simons: Yes

77 JP Yanez: Yes

78 JP Deakins: Yes

79 JP Ecke: Yes

80 JP Duncan: Absent

81 JP Washington: Yes

82 JP Madison: No

83 JP Dennis: Yes

84 JP Highers: Yes

85 JP Rios Stafford: No

86 JP Leming: Yes

87 JP Wilson: Yes

88 JP Pond: Yes

89 The motion was approved.
90

91 **Ordinance 2021-02, AN ORDINANCE AUTHORIZING THE COUNTY JUDGE TO**
92 **ENTER INTO A CONTRACT FOR SERVICES WITH THE ASSOCIATION OF**
93 **ARKANSAS COUNTIES; AND APPROPRIATING \$5,874 TO BE PAID FOR**
94 **MEMBERSHIP THEREIN, was approved.**
95

96 Judge Joseph Wood introduced agenda item 11.1. Selection of Representative to serve
97 on the Arkansas Association of Quorum Courts for the 2021-2022 term. A motion to
98 nominate JP Lisa Ecke was made by JP Leming and seconded by JP Simons. A voice
99 vote was called and all members present unanimously voted to approve the motion.
100

101 Judge Joseph Wood introduced agenda item 12.1. Prosecuting Attorney Matt Durrett
102 reviewed with the Court the Prosecuting Attorney's Hot Check Fee Account for 2020.
103

104 Judge Joseph Wood introduced agenda item 13.1. This ordinance was postponed from
105 last month's meeting. County Attorney Brian Lester read the ordinance by title only, "AN
106 ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR
107 APPROVAL BY THE PLANNING AND ZONING BOARD (62 MOTOR CITY)". A motion
108 to amend the ordinance to deny the conditional use permit was made by JP Leming and
109 seconded by JP Madison. A voice vote was called and all members present
110 unanimously voted to approve the motion. County Attorney Brian Lester read the
111 ordinance by title only, "AN ORDINANCE DENYING A CONDITIONAL USE PERMIT
112 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD (62
113 MOTOR CITY)". This ordinance will be on next month's agenda and will be on second
114 reading.
115

116 Judge Joseph Wood introduced agenda item 14.1. This ordinance was second reading.
117 County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE
118 ESTABLISHING MINIMUM STANDARDS OF HABITABILITY FOR RESIDENTIAL
119 RENTAL PROPERTY". There was a comment made by JP Rios Stafford. This
120 ordinance will be on next month's agenda and will be on third and final reading.
121

122 Judge Joseph Wood introduced agenda item 15.1. This ordinance was removed from
123 the agenda.
124

125 Judge Joseph Wood introduced agenda item 16.1. Senior Planner Sita Nanthavong
126 presented the staff summary and staff recommendations on the Conditional Use Permit
127 for Blue Springs RV Park to the Quorum Court.
128

129 Project Engineer Cody Sexton with Blew & Associates and Attorney Larry McCredy
130 spoke to the Quorum Court regarding the request for the Conditional Use Permit and
131 answered questions from the Court.
132

133 Staff Attorney Colene Gaston for Beaver Water District spoke to the Court
134

135 Appellant, Shannon Sherman spoke to the Quorum Court regarding his opposition to
136 the Conditional Use Permit. Sherry Main, Sarah Moore, and Patrick McFadin spoke in
137 opposition of the CUP.
138

139 A motion to ratify the Conditional Use Permit with an added condition that the stay be
140 limited to 30 days was made by JP Deakins and seconded by JP Johnson. There were
141 comments made by various members of the Court sharing their position regarding their
142 vote on the Conditional Use Permit. County Attorney Brian Lester read the ordinance by
143 title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT
144 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD
145 (BLUE SPRINGS RV PARK). This ordinance will be on next month's agenda and will be
146 on second reading.
147

