



WASHINGTON COUNTY, ARKANSAS
County Courthouse

REGULAR MEETING OF THE
WASHINGTON COUNTY QUORUM COURT

Thursday, June 15, 2023
6:00 p.m.
Washington County Quorum Court Room

AGENDA

1. **CALL TO ORDER AND WELCOME** **JUDGE PATRICK DEAKINS**
2. **PRAYER AND PLEDGE**
3. **ADOPTION OF AGENDA**
At the beginning of each meeting, the agenda shall be approved. Any JP may request an item be added or removed from the agenda subject to approval of the Quorum Court.
4. **PRELIMINARY MOTIONS**
5. **CITIZEN'S COMMENTS**
Fifteen-minute comment period with a three-minute limit for each individual to comment on items on the agenda or other items.
6. **APPROVAL OF MINUTES** – Approval of minutes Regular Quorum Court Meeting May 18, 2023.
7. **COUNTY JUDGE'S REPORT** (7.1) **JUDGE DEAKINS**

UNFINISHED BUSINESS

8. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL - Grand at Willow Springs** Item 23-O-077(8.1) On second reading
9. **AN ORDINANCE AMENDING ORDINANCE 2018-50 TO UPDATE THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE HANDBOOK** Item 23-O-063 (9.1)
JP ECKE

NEW BUSINESS

10. CONSENT AGENDA

1. AN ORDINANCE AMENDING THE SHERIFF AND COUNTY JAIL BUDGETS FOR 2023 item 23-O-081(10.1) JP RICKER
2. AN ORDINANCE APPROPRIATING \$259,207 TO CLEAN, CAULK, AND SEAL THE EXTERIOR OF THE WASHINGTON COUNTY COURTHOUSE Item 23-O-082(10.2) JP ECKE
3. AN ORDINANCE AMENDING THE COLLECTOR'S AUTOMATION FUND BUDGET FOR 2023 Item 23-O-083(10.3) JP LYONS
4. AN ORDINANCE AMENDING THE JAIL BUDGET FOR 2023 (HR Generalist) Item 23-O-085(10.4) JP ECKE
5. AN ORDINANCE AMENDING THE HUMAN RESOURCES BUDGET FOR 2023 Item 23-O-086(10.5) JP ECKE
6. AN ORDINANCE AMENDING THE JAIL BUDGET FOR 2023 (Mechanic) Item 23-O-087(10.6) JP LYONS
7. AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT OF \$20,000 IN THE COURT SECURITY GRANT FUND Item 23-O-089(10.7) JP ECKE
8. AN ORDINANCE AMENDING THE 2023 BUDGET TO PURCHASE NEW X-RAY INSPECTION MACHINES Item 23-O-090 (10.8) JP LYONS
9. A RESOLUTION EXPRESSING THE QUORUM COURT TO UTILIZE FEDERAL-AID FUNDS FOR THE Wheeler RoadClabber Creek Bridge Project Item 23-R-007(10.9) JP LYONS
10. A RESOLUTION EXPRESSING THE QUORUM COURT TO UTILIZE FEDERAL-AID FUNDS FOR THE JACKSON HIGHWAY BRIDGE PROJECT Item 23-R-008(10.10) JP LYONS

11. BEAVER LAKE TINY HOMES CUP (11.1-11.2)

Location: Section 01, Township 17, Range 29
Applicant: Jonathan McJunkins (Developer: Dave Gallo)
Location Address: 18664 Saddle Shop WC 383. Springdale, AR 72764
Coordinates: 36.17053217, -94.01552134
Proposed Use: Residential/Commercial
JP District: District 5 – Kyle Lyons
Approximately: +/- 4.82 acres / 1 parcel

12. APPEAL HEARING DISCUSSION BY QUORUM COURT- Beaver Lake Tiny Homes

13. QUORUM COURT ACTION ON BEAVER LAKE TINY HOMES APPEAL Items 23-O-093 or 23-O-094(13.1-13.2) JP LYONS

- 14. OVERBEYS AUTOMOTIVE CUP APPEAL (14.1-14-2)**
 Location: Section 20, Township 16, Range 29
 Applicant: Bron Overbey
 Location Address: 1852 S Tallgrass Rd. Fayetteville, AR 72701
 Coordinates: 36.04309274, -94.08677668
 Proposed Use: Commercial/Auto Repair Shop
 JP District: District 15 – Butch Pond
 Approximately: +/- 0.37 acres / 1 parcel
- 15. APPEAL HEARING DISCUSSION BY QUORUM COURT-** Overbeys Automotive
- 16. QUORUM COURT ACTION ON OVERBEYS AUTOMOTIVE APPEAL** Items 23-O-095 or
 23-O-096 (16.1-16.2) **JP POND**
- 17. AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD - Cedar Bell Wedding** Item 23-O-092(17.1)
JP LYONS
- 18. AN ORDINANCE PROVIDING FOR ONLINE POSTING OF ALL WASHINGTON COUNTY RESOLUTIONS AND ORDINANCES** Item 23-O-008(18.1) **JP COGER**
- 19. AN ORDINANCE REPEALING ORDINANCES 2009-33, 2009-43, AND 2009-67 TO ALLOW APPEALS OF THE DECISIONS OF THE COUNTY PLANNING BOARD AND THE COUNTY BOARD OF ZONING ADJUSTMENTS TO BE FILED IN CIRCUIT COURT**
 Item 23-O-076(19.1) **JP LYONS**
- 20. AN ORDINANCE AMENDING THE CIRCUIT COURT IV BUDGET FOR 2023** Item 23-O-084(20.1) **JP LYONS**
- 21. AN ORDINANCE AMENDING THE ARPA FUND BUDGET FOR 2023** Item 23-O-088(21.1)
JP COGER
- 22. COMMITTEE REPORTS-**
- **COUNTY SERVICES**(22.1)
 - **FINANCE & BUDGET**(22.2)
- 23. ADJOURNMENT**

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

Thursday, May 18, 2023
6:00 PM
Washington County Courthouse

9 Judge Patrick Deakins called the meeting to order at 6:00 PM.

10
11 The following members were present, Wilson, Simons, Anderson, Lyons, Ecke, Dean,
12 Washington, Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond. Members
13 absent were JP Taylor.

14
15 Prayer and Pledge was led by JP Wilson.

16
17 Judge Deakins brought a discussion of the Parker Branch Bridge to be added to the
18 agenda, JP Leming made a motion to add with a second from JP Ricker, motion passed
19 with a voice vote making it new item 14. AN EMERGENCY ORDINANCE AMENDING
20 ORDINANCE 2023-03 item 23-O-080 was added to the agenda with a motion from JP
21 Ricker and a second from JP Lyons, passed with a voice vote making it new item 15. JP
22 Lyons made a motion to adopt the agenda as amended with a second from JP Dean,
23 motion passed with a voice vote.

24
25 JP Dean made a motion to read all ordinances and resolutions by title only, second was
26 made by JP Lyons and passed with a voice vote.

27
28 Citizen's comments were heard from Mac Mayfield, Lou Reed Sharp and Joshua Hale.

29
30 Judge presented Item 6 with no corrections to the Minutes from April 20, 2023 Meetings
31 they were approved.

32
33 Judge's Report as follows:

- 34 1. Thank you to the Goin' Showin' 4-H Club for the snacks and refreshments for
35 tonight's meeting
36 2. Disposal report is in your packet
37 3. Our mobile 9/11 exhibit is here, it is open and it is beautiful
38 a. I want to public to remember that there is no cost for admission. Please
39 bring your families out to learn about that critical day. Having the retired
40 firefighters there is a special moment to share a real life perspective
41 b. We had an awesome escort from the Missouri state line down to the
42 Northwest Arkansas Mall. I want to give a special thanks to all the
43 jurisdictions that made that possible.
44 c. As we stated from the beginning, our county needed help to make this
45 dream a reality, and our community stepped up big time!
46 i. Platinum

- 47 1. Whitaker Family Foundation
48 2. Elks Lodge 1987
49 3. Maynard Inc.
50 4. Tesseract Fab LLC
51 5. Pig Trail Harley Davidson
52 6. CohoBnB
53 ii. Gold
54 1. Cox Communications
55 2. Nabholz Construction
56 3. Smith Two-Way Radio
57 4. Washington County Rural Fire Association
58 4. Chief Johnson and our buildings and grounds employees are working hard on
59 our county assets
60 a. Work has started on the remediation of our first floor post our Christmas
61 Eve Day flood, and we appreciate all the patience as we try and patch that
62 back together.
63 b. We have settled our years old roofing claim. This is big news for the
64 county and I am relieved to have that process behind us. Chief Johnson is
65 working with a consultant to prioritize how we line up those projects.
66 c. We are giving this main courthouse a lot of attention. We are cautiously
67 declaring success on our window leaking issue. That is great news, but
68 there is more to be done. Chief Johnson will be bringing a proposal to
69 clean, reseal, and caulk this building. This is projected to cost approx.
70 \$250K, but we think it is critical in the future preservation of this building.
71 5. Emergency Operations Center
72 a. We opened RFQs last Friday and received 8 quality proposals
73 b. We have started reviewing each of those proposals and will work to award
74 that contract ASAP.
75 6. We have finalized a date for our road tour – 6/28
76 a. We are planning on this being an all-day adventure. Please plan
77 accordingly with proper dress and hats. We will want to make sure and
78 have plenty of water available also.
79 b. We are coordinating with Ozark Regional Transit to accommodate our
80 logistics via bus
81 c. We will work to finalize our stops closer to time. As you can imagine, this
82 is somewhat in flux depending upon where we are with our open projects
83 closer to date
84 7. One of my most critical duties is working with our Sheriff's Deputies to ensure the
85 security of all our buildings, but most critical are those that house our courts. This
86 week our X-ray machine experienced a permanent failure. This joins the machine
87 at our historic courthouse which has not work properly in more than a year. We
88 are currently taking bids to replace both of those machines as quickly as
89 possible. In the interim, I have authorized our deputies to temporarily prohibit
90 bags and larger personal carry items into the building. I know this is an
91 inconvenience, but I appreciate everyone's patience in the name of keeping us
92 all safe.

