



WASHINGTON COUNTY, ARKANSAS
County Courthouse

REGULAR MEETING OF THE
WASHINGTON COUNTY QUORUM COURT

Thursday, October 19, 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, September 21, 2023.

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

JUDGE DEAKINS

UNFINISHED BUSINESS

8. **AN ORDINANCE DENYING A CONDITIONAL USE PERMIT RECOMMENDED FOR DENIAL-**
Beaver Lake Tiny Homes. (On second reading) Item 23-O-94 (8.1)

JP LYONS

9. **AN ORDINANCE AMENDING THE COUNTY ATTORNEY BUDGET FOR 2023.**
(On second reading) Item 2023-O-127 (9.1)

JP POND

10. **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD-MEYERS BOYS GARAGE.**
(On third reading) Item 2023-O-133 (10.1) JP TAYLOR

NEW BUSINESS

11. **CONSENT AGENDA**

1. **AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A FLOOD DAMAGE PREVENTION PROGRAM FOR WASHINGTON COUNTY, ARKANSAS AND FOR OTHER PURPOSES.**
Item 2023-O-134a (11.1) JP LYONS
2. **AN ORDINANCE ANTICIPATING AND APPROPRIATING ADDITIONAL GRANT FUNDS IN THE DRUG COURT GRANT FUND BUDGET FOR 2023.**
Item 23-O-137 (11.2) JP LYONS
3. **AN ORDINANCE ALLOCATING PREVIOUSLY UN-ALLOCATED FUNDS IN THE DRUG COURT GRANT FUND TOTALING \$129,433.57 TO THE SAMHSA BUDGET FOR 2023.** Item 23-O-136 (11.3) JP RICKER
4. **AN ORDINANCE RECOGNIZING REVENUE IN THE AMOUNT OF \$77,520 IN THE US DEPARTMENT OF ENERGY GRANT FUND FOR 2023 AND FOR OTHER MATTERS.** Item 23-O-138 (11.4) JP RICKER
5. **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN THE AMOUNT OF \$550,000.00.** Item 23-O-140 (11.5) JP RICKER
6. **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN THE AMOUNT OF \$2,878.88 IN THE LAW ENFORCEMENT GRANT FUND.**
Item 23-O-141 (11.6) JP RICKER

12. **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE IN THE AMOUNT OF \$101,820 IN THE LAW ENFORCEMENT GRANT FUND.** Item 23-O-135 (12.1) JP ECKE

13. **A RESOLUTION SUPPORTING THE ARKANSAS FREEDOM OF INFORMATION ACT.**
Item 23-R-11 (13.1) JP RIOS STAFFORD

14. **COMMITTEE REPORTS-**

- COUNTY SERVICES- (14.1)
- FINANCE & BUDGET (14.2)

15. **ADJOURNMENT**

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

Thursday, September 21, 2023
6:01 PM
Washington County Courthouse

9 Judge Patrick Deakins called the meeting to order at 6:01 PM.

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

14
15 JP Dennis led the Prayer and Pledge.

16
17 Judge Deakins moved to Item 3 on the agenda (Adoption of the Agenda.) JP Lyons
18 motioned to approve the agenda. The motion was seconded by JP Dean and the
19 motion passed with a voice vote.

20
21 JP Dean made a motion to read all ordinances/resolutions by title only, JP Simons
22 seconded the motion, and the motion passed with a voice vote.

23
24 Citizen Comments were heard from Mac Mayfield, Gracie Foreman, Bobby unknown
25 last name, and Billy Cook.

26
27 The judge presented Item 6, (Approval of Minutes) and asked if there were any
28 corrections needed. There were no needed corrections. The minutes from August 17,
29 2023, were approved.

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31 Judge Deakins presented the Judge's report, which included the August Disposal of
32 County Property Report.

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UNFINISHED BUSINESS

36 Judge Deakins moved to item 8 under unfinished business, **AN ORDINANCE**
37 **AUTHORIZING THE TRANSFER OF ONE VEHICLE TO MADISON COUNTY,**
38 **ARKANSAS.** Item 23-O-113 (This ordinance was on the second reading)
39 County Attorney Lester read the ordinance by title only. JP Dennis made a motion to
40 suspend the rules and move to a third and final reading. JP Dean seconded the motion,
41 and it was passed by voice vote. County Attorney Lester read the ordinance by title only
42 for the third and final reading. A motion to adopt the ordinance was made by JP Dennis
43 and seconded by JP Dean. There was no discussion and no public comment. A roll call vote
44 was called and the votes tallied as follows:
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46

