



**WASHINGTON COUNTY, ARKANSAS**  
**County Courthouse**

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

Thursday, August 17, 2023  
6:00 p.m.  
Washington County Quorum Court Room

**AGENDA**

1. **CALL TO ORDER AND WELCOME**

**JUDGE 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/ 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 July 20, 2023.

7. **COUNTY JUDGE'S REPORT** (7.1)

**JUDGE DEAKINS**

**UNFINISHED BUSINESS**

8. **AN ORDINANCE REPEALING ORDINANCES 2009-33, 2009-43, AND 2009-67 TO ALLOW APPEALS OF THE DECISIONS TO BE FILED IN CIRCUIT COURT.** (On third reading)

Item number 23-O-076 (8.1)

**JP LYONS**

9. **AN ORDINANCE AMENDING THE ARPA FUND BUDGET FOR 2023.** (On third reading)

Item number 23-O-088 (9.1)

**JP COGER**

10. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD Anytime Hauling.** (On third reading)  
Item number 23-O-111 (10.1)

JP LEMING

**NEW BUSINESS**

11. **CONSENT AGENDA**

1. **AN ORDINANCE AMENDING ORDINANCE 2022-107, THE 2022 WASHINGTON COUNTY BUDGET, TO APPROPRIATE PROFESSIONAL DEVELOPMENT RECOGNITION PAYMENTS.** Item 23-O-108 (11.1)  
JP LEMING
2. **AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL FUNDING OF \$1,200 FOR 2023.** Item 23-O-112 (11.2)  
JP ECKE
3. **AN ORDINANCE ANTICIPATING REVENUE TOTALING \$833,001 IN THE CRISIS STABILIZATION UNIT (CSU) GRANT FUND.**  
Item 23-O-114(11.3)  
JP SIMONS
4. **AN ORDINANCE ESTABLISHING THE COMPENSATION FOR THE WASHINGTON COUNTY ELECTION COMMISSIONERS; AND, REPEALING ORDINANCE 1995-11.**  
Item 23-O-115(11.4)  
JP ECKE
5. **AN ORDINANCE ANTICIPATING AND APPROPRIATING ADDITIONAL REVENUE OF \$60,000 IN THE RURAL COMMUNITY GRANT FUND FOR 2023.**  
Item 23-O-117(11.5)  
JP LYONS
6. **AN ORDINANCE REDUCING OBLIGATIONS IN THE AMERICAN RESCUE PLAN ACT ("ARPA") FUND (3046) BY \$91,894.55.**  
Item 23-O-118(11.6)  
JP ECKE
7. **AN ORDINANCE AMENDING THE CIRCUIT COURT VIII BUDGET FOR 2023.**  
Item 23-O-119(11.7)  
JP ECKE
8. **AN ORDINANCE AMENDING THE JUVENILE DETENTION CENTER BUDGET FOR 2023.**  
Item 23-O-120(11.8)  
JP COGER
9. **AN ORDINANCE AMENDING THE PROSECUTING ATTORNEY BUDGET FOR 2023.**  
Item 23-O-121(11.9)  
JP COGER
10. **AN ORDINANCE AMENDING THE COUNTY COMMUNICATIONS BUDGET FOR 2023.** Item 23-O-122(11.10)  
JP LYONS
11. **AN ORDINANCE AMENDING THE COUNTY COMPTROLLER BUDGET FOR 2023.**  
Item 23-O-123 (11.11)  
JP ECKE
12. **AN ORDINANCE AMENDING THE 2023 COUNTY BUDGET.**  
Item 23-O-124 (11.12)  
JP LYONS

12. **AN ORDINANCE AUTHORIZING THE TRANSFER OF ONE VEHICLE TO MADISON COUNTY, ARKANSAS.** Item 23-O-113 JP DENNIS
13. **AN ORDINANCE AMENDING SECTION 5 OF THE BENEFITS AND APPROVED LEAVE SECTION OF ORDINANCE 2018-50 – THE WASHINGTON COUNTY EMPLOYEE HANDBOOK.** Item 23-O-116 JP LYONS
14. **A RESOLUTION SUPPORTING THE PUBLICATION OF ALL COUNTY ORDINANCES and RESOLUTIONS ON THE WASHINGTON COUNTY WEBSITE.** Item 23-R-009 JP LYONS
15. **A RESOLUTION SUPPORTING SUSTAINED FUNDING FOR THE NORTHWEST ARKANSAS CRISIS STABILIZATION UNIT TO PROVIDE MENTAL HEALTH SERVICES.** Item 23-R- 010 JP COGER

16. **BEAVER LAKE TINY HOMES CUP** (16.1-16.2)

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

17. **APPEAL HEARING DISCUSSION BY QUORUM COURT-** Beaver Lake Tiny Homes
18. **QUORUM COURT ACTION ON BEAVER LAKE TINY HOMES APPEAL**  
Items 23-O-093 or 23-O-094 (18.1-18.2) JP LYONS

19. **COMMITTEE REPORTS-**

- COUNTY SERVICES- (19.1)
- FINANCE & BUDGET(19.2)

20. **ADJOURNMENT**

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2  
3 **MINUTES OF THE**  
4 **REGULAR MEETING OF THE**  
5 **WASHINGTON COUNTY QUORUM COURT**

6 Thursday, July 20, 2023  
7 6:00 PM  
8 Washington County Courthouse

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

10  
11 The following members were present: Taylor, Wilson, Simons, Lyons, Ecke, Dean,  
12 Washington, Cogger, Dennis, Rios Stafford, Leming, and Pond. Highers and Ricker were  
13 absent.

14  
15 JP Lyons led the Prayer and Pledge.

16  
17 JP Lyons motioned to adopt the agenda with a second from JP Dean, and the motion  
18 passed with a voice vote.

19  
20 JP Dean made a motion to read all ordinances/resolutions by title only, the second was  
21 made by JP Lyons and the motion passed with a voice vote.

22  
23 There were no citizen’s comments.

24  
25 The judge presented Item 6, Approval of Minutes, and asked if there were any  
26 corrections that needed to be made. JP Cogger advised she had two corrections. On  
27 line 24: JP Cogger said she did not make a motion to extend the time by 12 minutes and  
28 that her Motion was to extend the time for anyone standing in line to be able to speak.  
29 On Line 25, it was noted her motion passed by voice vote, but the motion did not pass.  
30 Judge Deakins advised that we would note those items, and asked if he had a motion to  
31 approve the minutes, as amended. JP Dean made a motion to approve the minutes  
32 with amendments and it was seconded by JP Lyons. The motion passed with a voice  
33 vote. Minutes from June 15, 2023, were approved with amendments.

34  
35 Judge’s Report is as follows:

- 36  
37 1. Thank you to the Washington County Extension Homemakers’ Club for the  
38 snacks and refreshments for tonight’s meeting.  
39 2. Disposal report is in your packet- no disposals for last month.  
40 3. PACT Act  
41 4. Crisis Stabilization Unit  
42 a. This is a partnership between the state and the county. The state’s  
43 obligation is to fund the service provider, which for Washington County is  
44 UAMS. Our obligation is to provide the facility. We have consistently  
45 performed on our side.

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- b. At the 11<sup>th</sup> hour, I was presented with a contract from the Arkansas Department of Human Services that drops the monthly reimbursement for our CSU from approximately \$90K to \$60K after the month of September. I signed the contract with the promise the state and the elected officials representing the 4 host counties would work to find ways to restore that funding gap.
  - c. The CSU is only viable if the state honors its commitment to funding the service provider. If this gap cannot be made up, the CSU will close and I feel we will lose an asset for this region.
5. Road Tour- I want to thank all the JPs who were able to make the road tour. It was an absolute honor to get to share some of our work with each of you. It also meant a lot to the men and women of our road department to see such interest. I hope it was very beneficial, and I would appreciate any feedback or suggestions on how to make that event better. Initially, I am entertaining doing that event bi-annually, with specific focus on any newly elected justices.
6. Emergency Operations Center- Project Update
- a. We have been fully into the planning stages of our EOC
    - i. Toured ADEM's SEOC
    - ii. Toured Ozark Electric Cooperative's emergency communications center
    - iii. I want to thank the staffs of both organizations for their hospitality
    - iv. These tours gave us invaluable insight into what we want our EOC to include and how we want it laid out.
    - v. Director Luther and our office have been working with WER architects on the programming stage of our EOC. We hope to have layouts and renderings very soon.
    - vi. We received 3 very strong responses to our RFQ for a construction manager. We have conducted interviews with each, and that decision is imminent. We find it crucial to get a construction manager on the project as soon as possible, so they can collaborate with our design team to make suggestions and find efficiencies within the project.
7. Words of Encouragement
- a. Wayne Story
  - b. Sam ATA
8. Washington County Law Library Appointment- Catherine Baker.

