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2021 MAY 24 PM 12:07

BECKY LEWALLEN  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

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

Thursday, April 15, 2021  
6:00 p.m.  
Washington County Courthouse

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

JP Shannon Marti led the prayer and pledge.

Members present were JP Lance Johnson, JP Shannon Marti, JP Sean Simons, JP Bill Ussery, JP Patrick Deakins, JP Lisa Ecke, JP Sam Duncan, JP Shawndra Washington, JP Eva Madison, JP Robert Dennis, JP Suki Highers, JP Evelyn Rios Stafford, JP Willie Leming, JP Jim Wilson, and JP Butch Pond.

A request to add under "other business" a discussion on the continuation of using zoom was made by JP Madison and seconded by JP Highers. Judge Joseph Wood ruled that the request was to amend the agenda and add the discussion. A point of order request was made by JP Madison because under County Code 2-31.1 states "Any Justice of the Peace may also request that any relevant item may be placed on the committee agenda or may bring such up under "other business"". There was a comment made by County Attorney Brian Lester. Judge Joseph Wood ruled that the agenda would need to be amended to add the discussion. A roll call vote was called and the votes were tallied as follow:

- JP Johnson: No
- JP Marti: No
- JP Simons: No
- JP Ussery: No
- JP Deakins: No
- JP Ecke: No
- JP Duncan: No
- JP Washington: Yes
- JP Madison: Yes
- JP Dennis: Abstain
- JP Highers: Yes
- JP Rios Stafford: Yes
- JP Leming: Yes
- JP Wilson: No
- JP Pond: No

The motion failed.

A motion to adopt the agenda was made by JP Washington and seconded by JP Duncan. A voice vote was called and majority of the members present voted to approve the motion.

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

During citizen's comments, Max Perez, Kyle Smith, Sarah Moore, Josh Moody, and Gladys Tiffany spoke about continuing the use of zoom meetings. Sherry Main and Brian McDuffie spoke about the Hunt-Rogers Quarry Conditional Use Permit request. Ashlyn Gagnon spoke about the Orthodox Brewery Conditional Use Permit request.

A motion to approve the March 18, 2021 minutes was made by JP Leming and seconded by JP Pond. A voice vote was called and all members present unanimously voted to approve the minutes.

Judge Joseph Wood presented his Judge's Report. Judge Wood presented to the Court

62 a Purchasing Department Report of the Disposal of County Property for March. Judge  
63 Wood asked the Court to acknowledge receipt of the Washington County's Legislative  
64 Audit for the Year of 2019. All members present acknowledged receipt of the 2019  
65 audit.  
66

67 Judge Joseph Wood introduced agenda item 8.1. This ordinance was on third and final  
68 reading. County Attorney Brian Lester read the ordinance by title only, "AN  
69 ORDINANCE ESTABLISHING THE PROCEDURE TO BE USED FOR THE  
70 INTRODUCTION OF ORDINANCES, AND FOR OTHER PURPOSES". A motion to  
71 adopt the ordinance was made by JP Wilson and seconded by JP Ecke. A motion to  
72 amend the ordinance in Article 6 to strike one year and replace with six months was  
73 made by JP Leming and seconded by JP Madison. A roll call vote was called and the  
74 votes were tallied as follow:

75 JP Johnson: No  
76 JP Marti: No  
77 JP Simons: No  
78 JP Ussery: No  
79 JP Deakins: No  
80 JP Ecke: No  
81 JP Duncan: No  
82 JP Washington: Yes  
83 JP Madison: Yes  
84 JP Dennis: No  
85 JP Highers: Yes  
86 JP Rios Stafford: Abstain  
87 JP Leming: Yes  
88 JP Wilson: No  
89 JP Pond: No

90 The motion failed. There were comments made by various members of the Court and  
91 County Attorney Brian Lester. During public comments, Beth Coger, Max Perez, Kyle  
92 Smith, and Lou Reed Sharp spoke. A roll call vote was called and the votes were tallied  
93 as follow:

94 JP Johnson: Yes  
95 JP Marti: Yes  
96 JP Simons: Yes  
97 JP Ussery: Yes  
98 JP Deakins: Yes  
99 JP Ecke: Yes  
100 JP Duncan: Yes  
101 JP Washington: No  
102 JP Madison: No  
103 JP Dennis: Yes  
104 JP Highers: No  
105 JP Rios Stafford: No  
106 JP Leming: No  
107 JP Wilson: Yes  
108 JP Pond: Yes

109 The motion was approved.  
110

111 **Ordinance 2021-26, AN ORDINANCE ESTABLISHING THE PROCEDURE TO BE**  
112 **USED FOR THE INTRODUCTION OF ORDINANCES, AND FOR OTHER**  
113 **PURPOSES, was adopted.**  
114

115 Judge Joseph Wood introduced agenda item 9.1. This ordinance was on second  
116 reading. County Attorney Brian Lester read the ordinance by title only, "AN  
117 ORDINANCE AMENDING ORDINANCE 2021-01 TO REVISE THE STANDING  
118 COMMITTEES OF THE QUORUM COURT FOR THE 2021-22 TERM AND FOR  
119 OTHER PURPOSES". This ordinance will be on next month's agenda and will be on

120 third and final reading.  
121

122 Judge Joseph Wood introduced agenda item 10.1. County Attorney Brian Lester read  
123 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE  
124 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING  
125 BOARD (ORTHODOX FARMHOUSE BREWERY)". A motion to suspend the rules and  
126 advance the ordinance to second reading was made by JP Pond and seconded by JP  
127 Leming. A voice vote was called and all members present unanimously voted to  
128 approve the motion. County Attorney Brian Lester read the ordinance by title only, "AN  
129 ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR  
130 APPROVAL BY THE PLANNING AND ZONING BOARD (ORTHODOX FARMHOUSE  
131 BREWERY)". A motion to suspend the rules and advance the ordinance to third and  
132 final reading was made by JP Pond and seconded by JP Ecke. A voice vote was called  
133 and all members present unanimously voted to approve the motion. County Attorney  
134 Brian Lester read the ordinance by title only, "AN ORDINANCE RATIFYING A  
135 CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING  
136 AND ZONING BOARD (ORTHODOX FARMHOUSE BREWERY)". A motion to adopt  
137 the ordinance was made by JP Pond and seconded by JP Madison. There were  
138 comments made by JP Pond, JP Madison, and JP Rios Stafford. There were no public  
139 comments. A roll call vote was called and all members present unanimously voted to  
140 adopt the ordinance.  
141

142 **Ordinance 2021-27, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**  
143 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD**  
144 **(ORTHODOX FARMHOUSE BREWERY), was adopted.**  
145

146 Judge Joseph Wood introduced agenda item 11.1. County Attorney Brian Lester read  
147 the ordinance by title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE  
148 PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING  
149 BOARD (KING'S RANSOM RV PARK)". This ordinance will be on next month's agenda  
150 and will be on second reading.  
151

152 Judge Joseph Wood introduced agenda item 12.1. Planning Director Nathan Crouch  
153 presented the staff summary and staff recommendation on the Conditional Use Permit  
154 for Hunt-Rogers Quarry to the Quorum Court.  
155

156 Andrew Effinger, Assistant General Counsel for Rogers Group, Inc. spoke to the  
157 Quorum Court regarding the request for the Conditional Use Permit and answered  
158 questions from the Court.  
159

160 Appellant, Greg Gough spoke to the Quorum Court regarding his opposition to the  
161 Conditional Use Permit and answered questions from the Court.  
162

163 A motion to table for sixty days was made by JP Deakins and seconded by JP Leming.  
164 A voice vote was called and the motion failed. A motion to ratify the Conditional Use  
165 Permit with the correction of scrivener's errors in the conditions was made by JP Ecke  
166 and seconded by JP Rios Stafford. County Attorney Brian Lester read the ordinance by  
167 title only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT  
168 RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD  
169 (HUNT-ROGERS QUARRY)". A motion to suspend the rules and advance the  
170 ordinance to second reading was made by JP Ecke and seconded by JP Simons. A roll  
171 call vote was called and votes were tallied as follow:

172 JP Johnson: Yes  
173 JP Marti: Yes  
174 JP Simons: Yes  
175 JP Ussery: No  
176 JP Deakins: No  
177 JP Ecke: Yes  
178 JP Duncan: Yes  
179 JP Washington: No

180 JP Madison: Yes  
181 JP Dennis: Yes  
182 JP Highers: No  
183 JP Rios Stafford: Yes  
184 JP Leming: No  
185 JP Wilson: Yes  
186 JP Pond: Yes

187 The motion was approved. County Attorney Brian Lester read the ordinance by title  
188 only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED  
189 FOR APPROVAL BY THE PLANNING AND ZONING BOARD (HUNT-ROGERS  
190 QUARRY)". A motion to suspend the rules and advance the ordinance to third and final  
191 reading was made by JP Ecke and seconded by JP Madison. A roll call vote was called  
192 and the votes were tallied as follow:

193 JP Johnson: Yes  
194 JP Marti: Yes  
195 JP Simons: Yes  
196 JP Ussery: No  
197 JP Deakins: No  
198 JP Ecke: Yes  
199 JP Duncan: Yes  
200 JP Washington: No  
201 JP Madison: Yes  
202 JP Dennis: Yes  
203 JP Highers: No  
204 JP Rios Stafford: Yes  
205 JP Leming: No  
206 JP Wilson: Yes  
207 JP Pond: Yes

