

October Ordinances and Resolutions

ORDINANCE NO. 2024-076 AN ORDINANCE RECOGNIZING AND APPROPRIATING \$60,112.90 TO THE LOCAL ASSISTANCE AND TRIBAL CONSISTENCY (LATC) FUND (1007) FOR 2024.

ORDINANCE NO. 2024-077 AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL REVENUE OF \$5,000 IN THE AOC JUVENILE COURT DIVISION 8 GRANT FUND FOR 2024.

ORDINANCE NO. 2024-078 AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL REVENUE OF \$5,000 IN THE AOC JUVENILE COURT DIVISION 3 GRANT FUND FOR 2024.

ORDINANCE NO. 2024-079 AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL REVENUE IN THE AMOUNT OF \$31,167 IN THE JDC GRANT FUND FOR 2024; AND, FOR OTHER MATTERS PERTAINING THERETO.

ORDINANCE NO. 2024-080 AN ORDINANCE AMENDING THE PROSECUTING ATTORNEY'S BUDGET FOR 2024; AND, FOR OTHER MATTERS PERTAINING THERETO.

ORDINANCE NO. 2024-081 AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD FOR THE NWA FLEX SPACE PROJECT.

ORDINANCE NO. 2024-082 AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD FOR THE FREEWILL BAPTIST CHURCH PROJECT.

ORDINANCE NO. 2024-083 AN ORDINANCE DENYING A CONDITIONAL USE PERMIT RECOMMENDED FOR DENIAL BY THE PLANNING BOARD FOR THE RED HAWK PROJECT.

RESOLUTION NO. 2024-008 A RESOLUTION HONORING 2024 OLYMPIC AND PARALYMPIC ATHLETES WITH TIES TO WASHINGTON COUNTY, ARKANSAS.

FILED

Item 24-O-081

2024 OCT 24 AM 9:30

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

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2024-076

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 \$60,112.90 TO THE LOCAL
ASSISTANCE AND TRIBAL CONSISTENCY (LATC)
FUND (1007) FOR 2024.**

**WHEREAS, the County Judge desires to utilize LATC Funds to remodel
the lobby of the Washington County Courthouse; and,**

WHEREAS, the Quorum Court approves the requested funding.

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

**ARTICLE 1. There is hereby recognized revenue in the amount
of \$60,112.90 from the LATC Fund (1007) for 2024.**

**ARTICLE 2. There is hereby appropriated the total amount of
\$60,112.90 from the 1007 LATC Fund to the Buildings line item (10070158.4002) in the
LATC Fund Budget for 2024.**



PATRICK W. DEAKINS, County Judge



DATE



BECKY LEWALLEN, County Clerk

Introduced by: Lyons
Date of Adoption: 10-17-2024
Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington,
Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
Members Voting Against:
Members Abstaining:

17-266

44 Members Absent:

45

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47 Committee History:

48 Quorum Court History:

Adopted on 10-17-2024 as **ORD 2024-076**

17-267

Item 24-O-083

Requested by: Circuit Judge Diane Warren
Drafted by: County Attorney Brian R. Lester

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2024 OCT 23 AM 10:48

FILED

ORDINANCE NO. 2024-077

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 REVENUE OF \$5,000 IN THE AOC JUVENILE COURT DIVISION 8 GRANT FUND FOR 2024.

WHEREAS, Washington County received a grant award totaling \$5,000 from the Administrative Office of the Courts ("AOC") to be used by the Juvenile Court; and,

WHEREAS, Washington County desires to appropriate \$5,000 to the AOC Juvenile Court Division 8 Grant Fund (3519.1431) for 2024.

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

ARTICLE 1. There is hereby recognized revenue in the amount of \$5,000 in the AOC Juvenile Court Grant Fund (3519.7010) for 2024.

