

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

Thursday, September 19, 2013  
6:00 p.m.  
Washington County Quorum Court Room

2013 OCT 21 AM 11:28  
BECKY LEVALLER  
CO. & PROBATE CLERK  
WASHINGTON CO. AR

FILED

- 213.1 The Washington County Quorum Court met in regular session on Thursday, September 19, 2013. The meeting was called to order by County Judge Marilyn Edwards.
- 213.2 J. Firmin led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 213.3 Judge Edwards reported that they had new microphones tonight and urged JPs to turn them on and off as they spoke.
- 213.4 MEMBERS PRESENT: Ron Aman, Rex Bailey, Harvey Bowman, Candy Clark, Rick Cochran, John Firmin, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Jimmy Mardis, Joe Patterson, Butch Pond, and Bill Ussery.
- 213.5 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 213.6 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 213.7 **A motion was made and seconded to adopt the agenda as distributed. The motion passed unanimously by voice vote. The agenda was adopted as distributed.**
- 213.8 APPROVAL OF MINUTES: Judge Edwards asked for approval of the minutes of the August 15 regular meeting of the Washington County Quorum Court.
- 213.9 **A motion was made and seconded to approve the minutes as distributed. The motion passed unanimously by voice vote. The minutes were approved.**
- 213.10 FINANCE REPORT: C. Clark reported that there was one resolution and four appropriation ordinances on the agenda tonight that had been thoroughly discussed and forwarded from the Finance and Budget Committee.
- 213.11 A RESOLUTION ENDORSING THE PARTICIPATION OF AMERICAN TUBING, INC., IN THE SALES AND USE TAX REFUND PROGRAM AUTHORIZED BY THE CONSOLIDATED INCENTIVE ACT OF 2003 AND ARK. CODE ANN. §15-4-2706(d): C. Clark introduced **A Resolution Endorsing The Participation Of American Tubing, Inc., In The Sales And**

**Use Tax Refund Program Authorized By The Consolidated Incentive Act Of 2003 And Ark. Code Ann. §15-4-2706(d), and County Attorney George Butler read the resolution.**

- 214.1 A typographical error was pointed out and corrected in the title paragraph and Article I of the resolution.
- 214.2 **C. Clark made a motion to adopt the resolution. B. Pond seconded.**
- 214.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 214.4 Citizen Comments: There were no citizen comments made.
- 214.5 VOTING FOR: J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, and E. Madison. **The motion passed unanimously. The resolution was adopted.**

**RESOLUTION NO. 2013-18, BOOK NO. 3, PAGE NO. 58**

- 214.6 AN ORDINANCE SUSPENDING BUDGET CONTROLS AND CREATING ADDITIONAL PERSONNEL POSITIONS IN THE ANIMAL SHELTER BUDGET; AND APPROPRIATING THE TOTAL AMOUNT OF \$37,763 FROM THE GENERAL FUND FOR SAID POSITIONS FOR 2013: C. Clark introduced **An Ordinance Suspending Budget Controls And Creating Additional Personnel Positions In The Animal Shelter Budget; And Appropriating The Total Amount Of \$37,763 From The General Fund For Said Positions For 2013**, and County Attorney George Butler read the ordinance.
- 214.7 C. Clark explained that she is bringing this ordinance back to the Quorum Court as these two positions have been needed since the Shelter opened, and the County needs to be supporting them. She announced that as of today, the Animal League of Washington County is ready to buy and install fencing that the Animal Shelter needs, and they can start that project in two weeks. Also, she announced that the Animal Shelter received a \$15,000 grant from the Walker Foundation which is a matching grant to buy the blood analysis machine that is needed in the clinic. She stated that they had to raise approximately another \$8,000 to \$10,000, and they are committed to doing that so that this piece of equipment can be delivered by Christmas. She noted that the blood analysis is currently being outsourced and having this equipment at the Shelter will keep their animals happier and healthier.