208 The motion was approved. County Attorney Brian Lester read the ordinance by title  
209 only, "AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED  
210 FOR APPROVAL BY THE PLANNING AND ZONING BOARD (HUNT-ROGERS  
211 QUARRY)". A motion to adopt the ordinance was made by JP Ecke and seconded by  
212 JP Simons. There were comments made by various members of the Court sharing their  
213 position regarding their vote on the Conditional Use Permit. During public comments,  
214 Sherry Main, Brian McDuffie, Gilbert Johnson, and Kyle Smith spoke. A roll call vote  
215 was called and the votes were tallied as follow:

216 JP Johnson: Yes  
217 JP Marti: Yes  
218 JP Simons: Yes  
219 JP Ussery: Yes  
220 JP Deakins: No  
221 JP Ecke: Yes  
222 JP Duncan: Yes  
223 JP Washington: Yes  
224 JP Madison: Yes  
225 JP Dennis: Yes  
226 JP Highers: Yes  
227 JP Rios Stafford: Yes  
228 JP Leming: No  
229 JP Wilson: Yes  
230 JP Pond: Yes

231 The motion was approved.

232  
233 **Ordinance 2021-28, AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**  
234 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD**  
235 **(HUNT-ROGERS QUARRY), was adopted.**  
236

237 Judge Joseph Wood introduced agenda item 15.1. County Attorney Brian Lester read

238 the ordinance by title only, "AN ORDINANCE APPROPRIATING \$219,000 FROM THE  
239 CORONAVIRUS RELIEF FUND (1005) TO THE OTHER PROFESSIONAL SERVICES  
240 LINE ITEM IN THE CIRCUIT COURT VI BUDGET (0406.3009) FOR 2021". A motion to  
241 adopt the ordinance was made by JP Johnson and seconded by JP Deakins. There  
242 were comments made by JP Johnson, JP Madison, County Attorney Brian Lester, and  
243 Judge Joseph Wood. There were no public comments. A roll call vote was called and all  
244 members present unanimously voted to adopt the ordinance.  
245

246 **Ordinance 2021-29, AN ORDINANCE APPROPRIATING \$219,000 FROM THE**  
247 **CORONAVIRUS RELIEF FUND (1005) TO THE OTHER PROFESSIONAL SERVICES**  
248 **LINE ITEM IN THE CIRCUIT COURT VI BUDGET (0406.3009) FOR 2021, was**  
249 **adopted.**  
250

251 Judge Joseph Wood introduced agenda item 16.1. County Attorney Brian Lester read  
252 the ordinance by title only, "AN ORDINANCE APPROPRIATING \$18,000 FROM  
253 UNAPPROPRIATED RESERVES IN THE COUNTY LIBRARY FUND (3008) TO THE  
254 DUES AND MEMBERSHIPS LINE ITEM IN THE COUNTY LIBRARY BUDGET  
255 (0600.3090) IN 2021". A motion to adopt the ordinance was made by JP Deakins and  
256 seconded by JP Leming. There were no public comments. A roll call vote was called  
257 and all members present unanimously voted to adopt the ordinance.  
258

259 **Ordinance 2021-30, AN ORDINANCE APPROPRIATING \$18,000 FROM**  
260 **UNAPPROPRIATED RESERVES IN THE COUNTY LIBRARY FUND (3008) TO THE**  
261 **DUES AND MEMBERSHIPS LINE ITEM IN THE COUNTY LIBRARY BUDGET**  
262 **(0600.3090) IN 2021, was adopted.**  
263

264 Judge Joseph Wood introduced agenda item 17.1. County Attorney Brian Lester read  
265 the ordinance by title only, "AN ORDINANCE REDUCING THE AMOUNT OF \$399,367  
266 FROM LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE  
267 FUNDS TO UNAPPROPRIATED RESERVES; AND, APPROPRIATING THE TOTAL  
268 AMOUNT OF \$689,930 FROM UNAPPROPRIATED RESERVES TO VARIOUS  
269 BUDGET LINE ITEMS FOR 2020". A motion to adopt the ordinance was made by JP  
270 Deakins and seconded by JP Duncan. There were comments made by JP Deakins, JP  
271 Leming, and Comptroller Director Shannon Worthen. There were no public comments.  
272 A roll call vote was called and all members present unanimously voted to adopt the  
273 ordinance.  
274

275 **Ordinance 2021-31, AN ORDINANCE REDUCING THE AMOUNT OF \$399,367**  
276 **FROM LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE**  
277 **FUNDS TO UNAPPROPRIATED RESERVES; AND, APPROPRIATING THE TOTAL**  
278 **AMOUNT OF \$689,930 FROM UNAPPROPRIATED RESERVES TO VARIOUS**  
279 **BUDGET LINE ITEMS FOR 2020, was adopted.**  
280

281 Judge Joseph Wood introduced agenda item 18.1. County Attorney Brian Lester read  
282 the ordinance by title only, "AN ORDINANCE ADJUSTING CARRYOVER REVENUES  
283 IN VARIOUS FUNDS FOR 2021". A motion to adopt the ordinance was made by JP  
284 Deakins and seconded by JP Marti. There were no public comments. A roll call vote  
285 was called and all members present unanimously voted to adopt the ordinance.  
286

287 **Ordinance 2021-32, AN ORDINANCE ADJUSTING CARRYOVER REVENUES IN**  
288 **VARIOUS FUNDS FOR 2021, was adopted.**  
289

290 Judge Joseph Wood introduced agenda item 19.1. County Attorney Brian Lester read  
291 the ordinance by title only, "AN ORDINANCE DE-APPROPRIATING SURPLUS  
292 AMOUNTS FROM FULL-TIME SALARIES FOR VARIOUS DEPARTMENTS AND  
293 RESTORING THOSE AMOUNTS TO UNAPPROPRIATED RESERVES, AS  
294 REQUIRED BY THE 2021 BUDGET CONTROLS, FOR THE FIRST QUARTER OF  
295 2021". A motion to adopt the ordinance was made by JP Deakins and seconded by JP  
296 Wilson. There were no public comments. A roll call vote was called and all members  
297 present unanimously voted to adopt the ordinance.

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**Ordinance 2021-33, AN ORDINANCE DE-APPROPRIATING SURPLUS AMOUNTS FROM FULL-TIME SALARIES FOR VARIOUS DEPARTMENTS AND RESTORING THOSE AMOUNTS TO UNAPPROPRIATED RESERVES, AS REQUIRED BY THE 2021 BUDGET CONTROLS, FOR THE FIRST QUARTER OF 2021, was adopted.**

Judge Joseph Wood introduced agenda item 20.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE APPROPRIATING \$332,206.34 FROM THE CORONAVIRUS RELIEF FUND (1005) TO VARIOUS LINE ITEMS IN THE BUILDINGS AND GROUNDS BUDGET (100000108) FOR 2021". A motion to adopt the ordinance was made by JP Deakins and seconded by JP Ecke. A motion to sever out the ionizer and vote on it separately was made by JP Madison and seconded by JP Highers. A roll call vote was called and the votes were tallied as follow:

- JP Johnson: No
- JP Marti: No
- JP Simons: No
- JP Ussery: No
- JP Deakins: No
- JP Ecke: No
- JP Duncan: No
- JP Washington: Yes
- JP Madison: Yes
- JP Dennis: No
- JP Highers: Yes
- JP Rios Stafford: Yes
- JP Leming: No
- JP Wilson: No
- JP Pond: No

The motion failed. A motion to table for thirty days was made by JP Rios Stafford and seconded by JP Highers. A voice vote was called and the motion failed. There were comments made by various members of the Court and County Attorney Brian Lester. There were no public comments. A roll call vote was called and the votes were tallied as follow:

- JP Johnson: Yes
- JP Marti: Yes
- JP Simons: Yes
- JP Ussery: Yes
- JP Deakins: Yes
- JP Ecke: Absent
- JP Duncan: Yes
- JP Washington: No
- JP Madison: No
- JP Dennis: Yes
- JP Highers: No
- JP Rios Stafford: Abstain
- JP Leming: No
- JP Wilson: Yes
- JP Pond: Yes

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

Judge Joseph Wood introduced agenda item 21.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE CALLING A SPECIAL ELECTION ON THE QUESTION OF THE LEVY OF THE ANNUAL DUES OF THE BOSTON MOUNTAIN FIRE AND RESCUE VOLUNTEER FIRE DEPARTMENT FOR FIRE PROTECTION SERVICES; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO". There was a scrivener's error in Article 2; strike 2020 and 2021 and replace with 2021 and 2022. A motion to adopt the ordinance was made by

356 JP Wilson and seconded by JP Leming. There were comments made by JP Wilson and  
357 JP Leming. There were no public comments. A roll call vote was called and all members  
358 present unanimously voted to adopt the ordinance.  
359

360 **Ordinance 2021-34, AN EMERGENCY ORDINANCE CALLING A SPECIAL**  
361 **ELECTION ON THE QUESTION OF THE LEVY OF THE ANNUAL DUES OF THE**  
362 **BOSTON MOUNTAIN FIRE AND RESCUE VOLUNTEER FIRE DEPARTMENT FOR**  
363 **FIRE PROTECTION SERVICES; AND PRESCRIBING OTHER MATTERS**  
364 **PERTAINING THERETO, was adopted.**  
365