ARTICLE 2. There is hereby appropriated the total amount of \$5,000 from the Juvenile Court Grant Fund (3519) to the following line items in the AOC Juvenile Court Division 8 Grant Budget (35191431) for 2024:

Computer IT Equipment	35191431.2009	\$ 500
Other Professional Services	35191431.3009	2,000
Meals/Lodging	35191431.3094	500
Training and Education	35191431.3101	2,000

17-268

Item 24-O-084

Requested by: Circuit Judge Stacey Zimmerman
Drafted by: County Attorney Brian R. Lester

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2024 OCT 23 AM 10:48

FILED

ORDINANCE NO. 2024-078

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 REVENUE OF
\$5,000 IN THE AOC JUVENILE COURT DIVISION 3
GRANT FUND FOR 2024.**

WHEREAS, Washington County received a grant award totaling \$5,000 from the Administrative Office of the Courts ("AOC") to be used by the Juvenile Court; and,

WHEREAS, Washington County desires to appropriate \$5,000 to the AOC Juvenile Court Division 3 Grant Fund (3519.1428) for 2024.

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

ARTICLE 1. There is hereby recognized revenue in the amount of \$5,000 in the AOC Juvenile Court Grant Fund (3519.7010) for 2024.

ARTICLE 2. There is hereby appropriated the total amount of \$5,000 from the Juvenile Court Grant Fund (3519) to the following line items in the AOC Juvenile Court Division 3 Grant Budget (35191428) for 2024:

Other Professional Services	35191428.3009	\$ 5,000
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PATRICK W. DEAKINS, County Judge



DATE



BECKY LEWALLEN, County Clerk

17-270

43 Introduced by: Ricker
44 Date of Adoption: 10/17/2024
45 Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington,
46 Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
47 Members Voting Against:
48 Members Abstaining:
49 Members Absent:
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52 Committee History:
53 Quorum Court History: Adopted on 10/17/2024 as **ORD 2024-078**
54
55 This publication was paid for by the Washington County Quorum Court budget through the Washington
56 County Comptroller's Office.
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17-271

Item 24-O-085

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

2024 OCT 23 AM 10:48
BECKY LEWALLEE
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2024-079

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 REVENUE IN THE AMOUNT OF \$31,167 IN THE JDC GRANT FUND FOR 2024; AND, FOR OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Washington County Juvenile Detention Center (JDC) has received grant-in-aid revenue in the amount of \$31,167 from the State of Arkansas.

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 \$31,167 in the State Grants Revenue line item of the JDC Grant Fund (35101410.7010) for 2024.

ARTILCE 2. There is hereby appropriated the total amount of \$31,167 from the JDC Grant Fund to the following line items in the JDC-GIA 2024-2025 Budget (35101410) for 2024:

General Supplies	35101410.2001	\$ 1,500
Small Equipment	35101410.2002	8,500
Janitorial Supplies	35101410.2003	1,900
Food	35101410.2005	3,000
Clothing and Uniforms	35101410.2006	3,500
Detainee Supplies	35101410.2011	3,500
Parts and Repairs	35101410.2023	2,900
Other Professional Services	35101410.3009	2,000
Dues and Memberships	35101410.3090	600
Training and Education	35101410.3101	3,667
Computer Software, Support, and Maintenance Agreement	35101410.3102	100

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Patrick W. Deakins
PATRICK W. DEAKINS, County Judge

10/23/24
DATE

Becky Lewallen
BECKY LEWALLEN, County Clerk

Introduced by: Lyons
Date of Adoption: 10/17/2024
Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington, Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History:
Quorum Court History: Adopted on 10/17/2024 as **ORD 2024-079**

This publication was paid for by the Washington County Quorum Court budget through the Washington County Comptroller's Office.

17-273

Item 24-O-086

Requested by: Prosecuting Attorney Matt Durrett
Drafted by: County Attorney Brian R. Lester

SECURITY EVALUATION
CO. & PROBATE CLERK
WASHINGTON CO. AR

2024 OCT 23 AM 10:49

FILED

ORDINANCE NO. 2024-080

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'S BUDGET FOR 2024; AND, FOR OTHER MATTERS PERTAINING THERETO.

WHEREAS, an employee in the Prosecuting Attorney's office did not receive the re-grade adjustment of five percent (5%) nor the cost-of-living increase of four percent (4%) beginning at the first of the year; and,

WHEREAS, the Quorum Court desires to correct this error.