47 JP Taylor-Absent
48 JP Wilson-Yes
49 JP Simons-Yes
50 JP Lyons-Yes
51 JP Ecke-Yes
52 JP Dean- Yes
53 JP Washington-Yes
54 JP Cogger-Yes
55 JP Dennis-Yes
56 JP Highers-Yes
57 JP Rios Stafford-Yes
58 JP Leming-Absent
59 JP Ricker-Yes
60 JP Pond-Yes

61 **Motion passed. AN ORDINANCE AUTHORIZING THE TRANSFER OF ONE**
62 **VEHICLE TO MADISON COUNTY, ARKANSAS.** Item 23-O-113 was adopted as **ORD**
63 **2023-109.**

64
65 Judge Deakins moved to item 9 under unfinished business, **AN ORDINANCE AMENDING**
66 **SECTION 5 OF THE BENEFITS AND APPROVED LEAVE SECTION OF ORDINANCE 2018-50**
67 **- THE WASHINGTON COUNTY EMPLOYEE HANDBOOK.** Item 23-O-116

68 (This ordinance was on the second reading) County Attorney Lester read the ordinance by
69 title only. JP Lyons made a motion to suspend the rules and move to a third and final reading.
70 JP Dean seconded it and it was passed by voice vote. County Attorney Lester read the
71 ordinance by title only for the third and final time. There was no discussion and no public
72 comments. JP Lyons made a motion to pass the ordinance and JP Lyons seconded the
73 motion. A roll call vote was taken and tallied as follows:

74 JP Taylor-Absent
75 JP Wilson-Yes
76 JP Simons-Yes
77 JP Lyons-Yes
78 JP Ecke-Yes
79 JP Dean-Yes
80 JP Washington-Yes
81 JP Cogger-Yes
82 JP Dennis-Yes
83 JP Highers-Yes
84 JP Rios Stafford-Yes
85 JP Leming-Absent
86 JP Ricker-Yes
87 JP Pond-Yes

88 **Motion passed. AN ORDINANCE AMENDING SECTION 5 OF THE BENEFITS AND**
89 **APPROVED LEAVE SECTION OF ORDINANCE 2018-50 - THE WASHINGTON**
90 **COUNTY EMPLOYEE HANDBOOK.** Item 23-O-116 was adopted as **ORD 2023-110.**

91
92

93 Judge Deakins moved to item 10 under new business, which was the Consent Agenda.
94 County Attorney Lester read each ordinance by title only.
95 JP Lyons motioned to adopt the Consent Agenda with a second from JP Simons.
96 During discussion, JP Rios Stafford asked if someone could explain what item 10.5
97 Wheeler Bridge Project involved. Judge Deakins explained 10.5 was for the
98 engineering and planning of that bridge. There were no public comments. Roll call was
99 taken and tallied as follows:

100 JP Taylor-Absent
101 JP Wilson-Yes
102 JP Simons-Yes
103 JP Lyons-Yes
104 JP Ecke-Yes
105 JP Dean-Yes
106 JP Washington-Yes
107 JP Cogger-Yes
108 JP Dennis-Yes
109 JP Highers-Yes
110 JP Rios Stafford-Yes
111 JP Leming-Absent
112 JP Ricker-Yes
113 JP Pond-Yes

114 **Motion passed** on the Consent Agenda and ordinances were adopted as follows:

- 115
- 116 1. **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE IN THE AMOUNT OF**
117 **\$178,208.88.** Item 23-O-125 was adopted as **ORD 2023-111.**
118
 - 119 2. **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN THE AMOUNT OF**
120 **\$13,506 IN THE LAW ENFORCEMENT GRANT FUND.**
121 Item 23-O-126 was adopted as **ORD 2023-112.**
122
 - 123 3. **AN ORDINANCE RECOGNIZING \$37.09 IN UNSPENT GRANT FUNDS IN THE**
124 **3510 JDC GRANT FUND.** Item 23-O-128 was adopted as **ORD 2023-113.**
125
 - 126 4. **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$31,167 IN THE**
127 **JDC GRANT FUND.** Item 23-0-129 was adopted as **ORD 2023-114**
128
 - 129 5. **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE IN OF \$200,000 IN THE**
130 **WHEELER ROAD BRIDGE FUND.** Item 23-O-130 was adopted as **ORD 2023-115.**
131
 - 132 6. **AN ORDINANCE AMENDING THE PROSECUTING ATTORNEY'S BUDGET FOR**
133 **2023.** Item 23-O-131 was adopted as **ORD 2023-116.**
134
 - 135 7. **AN ORDINANCE AMENDING THE GRANTS DEPARTMENT BUDGET AND THE**
136 **COUNTY JUDGE'S BUDGET FOR 2023.** Item 23-O-132 was adopted as **ORD**
137 **2023-117.**
138
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140 Judge Deakins moved to item 11 on the agenda –**AN ORDINANCE AMENDING THE**
141 **COUNTY ATTORNEY BUDGET FOR 2023**. Item 23-O-127