93 8. Board of Equalization re-appointment – Mildred Runkle. JP Pond made a motion
94 to re-appoint with a second from JP Dean and passed with a voice vote.
95

96 Judge introduced item 8 GRAND AT WILLOW SPRINGS CUP APPEAL. Presentation
97 was heard from the Planning Director Sam Ata. The applicant, Dirk Thibodaux
98 represented the Owens and answered questions from the Quorum Court. Public
99 comments were then heard from those who opposed and supported the project.

100 Moving into item 9 APPEAL HEARING DISCUSSION BY QUORUM COURT.

101 JP Ecke discussed Economic development and JP Lyons Called a Point of Order of
102 speaking of the merits of what is being proposed. Comments were heard from several
103 Justices.

104 Judge moved to item 10. JP Ecke made a motion to approve AN ORDINANCE
105 RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL -
106 Grand at Willow Springs Item 23-O-077 with a second from JP Dennis. County Attorney
107 Lester read ordinance by title only. JP Ecke made a motion to suspend the rules and
108 move to the second reading with a second by JP Pond. Comments were heard from the
109 court and JP Ricker Called the Question with a second by JP Simons passed with a
110 voice vote. A roll call vote was then taken on suspending the rules and moving to the
111 second reading, votes tallied as follows:

112 JP Taylor-Absent

113 JP Wilson-Yes

114 JP Simons-Yes

115 JP Lyons-Yes

116 JP Ecke-Yes

117 JP Dean-Yes

118 JP Washington-No

119 JP Cogger-No

120 JP Dennis-Yes

121 JP Highers-No

122 JP Rios Stafford-No

123 JP Leming-Yes

124 JP Ricker-Yes

125 JP Pond-Yes

126 Motion failed and will move to the June Quorum Court meeting.
127

128 Judge Deakins introduced item 11, AN ORDINANCE AMENDING ORDINANCE 2018-50
129 TO UPDATE THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE
130 HANDBOOK Item 23-O-063 (11.1). Attorney Lester read ordinance by title only. There was
131 much discussion among the court with Director Burchett. JP Ecke made a motion to amend
132 the ordinance striking lines 71-73 with second by JP Dean a voice vote was taken on the
133 amendment and a roll call vote was taken on the amendment as well and tallied as follows:

134 JP Taylor-Absent

135 JP Wilson-Yes

136 JP Simons-Yes

137 JP Lyons-Yes

138 JP Ecke-Yes

139 JP Dean-Yes
140 JP Washington-No
141 JP Cogger-No
142 JP Dennis-Yes
143 JP Highers-No
144 JP Rios Stafford-Abstain
145 JP Leming-Yes
146 JP Ricker-Yes
147 JP Pond-Yes

148 Motion on amending the ordinance passed.

149 County Lester read the ordinance as amended by the title only. JP Ecke made a motion
150 to suspend the rules and move to second reading, motion seconded by JP Dean. A roll
151 call vote was taken and tallied as follows:

152 JP Taylor-Absent
153 JP Wilson-Yes
154 JP Simons-Yes
155 JP Lyons-Yes
156 JP Ecke-Yes
157 JP Dean-Yes
158 JP Washington-No
159 JP Cogger-No
160 JP Dennis-Yes
161 JP Highers-No
162 JP Rios Stafford-No
163 JP Leming-No
164 JP Ricker-Yes
165 JP Pond-No

166 Motion failed to approve ORDINANCE AMENDING ORDINANCE 2018-50 TO UPDATE
167 THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE HANDBOOK Item
168 23-O-063 and will be moved to June Quorum Court meeting.

169
170 Judge Deakins introduced the Consent Agenda and Attorney Lester read all ordinances by
171 title only. JP Lyons made a motion to approve with a second by JP Leming. The Consent
172 Agenda passed unanimously by voice vote and by roll call the following ordinances were
173 adopted.

174
175 **AN ORDINANCE AMENDING THE CIRCUIT COURT VIII BUDGET FOR 2023 Item 23-O-046**
176 **was ADOPTED as ORD 2023-055**

177
178 **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE IN THE AMOUNT OF \$306,481.41;**
179 **AND, APPROPRIATING \$306,481 Item 23-O-064 was ADOPTED as ORD 2023-056**

180
181 **AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES OF \$14,290.92 FROM THE**
182 **UNAPPROPRIATED RESERVES IN THE GENERAL FUND TO VARIOUS LINE ITEMS IN THE**
183 **JAIL OPERATION & MAINTENANCE BUDGET FOR 2023 Item 23-O-065 was ADOPTED**
184 **as ORD 2023-057**

185

186 **AN ORDINANCE APPROPRIATING \$25,000 FROM THE UNAPPROPRIATED RESERVES IN**
187 **THE GENERAL FUND TO THE COUNTY ATTORNEY'S BUDGET FOR 2023 Item 23-O-066**
188 **was ADOPTED as ORD 2023-058**

189
190 **AN ORDINANCE AMENDING THE COLLECTOR'S BUDGET FOR 2023 Item 23-O-067 was**
191 **ADOPTED as ORD 2023-059**

192
193 **AN ORDINANCE AMENDING THE ELECTION COMMISSION BUDGET FOR 2023 Item 23-O-**
194 **068 was ADOPTED as ORD 2023-060**

195
196 **AN ORDINANCE AMENDING THE VETERAN'S SERVICES BUDGET FOR 2023 Item 23-O-**
197 **069 was ADOPTED as ORD 2023-061**

198
199 **AN ORDINANCE AMENDING THE HUMAN RESOURCES BUDGET FOR 2023 Item 23-O-070**
200 **was ADOPTED as ORD 2023-062**

201
202 **AN ORDINANCE AMENDING THE PROSECUTING ATTORNEY'S BUDGET FOR 2023 Item**
203 **23-O-071 was ADOPTED as ORD 2023-063**

204
205 **AN ORDINANCE AMENDING THE CIRCUIT COURT III BUDGET FOR 2023 Item 23-O-072**
206 **was ADOPTD as ORD 2023-064**

207
208 **AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT OF \$100,000; AND,**
209 **APPROPRIATING \$100,000 TO THE BUILDINGS AND GROUNDS BUDGET FOR 2023 Item**
210 **23-O-073 was ADOPTED as ORD 2023-065**

211
212 **AN ORDINANCE ESTABLISHING THE BUDGET FOR THE COUNTY COMMUNICATIONS**
213 **DEPARTMENT FOR 2023 Item 23-O-074 was ADOPTED as ORD 2023-066**

214
215 **AN ORDINANCE AMENDING THE CIRCUIT CLERK'S BUDGET FOR 2023 Item 23-O-075**
216 **was ADOPTED as ORD 2023-067**

217
218 Judge Deakins introduced new agenda item 14, Discussion about the Parker Branch
219 Bridge. JP Coger requested a 5 minute recess and with no objection the Judge called a
220 recess at 8:01pm. Called back to order at 8:06pm. Judge and Chief Johnson gave a
221 presentation and took questions from the Quorum Court.

222
223 Judge Deakins introduced new agenda item 15, AN EMERGENCY ORDINANCE
224 AMENDING ORDINANCE 2023-03 and County Attorney Lester read ordinance by title
225 only. JP Lyons made a motion to approve ordinance with a second by JP Highers. A roll
226 call vote was taken and tallied as follows:

227 JP Taylor-Absent
228 JP Wilson-Yes
229 JP Simons-Absent
230 JP Lyons-Yes
231 JP Ecke-Absent
232 JP Dean-Yes

233 JP Washington-Yes
234 JP Cogger-Yes
235 JP Dennis-Yes
236 JP Highers-Yes
237 JP Rios Stafford-Yes
238 JP Leming-Absent
239 JP Ricker-Yes
240 JP Pond-Yes
241 The motion passed and **AN EMERGENCY ORDINANCE AMENDING ORDINANCE**
242 **2023-03 was ADOPTED as ORD 2023-068**

243
244 Committee Reports as follows:
245 The County Services Committee met Monday, May 1, 2023 at 6:00PM. Members
246 absent were Coleman Taylor and Charles Dean.
247 JP Leming opened with pledge and prayer.
248 The agenda was amended to remove AN ORDINANCE PROVIDING FOR ONLINE
249 POSTING OF ALL WASHINGTON COUNTY RESOLUTIONS AND ORDINANCES Item
250 23-O-008 and move to the next County Services Meeting.
251 The Committee heard reports from JDC Director Tinsley, Sheriff Cantrell and CJCC
252 Coordinator Smith.
253 An Annual report and presentation was given by Larry Shackelford with Washington
254 Regional Medical Center.
255 The Committee moved AN ORDINANCE AMENDING ORDINANCE 2018-50 TO
256 UPDATE THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE
257 HANDBOOK Item 23-O-063 on to the Quorum Court.
258 The Committee began the process of hearing the eligible ARPA applicants and was
259 able to ask questions and have discussions with them.
260 Public comments were heard and meeting was adjourned at 8:09PM.