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- 215.1 **C. Clark made a motion to adopt the ordinance. A. Harbison seconded.**
- 215.2 R. Bailey stated that he was afraid this was going to happen when he voted for the Animal Shelter. He explained one reason he was in favor of the Shelter was because of all the voluntary help that they would have. He stated that he has been involved with the Springdale Animal Shelter and knows for a fact that keeping it clean and sanitary is the most important thing. He stated if C. Clark states that these positions are needed, he has no reason to doubt her, but he will not support the addition of another \$180,000 to their budget at this time.
- 215.3 B. Pond stated that he will support this ordinance because even though it is a very expensive proposition for the taxpayer, he knows that it is needed. He pointed out that they had many years contracting this service with the City of Fayetteville's Animal Shelter, but unfortunately that was no longer possible, so they are just going to have to stand up and do what they have to do.
- 215.4 E. Madison stated that she will support this ordinance which was the amendment that they tried to get through last month. She further stated that both she and C. Clark will take any checks to help them meet the matching grant.
- 215.5 R. Cochran stated that when they discussed this at their last meeting, one of the things that came up was to consider whether they wanted to continue to fund the voucher system that they are presently using for the Spay/Neuter Program. He stated if they are going to bring a full-time Veterinarian into the Shelter, they give themselves the latitude to continue this program as they currently are and also pick up some of the slack on that as well. He questioned whether they should eliminate the \$40,000 budget item that is for those vouchers because they would be doing their own in-house Spay/Neuter Program and this would help to offset the additional cost for employees.
- 215.6 **R. Cochran made a motion to amend the ordinance and remove the Spay/Neuter budget and eliminate issuing future vouchers. R. Bailey seconded.**
- 215.7 C. Clark addressed R. Cochran's motion, stating that what she is hoping is that they can finish out this year the way they are and when they hear the Shelter's budget next week, they can make that \$40,000 adjustment themselves and asked County Attorney George Butler whether this motion to amend was necessary.
- 215.8 County Attorney George Butler responded that if this is done in their budget process, the amendment to the ordinance was not needed, and they could just eliminate what money is in that budget currently.

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- 216.1 C. Clark noted that some the money is obligated through vouchers and purchase orders, and it would be cleaner to do it during the budget process for the next year.
- 216.2 R. Cochran suggested that they could just eliminate issuing any future vouchers which would essentially stop paying money on the vouchers at a cost of \$50 to \$60 to the County, and this would have the same effect.
- 216.3 A. Harbison stated that this was part of the discussion on adding a full time Veterinarian and Vet-Tech, and she concurs with C. Clark that they should just leave the Spay/Neuter Program as is for the remainder of this year.
- 216.4 R. Aman stated that he will not support this ordinance and would like to see discussions of letting an organization rent the Shelter for a certain amount each year, and this way the County can save the taxpayers some money and still have an Animal Shelter.
- 216.5 E. Madison stated that she would rather see them vote on the Veterinarian and Vet-Tech positions now and wait until they are settled into the Shelter and used to what they are doing and then find out at what point the folks at the Animal Shelter feel that it is okay to incorporate the Spay/Neuter program into the Shelter. She concurs that R. Cochran's motion is where they would like to go but believes that they should be on a timetable that works for the Shelter and just stopping vouchers before they know what is going to work out is not a good idea. She further pointed out that they fought really hard to allow the City of Fayetteville to have this program because the Veterinarian Board was asserting that governmental entities could not do this.
- 216.6 C. Clark concurred with E. Madison's comments about giving the new positions at the Shelter time to gear up and get their ducks in a row. Additionally, she addressed R. Aman's comments about outsourcing and letting an organization take over the Animal Shelter, stating that she will fight tooth and nail to oppose that because they would be right back where they started at the mercy of someone else to set the prices. She stated that they are able to control their costs right now because it is a county entity and further believes that it is a health issue that a government must provide, and they would have absolute chaos and health issues without a place to take sick or aggressive animals and test them for rabies. C. Clark noted that Judge Edwards had a committee look into outsourcing and the cost for this was prohibitive, and they do not need to get back into that. She reported that the Fayetteville Shelter is about to raise their rate from \$85.00 to \$125.00 an animal, and she knows that the County Shelter is much more efficient. She reiterated that they now have the numbers to prove that the Shelter needs a full-time Veterinarian and another Vet-Tech because one person cannot

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support all the work. C. Clark stated that they have a premiere animal shelter, and she wants to keep it that way, and these two positions are necessary. She stated that volunteers can do the work of kennel supervising but not the specialized work that these two positions will be doing.