UNFINISHED BUSINESS

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The Judge moved to item 8 under unfinished business, **AN ORDINANCE AMENDING ORDINANCE 2018-50 TO UPDATE THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE HANDBOOK Item 2023-O-063, on the third and final reading.** County Attorney Lester read the ordinance by title only. JP Ecke made a motion to pass 8.1, it was seconded by JP Lyons. Discussion by JP Lyons and JP Leming. There were no public comments. A roll call vote was taken and tallied as follows:

- JP Taylor-Yes
- JP Wilson-Yes
- JP Simons-Yes
- JP Lyons-Yes
- JP Ecke-Yes
- JP Dean-Yes
- JP Washington-No
- JP Cogger-No
- JP Dennis-Yes
- JP Highers-Absent
- JP Rios Stafford-No
- JP Leming-No
- JP Ricker-Absent
- JP Pond-Yes

Motion passed and **AN ORDINANCE AMENDING ORDINANCE 2018-50 TO UPDATE THE VACATION POLICY IN THE WASHINGTON COUNTY EMPLOYEE HANDBOOK.** Item 23-O-063 was adopted as **ORD 2023-081.**

Judge Deakins moved to item 9 under unfinished business, **AN ORDINANCE REPEALING ORDINANCES 2009-33, 2009-43, AND 2009-67 TO ALLOW APPEALS OF THE DECISIONS TO BE FILED IN CIRCUIT COURT. Item 23-O-076, on the second reading.** Attorney Lester read the ordinance by title only. JP Lyons made a motion to suspend the rules and move to the third and final reading, with a second from JP Dean. A roll call vote was taken to move the ordinance to the third and final reading. Roll call was taken and tallied as follows:

- JP Taylor-Yes
- JP Wilson-Yes
- JP Simons-No
- JP Lyons-Yes
- JP Ecke-Yes
- JP Dean-Yes
- JP Washington-No
- JP Cogger-No
- JP Dennis-No
- JP Highers-Absent

136 JP Rios Stafford-No

137 JP Leming-No

138 JP Ricker-Absent

139 JP Pond-No

140

141 Motion failed to carry to suspend the rules and move to the third and final reading. The  
142 ordinance will move to the **August** Quorum Court meeting for the third and final  
143 reading.

144

145 Judge Deakins moved to item 10 under unfinished business, **AN ORDINANCE**  
146 **AMENDING THE ARPA FUND BUDGET FOR 2023. Item 23-O-088, on the second**  
147 **reading.** Attorney Lester read the ordinance by title only.

148 JP Lyons made a motion to suspend the rules and move to the third and final reading,  
149 with a second from JP Dean. A roll call vote was taken to move the ordinance to the  
150 third and final reading. Roll call was taken and tallied as follows:

151

152 JP Taylor-Yes

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-No

161 JP Highers-Absent

162 JP Rios Stafford-No

163 JP Leming-No

164 JP Ricker-Absent

165 JP Pond-No

166

167 Motion failed to carry to suspend the rules and move to the third and final reading. The  
168 ordinance will move to the **August** Quorum Court meeting for the third and final  
169 reading.

170

171 Judge Deakins moved to item 11 under new business, which was the Consent Agenda.  
172 Attorney Lester read each ordinance by title only.

173 JP Simons motioned to adopt the consent agenda with a second from JP Lyons. There  
174 were no public comments. Roll call was taken and tallied as follows:

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176 JP Taylor-Yes

177 JP Wilson-Yes

178 JP Simons-Yes

179 JP Lyons-Yes

180 JP Ecke-Yes

181 JP Dean-Yes

182 JP Washington-Yes  
183 JP Cogger-Yes  
184 JP Dennis-Yes  
185 JP Highers-Absent  
186 JP Rios Stafford-Yes  
187 JP Leming-Yes  
188 JP Ricker-Absent  
189 JP Pond-Yes

190  
191 Motion passed on the Consent Agenda and ordinances and resolutions were adopted  
192 as follows:

- 193  
194 1. **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE IN THE AMOUNT OF**  
195 **\$75,000 IN THE RURAL COMMUNITY GRANT FUND FOR 2023.**  
196 Item 23-O-091 (11.1) was adopted as **ORD 2023-82.**  
197  
198 2. **AN ORDINANCE ANTICIPATING AND APPROPRIATING ADDITIONAL GRANT**  
199 **FUNDS AND REPEALING ORDINANCE 2023-080.**  
200 Item 23-O-098(11.2) was adopted as **ORD 2023-83.**  
201  
202 3. **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$399,996 IN THE**  
203 **DRUG COURT GRANT FUND.**  
204 Item 23-O-099(11.3) was adopted as **ORD 2023-84.**  
205  
206 4. **AN ORDINANCE AMENDING THE AMBULANCE FUND BUDGET FOR 2023.**  
207 Item 23-O-100(11.4) was adopted as **ORD 2023-85.**  
208  
209 5. **AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL**  
210 **REVENUE OF \$9,138 IN THE RURAL COMMUNITY GRANT FUND FOR 2023.**  
211 Item 23-O-101(11.5) was adopted as **ORD 2023-86.**  
212  
213 6. **AN ORDINANCE AMENDING VARIOUS BUDGETS FOR 2023.**  
214 Item 23-O-102(11.6) was adopted as **ORD 2023-87.**  
215  
216 7. **AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL**  
217 **REVENUE OF \$10,000 IN THE AOC JUVENILE COURT GRANT FUND FOR**  
218 **2023.** Item 23-O-103(11.7) was adopted as **ORD 2023-88.**  
219  
220 8. **AN ORDINANCE AMENDING THE PROSECUTING ATTORNEY’S BUDGET FOR**  
221 **2023.** Item 23-O-105 (11.8) was adopted as **ORD 2023-89.**  
222  
223 9. **AN ORDINANCE AMENDING THE ASSESSOR’S BUDGET FOR 2023.**  
224 Item 23-O-106 (11.9) was adopted as **ORD 2023-90.**  
225  
226 10. **AN ORDINANCE AMENDING THE CIRCUIT COURT VIII’S BUDGET FOR 2023.**  
227 Item 23-O-107(11.10) was adopted as **ORD 2023-91.**  
228



229 Judge Deakins moved to item 12 on the agenda – **AN ORDINANCE RATIFYING A**  
230 **CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE**  
231 **PLANNING BOARD, Langham Shop Addition. Item 23-O-109.** Attorney Lester read  
232 the ordinance by title only.  
233 JP Taylor made a motion to suspend rules and pass to second reading with a second by JP  
234 Lyons, passed with a voice vote. Attorney Lester read the item for the second reading by  
235 title only. JP Taylor made a motion to suspend the rules and move to the third and final  
236 reading with a second from JP Lyons, the motion passed with a voice vote, and Attorney  
237 Lester read the ordinance for the third and final reading. JP Taylor motioned to pass the  
238 ordinance with a second from JP Lyons. There were no public comments and roll call was  
239 taken and tallied as follows:

- 240
- 241 JP Taylor-Yes
- 242 JP Wilson-Yes
- 243 JP Simons-Yes
- 244 JP Lyons-Yes
- 245 JP Ecke-Yes
- 246 JP Dean-Yes
- 247 JP Washington-Yes
- 248 JP Cogger-Yes
- 249 JP Dennis-Yes
- 250 JP Highers-Absent
- 251 JP Rios Stafford-Yes
- 252 JP Leming-Yes
- 253 JP Ricker-Absent
- 254 JP Pond-Yes