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

ARTICLE 1. There is hereby appropriated the total amount of \$3,593.44 from the unappropriated reserves in the General Fund (1000) to the following line items in the Prosecuting Attorney's Budget (10000416) for 2024:

Salaries Full-Time	10000416.1001	\$ 2,520.11
Overtime/Other Compensation	10000416.1005	400.00
Social Security Matching	10000416.1006	223.39
Employer Retirement Contribution	10000416.1008	447.36
Workers Compensation	10000416.1010	2.58



PATRICK W. DEAKINS, County Judge



DATE

17-274

43 
44 BECKY LEWALLEN, County Clerk

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46 Introduced by: Dennis
47 Date of Adoption: 10/17/2024
48 Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington,
49 Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
50 Members Voting Against:
51 Members Abstaining:
52 Members Absent:

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55 Committee History:
56 Quorum Court History: Adopted on 10/17/2024 as **ORD 2024-080**

57
58 This publication was paid for by the Washington County Quorum Court budget through the Washington
59 County Comptroller's Office.
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17-275

Item 24-O-087

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

2024 OCT 23 AM 10:19
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2024-081

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 FOR THE NWA FLEX SPACE PROJECT.


WHEREAS, the Planning Board voted to recommend approval of a Conditional Use Permit for the **NWA Flex Space** project on **September 26, 2024**; 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 **NWA Flex Space** Project recommended for approval by the Planning and Zoning Board is hereby ratified.



PATRICK W. DEAKINS, County Judge

10/23/24

DATE



BECKY LEWALLEN, County Clerk

17-276

43 Introduced by: JP Kyle Lyons
44 Date of Adoption: 10/17/2024
45 Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington,
46 Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
47 Members Voting Against:
48 Members Abstaining:
49 Members Absent:
50
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52 Committee History:
53 Quorum Court History: Adopted on 10/17/2024 as **ORD 2024-081**
54
55 This publication was paid for by the Washington County Quorum Court budget through the Washington
56 County Comptroller's Office.
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17-277

NWA Flex Space Conditional Use Permit

The Planning Board Approved NWA Flex Space CUP on September 26, 2024 (6 members voted "in favor", 0 members voted "against", 0 members were absent, 0 members abstained).

County

NWA Flex Space CUP

Conditional Use Permit Request

Location: Section 32, Township 18, Range 28

Applicant: Titus Sommers

Location Address: 20323 E Hwy 412 Springdale, AR 72764

Proposed Use: Commercial – Offices & Warehouse

JP District: District 5 – Kyle Lyons

Approximately: +/- 5.00 / 1

Project #: 2024-285

BACKGROUND/SYNOPSIS

The applicant is requesting a conditional use permit to operate a warehouse/flex space for business and contractors in the area. Currently, the parcel of land is 17.29 acres, but a tract split is in progress to split off a five (5) acre parcel for the business. Approximately two (2) acres will be used for the project.

There are currently 2 buildings on the property, each under 12,000 sq ft with units between 600 and 2,400 sq ft in size. The units will be occupied by a variety of tenants, and parking to accommodate them surrounds each building. There are twenty (20) parking spaces on each side and an additional twelve (12) parking spaces between the buildings. All parking is asphalt paved and ADA accessible. Hours of operation would be from 7:30am to 4:00pm Monday through Friday.

The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

The project parcel lies solely within Washington County.

The subject parcels equal approximately 17.29 acres in size but a tract split is in progress to split off a five (5) acre parcel for the business. Approximately two (2) acres will be used for the project.

The project is located on the southern side of E HWY 412, approximately 0.3 miles from Nob Hill Loop WC 389.

Applicant desires signage to be on the building, with a future directory sign to be located at each driveway.

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CONDITIONS OF APPROVAL

Staff has reviewed the submitted documents with the following conditions:

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 - wmahaffey@ozarksecc.com or Cheston Shadrick at (479) 684-4903 - cshadrick@ozarksecc.com
5. 30FT U.E. ALONG ALL EXISTING OZARK OVERHEAD.
6. 15FT U.E. ALONG ALL EXISTING OZARK UNDERGROUND.