261
262 The Finance & Budget Committee met Tuesday, May 8, 2023 at 6:00PM. JP Pond led
263 prayer and pledge. The Committee amended the agenda to remove on ordinance.
264 Reports were heard from Treasurer Hill, Employee's Insurance Report from Charles
265 Angel and Comptroller's report from Director Story. The Committee reviewed thirteen
266 ordinances, making amendments to two of them. All thirteen ordinances were passed
267 on to the Quorum Court in a consent agenda. There were no public comments and
268 meeting was adjourned at 7:51pm.

269
270 Quorum Court meeting was adjourned at 9:07PM

271
272 *Myra Collins*

273 Myra Collins
274 Quorum Court Coordinator

Patrick Deakins
County Judge



Jousy Facundo
Fixed Asset Manager

WASHINGTON COUNTY, ARKANSAS
Purchasing Department Disposal of County Property

May, 2023

A.C.A. §14-16-106 provides for the disposal of surplus property owned by a county. If it is determined by the county judge and the county assessor that any personal property owned by a county is junk, scrap, discarded, or otherwise of no value to the county, then the property may be disposed of in any manner deemed appropriate by the county judge. Below is a list of property disposed for the month of March, 2023.

Court Order	File Date	Description
	05/31/2023	No disposal to report for May

Item 23-O-077

Requested by: County Judge Patrick W. Deakins (Planning)
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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 ZONING BOARD OF ADJUSTMENTS.

WHEREAS, at the March 30, 2023 meeting of the Planning Board of Adjustments, the board was presented with a Conditional Use Permit request for the Grand at Willow Springs project; and,

WHEREAS, an appeal of the decision of the Planning 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 recommended for approval by the Planning Board.

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

ARTICLE 1. That the Conditional Use Permit for the **Grand at Willow Springs** project is hereby ratified.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

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Introduced by:

Date of Adoption:

Members Voting For:

Members Voting Against:

Members Abstaining:

Members Absent:

Committee History: Planning (3-30-23)

Quorum Court History: Quorum Court (5-18-23); moved to June QC for second reading

The Grand At Willow Springs Conditional Use Permit

The Planning Board Approved The Grand At Willow Springs CUP request on March 30, 2023 (5 members voted “in favor”, 0 members voted “against”, 2 members were absent, 0 members abstained).

County

The Grand At Willow Springs CUP

Conditional Use Permit Request

Location: Section 24, Township 16, Range 32

Applicant: Dirk Thibodaux

Location Address: 15306 Prairie View WC 655. Prairie Grove, AR 72753

Coordinates: 36.04556887, -94.33251562

Proposed Use: Commercial/Wedding Venue

JP District: District 13 – Willie Leming

Approximately: +/- 31.4 acres / 1 parcel

Project #: 2023-032

A Conditional Use Permit is sought for a wedding venue near Prairie Grove. Applicant working with County Road Department to pave this road from Pearson Ranch Rd up to Viney Grove Rd. Proposed venue anticipates one wedding event per week with maximum vehicle count of ~120 vehicles per event. Hours of operation is Monday through Thursday from 8:00am to 4:30PM and Friday through Sunday from 8:00am to 10:00pm. Site consists of ~5,500 sqft wedding chapel, ~11,500 sqft reception hall, paved parking lot with ~120 spaces, retention pond and landscaping, and will have two (2) on-site employees.

Compatibility

Project does not deviate from adjacent land uses. Adjacent uses are single family residential, agricultural and undeveloped.

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Agricultural/Residential	Ag/SF Res 1 unit/ac
South	Agricultural/Residential	Ag/SF Res 1 unit/ac
East	Agricultural/Residential	Ag/SF Res 1 unit/ac
West	Agricultural/Residential	Ag/SF Res 1 unit/ac

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet.

To date, Staff has received comments from two neighboring landowner in opposition. Planning Staff will update the Board should any further comments be received.

CONDITIONS OF APPROVAL

Utilities

Utility Conditions

1. Any damage or relocation of existing facilities will be at the owner's or developer's expense.
2. All offsite easements that are needed for utility service to the property/properties must be obtained by the developer and easement documentation may be required by the utility company.
3. All onsite easements must be shown on the plat and recorded with the County.
4. It is the owner/developer's responsibility to contact each utility provider to determine what permits and/or easements will be required.

Ozarks Electric Conditions

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com
5. 30FT U.E. ALONG EXISTING OZARKS OVERHEAD LINES

Washington Water Authority Conditions

1. Please contact the WWA office for additional information concerning standard details and specs. Additional details will be needed to support the water main improvements as shown in the LSD plans with ADH.
2. Water service: please provide peak domestic demand used to size the 2" water meter. Plans will require a unique detail for meter > 1"
3. Offsite extension plans: plans show a 6" watermain connecting from Pearson Ranch Road to the NE corner of the project. The following will be needed if the WWA distribution system is desired to support a fire suppression system
4. The project is shown to run through a neighboring property (parcel 001-12940-000 owned by Mr. & Mrs. Nall). A 20' U/E will be needed across the property. Please show on plans. Also, water main should offset the centerline of WC 655 by 35' minimum to stay out of public ROW
5. On parcel 001-12940-001, owned by Eric Walker, the existing water main resides in a 20' U/E. The proposed 6" watermain is shown to extend parallel to the existing 4"

watermain and is offset by 20'. Additional easement will need to be acquired with the as-shown spacing.

6. Please provide a hydraulic analysis and certification letter stamped by an Engineer registered in the State of Arkansas stating the as-shown 6" is adequate to provide the required fire flows as determined by Arkansas State Fire Code for this project. If 6" is inadequate, please revise as necessary.
7. The end of the proposed line must tie into the existing system to provide a backfeed for the distribution system during times of emergency and prevent water quality issues with the proposed meter service.
8. Please remove the Meter Meter Vault Detail as shown in the plans. These were provided by WWA as an example of what a PRV vault would generally consist of. Please provide a unique construction detail of this vault.
9. Please update plans accordingly and submit construction ready plans to the WWA office for review and approval. Please do not hesitate to call for project specifics in an effort to expedite the review process.

Prairie Grove Telephone Conditions

1. PGTelco has a transport fiber optic line and copper cable that run along and parallel to the north side of Prairie View Rd. Please contact PGTelco before any major excavation begins in this area of the project.
2. It appears the proposed detention pond outlet will be in conflict with PGTelco facilities and need to work with developer to get around these facilities.
3. Contact Shane Bell at 479-841-0980 or Patrick Smith at 479-841-6788.

Fire/Safety Conditions

1. The project will need to be constructed/developed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner or their designee
2. Nob Hill Fire Chief requires turning radius of 38 feet
3. If dead-ends exist, there needs to be a turn-around provided that will accommodate a fire engine
4. Smoke detectors required in all rooms.

Road Conditions

1. Conform to Arkansas State Highway and Transportation Department requirements.

Addressing Conditions

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

Sewer/Septic Conditions

1. Please contact the Arkansas Department of Health and adhere to their regulations on septic sewer systems.
2. No parking is allowed on any portion of the septic system.

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)

Signage

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. Signage is limited to 36 square feet in signage with an approximate height of no more than 8 feet. The sign must not be lit from within, but can utilize "up" lighting.

Lighting

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram if applicable).

Screening Conditions

1. All outdoor storage and dumpsters must be screened with opaque material (gates must be opaque also).

Planning Conditions

1. Limit the hours of operation to Monday through Thursday from 8:00am to 4:30PM and Friday through Sunday from 8:00am to 10:00pm.
2. No amplified music outdoors.
3. Due to absence of an on-site kitchen, all food services should be catered.
4. Any further additions in terms of expanding the current developed structure or building new structures for either the business or for gathering purposes must come before the Planning Office and potentially the Planning Board.

Engineering Conditions

1. Continue to respond to County Engineer through the 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 Adjustment.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.

8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Prepared by: Sam Ata

Item 23-O-063

Requested by: County Judge Patrick W. Deakins
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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

AN ORDINANCE AMENDING ORDINANCE 2018-50 TO UPDATE THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE HANDBOOK.

WHEREAS, Ordinance 2018-50 repealed all prior versions of the Washington County Employee Handbook and replaced it with version 11-2018; and,

WHEREAS, the County desires to update the vacation policy contained in the Washington County Employee Handbook to update policy.

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

ARTICLE 1. On August 1, 2023, Section 12 of the Washington County Employee is repealed in its entirety and replaced as follows:

12. VACATION

The purpose of this policy is to establish uniform guidelines for the accrual, use and payout of vacation leave for regular full-time and part-time employees.

A. All regular full-time and part-time employees are eligible for vacation leave accrual.

B. Seasonal and temporary employees are not eligible for vacation leave accrual.

C. Uniformed law enforcement employees are eligible for vacation leave accrual.

Vacation leave is available for use once it has been accrued following their eligibility period.

Policies concerning vacation time for all employees in no way alters Washington County’s at-will employment policy as described in this Personnel Handbook.