255  
256 **Motion passed – AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**  
257 **RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD Langham Shop**  
258 **Addition.** Item 23-O-109 was adopted as **ORD 2023-92**

259  
260 Judge Deakins moved to item 13 on the agenda – **AN ORDINANCE RATIFYING A**  
261 **CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE**  
262 **PLANNING BOARD, Wrapology. Item 23-O-110.** Attorney Lester read the ordinance  
263 by title only.  
264 JP Pond made a motion to suspend rules and pass to second reading with a second by  
265 JP Lyons, The motion passed with a voice vote. Attorney Lester read the ordinance by  
266 title only for the second reading. JP Pond made a motion to suspend the rules and  
267 move to the third and final reading with a second by JP Lyons, the motion passed with a  
268 voice vote, and Attorney Lester read the ordinance for the third and final reading. JP  
269 Pond motioned to pass the ordinance with a second from JP Lyons. There were no  
270 public comments Roll call was taken and tallied as follows:

- 271
- 272 JP Taylor-Yes
- 273 JP Wilson-Yes
- 274 JP Simons-Yes

275 JP Lyons-Yes  
276 JP Ecke-Yes  
277 JP Dean-Yes  
278 JP Washington-Yes  
279 JP Cogger-Yes  
280 JP Dennis-Yes  
281 JP Highers-Absent  
282 JP Rios Stafford-Yes  
283 JP Leming-Yes  
284 JP Ricker-Absent  
285 JP Pond-Yes

286  
287 Motion passes **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**  
288 **RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD Wrapology.**  
289 Item 23-O-110 was adopted as **ORD 2023-93.**  
290

291 Judge Deakins moved to item 14 on the agenda – **AN ORDINANCE RATIFYING A**  
292 **CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE**  
293 **PLANNING BOARD, Anytime Hauling. Item 23-O-111.** Attorney Lester read the  
294 ordinance by title only.

295 JP Leming introduced the ordinance and made a motion to deny it. There was no  
296 second. Judge Deakins advised that the ordinance needed to move through the three  
297 readings. JP Leming motioned to suspend the rules and move it to a second reading. It  
298 was seconded by JP Lyon—the motion passed by a voice vote. Attorney Lester read  
299 the ordinance by title only for a second reading. JP Leming motioned to suspend the  
300 rules and move it to a third and final reading. JP Lyons seconded it—the motion passed  
301 by voice vote. Attorney Lester read the ordinance by title only for the third and final  
302 reading. JP Leming made a motion to deny the ordinance. Judge Deakins clarified that  
303 as the ordinance is written, a Yes vote will pass the ordinance into law, and a no vote  
304 will be to deny the ordinance. There was a discussion among the Quorum Court  
305 members, and Planning Director Ata answered questions. JP Pond motioned to table  
306 the ordinance until the August Quorum Court meeting, and JP Dennis seconded it.  
307 Judge Deakins asked if there was more discussion on the motion to table. During the  
308 discussion of the motion, JP Pond raised a point of order regarding JP Taylor’s  
309 comments being germane to the motion at hand. JP Taylor withdrew his comment. A  
310 roll call vote was taken on the motion to table until the August Quorum Court meeting,  
311 and the results were as follows:

312  
313 JP Taylor- Abstain  
314 JP Wilson-Yes  
315 JP Simons-Yes  
316 JP Lyons-Yes  
317 JP Ecke-No  
318 JP Dean-Yes  
319 JP Washington-Yes  
320 JP Cogger-Yes

321 JP Dennis-Yes  
322 JP Highers-Absent  
323 JP Rios Stafford-Yes  
324 JP Leming-No  
325 JP Ricker-Absent  
326 JP Pond-Yes  
327 Motion passed. Item 16 was tabled until the August Quorum Court meeting for third and  
328 final reading.

329  
330 Judge Deakins moved to item 15 on the agenda – **AN ORDINANCE AUTHORIZING A**  
331 **SHORT-TERM FINANCING PURCHASE PURSUANT TO THE PROVISIONS OF ACT**  
332 **1808 OF 2001 AND AMENDMENT 78 TO THE ARKANSAS CONSTITUTION** Item  
333 **2023-O-97**. Attorney Lester read the ordinance by title only.

334 JP Lyons introduced the ordinance. JP Lyons made a motion to pass, it was seconded  
335 by JP Ecke. The Quorum Court members had a discussion on the ordinance. There  
336 were no public comments and roll call was taken and tallied as follows:

- 337
- 338 JP Taylor-Yes
- 339 JP Wilson-Yes
- 340 JP Simons-Yes
- 341 JP Lyons-Yes
- 342 JP Ecke-Yes
- 343 JP Dean-Yes
- 344 JP Washington-Yes
- 345 JP Coger-Yes
- 346 JP Dennis-Yes
- 347 JP Highers-Absent
- 348 JP Rios Stafford-Yes
- 349 JP Leming-No
- 350 JP Ricker-Absent
- 351 JP Pond-Yes

352  
353 Motion passes; **AN ORDINANCE AUTHORIZING A SHORT-TERM FINANCING**  
354 **PURCHASE PURSUANT TO THE PROVISIONS OF ACT 1808 OF 2001 AND**  
355 **AMENDMENT 78 TO THE ARKANSAS CONSTITUTION** Item 2023-O-97 was adopted  
356 as **ORD 2023-94**.

357  
358 Judge Deakins moved to item 16 on the agenda – **AN ORDINANCE AMENDING THE**  
359 **COUNTY ATTORNEY’S BUDGET FOR 2023**—item 23-O-104. Attorney Lester read  
360 the ordinance by title only.

361 JP Ecke introduced the ordinance. JP Ecke made a motion to approve and it was  
362 seconded by JP Dean. Judge Deakins asked for any discussion. During the discussion  
363 of Item 16, JP Ecke raised a point of order regarding JP Coger’s comments about the  
364 amount of other legal staff salaries and the total amount paid for County legal staff. JP  
365 Ecke questioned whether JP Coger’s comments were germane to the main motion. The  
366 Chair acknowledged JP Ecke’s point of order and ruled that the comments were not

367 germane. JP Coger then appealed the Chair's ruling to the entire Quorum Court body.  
368 The members of the Quorum Court discussed the Chair's ruling and voted and upheld  
369 the Chair's decision. Public comment was heard. Roll call was taken and tallied as  
370 follows:

371  
372 JP Taylor-Yes  
373 JP Wilson-Yes  
374 JP Simons-Yes  
375 JP Lyons-Yes  
376 JP Ecke-Yes  
377 JP Dean-Yes  
378 JP Washington-Yes  
379 JP Coger-No  
380 JP Dennis-Yes  
381 JP Highers-Absent  
382 JP Rios-Stafford-Yes  
383 JP Ricker-Absent  
384 JP Leming-Yes  
385 JP Pond-Yes

386  
387 Motion passes; **AN ORDINANCE AMENDING THE COUNTY ATTORNEY'S BUDGET**  
388 **FOR 2023**. Item 23-O-104 was adopted as **ORD 2023-95**.

389  
390  
391 Committee Reports as follows:

392 There was no County Services Committee meeting for July.

393  
394 The Finance & Budget Committee met Tuesday, July 11, 2023, at 6:00 PM. All  
395 members were present.

396 JP Simons led the prayer and pledge.

397  
398 Reports were heard from Treasurer Bobby Hill, Employee's Insurance Report from  
399 Charles Angel, and Comptroller's report from Director Wayne Story.

400  
401 The Committee passed twelve ordinances onto Quorum Court with ten of those being  
402 placed on the consent agenda. There were no public comments and the meeting was  
403 adjourned at 6:52 pm.

404  
405 The Quorum Court meeting was adjourned at 7:19PM

406 *Sabrina Mason*

407 Sabrina Mason  
408 Quorum Court Coordinator

**Patrick Deakins**  
County Judge



**Jousy Facundo**  
Fixed Asset Manager

**WASHINGTON COUNTY, ARKANSAS**  
**Purchasing Department Disposal of County Property**

July, 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. There was no property disposed for the month of July, 2023.