- 217.1 R. Bailey stated that he simply does not believe that they should cut back on the operating hours at the Shelter.
- 217.2 R. Cochran stated that since people currently have these Spay/Neuter vouchers in hand, then maybe he should amend his motion to simply stop issuing vouchers to work towards transitioning the Spay/Neuter Program to the Animal Shelter.
- 217.3 J. Mardis asked that a representative from the Animal Shelter weigh in on this discussion; to which Angela Ledgerwood, County Animal Shelter Director, replied that the best thing for the Shelter would be to wait until the 2014 Budget to move the Spay/Neuter Program. She stated the full-time Veterinarian and Vet-Tech will then have three months to get settled and will be able to better manage their time.
- 217.4 R. Cochran stated that since there seems to be a majority interest in taking this up separately; he will withdraw his motion, and they can take this up at the County Services Committee meeting.
- 217.5 **R. Cochran withdrew his motion.**
- 217.6 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 217.7 **VOTING FOR:** J. Mardis, B. Pond, B. Ussery, H. Bowman, C. Clark, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, and E. Madison. **VOTING AGAINST:** J. Patterson, R. Aman, R. Bailey, and R. Cochran. **The motion passed with ten members voting in favor and four voting against the motion.**

**ORDINANCE NO. 2013-50, BOOK NO. 9, PAGE NO. 238**

- 217.8 **AN ORDINANCE APPROPRIATING \$28,900 FROM THE GENERAL FUND TO THE CORONER'S BUDGET FOR 2013:** C. Clark introduced **An Ordinance Appropriating \$28,900 From The General Fund To The Coroner's Budget For 2013**, and County Attorney George Butler read the ordinance.
- 217.9 **C. Clark made a motion to adopt the ordinance. R. Bailey seconded.**

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- 218.1 T. Lundstrum stated that the cost for the new Tahoes that the Sheriff's Department is purchasing is \$25,300 and he assumes that the difference is those are two-wheel drive and what the Coroner is wanting to purchase is a 4-wheel drive. He further noted that the Chief Deputy Coroner is driving a Tahoe 2-wheel drive, and they are talking about a \$4,000 difference plus more money down the road for maintenance, etc. He stated that he cannot support this ordinance for a 4-wheel drive, but will support the purchase of a 2-wheel drive vehicle.
- 218.2 County Coroner Roger Morris stated that he would have no objection to changing this to a 2-wheel drive vehicle.
- B. Pond asked whether there is harm to a corpse that is exposed to freezing temperatures in the event that a Coroner's vehicle became stuck in an ice/snow storm; to which Mr. Morris responded that this would not hurt the condition of a corpse.
- 218.3 **T. Lundstrum made a motion to amend the ordinance appropriating \$25,300 for a 2-wheel drive vehicle. J. Patterson seconded.**
- 218.4 B. Fitzpatrick asked if the County Coroner or Sheriff had a 4-wheel drive vehicle to be able to get out to places where a 2-wheel drive vehicle cannot, because if the County does not, they need to have a 4-wheel drive vehicle; to which Mr. Morris replied that he has 2 vehicles that are 4-wheel drive.
- 218.5 A. Harbison stated that she lives on a farm and would never own another 2-wheel drive vehicle, stating that she has torn many up from getting stuck. She stated if the Coroner asked for a 4-wheel drive, then they should give him a 4-wheel drive. She stated that sometimes she thinks that they try to save money when they really do not. She noted that it is possible to get a standard two-wheel drive vehicle stuck on grass.
- 218.6 Mr. Morris pointed out one advantage to a 4-wheel drive being that a 4-wheel drive will not tear up a wet yard like a 2-wheel drive will.
- 218.7 **With no further discussion, Judge Edwards called for a vote on the motion to amend the ordinance.**
- 218.8 VOTING FOR: J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, H. Bowman, J. Firmin, and T. Lundstrum. VOTING AGAINST: R. Bailey, C. Clark, R. Cochran, B. Fitzpatrick, A. Harbison, and E. Madison. **The motion passed with eight members voting in favor and six voting against the motion.**

219.1 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance as amended.**

219.2 VOTING FOR: J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, and E. Madison. **The motion passed unanimously. The ordinance was adopted.**

**ORDINANCE NO. 2013-51, BOOK NO. 9, PAGE NO. 239**

219.3 AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$10,000 IN THE ENVIRONMENTAL AFFAIRS GRANT FUND, AND APPROPRIATING \$10,000 FROM THE ENVIRONMENTAL AFFAIRS GRANT FUND TO ADEQ-BMT02-12 BUDGET FOR 2013: C. Clark introduced **An Ordinance Anticipating Additional Revenue Of \$10,000 In The Environmental Affairs Grant Fund, And Appropriating \$10,000 From The Environmental Affairs Grant Fund To ADEQ-BMT02-12 Budget For 2013**, and County Attorney George Butler read the ordinance.