Springdale Water Conditions

1. If water service is required, applicant will need to satisfy water provider's requirements.
2. 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.
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, 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

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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.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. Please be advised that there is no fire protection in this area.
15. The images provided for the plans are blurry and difficult to read. Please provide a clearer plan submittal for review.
16. Provide adequate easement for the 6" water line along the north of the property.

Health/Sewer/Septic Conditions

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

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3. It is the owner/architect/contractor/developer/engineer's responsibility to contact the Arkansas Department of Health to determine what permits and designs are required prior to construction.

Fire/Safety Conditions

1. The project will need to be constructed/developed to meet (and maintain) the Arkansas Fire Prevention Code (2021 AFPC). Code research and adherence will be the responsibility of the owner or their designee (Architect/Contractor/Developer/Engineer).
2. If gated, keys/keypad code need to be provided to Nob Hill Rural Fire Department.
3. Clearly label shutoff for all electrical and the generator shut off for responding fire personal.
4. Knox Padlock Keyed to Nob Hill Fire Department. IFC 506.1
5. Include ADA Van accessible parking stall/loading area. And, Label ADA entrances to both buildings.
6. All access roads and parking area drives must have a minimum 26' turn radius, and fire lands and access roads must be compacted to support 75,000lbs in all weather conditions.
7. If dead-ends exist, there needs to be a turn-around provided that will accommodate a fire engine.
8. Smoke detectors are required in the all facility's rooms.

Environmental/Stormwater Conditions

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Watershed Conditions

17. No comments received.

Road/Parking Conditions

1. A permit from the Washington County Road Department or the Arkansas Department of Transportation may be required prior to any work being completed in the right-of-way (ROW).
2. Any tile that may be needed must be sized by the Road Department.
3. All entrance drives, employee and customer parking areas, must support 75,000lbs in all weather conditions.

Addressing Conditions

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

Signage Conditions

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

17-281

Lighting Conditions

18. 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

1. If any additional screening area is necessary, staff reserves the right to make this a requirement in the LSD portion.
2. If there is to be a dumpster, the fencing and gate around it must be opaque material. A gate is required for the dumpster area.

WC Sheriff's Department Conditions

19. No comments received.

Planning Area Conditions

20. No comments received.

School District Conditions

21. No comments received.

Drainage/Engineering Conditions

1. All concerns from the Washington County Engineer, if any, must be addressed before final approval of this project may be given.
2. The Washington County Engineer must review and approve construction plans (if applicable) before the applicant may start to break ground for development.

Planning Conditions

1. The applicant is required to adhere to the regulations set forth by the various utilities and departments/authorities as mentioned above. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
2. The applicant shall apply for all required permits prior to construction.
3. All required fees and invoices shall be paid.
4. The applicant should stay with their proposed hours of operation as listed on their CUP application/letter of intent: Monday through Friday from 7:30am to 4:00pm.
5. Other set hours of operation may be imposed by the Planning Board or Quorum Court.
6. Provide reasonable screening to neighboring properties.
7. The applicant must address all technical review comments as the project proceeds through to completion.
8. Any further additions in terms of expanding the proposed acreage to be used, current developed structure, or building new structures for either the business or for gathering purposes must come before the Planning Office and potentially the Planning Board.

Standard Conditions for All Projects

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

17-282

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.
 - If land development approval is required, then application for such must be made to the Planning Office no later than twelve (12) months from the date the Conditional Use Permit was granted (Washington County Code Sec. 11-202.1).
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Prepared by: Sam Ata

17-283

Item 24-O-088

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

2024 OCT 23 AM 10:49

2024 OCT 23 AM 10:49

ORDINANCE NO. 2024-082

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 FOR THE FREEWILL BAPTIST CHURCH PROJECT.

WHEREAS, the Planning Board voted to recommend approval of a Conditional Use Permit for the **Freewill Baptist Church** project on **September 26, 2024**; 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 **Freewill Baptist Church** Project recommended for approval by the Planning and Zoning Board is hereby ratified.