Court Order	File Date	Description
2023-114	07/25/2023	



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

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BECKY LEWALLEN, County Clerk

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

Committee History: County Services (5-30-23); passed on to June QC  
Quorum Court History: Quorum Court (6-15-23); move to July for second reading  
Quorum Court History: Quorum Court (7-20-23); move to August for third reading.



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 <sup>st</sup> 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

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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); Amended and passed to QC  
Quorum Court History: Quorum Court (6-15-23); moves to July for second reading  
Quorum Court History: Quorum Court (7-20-23); move to August for third reading.

Item 23-O-111

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 **Anytime Hauling** project on **July 13, 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 **Anytime Hauling** Project recommended for approval by the Planning and Zoning Board is hereby ratified.

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PATRICK W. DEAKINS, County Judge

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DATE

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BECKY LEWALLEN, County Clerk

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Introduced by: JP Willie Leming

Date of Adoption:

Members Voting For:

Members Voting Against:

Members Abstaining:

Members Absent:

Committee History: Planning 07-13-23

Quorum Court History: Quorum Court (07/20/23); tabled & moved to August for third reading

Item 23-O-108

Requested by: Assessor Russell Hill  
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 WASHINGTON COUNTY BUDGET (ORDINANCE 2022-107), TO APPROPRIATE PROFESSIONAL DEVELOPMENT RECOGNITION PAYMENTS.**

**WHEREAS**, in accordance with Act 357 of 2023 the professional development recognition payments authorized by § 14-15-205 for qualifying county assessors and full-time employees of a county assessor’s office shall be paid through county payroll as soon as practicable after the funds are received. The lump sum payment of a professional development recognition payment shall not be incorporated into the county base pay of a constitutional officer or a county employee for future salary adjustments. This lump sum payment is subject to withholding of all applicable state and federal taxes but shall not be subject to retirement benefits in accordance with § 14-15-205(e)(1). The professional development recognition payments shall not be construed to be part of a county officer’s compensation as defined in Amendment 55, § 5 of the Arkansas Constitution or Arkansas Code Annotated § 14-14-1203(d); and,

**WHEREAS**, this court acknowledges and affirms that it is the responsibility of the county to disburse, through the county payroll system, the Professional Development Recognition Payments funded by the State of Arkansas to qualifying personnel who actively work with property taxes.

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

**ARTICLE 1.** There is hereby appropriated the total amount of \$10,765 from the unappropriated reserves in the General Fund (1000) to the following line items in the County Assessor’s Budget for 2023:

Overtime/Other Misc. Compensation	10000105.1005	\$ 10,000
Social Security Matching	10000105.1006	765

**ARTICLE 2.** It is the intent of the Washington County Quorum Court that the appropriations contained herein are to be used only for Professional

43 Development Recognition Payments and associated payroll expenses; and, this ordinance  
44 is only an amendment to the 2023 county operating budget as established by Ordinance  
45 No. 2022-107 and other amendments thereto. All other appropriations and policy  
46 statements of Ordinance No. 2022-107 shall remain in full force.

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48 **ARTICLE 3.** This appropriation ordinance shall be effective  
49 immediately upon its passage by the quorum court and approval by the county judge in  
50 accordance with Arkansas Code Annotated § 14-14-907(f).

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56 PATRICK W. DEAKINS, County Judge  
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59 DATE

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70 BECKY LEWALLEN, County Clerk

- 61 Introduced by:
- 62 Date of Adoption:
- 63 Members Voting For:
- 64 Members Voting Against:
- 65 Members Abstaining:
- 66 Members Absent:

69 Committee History: Finance & Budget 08-08-23 passed on to QC  
70 Quorum Court History:

Item 23-O-112

Requested by: Circuit Judge Diane Warren  
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 RECOGNIZING AND  
APPROPRIATING ADDITIONAL FUNDING OF  
\$1,200 FOR 2023.**

**WHEREAS,** Washington County received an additional \$1,200 from the  
Hunger Relief Alliance to help fund the Cooking Matters program in Circuit Court VIII;  
and,

**WHEREAS,** the Quorum Court desires to appropriate said funds for use  
by the program.

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

**ARTICLE 1.** There is hereby recognized the total amount of  
\$1,200 in the unappropriated reserves of the General Fund (1000) for 2023.

**ARTICLE 2.** There is hereby appropriated the total amount of  
\$1,200 from the unappropriated reserves in the General Fund to the following line items  
in the Circuit Court VIII Budget (10000408) for 2023:

General Supplies	10000408.2001	\$ 200
Food	10000408.2005	1,000

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PATRICK W. DEAKINS, County Judge

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DATE

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BECKY LEWALLEN, County Clerk

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43 Introduced by:  
44 Date of Adoption:  
45 Members Voting For:  
46 Members Voting Against:  
47 Members Abstaining:  
48 Members Absent:  
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51 Committee History: Finance & Budget 08-08-23 passed on to QC  
52 Quorum Court History:



Item 23-O-114

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 ANTICIPATING REVENUE TOTALING \$833,001 IN THE CRISIS STABILIZATION UNIT (CSU) GRANT FUND; AND, APPROPRIATING \$833,001 FROM THE CSU GRANT FUND TO THE OTHER PROFESSIONAL SERVICES LINE ITEM IN THE CSU GRANT FUND BUDGET FOR 2023.**

**WHEREAS,** Washington County anticipates receiving the total amount of \$833,001 from the State of Arkansas to fund the Northwest Arkansas CSU for 2023-2024.

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

**ARTICLE 1.** There is hereby anticipated revenue totaling \$833,001 in the CSU Grant Fund (35500342.7010) for 2023-2024.

**ARTICLE 2.** There is hereby appropriated the total amount of \$833,001 from the CSU Grant Fund (3550.0342) to the Other Professional Services line item (35500342.3009) in the CSU Grant Fund Budget for 2023.

\_\_\_\_\_  
PATRICK W. DEAKINS, County Judge

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DATE

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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: Finance & Budget 08-08-23 passed on to QC  
48 Quorum Court History:

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 ESTABLISHING THE COMPENSATION FOR THE WASHINGTON COUNTY ELECTION COMMISSIONERS; AND, REPEALING ORDINANCE 1995-11.**

**WHEREAS**, Act 356 of 2023 changed the minimum compensation of county election commissioners to \$125 per meeting; and,

**WHEREAS**, Washington County, through Ordinance 1995-11, previously set the compensation of the county election commissioners at \$50 per day; and,

**WHEREAS**, the Washington County Quorum Court desires to repeal Ordinance 1995-11 and create a new ordinance establishing the compensation of its County Election Commissioners.

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

**ARTICLE 1.** Each member of the Washington County Board of Election Commissioners shall receive, for his or her services, the sum of one hundred twenty-five dollars (\$125) per public meeting when official business is conducted.

**ARTICLE 2.** Each member of the Washington County Board of Election Commissioners shall receive compensation of fifteen dollars (\$15) per hour worked outside of a public meeting.

**ARTICLE 3.** Each member of the Washington County Board of Election Commissioners shall file a claim with the Washington County Clerk documenting tasks completed by the member and the time required to complete those tasks in order to receive hourly compensation.

**ARTICLE 4.** A member of the Washington County Board of Election Commissioners shall not be paid hourly compensation for tasks completed more than one hundred (100) days prior to Election Day or more than forty (40) days after

43 Election Day.

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PATRICK W. DEAKINS, County Judge

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BECKY LEWALLEN, County Clerk

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54 Introduced by:

55 Date of Adoption:

56 Members Voting For:

57 Members Voting Against:

58 Members Abstaining:

59 Members Absent:

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62 Committee History: Finance & Budget 08-08-23 passed on to QC

63 Quorum Court History:

Item 23-O-117

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 ANTICIPATING AND APPROPRIATING ADDITIONAL REVENUE OF \$60,000 IN THE RURAL COMMUNITY GRANT FUND FOR 2023.**

**WHEREAS,** Washington County has been notified that it will receive \$60,000 in additional revenue as a result of its Grant Application to the Nature Conservancy – AR Rivers – Unpaved Roads Project.

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

**ARTICLE 1.** There is hereby anticipated revenue in the amount of \$60,000 within in the Rural Community Grant Fund (3503.0240) for 2023.

