



**MEETING OF THE
WASHINGTON COUNTY QUORUM COURT
COUNTY SERVICES COMMITTEE**

Monday, October 2, 2023
6:00 P.M.
Washington County Quorum Court Room

A G E N D A

1. CALL TO ORDER AND WELCOME

2. PRAYER AND PLEDGE

3. ADOPTION OF AGENDA

At the beginning of each meeting, the agenda shall be approved. Any JP may request an item be added or removed from the agenda subject to approval of the Committee.

REPORTS

4. JUVENILE DETENTION- CHRIS TINSLEY

- Monthly Statistics Report (4.1-4.6)

5. SHERIFF'S OFFICE- JAY CANTRELL

- Monthly Activity Report (5.1)

6. A RESOLUTION SUPPORTING THE ARKANSAS FREEDOM OF INFORMATION ACT. Item 23-R-011 (6.1)

7. AN ORDINANCE ANTICIPATING AND APPROPRIATING ADDITIONAL GRANT FUNDS IN THE DRUG COURT GRANT FUND BUDGET FOR 2023. Item 23-O-137 (7.1)

8. AN ORDINANCE PROHIBITING THE USE OF COMPRESSION RELEASE ENGINE BRAKES, ALSO KNOW AS "JAKE BRAKES," IN WASHINGTON COUNTY; AND, FOR OTHER PURPOSES. Item 23-O-139 (8.1)

9. AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A FLOOD DAMAGE PREVENTION PROGRAM FOR WASHINGTON COUNTY, ARKANSAS AND FOR OTHER PURPOSES. Item 23-O-134a (9.1)

10. PUBLIC COMMENT

Twelve-minute comment period with a three-minute limit for each individual to comment on items on the agenda.

11. ADJOURNMENT



Washington County Juvenile Detention Center
885 Clydesdale
Fayetteville, AR 72701
Christopher B. Tinsley, Director
444-1670, ext.3

Patrick Deakins
Washington County Judge

Memo

To: Judge Patrick Deakins
From: Christopher B. Tinsley, **Director** *Christopher B. Tinsley*
CC: Lance Johnson, Sabrina Mason, Jeremy Kelley, Cassie Fields, Kendrick Sexton
Date: **September 05, 2023**
Re: Juvenile Detention Monthly Statistics Report, **August 2023**

Please find attached the following statistical reporting for the Washington County Juvenile Detention Center for the month of **August 2023**:

- Daily population count
- Detention data comparisons for **2022** and **2023**
- Totals and averages, **2022** and **2023**
- Average daily population for **August** : **6.39**
- Number of transports: **4**

Washington County Juvenile Detention Center Daily Population Count for August 2023

The information contained within this report was developed using the center's daily population count forms, which were designed to provide the Juvenile Court staff with daily population information.

August 2023

		01 Population 07	02 Population 06	03 Population 06	04 Population 03	05 Population 05
06 Population 05	07 Population 06	08 Population 05	09 Population 05	10 Population 05	11 Population 05	12 Population 06
13 Population 10	14 Population 10	15 Population 08	16 Population 05	17 Population 05	18 Population 05	19 Population 05
20 Population 05	21 Population 05	22 Population 04	23 Population 03	24 Population 04	25 Population 04	26 Population 03
27 Population 03	28 Population 04	29 Population 06	30 Population 08	31 Population 08	Day of Month	Daily Population

Washington County Juvenile Detention Center Detention Data Comparisons

The following information is a comparison of detention data elements for the month of **August** for **2022** and **2023**.

Statistical Information	2022	2023
Average number of intakes per day	0.61	0.58
Number of intakes (total for period)	19	18
Number of days of detention (total for period)	93	116
Average age	15.00	15.50
Average length of stay	4.89	6.44

Top Five Offenses Used for Detention			
2022		2023	
Offense	# of Intakes	Offense	# of Intakes
Battery 2 nd (Felony)	3	Battery 3 rd (Misdemeanor)	4
Battery 3 rd (Misdemeanor)	2	Aggravated Assault (Felony)	3
Aggravated Assault (Felony)	2	Firearms Possession (Felony)	3
Criminal Mischief 1 st (Misdemeanor)	1	Accomplice (Felony)	2
Criminal Mischief 2 nd (Felony)	1	Disorderly Conduct (Misdemeanor)	2

*Minor in Possession of liquor/alcohol is a status offense alone because it is not a criminal offense as an adult; therefore, this charge is generally accompanied by another criminal offense or violation.