366 Judge Joseph Wood introduced agenda item 22.1. County Attorney Brian Lester read  
367 the ordinance by title only, "AN EMERGENCY ORDINANCE CALLING A SPECIAL  
368 ELECTION ON THE QUESTION OF THE LEVY OF THE ANNUAL DUES OF THE  
369 SUNSET VOLUNTEER FIRE DEPARTMENT FOR FIRE PROTECTION SERVICES;  
370 AND PRESCRIBING OTHER MATTERS PERTAINING THERETO". There was a  
371 scrivener's error in Article 2; strike 2020 and 2021 and replace with 2021 and 2022. A  
372 motion to adopt the ordinance was made by JP Wilson and seconded by JP Leming.  
373 There were no public comments. A roll call vote was called and all members present  
374 unanimously voted to adopt the ordinance.  
375

376 **Ordinance 2021-35, AN EMERGENCY ORDINANCE CALLING A SPECIAL**  
377 **ELECTION ON THE QUESTION OF THE LEVY OF THE ANNUAL DUES OF THE**  
378 **SUNSET VOLUNTEER FIRE DEPARTMENT FOR FIRE PROTECTION SERVICES;**  
379 **AND PRESCRIBING OTHER MATTERS PERTAINING THERETO, was adopted.**  
380

381 JP Sam Duncan presented the April County Services Committee Report. The County  
382 Services Committee did not meet in April due to lack of an agenda.  
383

384 JP Patrick Deakins presented the April Finance & Budget Committee Report. The  
385 Finance & Budget Committee met Tuesday, April 6, 2021. There were reports given on  
386 the Treasurer, Employees' Insurance, and Comptroller. Judge Joseph Wood welcomed  
387 JP Bill Ussery to the Quorum Court; Governor Hutchinson appointed JP Ussery for  
388 District 4. Judge Wood also gave an update and answered questions on his Press  
389 Release about the CARES Act funding. The Committee heard a budget review  
390 presentation from Treasurer Bobby Hill and received updates on the rental assistance  
391 disbursement from Fayetteville and Springdale Housing Authorities. The Committee  
392 approved six ordinances and discussed the CARES Act funding with regard to Judge  
393 Wood's Press Release.  
394

395 JP Lance Johnson presented the April Jails/Law Enforcement/Courts Committee  
396 Report. The Jails/Law Enforcement/Courts Committee met on Monday, April 5, 2021.  
397 There were Statistic Reports given on the Juvenile Detention Center, Sheriff's  
398 Enforcement, and Detention. The Committee heard a presentation on Magdalene  
399 Serenity House. The Committee also approved an ordinance to be forwarded to the  
400 Finance & Budget Committee in support of Returning Home, Inc. The Ordinance will  
401 fund the program for one year with the intent it becomes self-funding.

402 JP Butch Pond presented the April Personnel Committee Report. The Personnel  
403 Committee met on Monday, April 5, 2021. The Committee approved one request from  
404 Circuit Clerk Kyle Sylvester.  
405

406 The meeting was adjourned at 10:00 p.m.  
407  
408

409 *Patty Burnett*

410 Patty Burnett  
411 Quorum Court Coordinator

412 *Approved pb*

413 *May 20, 2021*

FILED  
2021 APR 16 AM 10:46  
SHUR: LEMALLEN  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

**ORDINANCE NO. 2021-26**

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

**AN ORDINANCE ESTABLISHING THE  
PROCEDURE TO BE USED FOR THE  
INTRODUCTION OF ORDINANCES, AND  
FOR OTHER PURPOSES.**

**WHEREAS**, the proper introduction of ordinances is of vital concern to the Quorum Court of Washington County; and,

**WHEREAS**, the rules previously adopted by the Quorum Court are not clear regarding the proper procedures; and,

**WHEREAS**, the Quorum Court desires to adequately set the procedures for the introduction of ordinances.

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

**ARTICLE 1.** All general ordinances shall be presented to the County Attorney by the member of the Quorum Court introducing that ordinance, in rough draft form, at least five (5) business days prior to the date of the Committee Meeting at which the member of the Quorum Court wishes to introduce the ordinance, except that an ordinance to ratify a conditional use permit granted or denied by the Planning and Zoning Board shall not be referred to a committee, but shall be referred directly to the Quorum Court for consideration.

**ARTICLE 2.** The County Attorney shall review the ordinance in rough draft form for legal sufficiency and prepare it in proper legal form and forward to the Court Secretary for meeting scheduling.

**ARTICLE 3.** The Court Secretary shall cause to be sent to each member of the Quorum Court a copy of the meeting agenda and ordinances the Friday preceding the date of the meeting.

**ARTICLE 4.** Any general ordinance that does not comply with



42 the requirements herein shall be deemed to be out of order if presented at a meeting of  
43 the Quorum Court, provided, however, that by a 2/3 vote of the members of the Quorum  
44 Court, the requirements herein may be suspended.

45  
46 **ARTICLE 5.** Once an ordinance is placed on an agenda,  
47 Robert's Rules of Order, in its most recent version, shall govern, except where they are  
48 in conflict with the general laws of the County and the State.


49  
50 **ARTICLE 6.** An ordinance shall not be reintroduced in less  
51 than one year if it once fails adoption by the Quorum Court, unless it relates specifically  
52 to the annual budget.

53  
54 **ARTICLE 7.** Resolution 1979-01 is hereby repealed.

55  
56 **ARTICLE 8.** Any ordinance, or portion thereof, in conflict  
57 hereto, is hereby repealed and replaced.

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62 \_\_\_\_\_  
63 JOSEPH K. WOOD, County Judge

64 04.16.2021  
65 \_\_\_\_\_  
66 DATE

67  
68   
69 \_\_\_\_\_  
70 BECKY LEWALLEN, County Clerk

71  
72 Introduced by: **JP Jim Wilson**  
73 Date of Adoption: **April 15, 2021**  
74 Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Ecke, Duncan,**  
75 **Dennis, Wilson, Pond**  
76 Members Voting Against: **Washington, Madison, Highers, Rios Stafford, Leming**  
77 Members Abstaining:  
78 Members Absent:

79  
Committee History: County Services Committee (03-01-2021); Passed to QC  
Quorum Court History: Regular Quorum Court (03-18-2021); First Reading, Second Reading  
Regular Quorum Court (04-15-2021); Third Reading; Adopted

FILED

2021 APR 16 AM 10:47

BECKY LEWALLEN  
CO. & PROBATE CLERK  
WASHINGTON CO AR

ORDINANCE NO. 2021-27

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 **Orthodox Farmhouse Brewery**  
project on **April 01, 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  
**Orthodox Farmhouse Brewery** project recommended for approval by the Planning and  
Zoning Board is hereby ratified.

  
\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

04.16.2021  
\_\_\_\_\_  
DATE

  
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BECKY LEWALLEN, County Clerk

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42 Introduced by: **JP Butch Pond**  
43 Date of Adoption: **April 15, 2021**  
44 Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Ecke, Duncan,**  
45 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
46 **Leming, Wilson, Pond**  
47 Members Voting Against:  
48 Members Abstaining:  
49 Members Absent:  
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51  
52 Committee History: Planning and Zoning Board (04-01-2021); Approved  
53 Quorum Court History: Regular Quorum Court (04-15-2021); First, Second, Third Reading; Adopted  
54

**Orthodox Farmhouse Brewery CUP**

**The Planning Board/Zoning Board of Adjustments approved the Orthodox Farmhouse Brewery CUP, with conditions, request on April 1, 2021 (7 members voted "in favor", 0 members voted "against", 0 members were absent).**

The applicants, Jesse and Ashlyn Gagnon, are requesting conditional use permit and preliminary large scale development approval to allow the development and operation of a brewery.

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 Goshen Planning Area.

The subject parcel is located along Ball Rd WC 330.

The subject parcel is approximately 4.50 acres. There is an existing house, building, and a barn. The applicants live on the property with their family. The second building will be added on-to and utilized for the brewery.

The applicants proposes to install an entrance and driveway through the property to allow access to parking areas and the brewery building.

The Brewery will operate only four (4) days a week; up to 30 hours. The applicants will be the primary employees and may hire an additional 1-3 employees within the first year.

This project came before the Planning Board on February 25, 2021 and was tabled by the Planning Board to allow the applicant time to answer some of the questions and concerns the Board had. The Board wanted clarification as to what changes would be made to the property, fire code, more specific hours of operation, a business plan, and the vision for the business.

At the April 1, 2021 Planning Board meeting, the Board was satisfied that all of their concerns and questions had been answered by the applicant and Planning staff.

The project was not contentious though there was one neighbor who spoke against the project at the February 25, 2021 meeting. This neighbor also sent an email to Planning staff further detailing their concerns about the potential for patrons to drive intoxicated, for property values to diminish, for their quiet way of life being disturbed. They also stated that they moved to the County setting in order to assist their family with substance abuse issues and having a brewery that serves beer within walking distance could disrupt their recovery process.

The applicants gave a small presentation detailing the project and their vision of what they're hoping to accomplish with their project.

Though there is a 30 day appeal period that ends on May 1, 2022, Staff does not expect this project to be contentious and to have appeals.

**The Planning Board/Zoning Board of Adjustments approved the Orthodox Farmhouse Brewery CUP, with conditions, request on April 1, 2021 (7 members voted "in favor", 0 members voted "against", 0 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](mailto:wmahaffey@ozarksecc.com)
5. 30ft. U.E. along all overhead Ozark Lines

Phone – AT&T

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

Water – Mt. Olive

1. Please contact Mt. Olive Water for concerns and questions regarding water service.

### **Safety Conditions**

Washington County Fire Marshal

1. The project will need to be constructed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner, or their designee (Architect/Engineer)

Goshen Rural Fire Department

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

Washington County Sheriff's Office

1. Follow all Arkansas Alcoholic Beverage Control regulations.
2. No amplified music.

### **Sewer/Septic Conditions**

1. Permits from the Arkansas Department of Health must be obtained before the applicant can commence development of their project. It is the responsibility of the applicant to determine which types of permits will be needed for their project.