142 County Attorney Lester read the ordinance by title only.

143 JP Pond introduced the ordinance and made a motion to pass and JP Lyons seconded
144 it. There was discussion among members of the court. Public comments were heard. A
145 roll call was taken and tallied as follows:

146 JP Taylor-Absent

147 JP Wilson-Yes

148 JP Simons-Yes

149 JP Lyons-Yes

150 JP Ecke-Yes

151 JP Dean-Yes

152 JP Washington-No

153 JP Cogger-Abstain

154 JP Dennis-Yes

155 JP Highers-No

156 JP Rios Stafford-No

157 JP Leming-Absent

158 JP Ricker-Yes

159 JP Pond-Yes

160 **Motion failed.** Ordinance moved to October meeting for a 2nd reading.

161
162 Judge Deakins moved to item 12 on the agenda – **BEAVER LAKE TINY HOMES CUP**

163 Sam Ata/Planning Director presented the project and answered questions from
164 members of the court. Will Kelsner, attorney for the applicant (Ram Holdings) and
165 Applicant Johnathon McJunkins, spoke on the project and answered questions from
166 members of the court. Public Comments were heard from Robert Rhoads and Nathan
167 Crouch representing 4 surrounding neighbors against the project.

168
169 Judge Deakins moved to item 13 on the agenda- **APPEAL HEARING DISCUSSION BY**
170 **QUORUM COURT- Beaver Lake Tiny Homes**

171
172 Judge Deakins moved to Item 14 on the agenda- **QUORUM COURT ACTION ON**

173 **BEAVER LAKE TINY HOMES APPEAL** Items 23-O-093 or 23-O-094 (14.1-14.2)

174 JP Lyons made a motion to suspend the rules and move to a second reading to deny the
175 conditional use permit (14.2) County Attorney Lester read the ordinance by title only. The
176 motion was seconded by JP Dean. A voice vote was taken and the motion failed.

177
178 **AN ORDINANCE DENYING A CONDITIONAL USE PERMIT RECOMMENDED FOR**
179 **DENIAL- Beaver Lake Tiny Homes** Item 23-O-094 will move to October Quorum Court for
180 a second reading.

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185 Judge Deakins moved to item 15 on the agenda – **AN ORDINANCE RATIFYING A**
186 **CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING AND**
187 **ZONING BOARD - Meyers Boys Garage.** Item 23-O-133

188 County Attorney Lester read the ordinance by title only.

189 Planning Director Sam Ata gave a presentation of the Conditional Use Permit. JP Ecke
190 made a motion to suspend the rules and move it on to a second reading. JP Lyons
191 seconded the motion, and it failed by voice vote. JP Ecke asked Judge Deakins if they
192 could do a show of hands because she thought it passed. Judge Deakins asked for a roll
193 call vote to suspend the rules and move to a second reading. A roll call vote was taken
194 and tallied as follows:

195 JP Taylor-Absent

196 JP Wilson-Yes

197 JP Simons-Absent

198 JP Lyons-Yes

199 JP Ecke-Yes

200 JP Dean-Yes

201 JP Washington-Yes

202 JP Cogger-No

203 JP Dennis-Yes

204 JP Highers-Yes

205 JP Rios Stafford-Yes

206 JP Leming-Absent

207 JP Ricker-Yes

208 JP Pond-Yes

209 **Motion passed to suspend the rules and move to a second reading.**

210

211 County Attorney Lester read the ordinance by title only for a second reading. JP Ecke
212 made a motion to suspend the rules and move it on to a third and final reading. JP Lyons
213 seconded the motion and the motion failed by voice vote and then by show of hands.

214

215 Motion failed: **AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT**
216 **RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING BOARD -**
217 **Meyers Boys Garage.** Item 23-O-133 will be moved to October Quorum Court for third
218 and final reading.