Accruals

Vacation is accrued on a monthly basis. Eligible employees will be able to begin utilizing their vacation accruals following a six month eligibility period from their hire date. The rate of vacation accrual shall be stair-stepped in order to reward longevity, per the annual vacation accrual schedules below:

<u>Years of Service</u>	<u>Regular Full-Time</u>	<u>Uniformed Officers</u>	<u>Part-Time</u>	<u>Seasonal & Temporary</u>
Up to 3 years	84 hrs.	126 hrs.	36 hrs.	0 hrs.

3+ years	120 hrs.	180 hrs.	60 hrs.	0 hrs.
10+ years	168 hrs.	192 hrs.	120 hrs.	0 hrs.
20+ years	204 hrs.	240 hrs.	168 hrs.	0 hrs.

40 To the extent it differs from the procedure set forth, the uniformed law enforcement
 41 employees shall accrue vacation days in accordance with the provisions set forth in the
 42 relevant Arkansas statutes, if any.

43 **Maximum Accrual**

44 The employees calendar year* will be based on the employee’s most recent hire date in
 45 their eligible position that they hold.

46 At times there are circumstances where employees are not able to utilize all of their
 47 allotted vacation time within a calendar year; to accommodate this, employees will be
 48 allowed to carry over into the next calendar year up to the amounts listed below in the
 49 carryover rubric

<u>Years of Service</u>	<u>Regular Full-Time</u>	<u>Uniformed Officers</u>	<u>Part-Time</u>	<u>Seasonal & Temporary</u>
Up to 3 years	44 hrs.	86 hrs.	18 hrs.	0 hrs.
3+ years	80 hrs.	140 hrs.	30 hrs.	0 hrs.
10+ years	128 hrs.	152 hrs.	60 hrs.	0 hrs.
20+ years	164 hrs.	200 hrs.	84 hrs.	0 hrs.

- 50 ▪ Employee will be allowed to accrue the maximum amount for their years of
 51 service in addition to maintaining a carryover balance.
- 52 ▪ When employment has ended the carryover balance will only be paid out in the
 53 event that the maximum accrued amount has not been exceeded (This is covered
 54 in payout section).
- 55 ▪ Excess vacation that exceeds the maximum carryover amounts will be lost on the
 56 employee’s anniversary date each year and be donated to the Catastrophic Sick
 57 Leave Bank in that employee’s name.
- 58 ▪ Full-time employees will be required to use a minimum of 40 hours a year or lose
 59 it.

60 *For purposes of accrual calculations, an employee’s calendar year will be based off of
 61 their current hire date with the County. Every employee’s accrual rates will accumulate
 62 on a rolling calendar.

63 **Suspension of Accrual**

64 Employees on unpaid status* will have their vacation leave accrual suspended the first
 65 of the month following the beginning of said status, with the exception of unpaid status
 66 due to Worker’s Compensation.

67 *Unpaid Status: Unpaid status typically refers to when an employee is on an approved
 68 FMLA, Catastrophic, or Workers Compensation leave. This also applies to a leave
 69 without pay status.

70 **Usage**

71 ~~An employee who is hired with the County on or prior to the 15th day of any month, or~~
 72 ~~separates from service on or after the 16th day of any month, shall earn vacation leave~~
 73 ~~for that month.~~

74 Employees are encouraged to utilize their vacation and Department Heads or Elected
 75 Officials should make their best efforts to accommodate employee requests when they

76 can.

- 77 ▪ With the exception of FMLA or ADA, employees shall not be allowed to take more
- 78 than 10 consecutive working days off without the prior written approval of their
- 79 elected official or department head.
- 80 ▪ To be authorized for leave under this policy, an employee must make his/her
- 81 request to the appropriate supervisor according to the procedures established by
- 82 their Elected Official.
- 83 ▪ Each elected official and department head will be responsible for enforcing the
- 84 rules and procedures for requesting the use of vacation.
- 85 ▪ An employee who fails to comply with departmental procedures for the
- 86 notification and scheduling of vacation leave may be denied paid leave and be
- 87 subject to disciplinary action, up to and including termination of employment.

88 Washington County policy* requires all applicable leave be used prior to authorizing an
89 unpaid leave of absence. In accordance with this directive, vacation time and other leave
90 (except sick time) will be automatically substituted when there is an insufficient balance
91 of a requested leave. In the case of FMLA, sick leave will automatically be used first
92 based on the FMLA policy set-forth by Washington County.

93 * The County reserves the right to alter vacation schedules.

94 **Pay Outs**

95 Full-time, uniformed law enforcement officers and part-time employees transferring to
96 a seasonal or temporary position will be paid for any unused vacation at the time of
97 transfer.

- 98 ▪ Accruals will be carried over if an employee transfers from a regular full-time
- 99 position to a uniformed law enforcement officer or part-time classified position
- 100 unless accrued time exceeds the maximum allowed. In these circumstances the
- 101 difference of the allowed time will be paid out to the employee at the time of
- 102 transfer at their previous rate of pay.
- 103 ▪ Employees will be paid for accumulated, unused vacation time upon separation
- 104 of employment, if the separation was not as a result of disciplinary action.
- 105 ▪ Employees are required to work their final day of employment to be eligible for
- 106 payout*.
- 107 ▪ An employee that is out on approved Catastrophic Leave or FMLA will be paid
- 108 out for their remaining vacation time if they are not able to return due to medical
- 109 reasons; documentation is required prior to payout being granted. However,
- 110 employees will only be paid for the amount of vacation that has accrued to date as
- 111 well as the difference for the entire current calendar year if that employee has
- 112 carryover accrual time to equal the full amount**.
- 113 ▪ If business operations allow for it then the employee may be required by their
- 114 Department Head or Elected Official to take their accrued time off prior to their
- 115 retirement date.
- 116 ▪ Elected Officials have the discretion over procedural stipulations with the
- 117 exception of unpaid status procedures pertaining to payouts and usage.

118 *This requirement for law enforcement personnel will be at the discretion of the Sheriff
119 due to court related issues that may arise.

120 **An employee with an initial hire date of January 1, 2019 with 50 hours of carryover
121 vacation retires on June 16, 2022. So far this employee has accumulated 60 hours of

122 vacation time, therefore the total hours owed for vacation accrual payout to this
123 employee is 110 hours. However, if the employee had terminated in August of the same
124 year and they still had the same 50 hour carryover with a new accumulated amount of
125 80 hours then the maximum payout for this employee would only be 120 hours.
126

127 **Grandfathering**

128 There will be a compliance period where employees who are currently active upon this
129 policy being passed will have a full year from that date of passage to come into
130 compliance with accrual amounts. The full year is independent of your calendar year* as
131 defined in this policy.
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138 _____
139 PATRICK W. DEAKINS, County Judge

DATE

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141 _____
142 BECKY LEWALLEN, County Clerk

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144 Introduced by: JP Lisa Ecke
145 Date of Adoption:
146 Members Voting For:
147 Members Voting Against:
148 Members Abstaining:
149 Members Absent:
150

151 Committee History: County Services-(5-1-23); passed to QC
152 Quorum Court History: QC (5-18-23); Amended and moved to June QC
153

Item 23-O-081

Requested by: Sheriff Jay Cantrell
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AMENDING THE SHERIFF AND COUNTY JAIL BUDGETS FOR 2023.

WHEREAS, due to recent changes in the Federal law, certain 207k exempt employees in the Sheriff and Jail Budgets must now receive monetary compensation for the hours worked over 80, but less than 86, per pay period instead of earning compensatory time; and,

WHEREAS, the Quorum Court desires to appropriate additional budget funds to cover the costs associated with this change.

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

ARTICLE 1. There is hereby appropriated the total amount of \$315,382 from the unappropriated reserves in the General Fund (1000) to the following line items in the Sheriff's Budget for 2023:

Salary Full-Time	10000400.1001	\$253,821
Social Security Matching	10000400.1006	19,418
Employer Retirement Contribution	10000400.1008	38,886
Workmen's Compensation	10000400.1010	3,257

ARTICLE 2. There is hereby appropriated the total amount of \$114,145 from the unappropriated reserves in the Jail Fund (3017) to the following line items in the County Jail Budget for 2023:

Salary Full-Time	30170418.1001	\$91,739
Social Security Matching	30170418.1006	7,019
Employer Retirement Contribution	30170418.1008	14,055
Workmen's Compensation	30170418.1010	1,332

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PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History: F&B (6-6-23); passed to QC
Quorum Court History:

Item 23-O-082

Requested by: County Judge Patrick W. Deakins
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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 \$259,207 TO
CLEAN, CAULK, AND SEAL THE EXTERIOR OF THE
WASHINGTON COUNTY COURTHOUSE.**

WHEREAS, the exterior of the County Courthouse needs to be cleaned,
caulked, and sealed to prevent leaking that has occurred since the Courthouse was
purchased by the County; and,

WHEREAS, the County recently advertised and received bids to complete
this work; and,

WHEREAS, the Quorum Court desires to fund the cleaning, caulking, and
sealing as requested by the County Judge.

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

ARTICLE 1. There is hereby appropriated the amount of
\$259,207 from the unappropriated reserves in the General Fund (1000) to the Other
Professional Services line item in the Building and Grounds Budget (10000108.3009) for
2023.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:

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42 Date of Adoption:
43 Members Voting For:
44 Members Voting Against:
45 Members Abstaining:
46 Members Absent:
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49 Committee History: F&B (6-6-23); passed to QC
50 Quorum Court History:

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44 Committee History: F&B (6-6-23); passed to QC

45 Quorum Court History:

Item 23-O-085

Requested by: Sheriff Jay Cantrell
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AMENDING THE JAIL BUDGET FOR 2023.