219.4 **C. Clark made a motion to adopt the ordinance. R. Bailey seconded.**

219.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

219.6 VOTING FOR: J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, and E. Madison. **The motion passed unanimously. The ordinance was adopted.**

**ORDINANCE NO. 2031-52, BOOK NO. 9, PAGE NO. 240**

219.7 AN ORDINANCE APPROPRIATING \$5,925 FROM THE COUNTY LIBRARY FUND TO THE COUNTY LIBRARY BUDGET FOR 2013: C. Clark introduced **An Ordinance Appropriating \$5,925 From The County Library Fund To The County Library Budget For 2013**, and County Attorney George Butler read the ordinance.

219.8 C. Clark stated that they discussed this at the Finance Committee meeting, and County Library Director Glenda Audrain was present to answer any questions.

219.9 **C. Clark made a motion to adopt the ordinance. R. Bailey seconded.**

219.10 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

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- 220.1 VOTING FOR: J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, and E. Madison. **The motion passed unanimously. The ordinance was adopted.**

**ORDINANCE NO. 2013-53, BOOK NO. 9, PAGE NO. 241**

- 220.2 COUNTY JUDGE'S REPORT: Judge Edwards stated that County Assessor Jeff Williams would like to address the Quorum Court at this time.
- 220.3 County Assessor Jeff Williams addressed the Quorum Court stating that he has the distinct pleasure of being able to help offset some of the additional appropriations made tonight. He stated in an effort to help offset the cost of some operations, they have made a concerted effort to look for help and participation in some of the things that they do in his office and a couple of years ago put together the Northwest Arkansas GIS Consortium which is made up of entities from both Benton and Washington County with some recent participation from Sebastian County as well. He stated that each year when they do their aerial photography, they look for participation from as many organizations that could use the data as possible, including his work with Northwest Arkansas Planning Commission, to offset some of the cost that Washington County pays each year.
- 220.4 Mr. Williams reported that this year the aerial photography will cost slightly over \$68,000, which expense is easily offset and cost effective by the fact that they can do desktop reviews and do not have to send appraisers out into the field. He reported that this year that participation by other entities has saved the taxpayers of Washington County the sum of \$51,817.50 from other organizations that participated in the aerial photography and this money will go back into the General Fund. He noted that they had the greatest participation level this year as they have ever had and will continue to try to expand that effort in the future.
- 220.5 In response to a question from Judge Edwards whether any of this money will need to go back to the schools; Mr. Williams stated that the money ends up going back into the General Fund and if they can return any of it back to the school districts, he would be in favor of that.
- 220.6 Judge Edwards reported that the Road Department has completed all of this years resealing of just over 60 miles at a cost of around \$750,000. She further reported that they have also finished the following new construction: Bunyard Road going out to Devil's Den, half of a mile on the west end of Kinion Lake Road, Vanzant Road, Butterfield Park Road, Thunder Mountain Road, and Pete Lee Road for a total of 7.4 miles of new chip and seal at an approximate



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cost of \$147,500 (not part of the resealing cost above), but the cost of two coats of the CRS2 asphalt and chip.