PATRICK W. DEAKINS, County Judge



DATE



BECKY LEWALLEN, County Clerk

17-284

43 Introduced by: JP Gary Ricker
44 Date of Adoption: 10/17/2024
45 Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington,
46 Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
47 Members Voting Against:
48 Members Abstaining:
49 Members Absent:
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51
52 Committee History:
53 Quorum Court History: Adopted on 10/17/2024 as **ORD 2024-082**
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55 This publication was paid for by the Washington County Quorum Court budget through the Washington
56 County Comptroller's Office.
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17-285

Unity Freewill Baptist Church Conditional Use Permit

The Planning Board Approved Unity Freewill Baptist Church CUP on September 26, 2024 (6 members voted "in favor", 0 members voted "against", 0 members were absent, 0 members abstained).

County

Unity Freewill Baptist Church CUP

Conditional Use Permit Request

Location: Section 07, Township 13, Range 40

Applicant: Aaron Thornbrugh

Location Address: 14680 Union Star WC 224, West Fork, AR, 72774

Proposed Use: Church Expansion

JP District: District 14 – Gary Ricker

Approximately: +/- 10 / 1

Project #: 2024-274

BACKGROUND/SYNOPSIS

The applicant is requesting a Conditional Use Permit to add an assembly hall south of and adjacent to their sanctuary on the property. The building will be 6,000 sq ft and will utilize 0.75 acres. Hours of operation will be Sundays and Wednesday evenings. There are three total employees.

The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

The project parcel lies solely within Washington County.

The subject parcels equal approximately 0.75 acres in size.

The project is located on the eastern side of Union Star Rd WC 224, approximately 0.1 mile from S Hwy 170.

CONDITIONS OF APPROVAL

Staff has reviewed the submitted documents with the following conditions:

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

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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 - wmahaffey@ozarksecc.com or Cheston Shadrick at (479) 684-4903 - cshadrick@ozarksecc.com
5. 30FT U.E. ALONG ALL EXISTING OZARK OVERHEAD.

Washington Water Authority Conditions

1. If water service is required, applicant will need to satisfy water provider's requirements.

Health/Sewer/Septic Conditions

1. Please contact the Department of Health and adhere to their regulations on septic sewer systems.
2. No parking is allowed on any portion of the septic system.
3. It is the owner/architect/contractor/developer/engineer's responsibility to contact the Arkansas Department of Health to determine what permits and designs are required prior to construction.

Fire/Safety Conditions

1. The project will need to be constructed/developed to meet (and maintain) the Arkansas Fire Prevention Code (2021 AFPC). Code research and adherence will be the responsibility of the owner or their designee (Architect/Contractor/Developer/Engineer).
2. Clearly label shutoff for all electrical and the generator shut off for responding fire personal.
3. Knox Padlock Keyed to West Fork Rural Fire Department. IFC 506.1
4. Include ADA Van accessible parking stall/loading area and label ADA entrances to buildings.
5. All access roads and parking area drives must have a minimum 26' turn radius, and fire lands and access roads must be compacted to support 75,000lbs in all weather conditions.
6. Smoke detectors are required in the all facility's rooms.

Environmental/Stormwater 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

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Watershed Conditions

1. No comments received.

Road/Parking Conditions

1. A permit from the Washington County Road Department or the Arkansas Department of Transportation may be required prior to any work being completed in the right-of-way (ROW).
2. Any tile that may be needed must be sized by the Road Department.
3. All entrance drives, employee and customer parking areas, must support 75,000lbs in all weather conditions.

Addressing Conditions

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

Signage Conditions

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

Lighting Conditions

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

1. If there is to be a dumpster, the fencing and gate around it must be opaque material. A gate is required for the dumpster area.

WC Sheriff's Department Conditions

2. No comments received.

Planning Area Conditions

3. No comments received.

School District Conditions

4. No comments received.

Drainage/Engineering Conditions

1. All concerns from the Washington County Engineer, if any, must be addressed before final approval of this project may be given.
2. The Washington County Engineer must review and approve construction plans (if applicable) before the applicant may start to break ground for development.
3. All comments were addressed.