WHEREAS, Sheriff Jay Cantrell desires to create the position of HR Generalist II – Sheriff in the Jail Budget, and eliminate the position of ADO/DFC/Corporal Flex in the Jail Budget for 2023; and,

WHEREAS, Sheriff Cantrell requests that the starting pay for said new position begin at the top of the first quartile for its current grade; and,

WHEREAS, the Quorum Court approves this request.

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

ARTICLE 1. There is hereby created the position of HR Generalist II – Sheriff, position 0418399, Grade 13, in the Jail Budget for 2023.

ARTICLE 2. There is hereby appropriated the total amount of \$33,441.30 from the unappropriated reserves in the Jail Fund (3017) to the following line items in the Jail Budget for 2023:

Salary Full-Time	30170418.1001	\$ 26,904.00
Social Security Matching	30170418.1006	2,058.16
Employer Retirement Contribution	30170418.1008	4,121.69
Workmen’s Compensation	30170418.1010	357.45

ARTICLE 3. There is hereby eliminated the position of ADO/DFC/Corporal Flex, position 0418399, in the Jail Budget for 2023.

PATRICK W. DEAKINS, County Judge

DATE

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BECKY LEWALLEN, County Clerk

Introduced by:
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History: F&B (6-6-23); passed to QC
Quorum Court History:

Item 23-O-086

Requested by: County Judge Patrick W. Deakins
 Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AMENDING THE HUMAN RESOURCES BUDGET FOR 2023.

WHEREAS, the County Judge requests a pay increase for the HR Generalist I position (position 0121008) in the Human Resources Budget for 2023; and,

WHEREAS, the Quorum court approves the request of the County Judge.

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

ARTICLE 1. There is hereby appropriated the total amount of \$3,827.84 from the unappropriated reserves in the General Fund (1000) to the following line items in the Human Resources Budget for 2023:

Salary Full-Time	10000121.1001	\$ 3,110.75
Social Security Matching	10000121.1006	237.97
Employer Retirement Contribution	10000121.1008	476.57
Workmen’s Compensation	10000121.1010	2.55

 PATRICK W. DEAKINS, County Judge

 DATE

 BECKY LEWALLEN, County Clerk

Introduced by:
 Date of Adoption:
 Members Voting For:
 Members Voting Against:

43 Members Abstaining:
44 Members Absent:
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47 Committee History: F&B (6-6-23); passed to QC
48 Quorum Court History:

Item 23-O-087

Requested by: Sheriff Jay Cantrell
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AMENDING THE JAIL BUDGET FOR 2023.

WHEREAS, Sheriff Jay Cantrell requests the addition of the Mechanic – Sheriff’s Office position to the Jail Budget for 2023; and,

WHEREAS, this position will be responsible for maintaining the Sheriff’s Office fleet of approximately 200 vehicles; and,

WHEREAS, the Quorum Court approves this request.

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

ARTICLE 1. There is hereby created the position of Mechanic – Sheriff’s Office, grade 16, position 0418339, in the Jail Budget for 2023.

ARTICLE 2. There is hereby appropriated the total amount of \$41,820.01 from the unappropriated reserves in the Jail Fund (3017) to the following line items in the Jail Budget for 2023:

Salary Full-Time	30170418.1001	\$ 33,644.80
Social Security Matching	30170418.1006	2,573.83
Employer Retirement Contribution	30170418.1008	5,154.38
Workmen’s Compensation	30170418.1010	447.00

PATRICK W. DEAKINS, County Judge

DATE

43 BECKY LEWALLEN, County Clerk
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45 Introduced by:
46 Date of Adoption:
47 Members Voting For:
48 Members Voting Against:
49 Members Abstaining:
50 Members Absent:
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53 Committee History: F&B (6-6-23); passed to QC
54 Quorum Court History:

Item 23-O-089

Requested by: County Judge Patrick W. Deakins
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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 \$20,000 IN THE COURT SECURITY GRANT FUND; AND, APPROPRIATING \$20,000 FROM THE COURT SECURITY GRANT FUND TO VARIOUS LINE ITEMS IN THE COURT SECURITY GRANT FUND BUDGET (39991507.3009) FOR 2023.

WHEREAS, Washington County has received additional revenue totaling \$20,000 from the Arkansas Administrative Office of the Courts Security and Emergency Preparedness 2023 Court Security Grant.

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

ARTICLE 1. There is hereby recognized additional revenue of \$20,000 in the Court Security Grant Fund (39991507) for 2023.

ARTICLE 2. There is hereby appropriated \$20,000 from the Court Security Grant Fund to the following line items in the Court Security Grant Fund Budget (39991507) for 2023:

Small Equipment	39991507.2002	\$ 5,072.12
Other Professional Services	39991507.3009	14,927.88

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42 Introduced by:
43 Date of Adoption:
44 Members Voting For:
45 Members Voting Against:
46 Members Abstaining:
47 Members Absent:
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50 Committee History: F&B (6-6-23);amended and passed to QC
51 Quorum Court History:

Item 23-O-090

Requested by: County Judge Patrick W. Deakins
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

**AN ORDINANCE AMENDING THE 2023 BUDGET TO
PURCHASE NEW X-RAY INSPECTION MACHINES.**

WHEREAS, the x-ray inspection machines at several buildings recently
stopped working and are out of their life cycle for repairs; and,

WHEREAS, new x-ray inspection machines are need for security
purposes; and,

WHEREAS, the Quorum Court approves the purchase of new x-ray
inspection machines.

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

ARTICLE 1. There is hereby appropriated the total amount of
\$50,000 from the unappropriated reserves in the General Fund (1000) to the Machinery
and Equipment line item in the Buildings and Grounds Budget (10000108.4004) for
2023.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42 Introduced by:
43 Date of Adoption:
44 Members Voting For:
45 Members Voting Against:
46 Members Abstaining:
47 Members Absent:
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50 Committee History: F&B (6-6-23); passed to QC
51 Quorum Court History:

Item 23-R-007

Requested by: County Judge Patrick W. Deakins
Drafted by: County Attorney Brian R. Lester

RESOLUTION NO. 2023-

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

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE WHEELER ROAD/CLABBER CREEK BRIDGE PROJECT.

WHEREAS, the Northwest Arkansas Regional Planning Commission has approved Federal-aid Surface Transportation Block Grant Program Attributable funds for the project at the following Federal and Local participating ratios, up to the maximum Federal-aid available:

<u>Type Work</u>	<u>Work Phase</u>	<u>Federal %</u>	<u>Local %</u>
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

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

ARTICLE 1. Washington County will participate in accordance with its designated responsibilities in this project.

ARTICLE 2. The County Judge, or his designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

ARTICLE 3. Washington County pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to

43 implement this project.

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PATRICK W. DEAKINS, County Judge

DATE

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BECKY LEWALLEN, County Clerk

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55 Introduced by:

56 Date of Adoption:

57 Members Voting For:

58 Members Voting Against:

59 Members Abstaining:

60 Members Absent:

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63 Committee History: County Services(5-30-23); passed to QC

64 Quorum Court History:

Item 23-R-008

Requested by: County Judge Patrick W. Deakins
 Drafted by: County Attorney Brian R. Lester

RESOLUTION NO. 2023-

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

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE JACKSON HIGHWAY BRIDGE PROJECT.

WHEREAS, the Northwest Arkansas Regional Planning Commission has approved Federal-aid Surface Transportation Block Grant Program Attributable funds for the project at the following Federal and Local participating ratios, up to the maximum Federal-aid available:

<u>Type Work</u>	<u>Work Phase</u>	<u>Federal %</u>	<u>Local %</u>
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

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

ARTICLE 1. Washington County will participate in accordance with its designated responsibilities in this project.

ARTICLE 2. The County Judge, or his designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

ARTICLE 3. Washington County pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to

43 implement this project.

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PATRICK W. DEAKINS, County Judge

DATE

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BECKY LEWALLEN, County Clerk

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55 Introduced by:

56 Date of Adoption:

57 Members Voting For:

58 Members Voting Against:

59 Members Abstaining:

60 Members Absent:

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63 Committee History: County Services (5-30-23); passed to QC

64 Quorum Court History:

Beaver Lake Tiny Homes Conditional Use Permit

The Planning Board Denied Beaver Lake Tiny Homes CUP request on March 30, 2023 (3 members voted “in favor of approval”, 2 members voted “against approval”, 2 members were absent, 0 members abstained).

County

Beaver Lake Tiny Homes CUP

Conditional Use Permit Request

Location: Section 01, Township 17, Range 29

Applicant: Jonathan McJunkins (Developer: Dave Gallo)

Location Address: 18664 Saddle Shop WC 383. Springdale, AR 72764

Coordinates: 36.17053217, -94.01552134

Proposed Use: Residential/Commercial

JP District: District 5 – Kyle Lyons

Approximately: +/- 4.82 acres / 1 parcel

Project #: 2023-053

Conditional Use Permit sought for development of 27 tiny-home community on 4.82 acres of land. Homes have occupancy for up to two people and up to two vehicles per private driveway. Site plan indicates thirty home sites, with homes 15’x41’ or 11’x46’. Homes are owned by the resident and the spot is leased from the developer.

Compatibility

Project does not deviate from adjacent land uses. Adjacent uses are single family residential, agricultural and undeveloped.

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Agricultural/Residential	Ag/SF Res 1 unit/ac
South	Agricultural/Residential	Ag/SF Res 1 unit/ac
East	Agricultural/Residential	Ag/SF Res 1 unit/ac
West	Agricultural/Residential	Ag/SF Res 1 unit/ac

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet.