- 221.1 Judge Edwards stated that they put out bids for three State Aid jobs this year: Wyman Road (CR48) east of Fayetteville; Bush Valley Road (CR11) south of Lincoln, and Blue Springs Road (CR70) east of Springdale. She stated that she has tried to make sure that every part of the County gets some representation to help with their roads. She reported that the Wyman Road and Bush Valley Road are completed, and they should start on Blue Springs Road any day with Hutchinson Construction.
- 221.2 Judge Edwards reported on the Harvey Dowell Bridge replacement, they have completed the end walls, the wing walls, two middle piers, and the bridge stepping should be delivered in the next few weeks. She stated that they planned to set the beams in 3-4 weeks, place and set the bridge decking (pans) and get ready to pour the drive and are hopeful that they can have this bridge completed by the end of the year. Judge Edwards further reported that the preliminary work on the Woolsey Bridge is being done and the survey is scheduled for this winter. She noted that it takes a long time when they are working with the State.
- 221.3 COMMITTEE REPORTS: J. Patterson reported that the County Services Committee met on September 3 and discussed several items. He reported that the Planning Office had nine exemption splits, one family split, two cell tower arrays and six lot line adjustments approved by the Planning Board.
- 221.4 J. Patterson stated that the Committee had a lengthy discussion on the Southeast Phase II Water Project and a report that some people in the area are not getting water which they are checking into, and he has spoken to State Representative Neal in Springdale who is willing to ask for more money as it will take \$100,000 to \$150,000 to complete that one road. He reported that there were several questions as to why quite a bit of this water money was spent in Madison County. He noted that they did not have answers for many of these questions, but are currently working on that. He noted that the RDA has power of eminent domain, but will condemn only for the main line which has a pump station on it. The cost to extend the line along Miller Road will be increased significantly by the requirement to install at least one booster pump.
- 221.5 J. Patterson stated that they discussed an ordinance amending Washington County Code pertaining to computer usage, electronic mail and internal security policy, and he has asked E. Madison to take a look at this to see if there is anything that needs to be adjusted.

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- 222.1 R. Bailey stated that he does not feel comfortable at all and still has a lot of questions on the water project. He commended A. Harbison for not giving up on the issue as well. He noted that it seems that the more questions there are, the more that everyone is asking. He stated that he is not going to give up getting these people water which is a second attempt for most of them.
- 222.2 B. Pond responded to R. Bailey that no one wants to give up on getting water for these people, but believes they need to be very careful about how they approach water providers, different organizations or boards that work as hard as they can to provide water. He noted that there are many different associations that provide water to the rural area of Washington County, including all the cities providing water to unincorporated areas, as well as Washington Water and Mt. Olive. He noted that he has left off this list the Madison County Water Association who provides water for a large number of people in Washington County. He stated that he feels uncomfortable when anything is said about following federal guidelines when they are able to avoid extra expense by dropping down to a lower elevation where the terrain is not as rough and provide water for a few people. He further pointed out that Mt. Olive Association provides water for us. We work hand in hand many times with Madison County when it is more feasible and less expensive for them to help a few people in Washington County or vice versa. He stated that these folks turn out and work hard to help each other and have a more efficient, less expensive water system. B. Pond reiterated that they needed to be careful about how they speak about those who provide water in the rural areas.
- 222.3 R. Bailey stated that he does not feel comfortable at all talking about it because when they began talking about how their #1 priority was Washington County water, not one thing was said about Madison County.
- 222.4 E. Madison reported that the Public Works Committee met briefly on September 3 following the County Services meeting. She reported that Ron Wood, County Building Supervisor, gave an update on County buildings including work that is progressing nicely on the Sheriff's East Annex upstairs. Mr. Wood also reported that there were not any big projects coming up and did not anticipate any big maintenance needs. E. Madison stated that it sounds like the biggest issue currently is with Juvenile Court HVAC system where two new units are being changed out with duct work added which should take care of the hot, humid environment in the Juvenile Court.
- 222.5 B. Pond reported that the Personnel Committee met on September 9 and heard a routine report from Blair Johanson, Salary Consultant for Washington County, as well as a comparison of County employee salaries and current salary market with a recommendation on raises for county employees.