### **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](http://www.adeq.state.ar.us)

**Drainage/Engineering Conditions**

1. The County Engineer must review the applicant's construction plans and any updated drainage study and any comments, concerns, or revisions must be addressed by the applicant before construction/development may begin.

**Signage Conditions**

1. 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 outside waste containers/areas must be screened from nearby neighbors utilizing uniform opaque screening materials.
2. The waste containment areas must also be gated.
3. Landscaping barriers such as trees, shrubs, and/or fencing will be required along the northern and southern sides of the property to shield the adjoining neighbors from the brewery operations as indicated in the applicant's privacy plan.

**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 only to allow a brewery and taproom/eating establishment use. Any other use not specified by the CUP must come before the Planning Board for approval.
2. The Conditional Use Permit is to only allow operation of the brewery within the structure that sits closest to the applicant's residence. The barn situated within the northeast is not considered a part of this current proposal. Should the applicant wish to expand into the barn or utilize it as part of the brewery, the applicant must seek an amendment to the current CUP and approval from the Planning Board and ratification by the Quorum Court would be needed.

3. All Arkansas state regulations concerning Alcoholic Beverages and dining rooms must be met. It is up to the applicant to determine what types of permit/s is/are needed.

**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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CLERK OF THE COUNTY OF WASHINGTON  
JANUARY 2010 AD

ORDINANCE NO. 2021- 28

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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.

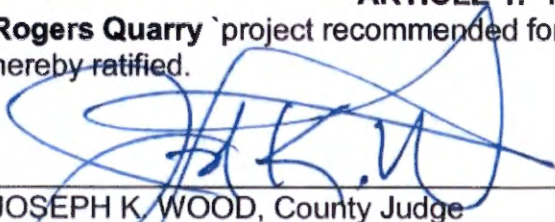
WHEREAS, the Planning and Zoning Board voted to recommend approval of a Conditional Use Permit for the **Hunt-Rogers Quarry** project on **February 25, 2021**; and,

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 **Hunt-Rogers Quarry** project recommended for approval by the Planning and Zoning Board is hereby ratified.

  
\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

04.16.2021  
DATE

  
\_\_\_\_\_  
BECKY LEWALLEN, County Clerk



43 Introduced by: **JP Lisa Ecke**  
44 Date of Passage: **April 15, 2021**  
45 Members Voting For: **Johnson, Marti, Simons, Ussery, Ecke, Duncan,**  
46 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
47 **Wilson, Pond**  
48 Members Voting Against: **Deakins, Leming**  
49 Members Abstaining:  
50 Members Absent:  
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53 Committee History: Planning and Zoning Board (02-25-2021); Approved  
54 Quorum Court History: Regular Quorum Court (04-15-2021); First, Second, Third Reading; Adopted  
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**Hunt Rogers Springdale Quarry Expansion High Intensity CUP**

The Planning Board approved Hunt Rogers Springdale Quarry Expansion High Intensity Conditional Use Permit (with conditions) on February 25, 2021.

The CUP was appealed to the Quorum Court, where it was heard and ratified on April 15, 2021.

County

**Hunt Rogers Quarry Expansion HI CUP**

***High Intensity Conditional Use Permit Request***

Location: Section 26, Township 18, Range 29

Applicants: Bates & Associates

Location Address: 21636 High Lonesome WC 4589

JP District: Patrick Deakins, District 5

Approximately: +/- 244.5 acres / 5 parcels

Coordinates: Latitude: 36.20338390, Longitude: -94.04047415

**Project #: 2019-301**

**Planner: Nathan Crouch email: [ncrouch@washingtoncountyar.gov](mailto:ncrouch@washingtoncountyar.gov)**

The applicant is requesting High-Intensity Conditional Use Permit approval to allow expansion of an existing rock quarry. The existing area of the Hunt-Rogers Springdale Quarry is approximately 238.5 acres, and the proposed area is approximately 150 acres.

This CUP application is requesting **land-use approval**. If this CUP request is approved the High-Intensity Preliminary Large Scale Development request, which addresses the **site plan and stormwater drainage**, will follow it on the agenda.

The applicant's letter states the original submission has been revised by removing both the re-designation of 35 acres from stockpiling to mining north of our pit and the addition of 34.5 acres from the south of the pit for spoil storage and eventual stockpiling. The plan now calls for the addition of approximately 150 acres of additional mining area to the north and east of our existing pit and roughly 29 acres of stockpiling room along N. Parsons Rd.

All neighbors within one-half mile of the boundary of this property were notified by certified mail of this High Intensity Conditional Use Permit request.

**Planning Staff expected this project to be contentious. It was approved at the February 25, 2021 Planning Board meeting (4 members voted "in favor", 0 members voted "against", and 2 members abstained. That approval was appealed to the Quorum Court, where it was heard at the April 15, 2021 regular Quorum Court meeting and ratified by a vote of 13-2 in favor of ratification. The HI-CUP was approved and ratified with the following conditions.**

**General Planning Conditions**

1. Trucks shall pass through the wheel wash system when leaving the site.
2. Applicant shall maintain required Arkansas Department of Energy and Environment, Division of Environmental Quality ("DEQ") permits.
3. Applicant shall comply with all Large-Scale Development ("LSD") regulations.

**Final Drawing Conditions**

4. Applicant shall field locate existing water and sanitary facilities, including them on final drawings.

5. 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.
6. Applicant's final drawings shall include the existing easements for (a) the 8-inch water line running parallel along N. Parsons Road and (b) the 6-inch water line running parallel along Ponderosa Drive and include book and page number references to the source document for each.
7. Applicant's final site plan shall include bearing and distance legal descriptions for the areas labeled Original Quarry, 2012 Mining Area, 2012 Stockpile Area, Proposed Mining, and Proposed Stockpile on Exhibit A to these conditions, as well as the combined overall quarry area permitted. Applicant affirms that the application documents submitted for the Planning Board's consideration and vote on the request for a Conditional Use Permit ("HI-CUP") have been corrected and dated to provide these same bearing and distance legal descriptions and that the total area encompassed by the boundaries is one hundred fifty-two (152) acres.
8. Applicant's final plans shall include consistent boundaries, acreages, and legal descriptions with no discrepancies.
  - a. 120 acres (original quarry)  
 +119 acres (the 2012 area added)  
 +186 acres (current requested area)  
-34 acres (a change of 2012 stockpile area to mining area)  
 =391 Total
9. Final LSD Plan shall include all items from the Large Scale Development Plan Checklist.

**Standard Conditions**

10. Applicant shall pay neighbor notification mailing fees.
11. Applicant shall pay engineering fees within 30 days of project hearing.
12. Washington County Planning Board's approval of this **HI-CUP** must be ratified by the Quorum Court.
13. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
14. This project requires additional review (High-Intensity Large Scale Development), and therefore, the applicant must submit for Preliminary project review within 12 months of this **HI-CUP** project's ratification.
15. Washington County Planning Board and Quorum Court approvals are contingent upon Applicant's receipt of any Federal, State or local permits or approvals, if any, whether known or unknown to the Board, the Quorum Court, or the Applicant. Applicant shall maintain compliance with any required federal, state, or local permits, authorizations, or approvals, including, but not limited to, any required Arkansas Department of Energy and Environment, Division of Environmental Quality ("DEQ") or U.S. Army Corps of Engineers ("COE") permits, authorizations, or approvals.

**Signage/Lighting/Screening Conditions:**

16. Applicant shall not install new signage without Planning Department review and approval.

17. Signage shall not be placed in the county road right-of-way.
18. Applicant must shield outdoor lighting from neighboring properties and prevent such lighting from disturbing drivers or neighbors.

**Additional Conditions**

19. Applicant shall follow the submitted Dust Abatement Plan.
20. Applicant shall not blast or operate its plant on Sunday; after 5PM on Friday; or after 12PM on Saturday.
21. Applicant shall provide blast notifications through phone, e-mail, or text message to interested parties twenty-four (24) hours prior to each blast.
22. Applicant shall repair potholes and other road damage on North Parsons Road between Sonora road and Pleasure Heights Road at its own expense, however resurfacing is not Applicant's responsibility.
23. Applicant shall vacate High Lonesome Road, WC-4589, prior to its removal.
24. Applicant shall maintain a neighborhood committee, which shall meet at a frequency determined by the committee.
25. Applicant shall construct a berm along North Parsons in the area labeled Proposed Berm on Exhibit A (the "**Proposed Berm**"), which shall be constructed prior to applicant's use of the Proposed Stockpile area
26. Applicant shall construct and maintain vegetative screening in the vicinity of the Preliminary Screens shown on Exhibit A (the "**Screening**") in order to screen the residential views of the area labelled Screened Area on Exhibit A (the "**Screened Area**") from Friendship View Drive, all of which shall be planted within 12 months from the approval of this **HI-CUP** by the Washington County Quorum Court. The screening shall be:
  - a. Primarily comprised of aesthetically pleasing evergreen and deciduous trees;
  - b. Designed by an Arkansas licensed Landscape Architect or other appropriate professional;
  - c. Installed at appropriate locations and times to grow into an effective screen over time;
  - d. Screening Friendship's view [NOTE: Unclear] of the Screened Area prior to applicant's disturbance thereof.
27. Applicant shall place and maintain screening trees along the base of the existing berms and newly constructed berms along Parsons and Pleasure Heights roads. Trees shall be planted at a spacing that will provide for a visual screen upon maturity. The planting must be completed prior to final Large Scale Development approval.
28. The landowner, JB Hunt, LLC, shall grant the property labelled *Conservation Easement* on Exhibit A (the "**Conservation Easement**") to the Northwest Arkansas Land Trust ("**NWALT**") as a permanent conservation easement as set forth in the Letter of Intent between NWALT and JB Hunt, LLC. The conservation easement shall include conditions that provide water quality protections for Beaver Lake. The conservation easement shall not affect or limit the amenities of or access to the boat dock; the established paved

parking area located west and south of the low water bridge; or the dirt road leading from the paved parking area to the Beaver Lake COE Boundary Line and surrounding area.