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Planning Conditions

1. The applicant is required to adhere to the regulations set forth by the various utilities and departments/authorities as mentioned above. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
2. The applicant shall apply for all required permits prior to construction.
3. All required fees and invoices shall be paid.
4. The applicant should stay with their proposed hours of operation as listed on their CUP application/letter of intent: Sundays and Wednesday evenings. Other set hours of operation may be imposed by the Planning Board or Quorum Court.
5. The applicant must address all technical review comments as the project proceeds through to completion.
6. Any further additions in terms of expanding the proposed acreage to be used, current developed structure, or building new structures for either the business or for gathering purposes must come before the Planning Office and potentially the Planning Board.

Standard Conditions for All Projects

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office). This total will be calculated for this project once all invoices are received.
2. Pay any engineering fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustment.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
 - This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within eighteen (18) months of this CUP project's ratification (Washington County Code sections 11-51 through 11-80).
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Prepared by: Sam Ata

17-289

FILED

Item 24-O-089

2024 OCT 24 AM 9:30

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

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2024-083

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

AN ORDINANCE DENYING A CONDITIONAL USE PERMIT RECOMMENDED FOR DENIAL BY THE PLANNING BOARD FOR THE RED HAWK PROJECT.

WHEREAS, the Planning Board voted to recommend denial of a Conditional Use Permit for the **Red Hawk** project on **August 22, 2024**; 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 **Red Hawk** Project recommended for denial by the Planning and Zoning Board is hereby denied.



PATRICK W. DEAKINS, County Judge



DATE



BECKY LEWALLEN, County Clerk

17-290

43
44 Introduced by: JP Gary Ricker
45 Date of Adoption: 10-17-2024
46 Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington,
47 Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
48 Members Voting Against:
49 Members Abstaining:
50 Members Absent:
51
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53 Committee History:
54 Quorum Court History: Approved on 10-17-2024 as **ORD 2024-083**

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Red Hawk Conditional Use Permit

The Planning Board Denied Red Hawk CUP on August 22, 2024 (2 members voted “in favor”, 4 members voted “against”, 0 members were absent, 0 members abstained).

Greenland Planning Area

Red Hawk CUP

Conditional Use Permit Request

Location: Section 17, Township 15, Range 30

Applicant: John Ogle (owner: Lori Devecsery)

Location Address: 10637 SE Campbell Rd WC 63, Fayetteville, AR, 72701

Proposed Use: Commercial - Mobile Storage Containers (HogBox)

JP District: District 14 – Gary Ricker

Approximately: +/- 61.77 / 1 (6 - 14 acres will be used)

Project #: 2024-192

BACKGROUND/SYNOPSIS

The applicant is requesting a conditional use permit to utilize 5 acres on their 61.77 acre parcel to store Hogbox Containers when sufficient space at the Hogbox HQ is unavailable. (The original application stated 14 acres, but the applicant has since requested they only use 5 acres). The applicant is currently storing containers on the property, so this permit would allow the applicant to bring the existing land into compliance with County requirements. Hours of operation will be irregular and infrequent, as drivers will only be on the property to deliver the empty storage containers.

The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

The project parcel is in the Greenland Planning Area.

During the City of Greenland’s Planning Commission regular meeting held on July 1st, 2024, the commissioners voted unanimously to recommend denial of this Conditional Use Permit within the Greenland Planning Area (minutes attached, Agenda Item #2).

The subject parcels equal approximately 61.77 acres in size. 5 acres will be used for the project.

The project is located on the western side of SE Campbell Rd WC 63, approximately 0.25 miles from Horan Rd WC 3261.

On September 9th, 2023, the property owner submitted a 911 address application for a residential address.

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On October 25th, 2023, planning department received the first complaint about activity on the property involving storing dozens of shipping containers and large semi-trucks driving in and out of the property.

On November 1st, 2023, planning staff contacted the property owner to inform them that they needed to apply for a Conditional Use Permit and a Large Scale development.

May 7th, 2024, after a number of additional neighbor complaints, Washington County sent the property owner a Cease & Desist letter, stating that the property was still out of compliance.