219

220 Judge Deakins moved to item 16, Committee reports.

221 Committee Reports as follows:

222

223 The County Services Committee meeting was canceled for September.

224

225 The Finance & Budget Committee met Tuesday, August 22, 2023, at 6:00PM for a
226 budget review session for the Sheriff's Office. All members were present with the
227 exception of JP Simons. Sheriff Cantrell led the prayer and pledge.

228 Sheriff Cantrell, Chief Tabor, and Captain McConnell presented the Sheriff/Jail budgets
229 and answered questions for the committee members. Public comments were heard.

230 Meeting was adjourned at 7:30 pm.

231 The Finance & Budget Committee met Tuesday, August 29, 2023, at 6:00PM for a
232 budget review session for the Treasurer, Circuit Court Division VII- Judge Taylor, and
233 the Prosecutor. All members were present with the exception of JP Coleman Taylor.
234 JP Washington led the prayer and pledge.
235 Treasurer Hill, Judge Taylor, and Prosecutor Durrett presented their respective budgets
236 and answered questions for the committee members. There were no public comments.
237 Meeting was adjourned at 6:15pm.

238
239 The Finance & Budget Committee met Tuesday, September 5, 2023, at 6:00PM for a
240 budget review session for the Assessor, Circuit Court Division I- Judge Martin, Division
241 IV- Judge Beaumont, Division VI- Judge Lindsey, Division V- Judge Storey-Bryan,
242 Division III- Judge Zimmerman, Division VIII- Judge Warren and the Public Defender. All
243 members were present with the exception of JP Suki Highers and JP Willie Leming.
244 Judge Deakins led the prayer and pledge.
245 Assessor Hill, Judge Martin, Judge Beaumont, Judge Lindsey, Judge Storey-Bryan,
246 Judge Zimmerman, Judge Warren, and Public Defender Denny Hyslip/Leanna Houston
247 presented their respective budgets and answered questions for the committee
248 members. There were no public comments. Meeting was adjourned at 6:45pm.

249
250 The Finance & Budget Committee met Tuesday, September 12, 2023 at 6:00PM. Judge
251 Deakins unable to attend asked JP Wilson to chair the meeting. All members were
252 present. Monique Jones led the prayer and pledge at JP Cogger's request.
253 Reports were heard from Charles Angel/Employee's Insurance, Director Wayne
254 Story/Comptroller's report. Treasurers Report was furnished to committee members.
255 The Committee passed eight ordinances onto Quorum Court with seven of those being
256 placed on the consent agenda.
257 Budget Reviews were presented and questions were answered by Collector Wood,
258 County Clerk Lewallen, Circuit Clerk Sylvester, Coroner Morris, and Circuit Court
259 Division II Judge Threet.
260 There were no public comments and meeting was adjourned at 7:09PM.

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263 The Quorum Court meeting was adjourned at 8:15 PM.

264
265 *Sabrina Mason*

266 Sabrina Mason

267 Quorum Court Coordinator

Patrick Deakins
County Judge



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Fixed Asset Manager

WASHINGTON COUNTY, ARKANSAS
Purchasing Department Disposal of County Property

September, 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 September, 2023.

Court Order	File Date	Description
2023-142	09/08/23	I070200086,-0087,-0013,-0037,I012100080,I012100184,I04010002, Hardback Books, Paperbacks, Assorted Audio Material County library

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

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Introduced by:

Date of Adoption:

Members Voting For:

Members Voting Against:

Members Abstaining:

Members Absent:

Committee History: Planning 03/30/23

Quorum Court History: QC 09/21/23 did not pass-moved to Oct QC for 2nd reading

Item 23-O-127

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
ATTORNEY BUDGET FOR 2023.**

WHEREAS, due to unexpected increase in litigation expenses, the County Attorney’s budget needs additional funding to defend the County in a various lawsuits; and,

WHEREAS, the Quorum Court desires to provide additional funding to the County Attorney Budget for 2023.

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

ARTICLE 1. There is hereby appropriated the total amount of \$20,000 from the unappropriated reserves in the General Fund (1000) to the Special Legal line item in the County Attorney Budget (10000122.3005) 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 and Budget Committee Meeting 09/12/23-passed to September QC

45 Quorum Court History: QC 09/21/2023: passed to Oct QC for 2nd reading

Item 23-O-133

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 AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board voted to recommend approval of a Conditional Use Permit for the Meyers Boys Garage CUP project on August 24, 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 Meyers Boys Garage Project recommended for approval by the Planning and Zoning Board is hereby ratified.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

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

Committee History: Planning

Quorum Court History: QC 09/21/23 failed to be moved to 2nd reading at September Meeting-will go to Oct
QC meeting for 2nd reading.