29. JB Hunt, LLC shall restrict future residential, commercial, industrial development – including mining – in the area labelled Preservation Area (the “Preservation Area”). Future land use in the Preservation Area will be limited to livestock and other natural uses. Such restrictions shall be in the form of a restrictive covenant that will run with the land of JB Hunt, LLC to be filed for record within 12 months from the approval of this CUP by the Washington County Quorum Court.
30. Ingress/Egress to the quarry is limited to the entry/exit point already existing at Parsons Road, if approved. No new entrances or exits have been requested or reviewed.
31. Applicant shall fund an Ombudsman, which shall:
  - a. Be an Engineering firm with an office in Washington County or Benton County approved by Applicant and the neighborhood committee, such approvals not to be unreasonably withheld;
  - b. Participate in the neighborhood committee required herein;
  - c. Field and investigate neighbors' complaints; and
  - d. Report any non-compliance to Washington County Planning office.
32. If the rock crusher is ever moved into the expansion area, it shall be moved down into the pit.
33. Trucks shall be covered (tarpred) prior to leaving the quarry.

ORDINANCE NO. 2021-29

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 \$219,000 FROM THE CORONAVIRUS RELIEF FUND (1005) TO THE OTHER PROFESSIONAL SERVICES LINE ITEM IN THE CIRCUIT COURT VI BUDGET (0406.3009) FOR 2021.

WHEREAS, Returning Home, Inc. provides an alternative to incarceration for a target population of parole violators; and,

WHEREAS, recent data suggests that approximately one-third of parole violators were sent to prison for technical violations and not for a violation due to re-arrest; and,

WHEREAS, Returning Home, Inc. provides trauma informed counseling, relapse prevention programming, cognitive behavior therapy, medication management, housing services, employment services, and other various services to qualifying participants; and,

WHEREAS, services rendered by Returning Home, Inc. benefit the community-at-large by decreasing recidivism and helping participants to become self-sufficient and contributing members to society; and,

WHEREAS, in support of this endeavor, Returning Home, Inc. seeks financial support for only one year, which will enable it to become self-sustaining without the need of further financial investments.

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

ARTICLE 1. There is hereby appropriated \$219,000 from the Coronavirus Relief Fund in the General Fund (1005) to the Other Professional Services line item in the Circuit Court VI Budget (0406.3009) for 2021.

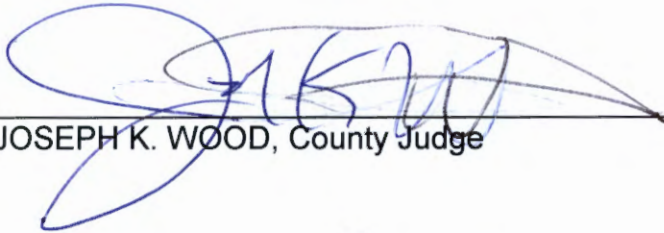
DEBORAH M. WALKER  
CO. & PROBATE CLERK  
WASHINGTON CO., AR

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JOSEPH K. WOOD, County Judge

04.16.2021  
DATE



BECKY LEWALLEN, County Clerk

Introduced by: **JP Lance Johnson**  
Co-Sponsors: **JP Patrick Deakins**  
Date of Adoption: **April 15, 2021**  
Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Ecke, Duncan, Washington, Madison, Dennis, Highers, Rios Stafford, Leming, Wilson, Pond**

Members Voting Against:  
Members Abstaining:  
Members Absent:

Committee History: Jails/LE/Courts Committee (04-05-2021); Passed to Finance & Budget  
Finance & Budget Committee (04-06-2021); Passed to QC  
Quorum Court History: Regular Quorum Court (04-15-2021); Adopted

FILED

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BECKY LEWALLEN  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

ORDINANCE NO. 2021-30

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 \$18,000  
FROM UNAPPROPRIATED RESERVES IN  
THE COUNTY LIBRARY FUND (3008) TO THE  
DUES AND MEMBERSHIPS LINE ITEM IN  
THE COUNTY LIBRARY BUDGET  
(0600.3090) IN 2021.

WHEREAS, the County Library Board has approved the  
transfer of \$18,000 from its unappropriated reserves to the Membership and Dues line  
item to replenish funds used to pay invoices from fiscal year 2020 in fiscal year 2021.

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

ARTICLE 1. There is hereby appropriate the amount of  
\$18,000 from unappropriated reserves in the County Library Fund (3008) to the Dues and  
Memberships line item in the County Library Budget (0600.3090) for 2021.

  
\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

04.16.2021  
DATE

  
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BECKY LEWALLEN, County Clerk

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42 Introduced by: **JP Patrick Deakins**  
43 Date of Adoption: **April 15, 2021**  
44 Members Voting For: **Marti, Simons, Ussery, Deakins, Ecke, Duncan,**  
45 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
46 **Leming, Wilson, Pond**  
47 Members Voting Against:  
48 Members Abstaining:  
49 Members Absent: **Johnson**  
50  
51  
52 Committee History: Finance & Budget Committee (04-06-2021); Passed to QC  
53 Quorum Court History: Regular Quorum Court (04-15-2021); Adopted

BEVERLY GALLER  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

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ORDINANCE NO. 2021-31

APPROPRIATION ORDINANCE

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

AN ORDINANCE REDUCING THE AMOUNT OF \$399,367 FROM LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE FUNDS TO UNAPPROPRIATED RESERVES; AND, APPROPRIATING THE TOTAL AMOUNT OF \$689,930 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGET LINE ITEMS FOR 2020.

WHEREAS, in order to finalize the financial records of the County for 2020, and thus send to Legislative Audit to begin the audit process, Washington County must reconcile all budgets; and,

WHEREAS, this ordinance accomplishes the finalization of the County's financial records for 2020.

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

ARTICLE 1. There is hereby reduced the total amount of \$399,367 from various line items in various budgets for 2020 (as outlined in Attachment "A" and summarized as follows) and restored to unappropriated reserves in all funds for 2020:

General Fund	(1000)	\$ 79,764
Road Fund	(2000)	8,898
Treasurer's Automation Fund	(3000)	1,282
Collector's Automation Fund	(3001)	826
Recorder's Cost Fund	(3006)	218,148
Library Fund	(3008)	2,578
Jail Fund	(3017)	75,616

41	Nine One One Fund	(3020)	12,250
42	HIV Clinic Fund	(3401)	5

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44 **ARTICLE 2.** There is hereby appropriated the total amount of  
45 \$689,930 from unappropriated reserves to various budget line items as outlined in  
46 Attachment "B" and summarized by fund as follows for 2020:

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48	General Fund	(1000)	\$ 83,264
49	Employee Insurance Fund	(1002)	263,946
50	Flexible Spending Fund	(1800)	18,901
51	Road Fund	(2000)	8,898
52	Treasurer's Automation Fund	(3000)	1,282
53	Collector's Automation Fund	(3001)	826
54	Recorder's Cost Fund	(3006)	218,148
55	Library Fund	(3008)	2,578
56	Jail Fund	(3017)	75,616
57	Nine One One Fund	(3020)	12,250
58	Adult Drug Court Fund	(3028)	4,216
59	HIV Clinic Fund	(3401)	5

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64 JOSEPH K. WOOD, County Judge

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77 BECKY LEWALLEN, County Clerk

78 Introduced by: **JP Patrick Deakins**  
79 Date of Adoption: **April 15, 2021**  
80 Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Ecke, Duncan,**  
81 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
**Leming, Wilson, Pond**

Members Voting Against:  
Members Abstaining:  
Members Absent:

**Committee History:** Finance & Budget Committee (04-06-2021); Passed to QC  
**Quorum Court History:** Regular Quorum Court (04-15-2021); Adopted