To date, Staff has received no comments about this project. Planning Staff will update the Board should any further comments be received.

CONDITIONS OF APPROVAL

Utilities

Utility Conditions

1. Any damage or relocation of existing facilities will be at the owner's or developer's expense.
2. All offsite easements that are needed for utility service to the property/properties must be obtained by the developer and easement documentation may be required by the utility company.
3. All onsite easements must be shown on the plat and recorded with the County.
4. It is the owner/developer's responsibility to contact each utility provider to determine what permits and/or easements will be required.

Ozarks Electric Conditions

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com
5. 30FT U.E. ALONG EXISTING OZARKS OVERHEAD LINES

Beaver Water District Conditions

1. Beaver Water District is opposed to this development due to density near lakeside and establishment of precedent for further higher-density development along the lake.
2. Ensure septic waste pressure does not runoff into lake.
3. Beaver Water District asserts that Beaver Lake is not a stormwater detention basin. Development should properly assess the changes to the hydrograph that will result from the development and include appropriate measures, such as on-site detention, to ensure that no changes to the hydrograph occur as result of additional impervious surface.

Springdale Water Utility Conditions

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. Please be advised, the Springdale Water Utilities GIS maps are schematic in nature, and are not intended to represent exact real-world conditions. The City of Springdale Water & Sewer Commission and Springdale Water Utilities make no claims, warranties, promises, or guarantees regarding the accuracy, adequacy, reliability, or completeness of

the information therein beyond use as an approximation or estimation, and expressly disclaim liability for any and all errors and/or omissions in its contents.

3. Field locate and verify the location of all existing water and sanitary sewer facilities. 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 10-foot is between the utility and easement line. Easement widths shall be greater for facilities of excess depth and shall equal two times the depth plus the trench width, but not less than 20-feet.
4. Please be advised that permanent structures, buildings, footings, air conditioning units or pads, signs, retaining walls, awnings, covered walkways, or other items shall not be erected or constructed within utility easements.
5. If perimeter walls, fences, or signs are proposed for the development, detailed drawings will need to be submitted for approval to this office prior to their construction.
6. The Springdale Water Utilities will not allow the planting of trees on water or sewer mains. Please utilize shrubs or smaller plantings within utility easements. The Springdale Water Utilities will not be responsible for the replacement of any planting that may be removed during the course of water and sewer line maintenance.
7. Please be advised that private water meter and sewer service lines, including services from septic systems, cannot cross adjacent properties in order to access service or be located and run parallel within a public utility easement.
8. Verify the elevation and location of the existing water and sanitary sewer lines. Please be advised that there shall be no net decrease in cover allowed. If the cover is below the minimum standard or if the existing water or sanitary sewer lines are damaged due to construction activity, then the Owner/Developer shall be responsible for replacing the existing water and sanitary sewer lines within the proposed project area at the Owner/Developer's expense.
9. Please be advised that requests for meter services larger than a 5/8-inch meter setter for irrigation or larger than 1-inch meter setter for potable water will have to be approved in writing by the Engineering Director of Springdale Water Utilities. Appropriate request forms are available at Springdale Water Utilities Engineering Department.
10. Please be advised that if any new water meter or sewer service taps are needed in the future from existing facilities, they will be installed by Springdale Water Utilities at the owner/developer's expense should capacity exist.
11. Please be advised that both the existing and proposed fire hydrants and meters must be located in a green space a minimum of 4' behind any curb and gutter, 4' behind any sidewalk, and 10' from any permanent structure.
12. Please show on the drawing all existing and proposed utilities inside of their respective easements. There are existing 8" and 12" water lines along the north side of this property with existing easements that are not depicted on the plan.
13. Please be advised that public sanitary sewer does not appear to be contiguous to or directly available for this location.
14. Please be advised that the approval and acceptance of this project is contingent upon receiving authorization from the Arkansas Department of Health for the proposed septic application. Written approval from the Arkansas Department of Health shall be

submitted to Springdale Water Utilities. Septic systems and leach fields shall not cross or be sited on adjacent properties. Please provide dimensions showing the spacing between water service lines and proposed septic system and leach fields.

15. Water system capacity in this area is very limited whereby maximum meter sizing for new installations in this area has been limited to individual 5/8-inch meter sets per tract for new construction. Before any additional connections to the water system are allowed, the developer/engineer will be required to submit a detailed water system analysis for this proposed development showing the adequacy of the existing water system to support this type of development.

Telephone

1. Please contact provider to determine requirements.

Fire/Safety Conditions

1. The project will need to be constructed/developed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner or their designee
2. Nob Hill Fire Chief requires turning radius of 38 feet
3. If dead-ends exist, there needs to be a turn-around provided that will accommodate a fire engine
4. Smoke detectors required in all rooms.

Road Conditions

1. Conform to Arkansas State Highway and Transportation Department requirements.

Addressing Conditions

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

Sewer/Septic Conditions

1. Please contact the Arkansas Department of Health and adhere to their regulations on septic sewer systems.
2. No parking is allowed on any portion of the septic system.

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)

Signage

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. Signage is limited to 36 square feet in signage with an approximate height of no more than 8 feet. The sign must not be lit from within, but can utilize "up" lighting.

Lighting

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram if applicable).

Screening Conditions

1. All outdoor storage and dumpsters must be screened with opaque material (gates must be opaque also).

Planning Conditions

1. Adhere to the Beaver Water District conditions mentioned above.
2. Any further additions in terms of expanding the current developed structure or building new structures for either the business or for residential purposes must come before the Planning Office and potentially the Planning Board.

Engineering Conditions

1. Continue to respond to County Engineer through 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 Adjustment.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.



WASHINGTON COUNTY PLANNING OFFICE

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

Email: planning@washingtoncountyar.gov

CC2023-11

PLANNING BOARD CONDITIONAL USE PERMIT (CUP) DECISION APPEAL FORM

I, Jonathan McJunkins
(Name)

4389 Luper Road, Lowell, AR 72745
(Address)

479-640-3303 jonathanmcjunkins@gmail.com
(Phone/Email)

FILED
2023 APR 28 AM 11:47
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

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

During the March 30, 2023 meeting of the Washington County Planning Board, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a: (circle one) Commercial Use / Industrial Use / Residential Use / Other Use, located in Section 01, Township 17, Range 29, Parcel(s) #: 001-14379-000 in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:
Denied Generally and Specifically speaking.

RECEIVED
April 28, 2023
PLANNING Dept.
WASHINGTON COUNTY

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

- Comparables for property and proximity that match the use and compliance for past and future.
- A vote against the By Laws of the Commission.
- A vote held contradictory without a Quorum present.
- Because the request is reasonable, acceptable, and in alignment with past decisions.
- Engineering is acceptable, reasonable, and within the confines of the property.

I understand that the Quorum Court will follow the same procedures as the Washington County Planning Board to reach a decision. The decision of the Quorum Court may be appealed to Circuit Court within thirty (30) days from said decision. I certify the above statements are correct to the best of my knowledge.

(If extra room is needed please attach additional sheets.)

PROJECT #
2023-053
WASHINGTON COUNTY
PLANNING Dept.

Signature

4/28/2023

Date

Item 23-O-093

Requested by: County Judge Patrick W. Deakins (Planning)
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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 DENIAL BY THE ZONING BOARD OF ADJUSTMENTS.

WHEREAS, at the March 30, 2023 meeting of the Planning Board of Adjustments, the board was presented with a Conditional Use Permit request for the Beaver Lake Tiny Homes project; and,

WHEREAS, an appeal of the decision of the Planning 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 recommended for denial by the Planning Board.

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

ARTICLE 1. That the Conditional Use Permit for the **Beaver Lake Tiny Homes** project is hereby ratified.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42
43 Introduced by:
44 Date of Adoption:
45 Members Voting For:
46 Members Voting Against:
47 Members Abstaining:
48 Members Absent:
49
50 Committee History:
51 Quorum Court History:
52
53

Item 23-O-094

Requested by: County Judge Patrick W. Deakins (Planning)
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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

AN ORDINANCE DENYING A CONDITIONAL USE PERMIT RECOMMENDED FOR DENIAL BY THE ZONING BOARD OF ADJUSTMENTS.

WHEREAS, at the March 30, 2023 meeting of the Planning Board of Adjustments, the board was presented with a Conditional Use Permit request for the Beaver Lake Tiny Homes project; and,

WHEREAS, an appeal of the decision of the Planning Board has been made to the Quorum Court, as allowed by the Washington County Code; and,

WHEREAS, after reviewing the information provided by the Planning Department, the applicant, and members of the community, the Quorum Court desires to deny the Conditional Use Permit recommended for denial by the Planning Board.

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

ARTICLE 1. That the Conditional Use Permit for the **Beaver Lake Tiny Homes** project is hereby denied.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42
43 Introduced by:
44 Date of Adoption:
45 Members Voting For:
46 Members Voting Against:
47 Members Abstaining:
48 Members Absent:
49
50 Committee History:
51 Quorum Court History:
52
53

Overbeys Automotive Conditional Use Permit

The Planning Board Denied Overbeys Automotive CUP per applicant’s request on May 04, 2023 (3 members voted “in favor”, 2 members voted “against”, 2 members were absent, 0 members abstained).