On June 7th, 2024, a Conditional Use Permit was received.

CONDITIONS OF APPROVAL

Staff has reviewed the submitted documents with the following conditions:

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 - wmahaffey@ozarksecc.com or Cheston Shadrick at (479) 684-4903 - cshadrick@ozarksecc.com
5. 30FT U.E. ALONG ALL EXISTING OZARK OVERHEAD.

Washington Water Authority Conditions

1. If water service is required, applicant will need to satisfy water provider's requirements.
2. Washington Water Authority has no comments on the proposed use of this property.

Health/Sewer/Septic Conditions

1. Please contact the Department of Health and adhere to their regulations on septic sewer systems.

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2. No parking is allowed on any portion of the septic system.

Fire/Safety Conditions

1. The project will need to be constructed/developed to meet (and maintain) the Arkansas Fire Prevention Code (2021 AFPC). Code research and adherence will be the responsibility of the owner or their designee (Architect/Contractor/Developer/Engineer).

Environmental/Stormwater Conditions

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Watershed Conditions

1. No comments received.

Road/Parking Conditions/Comments

1. A permit from the Washington County Road Department or the Arkansas Department of Transportation may be required prior to any work being completed in the right-of-way (ROW).
2. All entrance drives, employee and customer parking areas, must support 75,000lbs in all weather conditions.
3. The SE Campbell Loop road is sufficient to support heavy truck traffic with the Washington county jurisdiction.

Addressing Conditions

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

Signage Conditions

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

Lighting Conditions

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

1. If any additional screening area is necessary, staff reserves the right to make this a requirement in the LSD portion. Care shall be taken to leave much of the wooded area intact.

WC Sheriff's Department Conditions

2. No comments received.

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Planning Area Conditions

1. Please contact the City of Greenland and adhere to their regulations and planning processes, including but not limited to, signage, permitting, project review, and board approval (The City of Greenland Planning Commission minutes on July 1st, 2024 is attached, Agenda Item #2).

School District Conditions

3. No comments received.

Drainage/Engineering Conditions

1. All concerns from the Washington County Engineer, if any, must be addressed before final approval of this project may be given.
2. The Washington County Engineer must review and approve construction plans (if applicable) before the applicant may start to break ground for development.
3. All comments were addressed.

Planning Conditions

1. The applicant is required to adhere to the regulations set forth by the various utilities and departments/authorities as mentioned above. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
2. The applicant shall apply for all required permits prior to construction.
3. All required fees and invoices shall be paid.
4. The applicant should stay with their proposed hours of operation as listed on their CUP application/letter of intent: Hours of operation will be irregular and infrequent, as drivers will only be on the property to deliver the empty storage containers. Other set hours of operation may be imposed by the Planning Board or Quorum Court.
5. Provide reasonable screening to neighboring properties.
6. The applicant must address all technical review comments as the project proceeds through to completion.
7. Comply with the customary quiet times between the hours of 10:00 p.m. and 8:00 a.m. on weekdays and until 9:00 a.m. on weekends.
8. Adhere to the Arkansas Code Title 27. Transportation § 27-37-601. Noise and smoke devices.
9. Any further additions in terms of expanding the proposed acreage to be used, current developed structure, or building new structures for either the business or for gathering purposes must come before the Planning Office and potentially the Planning Board.

Standard Conditions for All Projects

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office). This total will be calculated for this project once all invoices are received.
2. Pay any engineering fees. This total will be calculated for this project once all invoices are received.

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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.
 - If land development approval is required, then application for such must be made to the Planning Office no later than twelve (12) months from the date the Conditional Use Permit was granted (Washington County Code Sec. 11-202.1).
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Prepared by: Sam Ata

17-296e

Item 24-R-008

Requested by: Justice of the Peace Evelyn Rios-Stafford
Drafted by: Justice of the Peace Evelyn Rios-Stafford

2024 OCT 23 AM 10:50
SECURITY EVALUATED
CO. & PROPRIETARY
WASHINGTON COUNTY

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RESOLUTION NO. 2024-008

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

A RESOLUTION HONORING 2024 OLYMPIC AND PARALYMPIC ATHLETES WITH TIES TO WASHINGTON COUNTY, ARKANSAS.