				REDUCTIONS, ATTACHMENT "A"			
<b>1000 GENERAL FUND</b>				<b>3001 COLLECTOR'S AUTOMATION</b>			
1000	0104107	Deputy II Cashier/Clerk	-3,859	30010104	1001	SALARIES FULL-TIME	-826
1000	0105057	DEPUTY ASSESSOR I	-869				-826
1000	0108005	BUILDING MAINTENANCE TECHNICIA	-2,649				
1000	0110005	Public Works Coordinator	-37,187	<b>3006 RECORDER'S COST FUND</b>			
1000	0115020	Software Support Specialist	-32,886	3006	0128010	Deputy Circuit Clerk I	-1,058
1000	0115021	Help Desk Coordinator	-39,439	30060128	1001	SALARIES FULL-TIME	-25,097
1000	0115050	Assistant IT Director	-928	30060128	1002	SALARIES, PART-TIME	-52,027
1000	0308002	KENNEL SUPERVISOR	-720	30060128	1006	SOCIAL SECURITY MATCHING	-6,388
1000	0400020	SERGEANT	-9,674	30060128	3102	Software Support Maintenance	-134,636
1000	0417002	DEPUTY PUBLIC DEFENDER	-3,466				-218,148
1000	0419004	Deputy Coroner	-7,656	<b>3008 LIBRARY FUND</b>			
1000	0444003	Staff Development Supervisor	-436	30080600	1002	SALARIES, PART-TIME	-2,578
10000100	1006	SOCIAL SECURITY MATCHING	-885				-2,578
10000100	1010	WORKMEN'S COMPENSATION	-238				
10000100	2001	GENERAL SUPPLIES	-375	<b>3017 JAIL FUND</b>			
10000100	2007	FUEL, OIL & LUBRICANTS	-633	3017	0418212	ADO/DFC FLEX SLOT	-14,027
10000101	1001	SALARIES FULL-TIME	-3,330	30170127	1006	SOCIAL SECURITY MATCHING	-313
10000103	1006	SOCIAL SECURITY MATCHING	-948	30170127	1008	NONCONTRIBUTORY RETIREMENT	-19
10000103	1010	WORKMEN'S COMPENSATION	-221	30170127	1999	LONGEVITY	-68
10000103	1999	LONGEVITY	-1,027	30170127	2007	FUEL, OIL & LUBRICANTS	-2,440
10000104	1001	SALARIES FULL-TIME	-1,611	30170418	1001	SALARIES FULL-TIME	-72,776
10000105	1001	SALARY FULL-TIME	-4,048				-75,616
10000106	1002	SALARIES, PART-TIME	-20	<b>3020 NINE ONE ONE FUND</b>			
10000107	1002	SALARIES, PART-TIME	-1,043	30200501	1010	WORKMEN'S COMPENSATION	-565
10000108	1001	SALARIES FULL-TIME	-434	30200501	1999	LONGEVITY	-67
10000109	1002	SALARIES, PART-TIME	-2,949	30200501	3073	LEASE - MACHINERY & EQUIPMENT	-11,618
10000113	1006	SOCIAL SECURITY MATCHING	-28				-12,250
10000115	1006	SOCIAL SECURITY MATCHING	-755	<b>3401 HIV CLINIC FUND</b>			
10000118	1006	SOCIAL SECURITY MATCHING	-467	34010305	1006	SOCIAL SECURITY MATCHING	-5
10000118	1010	WORKMEN'S COMPENSATION	-60				-5
10000118	3009	Other Professional Services	-269	<b>TOTAL FUND REDUCTIONS</b>			
10000122	1006	SOCIAL SECURITY MATCHING	-195	1000	GENERAL		-79,764
10000122	1010	WORKMEN'S COMPENSATION	-10	2000	ROAD		-8,898
10000122	2002	Small Equipment	-1,901	3000	TREASURER'S AUTOMATION		-1,282
10000308	1001	SALARIES FULL-TIME	-4,197	3001	COLLECTOR'S AUTOMATION		-826
10000400	1001	SALARIES FULL-TIME	-53,795	3006	RECORDER'S COST		-218,148
10000419	1001	SALARIES FULL-TIME	-162	3008	LIBRARY		-2,578
10000500	1001	SALARIES FULL-TIME	-163	3017	JAIL		-75,616
			-79,764	3020	NINE ONE ONE		-12,250
				3401	HIV CLINIC		-5
							-399,367
<b>2000 ROAD FUND</b>							
2000	0200007	Road Dept. Supervisor	-2,057				
20000200	1001	SALARIES FULL-TIME	-8,898				
			-8,898				
<b>3000 TREASURER'S AUTOMATION</b>							
30000103	1006	SOCIAL SECURITY MATCHING	-594				
30000103	3032	MILEAGE REIMBURSEMENT	-688				
			-1,282				

				APPROPRIATIONS, ATTACHMENT "B"			
<b>1000 GENERAL FUND</b>				<b>3000 TREASURER'S AUTOMATION</b>			
1000	0100004	QUORUM COURT COORD/REPORTER	1,661	3008	0600001	Library Director	-1
1000	0104090	DEPUTY II BRANCH MANAGER	410	30000103	1001	SALARY FULL-TIME	2
1000	0104106	Deputy II Cashier/Clerk	3,449	30000103	1008	NONCONTRIBUTORY RETIREMENT	157
1000	0105042	Business/Personal Property Deputy	150	30000103	1010	WORKMEN'S COMPENSATION	96
1000	0105056	DEPUTY ASSESSOR II	719	30000103	1999	LONGEVITY	1,027
1000	0108003	MAINTENANCE TECHNICIAN II	2,649				1,282
1000	0110003	Planner	36,617	<b>3001 COLLECTOR'S AUTOMATION</b>			
1000	0110032	GIS Mapping Specialist	570	30010104	1999	LONGEVITY	599
1000	0115022	Help Desk Coordinater	70,972	30010104	1005	OVERTIME/OTHER PREMIUM COMPEN	215
1000	0115060	Desktop Support Specialist	2,281	30010104	1010	WORKMEN'S COMPENSATION	12
1000	0118001	Purchasing Manager	684				826
1000	0308004	KENNEL SUPERVISOR	720	<b>3006 RECORDER'S COST FUND</b>			
1000	0400186	Civilian Animal Control	2,158	3006	0128013	Computer/Data Administator	1,058
1000	0400209	CORP/DFC-FLEX SLOT	2,268	30060128	1005	OVERTIME	1,355
1000	0400335	CORP/DFC-FLEX SLOT	2,268	30060128	1010	WORKMEN'S COMPENSATION	432
1000	0400338	CORP/DFC-FLEX SLOT	2,268	30060128	1011	UNEMPLOYMENT COMPENSATION	752
1000	0400339	CORP/DFC-FLEX SLOT	712	30068888	9999	TRANSFERS OUT	215,609
1000	0417006	DEPUTY PUBLIC DEFENDER	3,466				218,148
1000	0419003	Deputy Coroner	7,656	<b>3008 LIBRARY FUND</b>			
1000	0444008	Administrative Assistant	274	3008	0600004	INTERLIBRARY LOAN/ADMIN ASST	1,189
1000	0444020	Youth Development Supervisor	162	30080600	1008	NONCONTRIBUTORY RETIREMENT	2,578
1000	0500002	DEPUTY DEM DIRECTOR/EDUCATOR	2,988				2,578
10000100	1001	SALARY FULL-TIME	1,556	<b>3017 JAIL FUND</b>			
10000100	1008	NONCONTRIBUTORY RETIREMENT	3,267	3017	0418005	LIEUTENANT	3,533
10000101	1008	NONCONTRIBUTORY RETIREMENT	3,330	3017	0418006	LIEUTENANT	1,837
10000103	1008	NONCONTRIBUTORY RETIREMENT	2,857	3017	0418007	LIEUTENANT	4,010
10000104	1008	NONCONTRIBUTORY RETIREMENT	1,611	3017	0418008	LIEUTENANT	3,669
10000105	1002	SALARIES, PART-TIME	2,857	3017	0418205	ADO/DFC FLEX SLOT	149
10000105	1005	OVERTIME	1,059	3017	0418257	Corporal Flex Slot	829
10000105	1016	LIFE INSURANCE	132	30170127	1001	SALARY FULL-TIME	695
10000106	1010	WORKMEN'S COMPENSATION	20	30170127	1010	WORKMEN'S COMPENSATION	2,145
10000107	1011	UNEMPLOYMENT COMPENSATION	1,043	30170418	1009	HEALTH INSURANCE MATCHING	33,552
10000108	1011	UNEMPLOYMENT COMPENSATION	434	30170418	1016	LIFE INSURANCE	792
10000109	1001	SALARY FULL-TIME	268	30170418	1017	Holiday Incentive	38,432
10000109	1005	OVERTIME	813				75,616
10000109	1006	SOCIAL SECURITY MATCHING	1,868	<b>3020 NINE ONE ONE FUND</b>			
10000113	1001	SALARY FULL-TIME	28	3020	0110032	GIS Mapping Specialist	570
10000115	1001	SALARY FULL-TIME	755	30200501	1001	SALARY FULL-TIME	9,698
10000118	1001	SALARY FULL-TIME	690	30200501	1005	OVERTIME/OTHER PREMIUM COMPEN	2,151
10000118	1008	NONCONTRIBUTORY RETIREMENT	106	30200501	1008	NONCONTRIBUTORY RETIREMENT	401
10000119	2009	COMPUTER	147				12,250
10000122	1001	SALARY FULL-TIME	1	<b>3028 ADULT DRUG COURT FUND</b>			
10000122	1002	SALARIES, PART-TIME	240	30288888	9999	TRANSFERS OUT	4,216
10000122	1008	NONCONTRIBUTORY RETIREMENT	1				4,216
10000122	1009	HEALTH INSURANCE MATCHING	1,864	<b>3401 HIV CLINIC FUND</b>			
10000308	1017	Holiday Incentive	4,197	34010305	1001	SALARIES FULL-TIME	5
10000400	1009	HEALTH INSURANCE MATCHING	932				5
10000400	1016	LIFE INSURANCE	22	<b>TOTAL FUND APPROPRIATIONS</b>			
10000400	1017	Holiday Incentive	52,841	1000	GENERAL		83,264
10000419	1011	UNEMPLOYMENT COMPENSATION	162	1002	EMPLOYEE INSURANCE FUND		263,946
10000500	1005	OVERTIME	163	1800	FLEXIBLE SPENDING		18,901
			83,264	2000	ROAD		8,898
<b>1002 EMPLOYEE INSURANCE FUND</b>				3000	TREASURER'S AUTOMATION		1,282
10020125	3170	HEALTH INSURANCE	246,218	3001	COLLECTOR'S AUTOMATION		826
10020125	3171	DENTAL INSURANCE	17,728	3006	RECORDER'S COST		218,148
			263,946	3008	LIBRARY		2,578
<b>1800 FLEXIBLE SPENDING</b>				3017	JAIL		75,616
18000126	3178	Vision	18,901	3020	NINE ONE ONE		12,250
			18,901	3028	ADULT DRUG COURT		4,216
<b>2000 ROAD FUND</b>				3401	HIV CLINIC		5
2000	0200008	Road Dept. Supervisor	406				689,930
2000	0200044	SENIOR MECHANIC	1,151				
2000	0200246	HEAVY EQUIPMENT OPERATOR	500				
20000200	1009	HEALTH INSURANCE MATCHING	2,330				
20000200	1010	WORKMEN'S COMPENSATION	6,349				
20000200	1011	UNEMPLOYMENT COMPENSATION	219				
			8,898				