Washington County Juvenile Detention Center

Totals and Averages

This report covers 31 days 8/1/2023 to 8/31/2023

The Avg. Daily Intake is 0.58

Intakes	18
Days of Detention	116
Average Age	15.50
Average Stay	6.44

Totals and Averages by County and Percentage of Facility Use

Start Date 8/1/2023 **End Date** 8/31/2023

This report covers 31 days

County	# Intakes	# Detention Days	Average Stay	Av. Daily Intake	Percentage of Total Days
Madison	2	2	1.00	0.06	1.72 %
Washington	16	114	7.13	0.52	98.28 %
	18	116	6.44	0.58	100.00 %

Totals and Averages by Court

Court	# of Intakes	# of Days	Avg. Stay
Division 8	10	43	4.30
Division 3	8	73	9.13

Washington County Juvenile Detention Center

Totals and Averages

This report covers 31 days 8/1/2022 to 8/31/2022
 The Avg. Daily Intake is 0.61

Intakes	19
Days of Detention	93
Average Age	15.00
Average Stay	4.89

Totals and Averages by County and Percentage of Facility Use

Start Date 8/1/2022 **End Date** 8/31/2022

This report covers 31 days

County	# Intakes	# Detention Days	Average Stay	Av. Daily Intake	Percentage of Total Days
Madison	1	4	4.00	0.03	4.30 %
Washington	18	89	4.94	0.58	95.70 %
	19	93	4.89	0.61	100.00 %

Totals and Averages by Court

Court	# of Intakes	# of Days	Avg. Stay
Division 8	7	41	5.86
Division 3	12	52	4.33

Average Daily Population

	March 2023	April 2023	May 2023	June 2023	July 2023	August 2023
Total admits	41	40	44	43	26	27
Total days	397	386	557	386	278	198
Average daily population	12.81	12.87	17.97	12.87	8.97	6.39

August 2023

Currently Holding	Last Day of The Month
0	Sentenced
2	Adult charged youth currently holding
0	FINS
0	DYS
0	Early release to treatment or other appropriate facility (Includes other county holds)
0	CSTP
1	Sent to acute placement

August Transports	
4	Total Transports
1	Local Transports
3	Out of town transports
3/1/0	Law Enforcement/Other agency transported/parent or legal guardian
0	JDC transports



OFFICE OF THE SHERIFF

WASHINGTON COUNTY, ARKANSAS

A TRADITION OF SERVICE SINCE 1828

JAY CANTRELL, SHERIFF

Activity Report

08/16/2023 - 09/15/2023

	Current	Prior Year
Calls for Service:	2,315	2,212
Detention Intakes:	908	891
Sent To Prison:	39	31
Daily Average High Count:	804	806
State Prisoner ADP:	176	107
Federal Prisoner ADP:	67	73
Pre-Trial ADP:	491	548
County Commit ADP:	9	17

*ADP = Average Daily Population

Item 23-R-011

Requested by: Justice of the Peace Evelyn Rios Stafford
Drafted by: County Attorney Brian R. Lester

1 **RESOLUTION NO. 2023-**

2
3
4 **BE IT RESOLVED BY THE QUORUM COURT OF THE**
5 **COUNTY OF WASHINGTON, STATE OF ARKANSAS, A**
6 **RESOLUTION TO BE ENTITLED:**

7
8 **A RESOLUTION SUPPORTING THE ARKANSAS**
9 **FREEDOM OF INFORMATION ACT.**

10
11 **WHEREAS**, the intent of the Arkansas Freedom of Information Act of
12 1967 is to ensure an open government by elevating transparency so that citizens may be
13 fully informed of the workings of their government and the actions of their public officials;
14 and,

15
16 **WHEREAS**, the Arkansas Freedom of Information Act covers open
17 records and open meetings for the benefit of all Arkansas citizens.