148 Judge Joseph Wood introduced agenda item 19.1. County Attorney Brian Lester read
149 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
150 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
151 BOARD (CUSTOM LAWNCARE AND LANDSCAPING)". A motion to suspend the rules
152 and advance the ordinance to second reading was made by JP Deakins and seconded
153 by JP Ecke. A voice vote was called and all members present unanimously voted to
154 approve the motion. County Attorney Brian Lester read the ordinance by title only, "AN
155 ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR
156 APPROVAL BY THE PLANNING AND ZONING BOARD (CUSTOM LAWNCARE AND
157 LANDSCAPING)". A motion to suspend the rules and advance the ordinance to third
158 and final reading was made by JP Deakins and seconded by JP Ecke. A voice vote was
159 called and all members present unanimously voted to approve the motion. County
160 Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RATIFYING A
161 CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING
162 AND ZONING BOARD (CUSTOM LAWNCARE AND LANDSCAPING)". A motion to
163 adopt the ordinance was made by JP Deakins and seconded by JP Ecke. There were
164 no public comments. A roll call vote was called and all members present unanimously
165 voted to adopt the ordinance.
166

167 **Ordinance 2021-03, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**
168 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD**
169 **(CUSTOM LAWNCARE AND LANDSCAPING), was adopted.**
170

171 Judge Joseph Wood introduced agenda item 20.1. County Attorney Brian Lester read
172 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
173 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
174 BOARD (PHILLIPS MINOR SUBDIVISION)". There was a comment made by JP
175 Leming. This ordinance will be on next month's agenda and will be on second reading.
176

177 Judge Joseph Wood introduced agenda item 21.1. County Attorney Brian Lester read
178 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
179 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
180 BOARD (RUBY GRAHAM RESIDENTIAL)". This ordinance will be on next month's
181 agenda and will be on second reading.
182

183 Judge Joseph Wood introduced agenda item 22.1. County Attorney Brian Lester read
184 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE
185 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING
186 BOARD (HOGEYE WIRELESS COMMUNICATIONS FACILITY)". There was a
187 comment made by JP Wilson. This ordinance will be on next month's agenda and will
188 be on second reading.
189

190 Judge Joseph Wood introduced agenda item 23.1. County Attorney Brian Lester read
191 the ordinance by title only, "AN ORDINANCE APPROPRIATING \$176,368.57 FROM
192 UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS
193 IN THE JAIL BUDGET (30170418) FOR 2021". A motion to amend the ordinance to
194 correct appropriating the money from the Coronavirus Relief Fund was made by JP
195 Deakins and seconded by JP Ecke. A voice vote was called and all members present
196 unanimously voted to approve the motion. A motion to adopt the ordinance as amended
197 was made by JP Deakins and seconded by JP Leming. There were comments made by
198 various members of the Court and Sheriff Tim Helder. During public comments, Beth
199 Coger and Sarah Moore spoke. A roll call vote was called and the votes were tallied as
200 follow:

201 JP Johnson: No

202 JP Marti: No

203 JP Simons: No

204 JP Yanez: No

205 JP Deakins: Yes

206 JP Ecke: Yes

207 JP Duncan: Absent

208 JP Washington: No

209 JP Madison: Yes

210 JP Dennis: Yes

211 JP Highers: Yes

212 JP Rios Stafford: No

213 JP Leming: Yes

214 JP Wilson: Yes

215 JP Pond: Yes

216 The motion failed to receive the super-majority vote required to pass with one reading.
217 This ordinance will be on next month's agenda and will be on second reading.
218

219 Judge Joseph Wood introduced agenda item 24.1. County Attorney Brian Lester read
220 the ordinance by title only, "AN ORDINANCE APPROPRIATING \$298,050.96 FROM
221 UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS
222 IN THE SHERIFF BUDGET (10000400) FOR 2021". A motion to amend the ordinance
223 to correct appropriating the money from the Coronavirus Relief Fund was made by JP
224 Deakins and seconded by JP Ecke. A voice vote was called and majority of the
225 members present voted to approve the motion. JP Yanez opposed. A motion to adopt
226 the ordinance as amended was made by JP Ecke and seconded by JP Madison. There
227 were comments made by JP Deakins, JP Simons, Sheriff Tim Helder, and Captain Ti
228 Augustine. There were no public comments. A roll call vote was called and the votes
229 were tallied as follow:

230 JP Johnson: No

231 JP Marti: No

232 JP Simons: No

233 JP Yanez: No

234 JP Deakins: No

235 JP Ecke: Yes

236 JP Duncan: Absent

237 JP Washington: No

238 JP Madison: Yes

239 JP Dennis: Yes

240 JP Highers: No

241 JP Rios Stafford: No

242 JP Leming: Yes

243 JP Wilson: Yes

244 JP Pond: Yes

245 The motion failed to receive the super-majority vote required to pass with one reading.

246 This ordinance will be on next month's agenda and will be on second reading.

247

248 Judge Joseph Wood introduced agenda item 25.1. County Attorney Brian Lester read
249 the ordinance by title only, "AN ORDINANCE RECOGNIZING REVENUE IN THE
250 AMOUNT OF \$34,675 IN THE RUAL COMMUNITY GRANT FUND FOR 2021; AND,
251 APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR
252 2021". A motion to adopt the ordinance was made by JP Deakins and seconded by JP
253 Leming. During public comments, Sherry Main spoke. A roll call vote was called and all
254 members present unanimously voted to adopt the ordinance.

255

256 **Ordinance 2021-04, AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT**
257 **OF \$34,675 IN THE RUAL COMMUNITY GRANT FUND FOR 2021; AND,**
258 **APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR**
259 **2021, was adopted.**

260

261 Judge Joseph Wood introduced agenda item 26.1. County Attorney Brian Lester read
262 the ordinance by title only, "AN ORDINANCE APPROPRIATING \$4,500 FROM
263 UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS
264 IN THE CIRCUIT COURT VI BUDGET (1000.0406) FOR 2021". A motion to adopt the
265 ordinance was made by JP Deakins and seconded by JP Johnson. There were
266 comments made by JP Madison and JP Washington. During public comments, Beth
267 Coger spoke. A roll call vote was called and the votes were tallied as follow:

268 JP Johnson: Yes

269 JP Marti: Yes

270 JP Simons: Yes

271 JP Yanez: No

272 JP Deakins: Yes

273 JP Ecke: Yes

274 JP Duncan: Absent

275 JP Washington: No

276 JP Madison: No

277 JP Dennis: Yes

278 JP Highers: No

279 JP Rios Stafford: No

280 JP Leming: Yes

281 JP Wilson: Yes

282 JP Pond: Yes

283 The motion failed to receive the super-majority vote required to pass with one reading.

284 This ordinance will be on next month's agenda and will be on second reading.

285

286 Judge Joseph Wood introduced agenda item 27.1. County Attorney Brian Lester read
287 the ordinance by title only, "AN ORDINANCE APPROPRIATING THE TOTAL AMOUNT
288 OF \$38,389.57 FROM THE GENERAL FUND TO THE VEHICLES LINE ITEM IN THE
289 ANIMAL SHELTER BUDGET (35160308) FOR 2021". A motion to adopt the ordinance
290 was made by JP Deakins and seconded by JP Leming. There were comments made by
291 JP Madison and JP Rios Stafford. During public comments, Sherry Main spoke. A roll
292 call vote was called and the votes were tallied as follow:

293 JP Johnson: Yes

294 JP Marti: Yes

295 JP Simons: Yes

296 JP Yanez: No

297 JP Deakins: Yes

298 JP Ecke: Yes

299 JP Duncan: Absent

300 JP Washington: No
301 JP Madison: No
302 JP Dennis: Yes
303 JP Highers: No
304 JP Rios Stafford: No
305 JP Leming: Yes
306 JP Wilson: Yes
307 JP Pond: Yes

308 The motion failed to receive the super-majority vote required to pass with one reading.
309 This ordinance will be on next month's agenda and will be on second reading.
310

311 Judge Joseph Wood introduced agenda item 28.1. County Attorney Brian Lester read
312 the ordinance in its entirety, "AN ORDINANCE TO ESTABLISH A GRANT FUND TO
313 BE CALLED THE EMERGENCY RENTAL ASSISTANCE GRANT FUND (3525); AND,
314 TO RECOGNIZE AND APPROPRIATE REVENUE IN THE AMOUNT OF
315 \$7,167,562.90 IN THE EMERGENCY RENTAL ASSISTANCE GRANT FUND
316 (3525.0523) FOR 2021". A motion to adopt the ordinance was made by JP Deakins and
317 seconded by JP Leming. There were comments made by various members of the
318 Court, County Attorney Brian Lester, and Judge Joseph Wood. A request to call the
319 question was made by JP Deakins and seconded by JP Ecke. A voice vote was called
320 and majority of the members present voted to approve the motion. JP Rios Stafford and
321 JP Highers opposed. During public comments, Angela Belford, Sherry Main, Beth
322 Coger, and Sarah Moore spoke. A roll call vote was called and the votes were tallied as
323 follow:

324 JP Johnson: Yes
325 JP Marti: Yes
326 JP Simons: Yes
327 JP Yanez: Yes
328 JP Deakins: Yes
329 JP Ecke: Yes
330 JP Duncan: Absent
331 JP Washington: Yes
332 JP Madison: No
333 JP Dennis: Yes
334 JP Highers: Yes
335 JP Rios Stafford: Yes
336 JP Leming: Yes
337 JP Wilson: Yes
338 JP Pond: Yes

339 The motion was approved.
340

341 **Ordinance 2021-05, AN ORDINANCE TO ESTABLISH A GRANT FUND TO BE**
342 **CALLED THE EMERGENCY RENTAL ASSISTANCE GRANT FUND (3525); AND, TO**
343 **RECOGNIZE AND APPROPRIATE REVENUE IN THE AMOUNT OF \$7,167,562.90 IN**
344 **THE EMERGENCY RENTAL ASSISTANCE GRANT FUND (3525.0523) FOR 2021,**
345 **was approved.**
346

347 There were no committee meetings.
348

349 A motion to adjourn the meeting was made by JP Ecke and seconded by JP Johnson.
350

351 The meeting was adjourned at 9:35 p.m.
352

353 *Patty Burnett*

354 Patty Burnett
355 Quorum Court Coordinator

356 *Approved pb*

357 *February 18, 2021*

FILED

2021 JAN 26 PM 1:07

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2021-01

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.

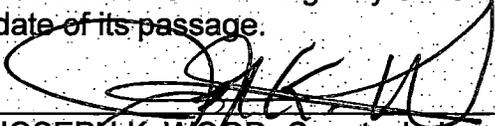
ARTICLE 3. In order to allow time for its members to be present, no committee meeting shall begin prior to 6:00 p.m.

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

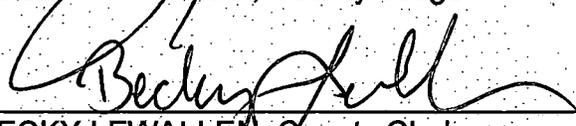
ARTICLE 5. EMERGENCY CLAUSE. Due to the potential

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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 JOSEPH K. WOOD, County Judge

01 - 25 - 2021
DATE

48 
49 _____
50 BECKY LEWALLEN, County Clerk

52
53 Introduced by: **JP Sam Duncan**
54 Date of Adoption: **January 21, 2021**
55 Members Voting For: **Johnson, Marti, Simons, Yanez, Deakins, Ecke,**
56 **Washington, Madison, Dennis, Highers, Stafford, Leming,**
57 **Wilson, Pond**
58 Members Voting Against:
59 Members Abstaining:
60 Members Absent: **Duncan**

61
62
63 Committee History:

64 Quorum Court History: Regular Quorum Court (01-21-2021); Adopted

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2021 JAN 26 PM 1:07

FILED

ORDINANCE NO. 2021-02

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.

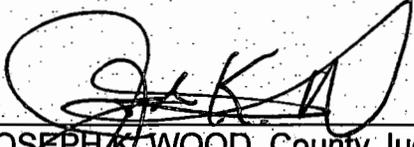
NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:

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 (10000118.3090) for 2021.

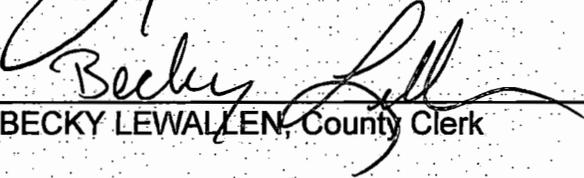
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JOSEPH K. WOOD, County Judge

01.25-2021
DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Lisa Ecke**
Date of Adoption: **January 21, 2021**
Members Voting For: **Johnson, Marti, Simons, Yanez, Deakins, Ecke,
Washington, Dennis, Highers, Leming, Wilson, Pond**
Members Voting Against: **Madison, Stafford**
Members Abstaining:
Members Absent: **Duncan**

Committee History:
Quorum Court History: Regular Quorum Court (01-21-2021); Adopted

FILED

2021 JAN 26 PM 1:07

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2021-03

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.