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.
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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 severe 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

181

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:

County Services 10/02/23-passed on to October QC

191 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: County Services 10/02/23: passed on to October QC
Quorum Court History:

Item 23-O-136

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 ALLOCATING PREVIOUSLY UN-ALLOCATED FUNDS IN THE DRUG COURT GRANT FUND 3513 TOTALING \$129,433.57 TO THE SAMHSA BUDGET FOR 2023.

WHEREAS, Washington County holds previously un-allocated funds totaling \$129,433.57 provided by the Substance Abuse and Mental Health Services Administration (SAMHSA) through a reimbursable grant program to help provide substance abuse treatment for participants in the Washington/Madison County Drug Court Program.

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

ARTICLE 1. There is hereby allocated the additional amount of \$129,433.57 to the following line items in the SAMHSA 2023/2024 Grant Budget for 2023:

General Supplies	35131489.2001	\$ 15,000.00
Medicine and Drugs	35131489.2004	5,000.00
Medical/Dental/Hospital	35131489.3006	70,000.00
Other Professional Services	35131489.3009	39,433.57

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: Ricker

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 and Budget Committee 10/10/23; passed to Oct QC

50 Quorum Court History:

Item 23-O-138

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 RECOGNIZING REVENUE IN THE AMOUNT OF \$77,520 IN THE US DEPARTMENT OF ENERGY GRANT FUND FOR 2023 AND FOR OTHER MATTERS.

WHEREAS, Washington County has received a reimbursable grant in the amount of \$77,520 from the US Department of Energy; and,

WHEREAS, Quorum Court desires to set up a fund for said grant.

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

ARTICLE 1. There is hereby created the U.S. Department of Energy Grant Fund, fund number 3530, in Washington County.

ARTICLE 2. There is hereby recognized revenue in the amount of \$77,520 in the U.S. Department of Energy Grant Fund (3530) for 2023.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

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

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Committee History:
Quorum Court History:

Finance and Budget Committee 10/10/23; passed to Oct QC

Item 23-O-140

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 ADDITIONAL REVENUE IN THE AMOUNT OF \$550,000; APPROPRIATING SAID \$550,000 TO VARIOUS LINE ITEMS IN THE MENTAL HEALTH COURT GRANT FUND BUDGET FOR 2023; AND, FOR OTHER PURPOSES.

WHEREAS, Washington County received notification that it will be awarded \$550,000 from the United States Department of Justice to establish a Mental Health Court in Washington County; and,

WHEREAS, the Quorum Court desires to establish the Mental Health Court Grant Fund (3502) to facilitate funding for the Mental Health Court; and,

WHEREAS, the Quorum Court desires to appropriate the \$550,000 grant award to the Mental Health Grant Fund Budget for 2023.

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

ARTICLE 1. There is hereby established in Washington County the Mental Health Court Grant Fund with a fund number of 3502.

ARTICLE 2. There is hereby anticipated additional revenue in the amount of \$550,000 in the Mental Health Court Grant Fund (3502.7109) for 2023.

ARTICLE 3. There is hereby appropriated the total amount of \$550,000 from the Mental Health Court Grant Fund (3502) to the following line items in the Mental Health Court Grant Fund Budget (35021460) for 2023:

Salaries Full-Time	35021460.1001	\$ 88,478.00
Social Security Matching	35021460.1006	6,768.57
Employer Retirement Contribution	35021460.1008	13,554.83
Health Insurance Matching	35021460.1009	12,386.92

43	Workmen's Compensation	35021460.1010	72.55
44	Life Insurance	35021460.1016	265.43
45	General Supplies	35021460.2001	22,855.90
46	Computer/IT Equipment	35021460.2009	2,800.00
47	Other Professional Services	35021460.3009	366,701.20
48	Common Carrier	35021460.3031	3,400.00
49	Mileage	35021460.3032	14,133.60
50	Meals and Lodging	35021460.3094	14,733.00
51	Training and Education	35021460.3101	3,850.00

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PATRICK W. DEAKINS, County Judge

DATE

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BECKY LEWALLEN, County Clerk

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

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Committee History: Finance and Budget Committee 10/10/23; passed to Oct QC
Quorum Court History:

Item 23-O-141

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 ADDITIONAL REVENUE IN THE AMOUNT OF \$2,878.88 IN THE LAW ENFORCEMENT GRANT FUND; AND, APPROPRIATING \$2,878.88 FROM THE LAW ENFORCEMENT GRANT FUND TO THE LEAHY BULLET PROOF VEST BUDGET FOR 2023.