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- 223.1 T. Lundstrum reported that the Jail/Law Enforcement/Courts Committee did not meet this month due to lack of an agenda.
- 223.2 C. Clark reported that Finance and Budget Committee met on September 10 and income is on target, budgets are in good shape, and sales tax is up. She further noted that they started their budget process on the following Thursday with the Sheriff's Office.  
**AN ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD:** J. Patterson introduced **An Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney George Butler read the ordinance. The Planning Board granted a Conditional Use Permit on September 5 for Sassafras Springs Vineyard (SSV). This ordinance contains an emergency clause making it effective immediately upon passage.
- 223.3 **J. Patterson made a motion to adopt the ordinance. C. Clark seconded.**
- 223.4 Citizen Comments: There were no citizen comments made.
- 223.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 223.6 VOTING FOR: J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, and E. Madison. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2013-54, BOOK NO. 9, PAGE NO. 242**
- 223.7 OTHER BUSINESS: There was no other business to discuss.
- 223.8 CITIZEN COMMENTS: Ms. Terri Davis-Beaupre addressed the Quorum Court to comment on recent developments in her neighborhood. She stated that several of her neighbors have, over the last several years, made a concerted effort to do a better job of getting to know each other by sharing baked goods, celebrating birthdays together, sharing grief and offering support at the loss of loved ones, watching each other's homes during vacations, feeding and caring for each other's pets and keeping in contact with those who have moved out of the neighborhood for one reason or another. That is until one of them decided to bring one of their family members into their part of the subdivision with an exempt family lot split and additional dwelling unit application to the Planning Department. She reported that this neighbor maintains that she received no warning from said Planning Department and that this might cause problems because she was told that

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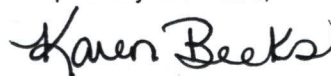
the County did not defend protective covenants in the county which is her second reason for being here tonight because she said – no one pays attention to those covenants anyway. She further reported that this neighbor was encouraged by the Planning Department to proceed with her plans, even after an adjoining property owner made known to her his personal knowledge of said covenants, and when she and two other neighbors came to her home this past Sunday afternoon, she defended her position with e-mails from said Planning Department Senior Planner. She reported that she visited the Planning Department in person the next day and was met by Mr. Phu Phong who proceeded to assist her by answering questions related to her property if she wanted to do the same thing as her neighbor and went on to explain the county's position. She further reported that the Senior Planner joined them and when she mentioned the possibility of drawing legal action from other property owners in the unit, she admitted that they had already received a phone call from another person on the street complaining about the development sanctioned by the County Planning Office and swore that she had indeed warned the neighbor in violation of the covenants.

- 224.1 Ms. Terri Davis-Beaupre stated that she was there to find out the truth about just how the Planning Department is handling these exempt lot splits and ADU's. She reported when her neighbor moved a trailer onto her lot, a direction violation of at least three items in the covenant, her actions not only affected her and her property values, but potentially the 60 property owners in their section, and if that trailer had been allowed to remain, it would have set a legal precedent. She asked how this was in line with the County Planning Department's Mission Statement and stated that rural areas are an important resource that should be developed with care in order to retain their value. She stated that they have all suffered declining property values just like the rest of the nation but most of their neighborhood have continued to spend their hard earned money on renovations and upgrades in spite of and in support of this struggling economy and while they still care deeply what happens this neighbor, the policies and dismissive attitude of this Planning Department has effectively pitted neighbor against neighbor. She wonders how many other rural subdivisions have had their market value of their homes negatively impacted because of the ease and speed with which these type of exempted lot splits and ADU's can be executed and how many other neighborhoods that have tried to foster a sense of community have had their relations sour in turn adversarially because of these potentially damaging development vehicles.
- 224.2 County Attorney George Butler explained that they cannot enforce or regulate restricted covenants, nor can the cities, but covenants can only be enforced by property owners living thereon, and this has not been the first time this issue has come up.

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- 225.1 Ms. Terri Davis-Beaupre responded to Mr. Butler stating that she has never said that Washington County has a position that they would have to defend. Her problem is that the standard policy to let people come into the Planning Office and know that the rights of those particular property owners has collapsed.
- 225.2 County Attorney Butler added that attorneys have to be hired and lawsuits filed in order to enforce their own covenants.
- 225.3 Ms. Terri Davis-Beaupre stated that her neighbor was never warned that there might be possible legal action as a result of her placing a trailer on her property which was in violation of the covenants.
- 225.4 County Attorney Butler suggested that Ms. Terri Davis-Beaupre consult a legal attorney.
- 225.5 Ms. Terri Davis-Beaupre said that they have consulted an attorney, and the trailer has been moved, but her point is that none of this would have happened if the appropriate people were properly informed.
- 225.6 Aubry Shepherd, resident of JP Clark's district, addressed the Quorum Court regarding the County Road Department's mowing.
- 225.7 ADJOURNMENT: The meeting adjourned at 7:15 p.m.

Respectfully submitted,



Karen M. Beeks  
Executive Assistant