**ARTICLE 2.** There is hereby appropriated the total amount of \$60,000 within the Rural Community Grant Fund (3503.0240) to the following line items in the Rural Community Grant Fund Budget (35030240) for 2023:

Gravel, Dirt, and Sand	35030240.2007	\$ 6,000
Concrete	35030240.2030	48,000
Bridges and Steel	35030240.2031	6,000

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PATRICK W. DEAKINS, County Judge

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DATE

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BECKY LEWALLEN, County Clerk

Introduced by:

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: Finance & Budget Committee 08-08-23 passed on to Quorum Court  
50 Quorum Court History:

Item 23-O-118

Requested by: Treasurer Bobby Hill  
 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 REDUCING OBLIGATIONS IN THE AMERICAN RESCUE PLAN ACT (“ARPA”) FUND (3046) BY \$91,894.55.**

**WHEREAS,** Washington County obligated ARPA funds for the ARPA administrator position; and,

**WHEREAS,** that position has been eliminated leaving \$91,894.55 in unused but obligated funding; and,

**WHEREAS,** the County desires to reduce said \$91,894.55 from obligation.

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

**ARTICLE 1.** There is hereby reduced the total amount of \$91,894.55 from obligation in the ARPA Fund (3046) for 2023.

\_\_\_\_\_  
 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:

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44 Committee History: Finance & Budget Committee 08-08-23 passed on to Quorum Court

45 Quorum Court History:



Item 23-O-119

Requested by: Circuit Judge Diane Warren  
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 VIII BUDGET FOR 2023.**

**WHEREAS**, Judge Diane Warren hired a new Director of Juvenile Services and requests that the new employee’s salary be higher than the minimum of the range for the position’s grade and that it paid retroactively back to the date of hire; 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 appropriated the total amount of \$3,974.53 from the unappropriated reserves in the General Fund (1000) to the following line items in the Circuit Court VIII Budget (10000408) for 2023:

Salaries, Full-Time	10000408.1001	\$ 3,229.96
Social Security Matching	10000408.1006	247.09
Employer Retirement Contribution	10000408.1008	494.83
Workmen’s Compensation	10000408.1010	2.65

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PATRICK W. DEAKINS, County Judge

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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: Finance & Budget Committee 08-08-23 passed on to Quorum Court

48 Quorum Court History:

Item 23-O-120

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 JUVENILE DETENTION CENTER BUDGET FOR 2023.**

**WHEREAS**, there currently exists a salary discrepancy between the two Youth Development Supervisor positions at the JDC: the salary of position 0444020 is \$41,091 and the salary of position 0444021 is \$39,219; and,

**WHEREAS**, County Judge Patrick W. Deakins requests that the compensation of position 044021 be raised to make it equal with position 0444020 as the duties and responsibilities of each position are identical; and,

**WHEREAS**, the Quorum Court approves the request.

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

**ARTICLE 1.** There is hereby appropriated the total amount of \$1,080.10 from the unappropriated reserves in the General Fund (1000) to the following line items in the Juvenile Detention Center Budget (10000444) for 2023:

Salaries, Full-Time	10000444.1001	\$869.28
Social Security Matching	10000444.1006	66.50
Employer Retirement Contribution	10000444.1008	133.17
Workmen’s Compensation	10000444.1010	11.15

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PATRICK W. DEAKINS, County Judge

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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: Finance & Budget Committee 08-08-23 passed on to Quorum Court  
Quorum Court History:

Item 23-O-121

Requested by: Prosecuting Attorney Matt Durrett  
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 PROSECUTING ATTORNEY BUDGET FOR 2023.**

**WHEREAS**, Prosecuting Attorney Matt Durrett requests grade changes and salary adjustments for five positions within his budget; and,

**WHEREAS**, the Quorum Court approves the requests.

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

**ARTICLE 1.** The grade of the Assistant Hot Check Administrator, position 0416008, is hereby amended to grade 12, and the salary is amended to \$48,436.82.

**ARTICLE 2.** The grade of the Juvenile Case Coordinator, position 0416009, is hereby amended to grade 12, and the salary is amended to \$51,364.18.

**ARTICLE 3.** The grade of the Senior Case Coordinator, position 0416014, is hereby amended to grade 15 and the salary is amended to \$49,968.88.

**ARTICLE 4.** The grade of the Case Coordinator, position 0416016, is hereby amended to grade 14 and the salary is amended to \$47,958.14.

**ARTICLE 5.** The grade of the Bilingual Victims' Assistance Coordinator, position 0416017, is hereby amended to grade 12 and the salary is amended to \$45,500.

**ARTICLE 6.** There is hereby appropriated the total amount of \$5,864.12 from the unappropriated reserves in the General Fund (1000) to the following line items in the Prosecuting Attorney's Budget (10000416) for 2023:

Salaries, Full-Time	10000416.1101	\$ 4,765.56
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43	Social Security Matching	10000416.1006	364.57
44	Employer Retirement Matching	10000416.1008	730.08
45	Workmen's Compensation	10000416.1010	3.91

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PATRICK W. DEAKINS, County Judge

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BECKY LEWALLEN, County Clerk

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

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Finance & Budget Committee 08-08-23 passed on to Quorum Court  
Committee History:  
Quorum Court History:

Item 23-O-122

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 COUNTY  
COMMUNICATIONS BUDGET FOR 2023.**

**WHEREAS**, the stage rental for the Tunnel to Towers exhibit was paid out  
of the County Communications budget; and,

**WHEREAS**, funds were raised through donations to cover the entire costs  
associated with Washington County hosting the Tunnel to Towers exhibit; and,

**WHEREAS**, donated funds have been transferred to the General Fund via  
Court Order 2023-093 to cover various costs, including the cost of the stage rental; and,

**WHEREAS**, said funds need to be appropriated to the County  
Communications budget to cover the cost.

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

**ARTICLE 1.** There is hereby appropriated \$1,055 from the  
unappropriated reserves in the General Fund (1000) to the Other Professional Services  
line item in the County Communications Budget (10000133.3009) for 2023.

\_\_\_\_\_  
PATRICK W. DEAKINS, County Judge

\_\_\_\_\_  
DATE

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BECKY LEWALLEN, County Clerk

Introduced by:  
Date of Adoption:

42 Members Voting For:  
43 Members Voting Against:  
44 Members Abstaining:  
45 Members Absent:

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48 Committee History: Finance & Budget Committee 08-08-23 passed on to Quorum Court

49 Quorum Court History:



Item 23-O-123

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 COUNTY COMPTROLLER BUDGET FOR 2023.**

**WHEREAS**, County Judge Patrick W. Deakins requests a grade change and salary increase for the Accounts Payable Administrator, position 0113004, due to increased job duties and responsibilities; and,

**WHEREAS**, the Quorum Court approves the request.

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

**ARTICLE 1.** The grade of the Accounts Payable Administrator, position 0113004, is hereby amended to grade 13 and the salary is amended to \$52,459.07.

**ARTICLE 2.** There is hereby appropriated the total amount of \$1,793.33 from the unappropriated reserves in the General Fund (1000) to the following line items in the Comptroller’s Budget (10000113) for 2023:

Salaries, Full-Time	10000113.1001	\$ 1,457.38
Social Security Matching	10000113.1006	111.49
Employer Retirement Contribution	10000113.1008	223.27
Workmen’s Compensation	10000113.1010	1.19

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PATRICK W. DEAKINS, County Judge

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DATE

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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: Finance & Budget Committee 08-08-23 passed on to Quorum Court  
Quorum Court History:

Item 23-O-124

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 THE 2023 COUNTY BUDGET.**

**WHEREAS**, budget controls in the 2023 County Budget require surplus amounts from full-time salaries be de-appropriated and restored to the unappropriated reserves at the end of each quarter; and,

**WHEREAS**, this ordinance complies with said controls for the 2<sup>nd</sup> quarter of 2023.

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

**ARTICLE 1.** There are hereby de-appropriated the total amount of \$1,934,620 from the Salaries, Full-Time line item in the budgets and restored to the unappropriated reserves in the fund indicated for 2023:

County Judge	10000100.1001	\$ 81,800
County Clerk	10000101.1001	1,100
Circuit Clerk	10000102.1001	20,150
Collector	10000104.1001	39,500
Assessor	10000105.1001	20,580
Buildings & Grounds	10000108.1001	23,330
Planning	10000110.1001	11,960
Comptroller	10000113.1001	670
Information Technology	10000115.1001	44,000
Purchasing	10000118.1001	26,910
Grants Administration	10000120.1001	7,465
Human Resources	10000121.1001	3,180
County Attorney	10000122.1001	26,100
County Communication	10000133.1001	29,360
Animal Shelter	10000308.1001	3,100
Sheriff	10000400.1001	328,000
Circuit Court III	10000403.1001	100,900
Circuit Court VIII	10000408.1001	21,450
Prosecuting Attorney	10000416.1001	5,200

43	Public Defender	10000417.1001	2,940
44	Juvenile Detention Center	10000444.1001	41,800
45	Veteran Services	10000800.1001	2,100
46	Road Department	20000200.1001	221,100
47	Recorder's Cost Fund	30060128.1001	7,000
48	County Library	30170418.1001	16,200
49	Jail Operations	30170418.1001	822,400
50	Emergency 911 Services	30200501.1001	26,325

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PATRICK W. DEAKINS, County Judge

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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: Finance & Budget Committee 08-08-23 passed on to Quorum Court

Quorum Court History:

Item 23-O-113

Requested by: Coroner Roger Morris  
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 AUTHORIZING THE TRANSFER OF ONE VEHICLE TO MADISON COUNTY, ARKANSAS.**

**WHEREAS**, A.C.A. § 14-16-116 authorizes a county to transfer personal property to another county; and,

**WHEREAS**, Coroner Roger Morris desires to transfer a vehicle to Madison County, Arkansas for use by the Madison County Coroner’s office; and,

**WHEREAS**, the Quorum Court approves of the transfer.

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

**ARTICLE 1.** The County Judge is hereby authorized to transfer the 2012 Ford Expedition (VIN 1FMJK1G59CEF39774) currently in use by the County Coroner’s office to Madison County for the sum of one dollar (\$1.00).

\_\_\_\_\_  
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:

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43 Committee History: County Services Committee 07/31/2023: passed on to the Quorum Court  
44 Quorum Court History:

Item 23-O-116

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 SECTION 5 OF THE BENEFITS AND APPROVED LEAVE SECTION OF ORDINANCE 2018-50 – THE WASHINGTON COUNTY EMPLOYEE HANDBOOK.**

**WHEREAS**, as a result of changes to employee policies over the years, an update is needed with regard to the Catastrophic Leave Bank Policy for county employees; and,

**WHEREAS**, the Quorum Court approves of these changes.

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

**ARTICLE 1.** Section 5, titled Catastrophic Leave Bank, of the Benefits and Approved Leave Section of the Washington County Employee Handbook is amended as follows:

**5. Catastrophic Leave Bank**

**A. Participation:**

~~Participation in the Catastrophic Leave Bank (CLB) is available to all full time employees who meet the eligibility requirements. These requirements include the following:~~

- ~~1. The employee must be a regular/full-time employee.~~
- ~~2. The employee must have been continuously employed by Washington County in a full-time capacity for a minimum of two years prior to the plan’s effective date.~~

~~An employee becomes a member of the CLB by contributing 8 hours of sick time to the bank annually. Eligible employees will be given an opportunity to sign up each year during open enrollment for a plan year effective January 1st of the next year. Employees not electing to sign up during the enrollment period will not be eligible to participate until the following plan year. Upon enrollment in the plan and employee will automatically be re-enrolled each year unless the employee~~

41 signs a cancellation form during open enrollment, or no longer meets the  
42 eligibility criteria as of the first day of the plan year.

43 A declaration of participation and contribution shall be made on a Catastrophic  
44 Leave Bank Election Form distributed and collected by the Human Resources  
45 Office. The CLB Form is due in the Human Resources Office between November  
46 1st and November 30th each year for employees electing to participate the next  
47 year. Once forms are submitted, the HR department sends the necessary  
48 authorization to the Comptroller's office to deduct 8 hours of sick leave from the  
49 participating employees sick leave accrued. In no case can donations to the CLB  
50 reduce the employees personal leave time to less than 80 hours. Employees not  
51 possessing 80 hours of combined sick and vacation leave time at the time of  
52 signup, will be ineligible to sign up for the program. However, individuals who do  
53 not meet the minimum hour criteria under the plan due to a catastrophic illness  
54 or injury in the prior year, may make an appeal to the Catastrophic Leave  
55 Committee for special consideration for eligibility, and the committee will review  
56 such requests on an individual basis.

57 Employees wanting to donate additional hours of sick time to the CLB can do so  
58 throughout the year as long as donations do not reduce personal accrued leave  
59 below 80 hours. Donations must be made in a minimum of 4 hour increments,  
60 and require a contribution form to be completed. Once the donation is made,  
61 donations cannot be credited back to the donating employee except in instance  
62 where a qualifying catastrophic leave request for time is made to the committee  
63 and approved.

#### 64 **B. Governance:**

- 65 1. The Catastrophic Leave Bank shall be governed by the Catastrophic Leave  
66 Bank Committee
- 67 2. The Catastrophic Leave Committee shall oversee the administration of the  
68 Catastrophic Leave Bank. The JESAP Committee shall act as the  
69 Catastrophic Leave Bank Committee. The committee shall decide on  
70 requests based on the committee's rules of operation. Requests for leave  
71 from the Catastrophic Leave Bank should be routed to the Human  
72 Resources Office.

#### 73 **C. Rules of Operation:**

- 74 1. Only those employees who have made contributions may make requests  
75 for days from the Bank.
- 76 2. Catastrophic Leave Bank days will be granted only in cases of physical,  
77 mental, or emotional illness of the employee or illness or death in the  
78 immediate family. Immediate family shall include the employee's spouse,  
79 children, parents, and any other relatives living in the same household.
- 80 3. The Catastrophic Leave Bank days may be used only upon exhaustion of  
81 all other paid leave. Days used from the Catastrophic Leave Bank are  
82 grants and do not require repayment.



- 83 4. Before approving a request, the Catastrophic Leave Bank Committee may  
84 review sick leave records and/or require appropriate documentation.  
85 (This may include a doctor's or psychologist's statement verifying  
86 disability and/or expected duration.) Disciplinary records relating to  
87 absenteeism will also be reviewed by the committee, and such records will  
88 influence the committee's decision to approve or deny requests.
- 89 5. Requests for Catastrophic Leave Bank days should be made on a  
90 Catastrophic Leave Bank request form and submitted to the Chairperson  
91 of the committee through the Human Resource Office. Forms may be  
92 obtained by contacting the Human Resource Office. Requests will be  
93 considered on a first filed, first reviewed basis.
- 94 6. Catastrophic Leave Bank days will not be granted if an applicant is eligible  
95 for or receiving income from an income protection insurance policy or  
96 similar coverage. Employees receiving Workers Compensation benefits  
97 will also be ineligible to receive benefits.
- 98 7. Unused days contributed to the Catastrophic Leave Bank will accumulate  
99 and carry forward in the Catastrophic Leave Bank. If available hour  
100 balance is exhausted, requests cannot be approved until additional hours  
101 are donated to the Catastrophic Leave Bank.
- 102 8. In instances where the requesting employee is employed by the  
103 department of one of the voting Catastrophic Leave Bank Committee  
104 members, that member will be asked to abstain from voting on the  
105 request.
- 106 9. A person receiving catastrophic leave pay will continue to accrue sick and  
107 vacation hours. However, the person will use said leave as it is accrued,  
108 and will only be allotted time from the Catastrophic Leave Bank for unpaid  
109 hours.
- 110 10. Catastrophic leave time will run concurrent with FMLA time, and  
111 necessary FMLA paperwork is required to be on file with the Human  
112 Resources Office prior to any requests being heard. FMLA rules of  
113 certification and re-certification will apply. Catastrophic leave is limited to  
114 6 months, 1040 hours, in and 24 month rolling period. Failing to return to  
115 work at the end of the catastrophic leave period will result in termination.
- 116 11. Catastrophic leave grants made from the bank shall be granted in up to 20  
117 business day increments per individual, per request. Requests in excess of  
118 20 days will be reviewed monthly by the committee for re-approval of the  
119 request. In instances where a single individual presents requests for leave  
120 in excess of 3 months, the committee will hold a special meeting to decide  
121 whether or not to grant up to a 3 month extension. In no case shall an  
122 employee receive leave from the Catastrophic Leave Bank in excess of 6  
123 months.
- 124 12. Each Elected Official may make a request to the Catastrophic Leave Bank  
125 Committee to open a special donation period, in which the employees of

126 that particular Elected Official would be able to donate hours for the  
127 expressed use of a designated employee in need of additional catastrophic  
128 leave benefits.