DEBBIE L. WALKER  
CO. & PROBATE CLERK  
WASHINGTON CO., AR

2021 APR 16 AM 10:48

FILED

**ORDINANCE NO. 2021-32**

**APPROPRIATION ORDINANCE**

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

**AN ORDINANCE ADJUSTING CARRYOVER  
REVENUES IN VARIOUS FUNDS FOR 2021.**

**WHEREAS**, all invoices and bills from 2020 have been paid and the carryover projections provided by the County Treasurer must now be amended to reflect the actual carryover amount for the 2021 budget.

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

**ARTICLE 1.** There are hereby reduced carryover revenues in the various County Funds as follows for 2021:

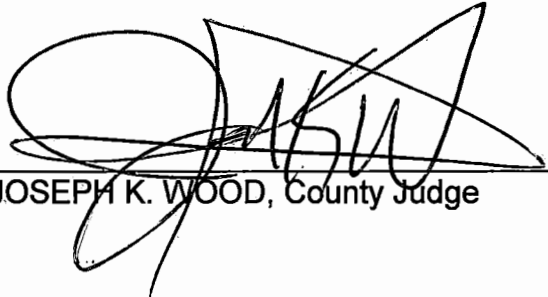
General	(1000.6999)	\$ 55,047.25
Flex Spending	(1800.6999)	2,450.40
Treasurer's Automation	(3000.6999)	2,867.07
Collector's Automation	(3001.6999)	20,423.37
Recorder's Cost	(3006.6999)	12,282.75
Child Support Cost	(3012.6999)	516.56
Emergency 911	(3020.6999)	104,020.89
Adult Drug Court	(3028.6999)	5,995.93
Juvenile Court Rep.	(3032.6999)	161.60
Circuit Court Comm. Fee	(3039.6999)	682.14
Assessor's Late Assessment	(3042.6999)	4,194.47
Law Library	(3402.6999)	7,863.25
JDC Grant Fund	(3510.6999)	64.63
Dem Grant Fund	(3511.6999)	291.30
Drug Court Grant Fund	(3513.6999)	4,987.57

**TOTAL REDUCTION \$ 221,849.18**

42 **ARTICLE 2.** There are hereby recognized additional  
 43 carryover revenues in the following County Funds for 2021:

44	General Reserve	(1001.6999)	\$ 531.22
45	Employee Insurance	(1002.6999)	105,282.73
46	Coronavirus Relief	(1005.6999)	49,991.65
47	Road	(2000.6999)	380,865.06
48	Add'l Fuel Tax	(2003.6999)	4,652.32
49	Circuit Clerk Automation	(3002.6999)	9,934.63
50	Assessor's Amendment 79 Fund	(3004.6999)	15,513.90
51	County Clerk's Cost	(3005.6999)	37,182.13
52	County Library	(3008.6999)	205,801.19
53	County Clerk's Operating	(3010.6999)	4,918.24
54	Communication Facility/Equip	(3014.6999)	38,124.61
55	Jail Operation & Maintenance	(3017.6999)	187,053.09
56	Boating Safety	(3019.6999)	6,009.21
57	Circuit Court Juv. Div. Fund	(3031.6999)	313.56
58	CSU Fund	(3075.6999)	2,246.09
59	HIV Clinic	(3401.6999)	2,673.81
60	Drug Enforcement State	(3404.6999)	1,421.68
61	Drug Enforcement Federal	(3405.6999)	4,709.26
62	Drug Court Program Fund	(3406.6999)	84.24
63	Animal Shelter Grant	(3515.6999)	114.41
64	Juvenile Court Grant	(3517.6999)	790.31
65	Crisis Stabilization Unit Grant	(3550.6999)	1,129.93
66	Radio System Sales Tax	(4800.6999)	246,441.78

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69 **TOTAL ADDITIONAL \$ 1,305,785.05**

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76 JOSEPH K. WOOD, County Judge

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80 04.16.2021  
81 \_\_\_\_\_  
82 DATE

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82 \_\_\_\_\_  
BECKY LEWALLEN, County Clerk

83 Introduced by: **JP Patrick Deakins**  
84 Date of Adoption: **April 15, 2021**  
85 Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Ecke, Duncan,**  
86 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
87 **Leming, Wilson, Pond**  
88 Members Voting Against:  
89 Members Abstaining:  
90 Members Absent:  
91  
92 Committee History: Finance & Budget Committee (04-06-2021); Passed to QC  
93 Quorum Court History: Regular Quorum Court (04-15-2021); Adopted



FILED

2021 APR 16 AM 10:48

BEI & LITTLEWALLER  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

ORDINANCE NO. 2021-33

APPROPRIATION ORDINANCE

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

AN ORDINANCE DE-APPROPRIATING SURPLUS AMOUNTS FROM FULL-TIME SALARIES FOR VARIOUS DEPARTMENTS AND RESTORING THOSE AMOUNTS TO UNAPPROPRIATED RESERVES, AS REQUIRED BY THE 2021 BUDGET CONTROLS, FOR THE FIRST QUARTER OF 2021.

WHEREAS, The 2021 Budget Controls require all surplus money from full-time salaries in all budgets to be restored to unappropriated reserves each quarter.

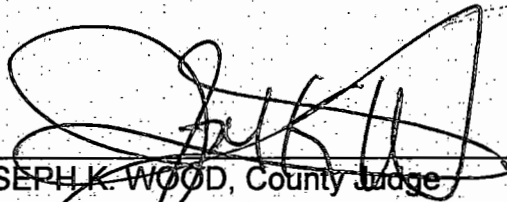
NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. There are hereby de-appropriated the following amounts from the following budgets and line items and restored to unappropriated reserves in the Fund indicated for 2021:

County Judge	10000100.1001	\$ 12,885
Circuit Clerk	10000102.1001	28,385
Collector	10000104.1001	5,272
Assessor	10000105.1001	28,886
Buildings & Grounds	10000108.1001	4,625
Information Technology	10000115.1001	3,302
Human Resources	10000121.1001	8,649
County Attorney	10000122.1001	2,308
Animal Shelter	10000308.1001	2,637
Sheriff	10000400.1001	107,495
Circuit Court 3	10000403.1001	2,450
Circuit Court 6	10000406.1001	3,231

42	Prosecuting Attorney	10000416.1001	2,512
43	Public Defender	10000417.1001	702
44	Coroner	10000419.1001	360
45	JDC	10000444.1001	37,578
46	DEM	10000500.1001	180
47	Environmental Affairs	10000702.1001	563
48	Veteran Services	10000800.1001	1,172
49	Roads	20000200.1001	103,977
50	Collector Automation	30010104.1001	2,283
51	Recorder's Cost	30060128.1001	531
52	Jail Operations	30170418.1001	278,779
53	Emergency 911	30200501.1001	361

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55 **TOTAL DE-APPROPRIATION \$ 639,123**

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66 JOSEPH K. WOOD, County Judge

04.16.2021  
DATE

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BECKY LEWALLEN, County Clerk

Introduced by: **JP Patrick Deakins**  
Date of Adoption: **April 15, 2021**  
Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Ecke, Duncan, Washington, Madison, Dennis, Highers, Rios Stafford, Leming, Wilson, Pond**

Members Voting Against:  
Members Abstaining:  
Members Absent:

Committee History: Finance & Budget Committee (04-06-2021); Passed to QC  
Quorum Court History: Regular Quorum Court (04-15-2021); Adopted

2021 APR 16 AM 10:48

SEAN J. HALLER  
CO. CLERK  
WASHINGTON CO. AR

FILED

ORDINANCE NO. 2021-34

EMERGENCY ORDINANCE

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

AN EMERGENCY ORDINANCE CALLING A  
SPECIAL ELECTION ON THE QUESTION OF  
THE LEVY OF THE ANNUAL DUES OF THE  
BOSTON MOUNTAIN FIRE AND RESCUE  
VOLUNTEER FIRE DEPARTMENT FOR FIRE  
PROTECTION SERVICES; AND  
PRESCRIBING OTHER MATTERS  
PERTAINING THERETO.