18
19 **NOW THEREFORE, BE IT RESOLVED**, that the Quorum Court of
20 Washington County, Arkansas supports the Arkansas Freedom of Information Act.

21
22 **NOW THEREFORE, BE IT ALSO RESOLVED** by the Quorum Court
23 of Washington County, Arkansas supports ongoing and periodic FOIA training and
24 education, either mandatory or voluntary, by all county staff and elected officials who are
25 custodians of records.
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27
28
29

30 _____
31 PATRICK W. DEAKINS, County Judge

DATE

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33 _____
34 BECKY LEWALLEN, County Clerk

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36 Introduced by: JP Evelyn Rios Stafford
37 Date of Adoption:
38 Members Voting For:
39 Members Voting Against:
40 Members Abstaining:
41 Members Absent:
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44 Committee History:

45 Quorum Court History:

Item 23-O-137

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

ORDINANCE NO. 2023-

APPROPRIATION ORDINANCE

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

AN ORDINANCE ANTICIPATING AND APPROPRIATING ADDITIONAL GRANT FUNDS IN THE DRUG COURT GRANT FUND BUDGET FOR 2023.

WHEREAS, Washington County has received notice that it has been approved for 3 additional peer support specialists for the Drug Court program; and,

WHEREAS, additional slots and funding are needed for the added positions; and,

WHEREAS, the Quorum Court approves of the additional positions.

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

ARTICLE 1. There is hereby anticipated an additional amount of \$150,000 in the Drug Court Grant Fund (3513) for 2023.

ARTICLE 2. There are hereby created the positions of Peer Support Specialists, position numbers 1423004, 1423005, and 1423006, in the Peer Support Budget (35131423) for 2023.

ARTICLE 3. There is hereby appropriated the total amount of \$150,000 from the unappropriated reserves of the Drug Court Grant Fund (3513) to the following line items in the Peer Support Budget (35131423) for 2023:

Salary Full-Time	35131423.1001	\$106,429.80
Social Security Matching	35131423.1006	8,141.88
Employer Retirement Contribution	35131423.1008	16,305.06
Health Insurance Matching	35131423.1009	18,640.08
Workmen’s Compensation	35131423.1010	87.18
Life Insurance	35131423.1016	396.00

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PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

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

Committee History:
Quorum Court History:

Item 23-O-139

Requested by: Justice of the Peace Charles Dean
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 PROHIBITING THE USE OF COMPRESSION RELEASE ENGINE BRAKES, ALSO KNOWN AS “JAKE BRAKES”, IN WASHINGTON COUNTY; AND, FOR OTHER PURPOSES.

WHEREAS, the use of engine compression release braking systems, commonly known as “Jake Brakes”, within the limits of Washington County, Arkansas, has generated excessive noise leading to complaints and disturbances among residents; and,

WHEREAS, in the interest of public health, safety, and welfare, it is deemed necessary by the Quorum Court of Washington County to regulate such noises within its jurisdiction.

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

ARTICLE 1. “Jake Brake” shall refer to an engine compression release brake system or any similar engine braking system which produces excessive noise.

ARTICLE 2. The use of “Jake Brakes” is hereby prohibited within the boundaries of Washington County, Arkansas, unless used in emergency situations where the safety of the driver or other motorists may be in jeopardy.

ARTICLE 3. Any individual, corporation, or entity found to be in violation of this ordinance shall be subject to a fine of \$500 for each offense. Each day a violation continues shall be considered a separate offense.

ARTICLE 4. Washington County shall post or cause to be posted signs at appropriate locations indicating the prohibition of the use of “Jake Brakes” within the County.

ARTICLE 5. Should any section, subsection, provision, clause, or any part of this ordinance be adjudged to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the park

43 so adjudged to be invalid.

44

45 **ARTICLE 6.** This ordinance shall be enforced by the Washington
46 County Sheriff's Office or any other appropriate law enforcement agency.

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48 **ARTICLE 7.** This ordinance shall become effective immediately
49 upon its adoption and publication.