WHEREAS, a record number of athletes with ties to Washington County competed in the 2024 Olympic and Paralympic Games in Paris, France, which took place between July 26th and September 8th; and,

WHEREAS, the 2024 medalists and other competitors include Washington County residents, current and former Razorback athletes, current and former University of Arkansas students, and professional athletes who train at the University of Arkansas at Fayetteville, which is a world-class training facility.¹

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

ARTICLE 1. The Quorum Court of Washington County, Arkansas recognizes and honors the following individuals for their medal-winning athletic achievements:

Amber Anning, an Arkansas Razorback who picked up two bronze medals as a relay team member for Great Britain's mixed 4x400-meter relay team and its women's 4x400-meter relay team; and,

Chris Bailey, a Razorback alumnus who still trains at Fayetteville, who led off the U.S. men's 4x400-meter relay team, which won gold; and,

Brittany Brown, who trains in Fayetteville and won bronze in the women's 200-meter race, competing for the United States; and,

¹ <https://news.uark.edu/articles/70904/six-former-or-current-athletes-connected-to-u-of-a-win-medals-at-paris-olympics>

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Kaylyn Brown, a Razorback sprinter who collected Olympic gold and silver medals as a member of the U.S. relay teams in the world-record-setting women's 4x400-meter team and its mixed 4 x 400-meter relay team, respectively; and,

Anna Cockrell, who trains in Fayetteville and won silver in the women's 400-meter hurdles; and,

Ryan Crouser, a Farmington resident and volunteer assistant coach for the Razorbacks and who is now the only three-time Olympic gold medalist in shotput. He also holds the world record in shotput, both indoor and outdoor; and,

Tara Davis-Woodhall, who trains in Fayetteville and won gold in the women's long jump; and,

Alexis Holmes, a professional runner training in Fayetteville, who was part of the U.S. 4x400-meter relay team that set an American record while winning gold; and,

Shamier Little, a volunteer assistant coach for the Razorbacks, who was part of the U.S. 4x400-meter relay team that set an American record while winning gold and won a silver in the mixed 4x400-meter relay; and,

Wayne Pinnock, the first Jamaican silver medalist in the long jump since 1996, and the first Razorback to medal in the event; and,

Kelsey Plum, a former graduate student and grad assistant for the Razorbacks women's basketball team who won a gold medal in 5x5 Basketball; and,

Rojé Stona, a former Arkansas Razorback, who won the gold medal and set an Olympic record in discus; and,

Hunter Woodhall, an Arkansas Razorback alum, won gold in the Paralympics T-62 400-meter and bronze in the Paralympics 4x100-meter Universal Relay; and,

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The following individuals who competed and/or qualified in the 2024 Olympics:


Romaine Beckford, Taliyah Brooks, Nico Echavarria, Maria Fassi, Rachel Glenn, Jaydon Hibbert, Nikki Hiltz, Anna Hopkin, Sanu Jallow, Andranette Knight, Gaby Lopez, Shafiqua Maloney, Ackera Nugent, Ayden Owens-Delerme, Jah-Nhai Perinchief, Nickisha Pryce, Joscelyn Roberson, Cindy Sember, Tina Šutej, Isabella Whittaker, Gianna Woodruff, Yaseen Abdalla, Janeek Brown, Carey McLeod and Jarrion Lawson.



PATRICK W. DEAKINS, County Judge



DATE



BECKY LEWALLEN, County Clerk

Introduced by: Rios Stafford
Date of Adoption: 10/17/2024
Members Voting For: Taylor, Wilson, Simons, Bowerman, Lyons, Ecke, Dean, Washington, Coger, Dennis, Highers, Rios Stafford, Leming, Ricker, Pond
Members Voting Against:
Members Abstaining:
Members Absent:

Committee History:

Quorum Court History: Adopted on 10/17/2024 as RES 2024-008

This publication was paid for by the Washington County Quorum Court budget through the Washington County Comptroller's Office.

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