Fayetteville Planning Area

Overbeys Automotive CUP

Conditional Use Permit Request

Location: Section 20, Township 16, Range 29

Applicant: Bron Overbey

Location Address: 1852 S Tallgrass Rd. Fayetteville, AR 72701

Coordinates: 36.04309274, -94.08677668

Proposed Use: Commercial/Auto Repair Shop

JP District: District 15 – Butch Pond

Approximately: +/- 0.37 acres / 1 parcel

Project #: 2023-043

A Conditional Use Permit is sought for an automotive repair shop operated by father and son. Shop has been in operation since July 2022 and CUP is sought to establish compliance with county planning ordinances. Shop is 40’x50’ on 0.37 acres in Fayetteville Planning Area.

Compatibility

Project does not deviate from adjacent land uses. Adjacent uses are single family residential, agricultural and undeveloped.

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Agricultural/Residential	Ag/SF Res 1 unit/ac
South	Agricultural/Residential	Ag/SF Res 1 unit/ac
East	Agricultural/Residential	Ag/SF Res 1 unit/ac
West	Agricultural/Residential	Ag/SF Res 1 unit/ac

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet.

To date, Staff has received comment from seven neighbors in objection and two neighbors in support. Planning Staff will update the Board should any further comments be received.

CONDITIONS OF APPROVAL

Utilities

Utility Conditions

1. Any damage or relocation of existing facilities will be at the owner's or developer's expense.
2. All offsite easements that are needed for utility service to the property/properties must be obtained by the developer and easement documentation may be required by the utility company.
3. All onsite easements must be shown on the plat and recorded with the County.
4. It is the owner/developer's responsibility to contact each utility provider to determine what permits and/or easements will be required.

Ozarks Electric Conditions

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com
5. 30FT U.E. ALONG EXISTING OZARKS OVERHEAD LINES

Washington Water Authority Conditions

1. No comment.

Telephone

1. Please contact provider to determine requirements.

Fire/Safety Conditions

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

Road Conditions

1. Conform to Arkansas State Highway and Transportation Department requirements.

Addressing Conditions

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

Sewer/Septic Conditions

1. Please contact the Arkansas Department of Health and adhere to their regulations on septic sewer systems.
2. No parking is allowed on any portion of the septic system.

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)

Signage

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. Signage is limited to 36 square feet in signage with an approximate height of no more than 8 feet. The sign must not be lit from within, but can utilize "up" lighting.

Lighting

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram if applicable).

Screening Conditions

1. All outdoor storage and dumpsters must be screened with opaque material (gates must be opaque also).

Planning Conditions

1. The Conditional Use Permit is specifically to allow a commercial auto mechanic shop only.
2. Do not allow vehicular fluids to drip onto the ground.
3. The facility not to contain salvage, non-drivable vehicles.
4. Any further expansion or other use not described here must come before the Planning Office and/or the Planning Board.

Engineering Conditions

1. No comment; illustration of impervious surfaces satisfied.

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 Adjustment.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.

6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Prepared by: Sam Ata



WASHINGTON COUNTY PLANNING OFFICE

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

Email: planning@washingtoncountyar.gov

PLANNING BOARD CONDITIONAL USE PERMIT (CUP) DECISION APPEAL FORM

2023 MAY 15 AM 9:27
FILED
DECI/LEWALLEEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

I, JAMES M. OVERBEY
(Name)

1852 S Tallgrass Dr Fayetteville 72701
(Address)

479-530-3809 JamesOverbey80@gmail.com
(Phone/Email)

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

During the 5-4, 2023 meeting of the Washington County Planning Board, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a: (circle one) Commercial Use / Industrial Use / Residential Use / Other Use, located in Section , Township , Range , Parcel(s) #: 001-10779-002 in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:

There are seven members on the board. We received a majority in favor 3 to 2. There were only five members and you have to have received a majority vote from planning board. We were also not allowed a rebuttal to neighbors complaints.

I am appealing this decision to the Quorum Court for the following reasons: *a 4 to 1 vote. unfair.*

I understand that the Quorum Court will follow the same procedures as the Washington County Planning Board to reach a decision. The decision of the Quorum Court may be appealed to Circuit Court within thirty (30) days from said decision. I certify the above statements are correct to the best of my knowledge.

(If extra room is needed please attach additional sheets.)

James M. Overbey
Signature

PROJECT #
2023-043

RECEIVED WASHINGTON COUNTY
PLANNING Dept.
May 15, 2023 5-9-23
PLANNING Dept. Date
WASHINGTON COUNTY

Item 23-O-095

Requested by: County Judge Patrick W. Deakins (Planning)
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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 DENIAL BY THE ZONING BOARD OF ADJUSTMENTS.

WHEREAS, at the May 4, 2023 meeting of the Planning Board of Adjustments, the board was presented with a Conditional Use Permit request for the Overbey Automotive project; and,

WHEREAS, an appeal of the decision of the Planning 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 recommended for denial by the Planning Board.

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

ARTICLE 1. That the Conditional Use Permit for the **Overby Automotive** project is hereby ratified.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42
43 Introduced by:
44 Date of Adoption:
45 Members Voting For:
46 Members Voting Against:
47 Members Abstaining:
48 Members Absent:
49
50 Committee History:
51 Quorum Court History:
52
53

Item 23-O-096

Requested by: County Judge Patrick W. Deakins (Planning)
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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

AN ORDINANCE DENYING A CONDITIONAL USE PERMIT RECOMMENDED FOR DENIAL BY THE ZONING BOARD OF ADJUSTMENTS.

WHEREAS, at the May 4, 2023 meeting of the Planning Board of Adjustments, the board was presented with a Conditional Use Permit request for the Overbey Automotive project; and,

WHEREAS, an appeal of the decision of the Planning Board has been made to the Quorum Court, as allowed by the Washington County Code; and,

WHEREAS, after reviewing the information provided by the Planning Department, the applicant, and members of the community, the Quorum Court desires to deny the Conditional Use Permit recommended for denial by the Planning Board.

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

ARTICLE 1. That the Conditional Use Permit for the **Overby Automotive** project is hereby denied.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42
43 Introduced by:
44 Date of Adoption:
45 Members Voting For:
46 Members Voting Against:
47 Members Abstaining:
48 Members Absent:
49
50 Committee History:
51 Quorum Court History:
52
53

Item 23-O-092

Requested by: County Judge Patrick W. Deakins (Planning Department)
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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 BOARD.

WHEREAS, the Planning Board voted to recommend approval of a Conditional Use Permit for the **Cedar Bell Wedding Chapel** project on **May 4, 2023**; 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. The Conditional Use Permit for the **Cedar Bell Wedding Chapel** Project recommended for approval by the Planning and Zoning Board is hereby ratified.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42
43
44
45
46 Introduced by:
47 Date of Adoption:
48 Members Voting For:
49 Members Voting Against:
50 Members Abstaining:
51 Members Absent:
52
53
54 Committee History:
55 Quorum Court History:

Cedar Bell Wedding Chapel Conditional Use Permit

The Planning Board Approved Cedar Bell Wedding Chapel CUP per applicant's request on May 04, 2023 (5 members voted "in favor", 0 members voted "against", 0 members were absent, 0 members abstained).

Goshen Planning Area

Cedar Bell Wedding Chapel CUP

Conditional Use Permit Request

Location: Section 22, Township 17, Range 28

Applicant: Geoff Bates

Location Address: 18112 Edgewood WC 344. Fayetteville, AR 72703

Coordinates: 36.12825506, -93.94626638

Proposed Use: Wedding Chapel/Commercial

JP District: District 5 – Kyle Lyons

Approximately: +/- 38.64 acres / 1 parcel (Development on 18.64 acres)

Project #: 2023-092

A conditional use permit has been requested for an event center and wedding chapel on the property owner's farm. The property is located in the Goshen planning area off of Edgewood Road. The event center will be located on 18.64 acres and will provide on-site parking. There will be 109 standard parking spaces and 5 ADA parking spaces.

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, and is approximately 38.64 acres in size, only 18.64 acres are used for the project. The project is located on the eastern side of Edgewood Road (WC 344) south of E. Hwy 45.

Compatibility

Project does not deviate from adjacent land uses. Adjacent uses are single family residential, agricultural and undeveloped.

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Agricultural/Residential	Ag/SF Res 1 unit/ac
South	Agricultural/Residential	Ag/SF Res 1 unit/ac
East	Agricultural/Residential	Ag/SF Res 1 unit/ac
West	Agricultural/Residential	Ag/SF Res 1 unit/ac

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet.

To date, no comments or concerns have been received by the Planning Department.

CONDITIONS OF APPROVAL

Utility Conditions

1. Any damage or relocation of existing facilities will be at the owner's or developer's expense.
2. All offsite easements that are needed for utility service to the property/properties must be obtained by the developer and easement documentation may be required by the utility company.
3. All onsite easements must be shown on the plat and recorded with the County.
4. It is the owner/developer's responsibility to contact each utility provider to determine what permits and/or easements will be required.

Fire/Safety Conditions

1. The project will need to be constructed/developed to meet the Arkansas Fire Prevention Code (2021 IFC). Code research and adherence will be the responsibility of the owner or their designee (Architect/Engineer).
2. Label ADA entrances to both buildings on site plans.
3. All access roads and parking area drives must have a minimum 28' turn radius, and fire lands and access roads must be compacted to support 75,000 lbs in all weather conditions.
4. If dead-ends exist, there needs to be a turn-around provided that will accommodate a fire engine.
5. Smoke detectors required in all rooms.