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54 _____
PATRICK W. DEAKINS, County Judge

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58 _____
BECKY LEWALLEN, County Clerk

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60 Introduced by: JP Charles Dean

61 Date of Adoption:

62 Members Voting For:

63 Members Voting Against:

64 Members Abstaining:

65 Members Absent:

66

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68 Committee History:

69 Quorum Court History:

Item 23-O-134a

Requested by: County Judge Patrick W. Deakins
 Drafted by: Deputy County Attorney Catherine Baker

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 UPDATING THE FLOOD DAMAGE
 PREVENTION PROGRAM FOR WASHINGTON
 COUNTY, ARKANSAS AND FOR OTHER PURPOSES.**

WHEREAS, Washington County has participated in the Flood Insurance Program since 1991; and

WHEREAS, as a condition of participation in the Flood Insurance Program, the Federal Emergency Management Agency (FEMA) requires that the County have ordinances in place and that said ordinances and floodplain maps be periodically updated; and,

WHEREAS, the Legislature of the State of Arkansas has, in Ark. Code Ann. § 14-268-101 *et seq.*, delegated the responsibility of local governmental units to adopt regulations to minimize flood losses; and,

WHEREAS, the purpose of this ordinance is to promote the public health, safety, and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flooding events in identified Special Flood Hazard Areas (SFHA). This ordinance advances the stated purpose through provisions designed to:

- A. Protect human life and health;
- B. Protect natural floodplains against unwise development;
- C. Eliminate adverse impacts of necessary floodplain development;
- D. Minimize expenditure of public monies on flood control projects;
- E. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- F. Minimize prolonged business interruptions due to flooding events;
- G. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in Special Flood Hazard Areas;
- H. Minimize future flood blight areas to help maintain a stable tax base; and
- I. Provide for notice to potential buyers when property is in a Special Flood Hazard Area.

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

45
46 **ARTICLE 1. Lands to which this Ordinance Applies.** This
47 ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of
48 Washington County.
49

50 **ARTICLE 2. Methods of Reducing Flood Losses.** This
51 ordinance uses the following methods to accomplish the stated purpose:
52

- 53 A. This ordinance restricts or prohibits structures or uses in Special Flood Hazard
54 Areas that adversely impact health, safety, or property during flooding events;
55
- 56 B. This ordinance requires protection against flood damage for structures or uses
57 vulnerable to floods at the time of initial construction, or after substantial
58 improvement of the structure, or after substantial damage has occurred;
59
- 60 C. This ordinance controls the alteration of natural floodplains, stream channels, and
61 natural protective barriers which are involved in the accommodation and transport
62 of flood water;
63
- 64 D. This ordinance controls floodplain development (structural development,
65 placement of manufactured structures, clearing, grading, mining, drilling,
66 dredging, placement of fill, excavating, watercourse alteration, drainage
67 improvements, roadway or bridge construction, individual water of sewer
68 installations and other activities) which may increase flood damage by increasing
69 flood elevations, flood water velocities, or flood discharge patterns;
70
- 71 E. This ordinance regulates the construction of flood barriers which unnaturally
72 divert floodwaters or which may adversely impact other lands.
73

74 **ARTICLE 3. Flood Damage Prevention Code Adopted by**
75 **Reference.** There is hereby adopted by reference a “Flood Damage Prevention Code for
76 Washington County, Arkansas,” dated January 25, 2024. The code shall include:
77

- 78 ARTICLE 1: DEFINITIONS
- 79 ARTICLE 2: ADMINISTRATION
- 80 ARTICLE 3: PROVISIONS FOR FLOOD HAZARD REDUCTION

81
82 A copy of the referenced code shall be filed in the office of the County Clerk and shall be
83 available for inspection and copying by any person during normal office hours.
84

85 **ARTICLE 4. Findings of Facts.**

- 86
87 A. FEMA has identified Special Flood Hazard Areas of Washington County in the

88 current scientific and engineering report entitled “The Flood Insurance Study
89 (FIS) for Washington County, Arkansas,” dated January 25, 2023, with an effective
90 Flood Insurance Rate Map (FIRM) dated January 25, 2024.
91

92 B. These SFHA are subject to periodic flooding events that result in loss of life and
93 property, pose health and safety hazards, disrupt commerce and governmental
94 services, and cause extraordinary public expenditures for flood protection and
95 relief, all of which adversely affect the public health, safety, and general welfare.
96