WHEREAS, the Boston Mountain Fire and Rescue Volunteer  
Fire Department ("Department") has requested that the Washington County Quorum  
Court call a special election for the levy of annual dues for each residence and commercial  
property having an occupiable structure for which Department provides fire protection in  
the area served by Department; and,

WHEREAS, the request has been signed by the fire chief and  
all other required officers of the Board and has been duly filed with the Washington County  
Clerk; and,

WHEREAS, pursuant to A.C.A. § 14-20-108, the Quorum  
Court is required to call the election which shall be at the expense of the Department;  
and,

WHEREAS, if the levy of the dues is approved, the dues shall  
be listed annually on the property tax statements and collected by the Washington County  
Collector in the same time and manner as real property taxes and personal property taxes  
in accordance with A.C.A. § 14—20-108; and,

WHEREAS, the purpose of this Ordinance is to call a special  
election on the question of the levy of the Boston Mountain Fire Department dues on each  
residence or business having an occupiable structure in the area for which Department  
provides fire protection.

42                                   **NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM**  
43 **COURT OF WASHINGTON COUNTY, ARKANSAS:**  
44

45                                   **ARTICLE 1.** That there be, and there is hereby called, a  
46 special election to be held on July 13, 2021, at which election there shall be submitted to  
47 the electors of Washington County, Arkansas ("County") living in the area in which  
48 Department provides fire protection, the question of the levy of annual Fire Department  
49 dues on each residence or business having an occupiable structure within such area.  
50

51                                   **ARTICLE 2.** That the question of the Boston Mountain Fire  
52 Department dues shall be placed on the ballot for the election in substantially the following  
53 form:  
54

55                                   Whether or not the dues of the Boston Mountain Fire Department  
56 shall be levied against each residence and each business, having an  
57 occupiable structure, in the area so served to be listed on real  
58 property tax statements and collected by the Washington County Tax  
59 Collector in the same manner as ad valorem taxes and collected  
60 beginning with the 2021 taxes due and payable in 2022.  
61

62                                    FOR the levy.

63                                    AGAINST the levy.  
64

65  
66                                   If the levy of the volunteer fire department dues is approved, the dues shall  
67 be listed annually on real property tax statements and collected at the same  
68 time and in the same manner as real property taxes.  
69

70                                   **ARTICLE 3.** That the election shall be held and conducted  
71 and the vote canvassed and the results declared under the law and in the manner now  
72 provided for county elections and only qualified voters of the County living in the area in  
73 which the Boston Mountain Fire and Rescue VFD provides fire protection shall have the  
74 right to vote at the election.  
75

76                                   **ARTICLE 4.** That a copy of this Ordinance shall be given to  
77 the Washington County Board of Election Commissioners so that the necessary election  
78 officials and supplies may be provided.  
79

80                                   **ARTICLE 5.** That the County Judge and County Clerk, for  
81 and on behalf of the County, be and they are hereby authorized and directed to do any  
82 and all things necessary to call and hold the special election as herein provided.

83 **ARTICLE 6.** That the costs of the election shall be borne by  
84 the Boston Mountain Fire and Rescue VFD.

85  
86 **ARTICLE 7.** That the Department shall annually submit a  
87 sufficient list to the Collector reflecting dues owed so that she may property bill such.

88  
89 **ARTICLE 8.** That the Department of Emergency Services,  
90 the County Clerk, and the County Assessor shall assist in the preparation of a map and  
91 other information needed to effectuate said election.

92  
93 **ARTICLE 9.** That the County Collector is hereby designated  
94 as the county official to collect the annual dues levied if approved by a majority of those  
95 voting on the issue at the election; and the County Treasurer is hereby designated as the  
96 county official to remit the annual dues collected by the Collector if approved by a majority  
97 of those voting on the issue at the election.

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99 **ARTICLE 10. EMERGENCY CLAUSE.** That because this  
100 concerns a matter affecting life, health, safety, and property of the people, specifically fire  
101 protection services in the designated Boston Mountain Fire and Rescue Volunteer Fire  
102 Department service area, an emergency is hereby declared to exist and this ordinance  
103 shall be in full force and effect from and after the date of its passage and approval.

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109 JOSEPH K. WOOD, County Judge

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108 \_\_\_\_\_  
109 DATE

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113 BECKY LEWALLEN, County Clerk

114  
115 Introduced by: **JP Jim Wilson**  
116 Date of Adoption: **April 15, 2021**  
117 Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Duncan,**  
118 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
119 **Leming, Wilson, Pond**  
120 Members Voting Against:  
121 Members Abstaining:  
122 Members Absent: **Ecke**

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124 **Quorum Court History: Regular Quorum Court (04-15-2021); Adopted**

BECKY DE WALKER  
CO. & PROBATE CLERK  
WASHINGTON CO. AP

2021 APR 16 AM 10:49

FILED

ORDINANCE NO. 2021-35

**EMERGENCY ORDINANCE**

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

**AN EMERGENCY ORDINANCE CALLING A  
SPECIAL ELECTION ON THE QUESTION OF  
THE LEVY OF THE ANNUAL DUES OF THE  
SUNSET VOLUNTEER FIRE DEPARTMENT  
FOR FIRE PROTECTION SERVICES; AND  
PRESCRIBING OTHER MATTERS  
PERTAINING THERETO.**

**WHEREAS,** the Sunset Volunteer Fire Department ("Department") has requested that the Washington County Quorum Court call a special election for the levy of annual dues for each residence and commercial property having an occupiable structure for which Department provides fire protection in the area served by Department; and,

**WHEREAS,** the request has been signed by the fire chief and all other required officers of the Board and has been duly filed with the Washington County Clerk; and,

**WHEREAS,** pursuant to A.C.A. § 14-20-108, the Quorum Court is required to call the election which shall be at the expense of the Department; and,

**WHEREAS,** if the levy of the dues is approved, the dues shall be listed annually on the property tax statements and collected by the Washington County Collector in the same time and manner as real property taxes and personal property taxes in accordance with A.C.A. § 14—20-108; and,

**WHEREAS,** the purpose of this Ordinance is to call a special election on the question of the levy of the Sunset Volunteer Fire Department dues on each residence or business having an occupiable structure in the area for which Department provides fire protection.

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42 **NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM**  
43 **COURT OF WASHINGTON COUNTY, ARKANSAS:**  
44

45 **ARTICLE 1.** That there be, and there is hereby called, a  
46 special election to be held on July 13, 2021, at which election there shall be submitted to  
47 the electors of Washington County, Arkansas ("County") living in the area in which  
48 Department provides fire protection, the question of the levy of annual Fire Department  
49 dues on each residence or business having an occupiable structure within such area.  
50

51 **ARTICLE 2.** That the question of the Sunset Volunteer Fire  
52 Department dues shall be placed on the ballot for the election in substantially the following  
53 form:  
54

55 Whether or not the dues of the Sunset Volunteer Fire Department  
56 shall be levied against each residence and each business, having an  
57 occupiable structure, in the area so served to be listed on real  
58 property tax statements and collected by the Washington County Tax  
59 Collector in the same manner as ad valorem taxes and collected  
60 beginning with the 2021 taxes due and payable in 2022.  
61

62  FOR the levy.

63  AGAINST the levy.  
64

65  
66 If the levy of the volunteer fire department dues is approved, the dues shall  
67 be listed annually on real property tax statements and collected at the same  
68 time and in the same manner as real property taxes.  
69

70 **ARTICLE 3.** That the election shall be held and conducted  
71 and the vote canvassed and the results declared under the law and in the manner now  
72 provided for county elections and only qualified voters of the County living in the area in  
73 which the Sunset VFD provides fire protection shall have the right to vote at the election.  
74

75 **ARTICLE 4.** That a copy of this Ordinance shall be given to  
76 the Washington County Board of Election Commissioners so that the necessary election  
77 officials and supplies may be provided.  
78

79 **ARTICLE 5.** That the County Judge and County Clerk, for  
80 and on behalf of the County, be and they are hereby authorized and directed to do any  
81 and all things necessary to call and hold the special election as herein provided.  
82

83 ARTICLE 6. That the costs of the election shall be borne by  
84 the Sunset VFD.

85  
86 ARTICLE 7. That the Department shall annually submit a  
87 sufficient list to the Collector reflecting dues owed so that she may property bill such.

88  
89 ARTICLE 8. That the Department of Emergency Services,  
90 the County Clerk, and the County Assessor shall assist in the preparation of a map and  
91 other information needed to effectuate said election.

92  
93 ARTICLE 9. That the County Collector is hereby designated  
94 as the county official to collect the annual dues levied if approved by a majority of those  
95 voting on the issue at the election; and the County Treasurer is hereby designated as the  
96 county official to remit the annual dues collected by the Collector if approved by a majority  
97 of those voting on the issue at the election.

98  
99 ARTICLE 10. EMERGENCY CLAUSE. That because this  
100 concerns a matter affecting life, health, safety, and property of the people, specifically fire  
101 protection services in the designated Sunset Volunteer Fire Department service area, an  
102 emergency is hereby declared to exist and this ordinance shall be in full force and effect  
103 from and after the date of its passage and approval.

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105  
106  
107  
108   
109 \_\_\_\_\_  
110 JOSEPH K. WOOD, County Judge

104  
105  
106  
107  
108 04.16.2021  
109 \_\_\_\_\_  
110 DATE

111  
112   
113 \_\_\_\_\_  
114 BECKY LEWALLEN, County Clerk

114 Introduced by: **JP Jim Wilson**  
115 Date of Adoption: **April 15, 2021**  
116 Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Duncan,**  
117 **Washington, Madison, Dennis, Highers, Rios Stafford,**  
118 **Leming, Wilson, Pond**  
119 Members Voting Against:  
120 Members Abstaining:  
121 Members Absent: **Ecke**

122  
123 Quorum Court History: Regular Quorum Court (04-15-2021); Adopted