Water Conditions

1. If water service is required, applicant will need to satisfy Springdale Water's requirements detailed in attached letter.

Sewer/Septic Conditions

1. Please contact the Department of Health and adhere to their regulations on septic sewer systems.
2. No parking is allowed on any portion of the septic system.

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

Watershed Conditions

1. Adhere to the drainage report provided by the project engineer.

Road Conditions

1. A permit from the Washington County Road Department or the Arkansas Department of Transportation may be required prior to any work being completed in the right-of-way.

Addressing Conditions

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

Signage/Lighting/Screening Conditions

2. Privacy fence a minimum of 6' in height, of typical picket construction to be placed around perimeter of property.
3. Signage will not be placed in right-of-way.
4. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately.
5. All outdoor storage and dumpster must be screened with opaque material (gates must be opaque too).

Engineering Conditions

1. All comments were addressed; illustration of impervious surfaces satisfied.

Planning Conditions

1. This CUP request is for the wedding Chapel. Any deviations from this permitted use may require further permitting and review by Planning Staff.
2. Full architectural plans for the chapel must be submitted. They have to be reviewed and approved by the fire marshal prior to construction. If there are any changes to the footprint size or other site elements then additional preliminary large scale development review may be required.
3. All questions and concerns from the Technical Review must be addressed before final approval may be given.
4. Outdoor activities will be limited by owner to prevent loud noise. Amplified music to be limited to interior facilities, except in the event of outdoor ceremonial music.
5. The applicant should stay with their proposed hours of operation as listed on their application. Hours of Operation: Chapel is open for business 7 days a week from 8AM to 11PM. Number of events: varies based on scheduled/booked events.
6. Provide appropriate screening to ensure privacy to adjacent neighbors.
7. Any further additions in terms of expanding the current developed structure or building new structures for either the business or for gathering purposes must come before the Planning Office and potentially the Planning Board.

Standard Conditions for All Projects

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is

available from the post office). This total will be calculated for this project once all invoices are received.

2. Pay any engineering fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustment.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Prepared by: Sam Ata

Item 23-O-008

Requested by: JP Beth Coger
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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

AN ORDINANCE PROVIDING FOR ONLINE POSTING OF ALL WASHINGTON COUNTY RESOLUTIONS AND ORDINANCES.

WHEREAS, Washington County leaders have a critical role to play in ensuring all citizens of Washington County have access to their county laws, resolutions, and ordinances ~~and contracts~~ easily and with as little effort as possible; and,

WHEREAS, only Washington County ordinances are now compiled and codified into one unified code in book form every five (5) years pursuant to Arkansas Code Annotated (A.C.A.) § 14-14-903; and,

WHEREAS, even the most recent codification will only include ordinances through December 31, 2021; and,

WHEREAS, it would be a great benefit to the citizens of Washington County to be able to access copies of resolutions and ordinances via the World Wide Web; and,

WHEREAS, the Quorum Court of Washington County, Arkansas considers this service of online publication of ordinances and resolutions to be a benefit and service to all citizens of Washington County.

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

ARTICLE 1. Beginning with the date of January 1, 2023, all ordinances and resolutions passed by the Washington County Quorum court, shall, within thirty (30) days after they have been signed by the Washington County Judge and Washington County Clerk, be posted online in a format that is accessible by the citizens of Washington County, Arkansas.

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Item 23-O-076

Requested by: Justice of the Peace Kyle Lyons
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

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

AN ORDINANCE REPEALING ORDINANCES 2009-33, 2009-43, AND 2009-67 TO ALLOW APPEALS OF THE DECISIONS OF THE COUNTY PLANNING BOARD AND THE COUNTY BOARD OF ZONING ADJUSTMENTS TO BE FILED IN CIRCUIT COURT.

WHEREAS, Act 565 of 2007 authorized Quorum Courts to act as a board of administrative appeal prior to an appeal to circuit court from a decision of the county planning board and the board of zoning adjustment; and,

WHEREAS, Washington County passed Ordinance 2009-33 (amended by Ordinance 2009-43 and 2009-67) on July 9, 2009 in which the Quorum Court elected to act as a board of administrative appeal prior to an appeal to circuit court from a decision of the planning board and the board of zoning adjustment; and,

WHEREAS, the Quorum Court no longer desires to act as a board of administrative appeal prior to an appeal to circuit court from a decision of the planning board and the board of zoning adjustment.

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

ARTICLE 1. Ordinances 2009-33, 2009-43, and 2009-67 are hereby repealed in their entirety.

ARTICLE 2. Appeals of the County Planning Board and the County Board of Zoning Adjustment shall be filed in the Circuit Court of Washington County, pursuant to Arkansas law and the Arkansas Rules of Civil Procedure.

PATRICK W. DEAKINS, County Judge

DATE

Item 23-O-084

Requested by: Circuit Judge Cristi Beaumont
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AMENDING THE CIRCUIT COURT IV BUDGET FOR 2023.

WHEREAS, Judge Cristi Beaumont requests one new Peer Support Position in the Circuit Court IV Budget for 2023; and,

WHEREAS, this position is extremely necessary to support the drug court program by providing transportation, support, and encouragement for participants; and,

WHEREAS, the State of Arkansas will reimburse up to \$50,000 of salaries and benefits for this position; and,

WHEREAS, the Quorum Court approves and supports said position.

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

ARTICLE 1. There is hereby created the position of Peer Support Specialist, position 0404003, in the Circuit Court IV Budget for 2023.

ARTICLE 2. There is hereby appropriated the total amount of \$50,000 from the unappropriated reserves of the General Fund (1000) to the following line items in the Circuit Court IV Budget (10000404) for 2023:

Salary Full-Time	10000404.1001	\$35,476.60
Social Security Matching	10000404.1006	2,713.96
Employer Retirement Contribution	10000404.1008	5,435.02
Health Insurance Matching	10000404.1009	6,213.36
Workmen’s Compensation	10000404.1010	29.06
Life Insurance	10000404.1016	132.00

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PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History: F&B (6-6-23); passed to QC
Quorum Court History:

Item 23-O-088

Requested by: Quorum Court
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE AMENDING THE ARPA FUND BUDGET FOR 2023.

WHEREAS, The Quorum Court has deemed eleven ARPA Fund applicants eligible based on federal, state, and local rules and restriction for federal funding; and,

WHEREAS, the Quorum Court desires to appropriate the total amount of \$564,681 of ARPA funds for various non-profits, as set forth herein; and,

WHEREAS, the Quorum Court authorizes the County Judge to disburse said funds upon said non-profits executing indemnification agreements with the County.

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

ARTICLE 1. There is hereby appropriated the total amount of \$598,117 from the ARPA Fund (3046) to the Pass Through Payments line item in the ARPA Fund Budget (3046.3014) for the following non-profits in the following maximum amounts:

Northwest Arkansas Food Bank	\$100,000
Area Agency on Aging – Fayetteville	87,000
Ronald McDonald House Charities – Arkoma	70,681
Fayetteville Lions Club	70,000
Responder 1 st Assistance Program	60,000
Area Agency on Aging – Farmington	48,000
Area Agency on Aging – Elkins	41,000
Area Agency on Aging – Prairie Grove	30,000
Area Agency on Aging – Lincoln	25,000
Washington County Historical Society	23,000
Credit Counseling of Arkansas	10,000
Magdalene Serenity House	33,436

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PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History: F&B (6-6-23); Amended and passed to QC
Quorum Court History:



WASHINGTON COUNTY, ARKANSAS
County Courthouse
COUNTY SERVICES COMMITTEE REPORT – JUNE

Judge Deakins

The County Services Committee met Tuesday, May 30, 2023 at 6:00PM. Members present were Taylor, Wilson, Simons, Lyons, Ecke, Dean, Washington, Coger, Dennis, Rios Stafford, Leming, Ricker and Pond. Members absent was Highers.

JP Ecke opened with pledge and prayer.

During the adoption of the agenda AN ORDINANCE PROVIDING FOR RECONSIDERATION OF CERTAIN AMERICAN RESCUE PLAN ACT (ARPA) APPLICATIONS was brought to the court to add but failed by roll call vote. The agenda was amended and Circuit Clerk Kyle Sylvester with Justification letters was added.

JDC Director Tinsley and CJCC Coordinator Smith were out of town but reports for the jail were heard by Sheriff Cantrell and an update on the Jail Expansion was given.

Jim Petty gave a presentation and progress report of the Patriot Park Project to the Quorum Court and answered questions and concerns.

Director Russell presented information on two bridge projects that meet criteria for federal grants. The Resolutions supporting Director Russell to apply for these grants was passed on to the Quorum Court in a consent agenda.

The committee approved Circuit Clerk Sylvester justification letters for two positions to be moved to 1st quartile.

The Committee passed two ordinances on to the Quorum Court.

Public comments were heard and meeting was adjourned at 8:12pm



WASHINGTON COUNTY, ARKANSAS

County Courthouse

FINANCE & BUDGET COMMITTEE REPORT – JUNE

Judge Deakins

The Finance & Budget Committee met Tuesday, June 6, 2023 at 6:00PM. JP Taylor led prayer and pledge. Reports were heard from Treasurer Hill, Employee's Insurance Report from Charles Angel and Comptroller's report from Director Story. The Committee reviewed ten ordinances, making amendments to two of them. All ten ordinances were passed on to the Quorum Court. There were no public comments and meeting was adjourned at 7:16pm.