129 ~~13. Suspected abuse of Catastrophic Leave will be investigated, and~~  
130 ~~wrongdoing will result in termination.~~

131 **D. Timekeeper Requirements:**

132 ~~The Timekeeper will present an annual report to the Sick Bank Leave Committee with the~~  
133 ~~amounts donated by each employee, the amounts awarded, the names of recipients, the~~  
134 ~~beginning balance and ending balance.~~

135  
136 **CATASTROPHIC SICK LEAVE BANK PROGRAM**

137  
138 Washington County's Catastrophic Sick Leave Bank Program (CSLB) allows any  
139 employee to donate accrued sick leave for use by employees who have a catastrophic  
140 illness or who have an immediate family\* member with a catastrophic illness, and  
141 whose own leave has been exhausted. Some specific details of the County's program are  
142 as follows:

143  
144 **Catastrophic Illness**

145  
146 A medical condition of an employee or of the spouse, parent or dependent\*\* child of the  
147 employee as defined within this policy as certified by a physician, which requires the  
148 employee's absence from duty for a prolonged period of time and which results in a  
149 substantial loss of income for the employee because of the exhaustion of all earned sick,  
150 annual, and compensatory leave time.

151  
152 **Eligibility**

153  
154 You must be a full-time employee to participate in the CSLB. To receive benefits under  
155 the program, new employees will become eligible to join the Bank on the date of their  
156 one year anniversary. Employees that are currently on disciplinary action or have been  
157 within the last year for poor attendance or do not have the minimum hours for initial  
158 membership are not eligible to enroll in to the Sick Bank program.

159 An approved absence for illness will not be considered poor attendance.

160 All regular full-time employees must meet the following requirements before being  
161 eligible to receive catastrophic leave:

162 A. Satisfactory attendance and performance record.

163 B. Sufficient information from a healthcare provider to confirm a catastrophic  
164 illness/injury exists.

165 C. You must have exhausted all of your sick, annual, and compensatory leave, and  
166 as a result, face a substantial loss of income because of your, your spouse's,  
167 parent's or dependent\* child's medical condition.

168 D. You must have donated the equivalent of one working day to the bank  
169 previously.

170 Your own injuries or illnesses that are covered and compensated by workers'  
171 compensation are eligible under the CSLB, but your workers' compensation and

172 catastrophic leave compensation combined may not exceed the compensation you  
173 received before the onset of your illness or injury.

## 174 **Donations**

176 Donations to the CSLB are optional.

177 No one may directly or indirectly intimidate, threaten, or coerce you or any other  
178 employee in connection with donating, receiving, or using annual leave, sick leave, or  
179 catastrophic leave. You may not donate if doing so would reduce your combined accrued  
180 annual leave and sick leave balance to less than 20 hours.

181 Donations are final and cannot be reversed. Donations can only be made in one hour  
182 increments, and there is no limit to the amount of hours that may be donated. You may  
183 donate only sick leave. Donations from active employees are taken only during the  
184 annual donation drive, normally held in the fourth quarter. If you leave the County, your  
185 unused hours of sick leave will be donated to the Bank upon the termination of your  
186 employment. The Human Resource Director may extend the donation period on a case-  
187 by-case basis.

## 188 **Application for use**

189 Catastrophic leave, for the purpose of this Bank, shall be defined as sick leave required  
190 (1) for treatment or recovery of a non-job injury or illness of the participating employee,  
191 which exceeds two (2) weeks in duration as documented by an attending physician, or  
192 (2) for treatment or recovery of an illness or injury of a participating employees' parent,  
193 spouse, or dependent child as defined in IRS Publication 501.

194 In certain cases an employee may be eligible to apply for Catastrophic leave if they have  
195 suffered an on-the-job injury to equal the difference of what will be received from  
196 Workers' Compensation compared to their normal compensation at the onset of  
197 injury/illness. Once a release to work has been received the employee will be expected to  
198 return to work and the remaining approved leave time will be turned back into the bank.

199 Applications for the CSLB are available in the Human Resource Office or on the County  
200 website.

201 When you request catastrophic leave, your department head or elected official must  
202 verify that you have not been disciplined for leave abuse and you must provide a copy of  
203 your physician's diagnosis detailing your condition (an approved FMLA application is  
204 sufficient documentation) along with your completed application to your department  
205 head or elected official.

206 Applicants will forward their application and medical documentation to Human  
207 Resources for verification and for submission to the CSLB Committee for review. The  
208 CSLB Committee will be comprised of the Washington County's Human Resource  
209 Department(s). Members must have applicable knowledge of HR/payroll processes and

218 be able to maintain confidentiality. The Human Resource Director at the Courthouse  
219 shall have the authority to grant leave from the Bank for a period of up to four (4) weeks  
220 providing forms are completed and all medical documentation is in order without  
221 Committee approval.

222  
223 The committee will review applications on a first-filed, first-considered basis. The CSLB  
224 Committee makes the final decision to grant or deny catastrophic leave. The decision of  
225 the committee is final. No appeals of declined leave transfer will be considered,  
226 however, the committee will clearly communicate to the employee why an application  
227 was not approved. An employee may reapply if their circumstance changes and they  
228 were originally denied a leave allocation. The Committee will meet at a minimum of  
229 once a quarter unless there is a need for additional meetings due to new applications.

### 230 231 **General Rule**

232  
233 If you are granted catastrophic leave, you will continue to receive your normal pay and  
234 benefits, such as contributions to insurance and retirement, but your next salary  
235 increase will be delayed until you return to work without retro pay. While you are on  
236 catastrophic leave, you will continue to accrue sick in accordance with County policies,  
237 but any sick leave you earn while you are on catastrophic leave must, as a condition of  
238 your voluntary participation in the program, be assigned to the CSLB. Vacation accrual  
239 will freeze while an employee is on an active catastrophic sick leave.

240  
241 You may also meet the eligibility requirements for the Family and Medical Leave Act  
242 (FMLA). All leave from the CSLB shall run concurrently with FMLA leave and shall be  
243 taken in 8, 10, or 12-hour increments depending on the shift of the employee unless  
244 approval for an intermittent leave under the FMLA has been granted. Intermittent leave  
245 may be granted in cases where a regimen of continuing treatment must be submitted  
246 with the request for intermittent catastrophic leave. A reoccurrence of the medical  
247 problem for which a leave was granted, beyond thirty (30) calendar days of return to  
248 active status, will be treated as a new case and will require submission of a new request  
249 form with medical documentation.

250  
251 Employees on a catastrophic leave will be considered to be in a pay status. Any leave  
252 granted but not used shall be returned to the Bank.

253  
254 Catastrophic leave is limited to six months, or 1,040 hours, in a 24-month period per  
255 application, unless you have been denied disability, retirement or social security  
256 benefits. In the case of being denied previous stated benefits, leave can be extended with  
257 additional medical documentation and written approval from the CSLB Committee  
258 outlining an extension. If you do not report to work at the end of your period of  
259 catastrophic leave, you may face termination at the discretion of the employee's Elected  
260 Official/Director.

261  
262 The CSLB does not create any expectation or promise of continued employment.  
263 Further information about the program is available from Human Resources.

264 \*Immediate family as defined under federal FMLA law.

265 \*\*A child who may be claimed as a dependent under the Arkansas Income Tax  
266 Act.

## 267 **Definition of Terms**

269 **Catastrophic Illness** - a medical condition (as defined under FMLA) which requires  
270 an employee's absence from duty for a prolonged period of time and which results in a  
271 substantial loss of income to the employee because of the exhaustion of all earned sick,  
272 vacation, and compensatory leave time.