WHEREAS, Washington County has been notified of a grant award in the amount of \$2,878.88 from the Bureau of Justice Assistance Patrick Leahy Bullet Proof Vest Program; and,

WHEREAS, this grant fund is a non-matching, reimbursable fund that, once spent, will be reimbursed to the County.

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

ARTICLE 1. There is hereby anticipated the amount of \$2,878.88 in the Law Enforcement Grant Fund (3514.7109) for 2023.

ARTICLE 2. There is hereby appropriated \$2,878.88 from the Law Enforcement Grant Fund (3514) to the Bullet Proof Vests line item in the Leahy Bullet Proof Vest Budget (35141450.2012) for 2023.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

42 Introduced by: Ricker
43 Date of Adoption:
44 Members Voting For:
45 Members Voting Against:
46 Members Abstaining:
47 Members Absent:

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50 Committee History: Finance and Budget Committee 10/10/23; passed to Oct QC
51 Quorum Court History:

Item 23-O-135

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 RECOGNIZING ADDITIONAL REVENUE IN THE AMOUNT OF \$101,820 IN THE LAW ENFORCEMENT GRANT FUND; AND, APPROPRIATING SAID \$101,820 FROM THE LAW ENFORCEMENT GRANT FUND TO THE SCAPP FY2022 BUDGET FOR 2023.

WHEREAS, under the State Criminal Alien Assistance Program (SCAAP), the Office of Justice Programs of the U.S. Department of Justice awards grant money to eligible local governments that incur certain types of costs due to the incarceration of illegal aliens; and,

WHEREAS, Washington County received a SCAAP FY2022 Grant award in the amount of \$101,820.

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

ARTICLE 1. There is hereby recognized additional revenue in the amount of \$101,820 in the Other Federal Grants Revenue line item of the Law Enforcement Grant Fund (35147109) for 2023.

ARTICLE 2. There is hereby appropriated the total amount of \$101,820 from the Law Enforcement Grant Fund to the following line items in the SCAAP FY2022 Budget (35141441) for 2023:

Small Equipment	35141441.2002	\$ 50,000
Training and Education	35141441.3101	51,820

PATRICK W. DEAKINS, County Judge

DATE

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BECKY LEWALLEN, County Clerk

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

Committee History: Finance and Budget 10/10/23-passed to Oct QC
Quorum Court History:

Item 23-R-011

Requested by: Justice of the Peace Evelyn Rios Stafford
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 ARKANSAS FREEDOM OF INFORMATION ACT.

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

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

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

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

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: JP Evelyn Rios Stafford
Date of Adoption:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

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Committee History:
Quorum Court History:

County Services 10/02/23: Passed on to the October QC Meeting



WASHINGTON COUNTY, ARKANSAS

County Courthouse

COUNTY SERVICES COMMITTEE REPORT – OCTOBER

Judge Deakins

The County Services Committee met Monday, October 2, 2023, at 6:00PM. Members present were David Wilson, Kyle Lyons, Charles Dean, Shawndra Washington, Beth Coger, Robert Dennis, Evelyn Rios Stafford, Willie Leming, Gary Ricker, and Butch Pond. Coleman Taylor, Sean Simons, and Lisa Ecke were absent.

Judge Deakins opened with pledge and prayer.

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

The Committee moved one resolution and two ordinances on to the Quorum Court. The two ordinances were placed on the consent agenda. The Committee voted to table one ordinance until the next Court Services Meeting.

Public comments were heard and meeting was adjourned at 7:02PM.



WASHINGTON COUNTY, ARKANSAS

County Courthouse

FINANCE & BUDGET COMMITTEE REPORT – OCTOBER

Judge Patrick Deakins

The Finance & Budget Committee met Tuesday, October 10, 2023 at 6:00PM. JP Wilson, JP Simons, JP Ecke, JP Dean, JP Washington, JP Coger, JP Dennis, JP Rios Stafford, JP Leming, JP Ricker, and JP Pond were present. JP Taylor, JP Lyons, and JP Highers were absent.

Dr. Bridgett Russell 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 five ordinances onto Quorum Court with four of those being placed on the consent agenda.

Budget Overview and Finalization-Quorum Court members discussed the 2024 Budget at length, and plan to work on it again at November's Finance and Budget Committee Meeting.

There were no public comments and meeting was adjourned at 8:12PM.