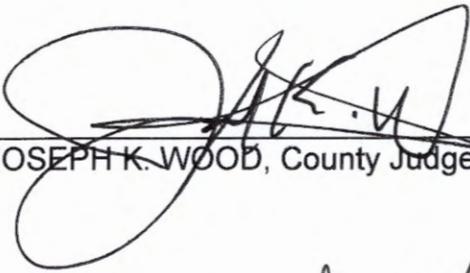
WHEREAS, the Planning and Zoning Board voted to
recommend approval of a Conditional Use Permit for the **Custom Lawncare and
Landscaping** project on **December 10, 2020**; and,

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

01.25.2021

DATE



BECKY LEWALLEN, County Clerk

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42 Introduced by: **JP Patrick Deakins**
43 Date of Adoption: **January 21, 2021**
44 Members Voting For: **Johnson, Marti, Simons, Yanez, Deakins, Ecke, Washington,**
45 **Madison, Dennis, Highers, Stafford, Leming, Wilson, Pond**
46 Members Voting Against:
47 Members Abstaining:
48 Members Absent: **Duncan**
49
50
51 Committee History:
52 Quorum Court History: Regular Quorum Court (01-21-2021); Adopted

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.

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BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

ORDINANCE NO. 2021-04

APPROPRIATION ORDINANCE

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

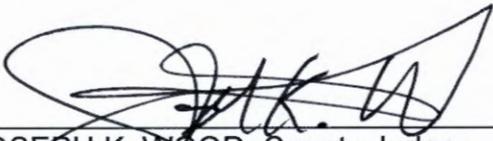
AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT OF \$34,675 IN THE RURAL COMMUNITY GRANT FUND FOR 2021; AND, APPROPRIATING SAID AMOUNT TO THE ROAD DEPARTMENT BUDGET FOR 2021.

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

01.25.2021
DATE



BECKY LEWALLEN, County Clerk

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42 Introduced by: **JP Patrick Deakins**
43 Date of Adoption: **January 21, 2021**
44 Members Voting For: **Johnson, Marti, Simons, Yanez, Deakins, Ecke,**
45 **Washington, Madison, Dennis, Highers, Stafford, Leming,**
46 **Wilson, Pond**
47 Members Voting Against:
48 Members Abstaining:
49 Members Absent: **Duncan**
50
51
52 Committee History:
53 Quorum Court History: Regular Quorum Court (01-21-2021); Adopted

ORDINANCE NO. 2021-05

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 A GRANT FUND TO BE CALLED THE EMERGENCY RENTAL ASSISTANCE GRANT FUND (3525); AND, TO RECOGNIZE AND APPROPRIATE REVENUE IN THE AMOUNT OF \$7,167,562.90 IN THE EMERGENCY RENTAL ASSISTANCE GRANT FUND (3525.0523) FOR 2021.

WHEREAS, Washington County has received a grant totaling \$7,167,562.90 from the Federal Government to provide rental assistance to its citizens due to hardships created by the current global pandemic; and,

WHEREAS, the County desires to establish the Emergency Rental Assistance Grant Fund to track the revenues and expenditures of these funds; and,

WHEREAS, the Quorum Court recognizes and affirms the need for such a fund to properly account for, and control, all such revenues received and expenditures made in compliance with all applicable laws

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

ARTICLE 1. There is hereby created the Emergency Rental Assistance Grant Fund (3525.0523).

ARTICLE 2. There is hereby recognized revenue in the amount of \$7,167,562.90 in the Emergency Rental Assistance Grant Fund (35250523.7109) for 2021.

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

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ARTICLE 3. There is hereby appropriated the amount of \$7,167,562.90 from the Emergency Rental Assistance Grant Fund (35250523.7109) to the Pass Through Payments line item in the Emergency Rental Assistance Grant Fund Budget (35250523.3514) for 2021.



JOSEPH K. WOOD, County Judge

01.25.2021
DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**
Date of Adoption: **January 21, 2021**
Members Voting For: **Johnson, Marti, Simons, Yanez, Deakins, Ecke, Washington, Dennis, Highers, Stafford, Leming, Wilson, Pond**
Members Voting Against: **Madison**
Members Abstaining:
Members Absent: **Duncan**

Committee History:
Quorum Court History: Regular Quorum Court (01-21-2021); Adopted