274 **Catastrophic Sick Leave** - paid leave in a rolling calendar year which is transferred to  
275 a leave recipient from Washington County's catastrophic leave bank. Catastrophic leave  
276 may be granted in 8, 10 or 12-hour increments. While a leave recipient is on catastrophic  
277 leave, he or she will receive normal benefits such as county contributions to insurance  
278 and retirement.

280 **Catastrophic Sick Leave Bank** - a pool of accrued sick leave donated by employees  
281 that has been approved for use by other employees.

283 **Catastrophic Sick Leave Bank Donor** - an employee whose voluntary written  
284 request to donate accrued sick leave to the county's catastrophic leave bank has been  
285 approved. No employee shall be allowed to be a leave donor if doing so would reduce  
286 that employee's combined accrued vacation leave and sick leave balance to less than 20  
287 hours.

289 **Catastrophic Sick Leave Bank Program** - a program approved by the County and  
290 operated by the Department of Human Resources in concert with the Committee to  
291 provide for the orderly authorization and administration of catastrophic leave.

293 **Catastrophic Sick Leave Bank Recipient** - a current employee whose application  
294 to receive catastrophic sick leave has been approved.

296 **Employee** - a person who is a uniform or non-uniform employee who is compensated  
297 on a full-time basis and been employed at least one year. Part-time, seasonal or  
298 temporary employees are excluded from this definition and are not eligible to  
299 participate as a donor or recipient in the Catastrophic Sick Leave Bank Program.

301 **Medical Condition** - a personal or qualifying family member emergency limited to  
302 catastrophic and debilitating medical situations, severe complications resulting in the  
303 inability to work and severe accident cases that cause the employee to be incapacitated,  
304 require a prolonged period of recuperation and require the employee's absence from  
305 duty as documented by a physician. Disabilities resulting from elective surgery do not  
306 qualify.

308 **Medical Documentation** - documentation by a physician certifying that the  
309

310 employee is incapacitated and the period of incapacitation. The medical form for  
311 requesting Family Medical Leave may be used to request time from the Catastrophic  
312 Sick Leave Bank as well as the official Catastrophic Sick Leave Bank application.

313  
314 **Prolonged Period of Time** - a continuous period of time whereby a medical  
315 condition prevents the employee from performing the employee's duties. A prolonged  
316 period of time is interpreted to be a minimum of two (2) weeks.

317  
318 **Substantial Loss of Income** - a continuous period of time when the employee will  
319 not have otherwise been compensated by the county due to a medical condition and the  
320 exhaustion of all earned sick, vacation, and compensatory leave, and such medical  
321 condition is not covered and compensated by Worker's Compensation.

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327 \_\_\_\_\_ DATE  
328 PATRICK W. DEAKINS, County Judge

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331 \_\_\_\_\_  
332 BECKY LEWALLEN, County Clerk

333 Introduced by:  
334 Date of Adoption:  
335 Members Voting For:  
336 Members Voting Against:  
337 Members Abstaining:  
338 Members Absent:

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341 Committee History: County Services Committee 07/31/2023-passed on to the Quorum Court  
342 Quorum Court History:

Item 23-R-009

Requested by: Justice of the Peace Kyle Lyons  
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 SUPPORTING THE PUBLICATION OF ALL COUNTY ORDINANCES AND RESOLUTIONS ON THE WASHINGTON COUNTY WEBSITE.**

**WHEREAS,** Washington County leaders conduct county business transparently; and,

**WHEREAS,** Washington County leaders believe providing searchable access to ordinances and resolutions would be a benefit for the citizens of Washington County.

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

**ARTICLE 1.** The Washington County Quorum Court supports the publication of all county ordinances and resolutions in a searchable format on the County’s website.

**ARTICLE 2.** The Washington County Quorum Court encourages the Washington County Clerk to include a funding request in her 2024 Budget that would allow her office to publish all County ordinances and resolutions in a searchable format on the County’s website.

\_\_\_\_\_  
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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48 Committee History: ; County Services (7/31/23); passed to QC  
49 Quorum Court History:



Item 23-R-010

Requested by: Justice of the Peace Beth Coger  
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 SUPPORTING SUSTAINED FUNDING FOR THE NORTHWEST ARKANSAS CRISIS STABILIZATION UNIT.**

**WHEREAS**, the Quorum Court of Washington County, Arkansas strongly urges sustained and continued funding for the Northwest Arkansas Crisis Stabilization Unit (“CSU”) to ensure that residents are able to access the mental and behavioral health care that they need; and

**WHEREAS**, the Washington County Quorum Court recognizes that the CSU provides vital community-based mental health services, such as inpatient and outpatient care and crisis intervention and supportive services, all of which are critical to the well-being of our constituents and our communities; and

**WHEREAS**, the CSU also often serves as an alternative to incarceration for some whose illness may result in interaction with law enforcement; and

**WHEREAS**, the CSU serves as a backup for community mental health providers by connecting patients to appropriate services that helps them stabilize by resolving problems, getting appropriate medications, insurance; and

**WHEREAS**, the CSU, local law enforcement and the judiciary have invested in community-based mental health services that coordinate and invest in programs and services that meet the needs and challenges of local communities, including Crisis Intervention Response Teams (CIRT) training for law enforcement; support for the criminal justice system such as the Washington County Drug Court participants; and

**WHEREAS**, the state-county partnership for these critical mental health services should be prioritized, including a commitment to additional and sustainable funding for the CSU to continue to provide community-based mental health and behavioral health services.

**NOW THEREFORE, BE IT RESOLVED**, that the Quorum Court of Washington County, Arkansas calls on Governor Sarah Sanders and the Arkansas General Assembly to make sustainable funding of the CSU a priority by sustaining its commitment

43 to fund this vital mental health unit at the current funding level in the FY 2023-24 budget.

44  
45 **NOW THEREFORE, BE IT ALSO RESOLVED** by the Quorum Court  
46 of Washington County, Arkansas that for the reasons noted above a copy of this resolution  
47 will be sent to the Washington County legislative delegation and to Governor Sarah  
48 Sanders.

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53 PATRICK W. DEAKINS, County Judge DATE

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57 BECKY LEWALLEN, County Clerk

- 58 Introduced by:
- 59 Date of Adoption:
- 60 Members Voting For:
- 61 Members Voting Against:
- 62 Members Abstaining:
- 63 Members Absent:

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67 Committee History: ; County Services (07/31/23); passed to QC  
68 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**

<b><i>Direction from Site</i></b>	<b><i>Land Use</i></b>	<b><i>Zoning</i></b>
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](mailto: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](http://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  
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Email: [planning@washingtoncountyar.gov](mailto: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



## WASHINGTON COUNTY, ARKANSAS

### County Courthouse

### COUNTY SERVICES COMMITTEE REPORT – AUGUST

Judge Deakins

The County Services Committee met Monday, July 31, 2023, at 6:00PM. Members present were Coleman Taylor, David Wilson, Sean Simons, Kyle Lyons, Robert Dean, Shawndra Washington, Beth Coger, Robert Dennis, Evelyn Rios Stafford, Willie Leming, Gary Ricker, and Butch Pond. The meeting was chaired by Butch Pond.

JP Dean opened with pledge and prayer.

The Committee heard reports from JDC Director Tinsley and Sheriff Cantrell.

The Committee moved two ordinances and two resolutions on to the Quorum Court.

Public comments were heard and meeting was adjourned at 7:25PM.



## WASHINGTON COUNTY, ARKANSAS

### County Courthouse

### **FINANCE & BUDGET COMMITTEE REPORT – AUGUST**

Judge Deakins

The Finance & Budget Committee met Tuesday, August 8, 2023 at 6:00PM. All members were present. JP Ecke led the prayer and pledge.

Reports were heard from Treasurer Bobby Hill, Employee's Insurance Report from Charles Angel and Comptroller's report from Director Wayne Story.

The Committee passed twelve ordinances onto Quorum Court, all twelve were placed on the consent agenda.

There were no public comments.

Directors from each division within the County Judge's budget presented their respective budgets to the committee members.

Meeting was adjourned at 9:21 pm.