97 C. These periodic events are exacerbated by the cumulative effect of floodplain
98 developments which cause an increase in flood heights and velocities, and by the
99 placement of inadequately elevated, inadequately floodproofed or otherwise
100 unprotected structures or uses vulnerable to floods into Special Flood Hazard
101 Areas. Such structures or uses are inherently hazardous to other lands because of
102 their adverse impact on flooding events.
103

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105 **ARTICLE 5. Abrogation and Greater Restrictions.** This
106 ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed
107 restrictions. Whenever there is a conflict or overlap between this ordinance and another
108 ordinance, easement, covenant, or deed restriction, the instrument with the more
109 stringent restrictions applies.
110

111 **ARTICLE 6. Interpretation.** In the interpretation and
112 application of this ordinance, all provisions must:
113

114 A. Be considered as minimum requirements;

115
116 B. Be liberally construed in favor of the governing body; and
117

118 C. Be deemed to neither limit nor repeal any other powers granted under State
119 statutes.
120

121 **ARTICLE 7. Warning and Disclaimer of Liability.** The
122 degree of flood protection required by this ordinance is considered reasonable for
123 regulatory purposes. Documented scientific and engineering data form the basis for these
124 requirements. On rare occasions, flooding events greater than those considered for this
125 ordinance will occur. In addition, flood heights may increase over time due to man-made
126 or natural causes. This ordinance does not imply that land outside Special Flood Hazard
127 Areas will be free from flooding, nor that strict adherence to this ordinance protects uses
128 permitted within Special Flood Hazard Areas from all flood damages. This ordinance
129 specifically does not create liability on the part of the community, nor any official or
130 employee of the community, for any flood damages that result while strictly following this
131 ordinance, or from any lawful administrative decision made under the provisions of this
132 ordinance.
133

134 **ARTICLE 8. Compliance.** Constructing, locating,
135 substantially altering or changing the use of any structure or land after the effective date
136 of this ordinance requires full compliance with the provisions of this ordinance and all
137 other applicable regulations.
138

139 **ARTICLE 9. Penalty and Non-Compliance.** Flood hazards
140 are reduced by compliance with the provisions of this code. Accordingly, enforcement of
141 this ordinance discourages non-compliance and is a recognized mechanism for flood
142 hazard reduction.
143

- 144 A. The Floodplain Administrator must enforce the provisions of this ordinance; to
145 request that FEMA file a 1316 Action (Denial of Flood Insurance) against non-
146 compliant properties; and
147
- 148 B. Take any other lawful action necessary to prevent or remedy and instance of non-
149 compliance with the provisions of this ordinance.
150
- 151 1. It is a misdemeanor to violate or fail to comply with any provision of this
152 ordinance.
 - 153 2. Any person found, in a court of competent jurisdiction, guilty or violating
154 this ordinance is subject to fines of not more than \$500 per day for each
155 violation; in addition, the defendant is subject to payment of all associated
156 court costs and costs involved in the case.
157

158 **ARTICLE 10. Severability.** If any court of competent
159 jurisdiction finds that any section, clause, sentence, or phrase of this ordinance is invalid
160 or unconstitutional, that finding in no way affects the validity of the remaining portions
161 of this ordinance.
162

163 **ARTICLE 11. Emergency Clause.** It is hereby found and
164 declared by Washington County, Arkansas that sever flooding has occurred in the past
165 within its jurisdiction and will certainly occur within the future; that flooding is likely to
166 result in infliction of serious personal injury or death, and is likely to result in substantial
167 injury or destruction of property within its jurisdiction; in order to effectively comply with
168 minimum standards for coverage under the National Flood Insurance Program; and in
169 order to effectively remedy the situation described herein, it is necessary that this
170 ordinance become effective immediately.
171

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176 _____
PATRICK W. DEAKINS, County Judge

176 _____
DATE

180 BECKY LEWALLEN, County Clerk

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182 Introduced by:

183 Date of Adoption:

184 Members Voting For:

185 Members Voting Against:

186 Members Abstaining:

187 Members Absent:

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190 Committee History:

191 Quorum Court History: