



WASHINGTON COUNTY, ARKANSAS
County Courthouse

April 1, 2016

MEETING OF THE
WASHINGTON COUNTY QUORUM COURT
COUNTY SERVICES COMMITTEE

Monday, April 4, 2016
5:30 P.M.
Washington County Quorum Court Room

Vice-Chair Daniel Balls
Sharon Lloyd
Sue Madison

Chair Eva Madison

Robert Dennis
Tom Lundstrum
Gary McHenry

A G E N D A

1. Call to Order.
2. Adoption of Agenda.
3. Overview of Northwest Arkansas' Regional Bicycle and Pedestrian Master Plan Adopted by the NWA Regional Planning Commission. Tim Conklin, Transportation Programs Director, and Elizabeth Bowen, Regional Planner, will be in attendance from NWARPC to address the Committee.
4. Year-End Reports:
 - Planning – Director Juliet Richey will be in attendance to review this report.
 - Administrative Approvals (4.1)
 - Planning Board Process Approvals (4.2)
 - Information Systems – Director John Adams will be in attendance to review this report. (4.3)
5. An Emergency Ordinance Concerning Community Sewer Systems, Washington County Code 11-99.1. This ordinance has been drafted by the County Attorney at the request of Renee Biby, County Grant Administrator/Public Utilities Coordinator, and is being sponsored by JP Robert Dennis. (5.1, 5.2)

6. A Resolution Supporting The Springdale City Council In Their Request To Name The Springdale Northern Bypass (U.S. Highway 412) The John Tillman Hussey Memorial Highway. This resolution has been drafted by the County Attorney at the request of JP Butch Pond. (6.1)
7. Discussion About The Animal Concerns Advisory Board.
8. General Discussion About Animal Control Issues And Next Steps On Issues Raised By Mr. Richard Holt's Incident.
9. Other Business: Any other business to be discussed by the Committee will be brought up at this time.
10. Public Comments.
11. Adjournment.

/cs



WASHINGTON COUNTY PLANNING DEPARTMENT 2015

Juliet Richey, Planning Director

Administrative Approvals

Washington County Staff Reviewed And Approved 240 Items Administratively:

Planning Area	40 Acres Tract Split	Additional Dwelling Unit	Admin Variance	Admin Cell Antenna Review	Family Lot Split	Floodplain Permit	Four Parcels or Less Split	General Inquiry	Lotline Adjustment	Mortgage Split	Planning Area Split
County	4	19	5	3	28	2	48	14	40	6	
Elkins											2
Elm Springs											
Farmington									1		2
Fayetteville		1		4		1	1	7	7		13
Goshen	1					1	1	2	3		3
Greenland								1			
Johnson											
Lincoln		1									3
Prairie Grove											3
Springdale				2				3			4
Tontitown								1			3
West Fork											
Winslow											
Total	5	21	5	9	28	4	50	28	51	6	33

Total Admin Approvals	240
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**WASHINGTON COUNTY PLANNING
DEPARTMENT REPORT
2015
Juliet Richey, Planning Director**

Administrative Approvals

Total Number of Lots Created for 2015: 279

Washington County Staff Reviewed and Approved 240 Items Administratively:

(5) – Tract Split 40 Acres – Total New Lots Created: (11)			
Planning Area	Name	Acreage	Lots
County	Steven & Lesley Schmitz	107.95	2
County	James Sossamon Tract Split	2.16	2
Goshen	Remington Place Inc	3.08	2
County	Gibson Real Estate Willard 40 Tract Split	86.00	2
County	Roger William Remington 40 Acre Tract Split	120.10	3

(21) – Additional Dwelling Units – Total New Lots Created: (0)		
Planning Area	Name	Acreage
County	Looney ADU	3.90
County	Larissa Reed/Reed ADU	40.00
County	Jeff & Tamela McKinnon ADU	22.00
County	Juan Vazques ADU	4.44
County	Greg Kahl ADU	34.46
County	Ricky Warren ADU	102
Lincoln	Perkins ADU- 10366 Beatty WC 668	5.8
County	Clinton Vaught ADU	15.80
County	Amanda Arnold ADU	45.53
County	Sivewright ADU	17.19
County	Richard Price ADU	5.36
Fayetteville	Breedlove ADU	6.1
County	Patrick Lyons ADU	21.55
County	Jeff & Cheryl Barker ADU	52.98
County	Teresa Evans ADU	6.0
County	Addition Dwelling Units Rehbock	11.81
County	Burciaga ADU	10.4
County	Michael Phan ADU 14758 Ham Rd. WC 819	67.26
County	Billy & Jonne Maness ADU	2.03
County	Bill Lindsey ADU	81.03
County	Feldner ADU guest house	2.00

(5) – Administrative Variance – Total New Lots Created: (0)		
Planning Area	Name	Acreeage
County	Bethel Oaks Lot 13 side setback variance.	0
County	Armantrout Administrative Variance	7.00
County	Janet Risley Administrative Variance	0.23
County	Brink Variance	18.55
County	Gifford Split Variance	42.78

(28) – Family Lot Splits – Total New Lots Created: (63)			
Planning Area	Name	Acreeage	Lots
County	Tract split for Mt. Pleasant Church	2.22	2
County	Charles Heathco Lot Split	34.02	2
County	Mary Tannehill/ Charles and Judy Trust Property Line Adjustment and Property Split	19.61	4
County	Kenneth Fields Family Split	9.82	2
County	Luther Family Split	69.55	2
County	Godfirnon Family Split	8.96	2
County	Bill Lowery Family Lot Split Tract 1 and 4	6.72	2
County	Bill Lowery Family Lot Split Tract 2 and 3	6.72	2
County	Jason King Family Lot Split	79.27	2
County	Kahl Family Split	34.46	2
County	Green Family Split	29.47	2
County	Justin Davenport family split	13.01	2
County	Dale Braudrick	14.85	3
County	Mark & Jacqui Calcagni	9.11	2
County	Kenneth Fields Family Split Update	9.82	2
County	Bill & Sandra Gabbard Family Lot Split	34.32	2
County	Carolyn Henry Family Lot Split	14.51	3
County	Mark & Marylyn Bishop	14.24	2
County	William Smith Family Split	2.22	2
County	Randell Balluck Family Lot Split	69.02	3
County	Bradberry Family Lot Split	3.53	3
County	Robert & Cheryal Arvin	13.89	2
County	Diane Sloan Family Lot Split	8.78	3
County	Colleen Richardson Family Split Part 1	34.91	2
County	Colleen Richardson Family Split Part 2	34.91	2
County	Colleen Richardson Family Split Part 3	34.91	2
County	Anita Eddings and Maria Meadors	4.60	2
County	Yakabo Xiong Family Split	39.45	2

(9) – Administrative Cell Antenna Review – Total New Lots Created: (0)		
Planning Area	Name	Acreage
Springdale	Price Mountain - Verizon wireless tower	0.45
Fayetteville	Double Springs Rd Cell Antenna	4.84
County	T-Mobile Antenna Tower Abilene Road	27.61
County	T-Mobile Carpenter Road Antenna	0.22
Springdale	Sprint Cell Tower Carlock Road	0.13
Fayetteville	AT&T N. Double Springs Road Cell Tower	4.84
Fayetteville	AT&T Mobility Tower Ed Edwards Road	69.14
Fayetteville	Cell Tower American Towers Ed Edwards Road.	69.14
County	Hazel Valley Road Antenna	128.89

(50) - Tract Split 4 Acres or Less – Total New Lots Created: (110)			
Planning Area	Name	Acreage	Lots
County	Keith Gardner Lot Split	72.52	1
County	Green Family Trust Lotsplit	2.00	2
County	Starr-Hickman Paschals Road Split	253.04	2
County	Cook's Lot Split	42.86	2
County	Eugene Stills Hubbard Road Tract Split	40.65	2
County	Armantrout Tract Split	6.62	2
County	O'Neal property line adjustment & tract split	13.11	2
County	Tod & Shelly Johnson	15.67	3
Goshen	Mike Parker-Jim Ed Summers split	1.82	2
County	Rob Kimbel Tract Split	33.60	3
County	Gifford Split	42.78	2
County	Tynon Split & Adjustment	6.33	3
County	SW Homes / Jackson Tract Split	39.35	2
County	David Stubbs Split	49.06	2
County	John Couch Tract Split	44.42	1
County	Mae Whiteside Tract Split	23.74	2
County	Lester Waynes Haines	35.67	2
County	Dan Dorman Tract Split	46.41	2
County	Joesph Hall Tract Split	7.61	2
County	Derrick & Jamie Brink	18.04	2
County	Wade & Kellina Ceola	40.61	2
County	Perry Steven McCue and Sarah Dawn McCue	11.21	3
County	Matt Wantland	40.03	3
County	Lloyd Keck	123.57	2
County	Mike Musteen	8.31	2
County	Bob Daugherty Tract Split	113.27	2
County	Gibson Real Estate Willard Tract Split	86.00	2
County	Roger Williams Remington Tract Split	120.10	3
County	Suzan Karnes Lot Split	27.38	2

County	Baumann & Crosno McAllister	24.35	2
County	James Owens Tract Split	42.69	2
County	Harold Schmidt Tract Split	37.73	2
County	Michael Bell Tract Split	27.91	2
County	Starr-Hickman Tract Split A	40.30	2
County	Colleen Richardson Tract Split B	79.00	2
County	Colleen Richardson Tract Split C	79.00	2
County	Jeanette Bohannon Tract Split	40.46	2
County	Gerald Long Tract Split	27.61	2
County	Yvonne Daily split	0.87	2
County	Willie Leming - Casey Family Tract Split	41.84	4
County	Waterson, Ancel & Arline Lot Split	76.06	2
Fayetteville	Gibson Real Estate Tract Split	39.89	3
County	Dean Leach Lot Split	6.46	2
County	Lester Whitney Lot Split 1 and Lotline Adjustment	4.12	2
County	Lester Whitney Lot Split 2	46.07	2
County	Bob Daugherty Lot Split	39.06	4
County	Steve & Phyllis Neal Tract Split	74.87	2
County	Gary Anderson Lotline Adjustment and Lot Split	4.16	3
County	Thomas Balding Tract Split	40.05	2
County	Bob Daugherty Tract Split	10.62	2

(4) – Floodplain Permit– Total New Lots Created: (0)

Planning Area	Name	Acreege
County	Jeanette Bohannon Tract Split - tractor shed in floodplain.	40.46
Fayetteville	Black Oak Road dirt bike training course	55.74
Goshen	Ezell Floodplain Permit for Barn, Ponds (2), and driveway	63.68
County	AHTD Job 040207 Floodplain permit, Hwy 220 over Ellis Creek	116.82

(28) – General Inquiry – Total New Lots Created: (0)

Planning Area	Name
Springdale	Possible CUP Violation off E. Hewitt Springs
Fayetteville	Julia Agler Pie Shop CUP General Inquiry
Fayetteville	Shooting Range of West Double Springs Road.
Goshen	Goshen Tuttle Buildings might in be Flood Plain
County	Possible CUP / Event Center off Hamestring
Fayetteville	Possible Mobile Home Park off W Weir Road
County	Sandra Backerman Inquiry

Springdale	Henry's Towing
County	Steve Green inquiry
Fayetteville	House Moving 3049 Oakland Zion
County	Mark Lee Possible Residential CUP
Greenland	Eco Bio
County	Jessica Penn Lotion Business
Springdale	Ready Rooter off 412
County	Vaughn Possible Residential CUP
County	Small Office building on Riches Road
Tontitown	Craig Hill Residential CUP 1235 Eldridge Road
County	Car Lot Possible CUP of Hwy 412
County	Possible Residential CUP Pleasure Heights
County	Possible Replat Tony Mountain Subdivision
County	Evansville Auto Salvage
County	Minor Subdivision / Jesse
County	Possible Gun Range outside of Tontitown
Fayetteville	Possible RV Park / CUP
Goshen	Possible CUP off Ball WC 330 / Matt Fritchie
County	Harmon Road Minor Subdivision-Nathan Young
Fayetteville	Marc Bed and Breakfast CUP
Fayetteville	Tim Ware Office/Warehouse Possible CUP/ Rid a pest

(51) – Lotline Adjustments – Total New Lots Created: (0)			
Planning Area	Name	Acreage	Lots
County	Keith Gardner Lotline Adjustment and Lot Split	72.52	2
County	Ellen Laymon Lotline Adjustment	0.41	2
Goshen	Remington Place, Inc. Lotline Adjustment	3.97	2
Goshen	Lots 2, 3, & 4 Buckridge Estates S/D	3.33	3
Fayetteville	Hughmount Village Lot Line Adjustment	19.75	2
Fayetteville	Nottenkamper Lot Line Adjustment	18.86	2
County	Sims Lot Line Adjustment	33.27	2
County	Debra Young Property Line Adjustment	38.72	2
County	Wintrode Property Line Adjustment	19.00	2
County	Derrick & Jamie Brink Lotline Adjustment	8.09	2
Fayetteville	James Gibson Lot Line Adjustment	1.90	4
County	Bob Daugherty Lotline Adjustment	3.38	4
County	Cody Cotton	1.41	2
County	Michael and Michelle Reed	7.55	4
Fayetteville	Ernest Long / Rebecca Slaven Lotline Adjustment	19.14	2
County	Houston Shipley	2.94	2
County	Tony & Debbie Potochnik Lotline	1.08	2

County	Tony Villines Lot line adjustment	35.69	2
County	Tony Shepard	4.51	3
County	Philip Huff Lotline adjustment	0.78	2
Fayetteville	Chambers Bank Lotline Adjustment	6.92	2
Fayetteville	Rod Blacksher Lot Line	0.45	2
County	Dennis & Maryiln Miles Lot Line Adjustment	12.37	2
County	James McCarty Lotline	3.28	2
County	Destry Burnett	38.26	2
County	Kenneth and Elizabeth Kemper Lotline Adjustment	0.87	2
County	Larry Stephens Lotline Adjustment Rhine Road	0.27	3
County	Tim Boudrey Lotline Adjustment	1.17	3
Fayetteville	Lowe & Vickers lotline adjustment	6.05	2
Farmington	Bob Daugherty Lotline Adjustment	4.26	4
County	Bob Daugherty Lotline Adjustment	16.35	2
County	Henry Gardner Lotline Adjustment / Tract Split	11.97	3
County	TTO LLC Lotline Adjustment	2.76	2
County	Gregory & Ball Lotline and Lot Split	4.46	2
County	Valerie Lohbeck & William Reineka Lot Line Adjustment	5.26	2
County	Mark Roberts Lot Line Adjustments	2.24	2
County	Alan Shumate Lot Line Adjustment	0.26	4
County	Ward Jones Realtors	7.49	3
County	Carl Biggs Lotline Adjustment	1.10	2
Goshen	White River Leasing, Inc Lot Line Adjustment	1.04	2
County	Cage & Remington Lotline Adjustment	38.01	4
County	Jimmy & Ashley Gooding Lotline Adjustment	2.99	2
County	Bob Daugherty Lotline Adjustment	48.55	2
County	Chris Hartin Lotline Adjustment	2.04	2
County	Bobby Russell Lotline Adjustment	5.47	2
County	Starr-Hickman Investments, LLC Lotline Adjustment	13.47	2
County	Keith Marrs Lotline Adjustment	10.29	2
County	John & Lisa McLaughlin Lotline Adjustment	0.44	2
County	Mike Parker Lotline Adjustment	4.80	2
County	Dennis & Jana Ryan Lot Line Adjustment	14.24	2
County	Lonnie Graham Lotline Adjustment	2.30	2

(6)- Mortgage Splits – Total New Lots Created: (12)

Planning Area	Name	Acreage	Lots
County	Mortgage Split for Christy Blankenship	64.51	2
County	Osredker Mortgage Split	44.52	2
County	Fallis Mortgage Split	3.99	2
County	Gary Tucker	67.53	2

County	Charles Derrek & Stephanie Wood Mortgage Split	11.30	2
County	Sam Ward Mortgage Split	13.01	2

(33) – Planning Area – Total New Lots Created: (83)

Planning Area	Name	Acreage	Lots
Goshen	Mike Parker-Goshen Tuttle	5.18	2
Springdale	Lot split and Lot Combination for Ozarks Electric	5.10	4
Prairie Grove	Dan & Patricia Hudspeth	1.00	2
Fayetteville	Witter Tract split and lot line	1.79	3
Lincoln	Jack and Linda Chenoweth	40.77	2
Lincoln	Tom Sims Planning Area Split	34.33	2
Goshen	Moldenhauer Split	4.33	2
Fayetteville	Claudia Smith Planning Area Split	2.16	2
Elkins	Clint McDonald Planning Area Split/Adjustment	4.05	3
Tontitown	Glen Dale & Loise Rouse Trust Planning Area Split	0.88	2
Fayetteville	Steve & Sally Harms Planning Area Split	7.09	2
Fayetteville	Greg & Melinda Smith Tract Split	5.98	2
Fayetteville	Edwards Design & Construction / JED Development Inc	16.39	2
Fayetteville	Jennifer Scott Tract Split / Lot line Adjustment	2.30	3
Tontitown	Sarah M. & Chad G. Stevens Tract Split	19.19	2
Tontitown	Virginia A. Clevenger Tract Split	39.35	2
Fayetteville	Hamblen Family Tract Split	39.92	2
Fayetteville	Pinnacle Financial Corporation	3.67	2
Elkins	Southwest Holmes Henry-Rainwater	17.61	2
Springdale	Glenn Parson Tract Split	40.26	2
Prairie Grove	Doug & Whitney Bryant	20.44	2
Fayetteville	Chris Liner Lot Split	5.00	2
Farmington	Bob Daugherty Planning Tract Split 4 Lots	4.26	4
Farmington	Bob Daugherty Planning Tract Split 2 Lots	22.54	2
Goshen	Rocking TJ Enterprises Planning Area Split	60.17	2
Fayetteville	Kimmie Kaye Estates Planning Area Split	16.60	4
Springdale	Mark & Pamela McGarrah	82.63	2
Springdale	Mason Nall Tract Split	20.82	2
Lincoln	Clifford & Lavena Farmer: David & Betty Kidd Tract Split	45.20	2
Fayetteville	Collier Properties Lot Split	3.99	2
Prairie Grove	West Land & Cattle Land Surveying, Inc	160.84	2
Fayetteville	Joshua Derryberry Tract Split	6.13	2
Fayetteville	BAAD LLC Lot Split	2.05	10



WASHINGTON COUNTY PLANNING DEPARTMENT
2015
Juliet Richey, Planning Director

Planning Board / Zoning Board of Adjustments Approvals

The 2015 Planning Board / Zoning Board of Adjustments Approved 33 Projects and Denied 1 Project As Follows:

Planning Area	General Conditional Use Permit	High Intensity Conditional Use Permit	Residential Conditional Use Permit	High Intensity Large Scale Development	Large Scale Development	Minor Subdivision	Subdivision	Variance
County	2		2		2	10	2	4
Fayetteville	1	1		1	1		2	
Goshen	2				1			
Springdale	1				1			
Total	6	1	2	1	5	10	4	4

Total Board Approvals	33
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Total Board Denied	1
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**WASHINGTON COUNTY PLANNING
DEPARTMENT REPORT
2015
Juliet Richey, Planning Director**

Planning Board / Zoning Board of Adjustments Approvals
Total Number of Lots Created for 2015: 59

The 2015 Planning Board / Zoning Board of Adjustments Approved 33 Projects and Denied 1 Project As Follows:

(6) –General Conditional Use Permits		
Planning Area	Name	Acreage
County	EMS Expansion CUP	2.06
Goshen	Fritchie Farms CUP	83.27
County	Mount Pleasant Church Expansion CUP	2.22
Goshen	White River Cafe CUP	5.38
Fayetteville	Rid-A-Pest CUP	6.85
Springdale	Reed Commercial Bldg CUP	1.00

(1) – High Intensity Conditional Use Permit - DENIED		
Planning Area	Name	Acreage
County	Rich Red Dirt	122.00

(1) – High Intensity Conditional Use Permit		
Planning Area	Name	Acreage
Fayetteville	Elkhorn Springs Road Dirt Pit Expansion #2	15.27

(1) – High Intensity Large Scale Development		
Planning Area	Name	Acreage
Fayetteville	Elkhorn Springs Road Dirt Pit Expansion #2	15.27

(2) – Residential General Conditional Use Permit		
Planning Area	Name	Acreage
County	Cook's Rentals CUP	1.57
County	Devore Homes CUP	3.51

(5) – Large Scale Developments		
Planning Area	Name	Acreage
County	Saddlebock Brewery Expansion LSD	1.93
Springdale	Ozarks Electric Cooperative Corp. Solar Tract	3.64
Goshen	Fritchie Farms LSD	0.30
County	EMS Expansion LSD	2.06
Fayetteville	Rid-A-Pest Prelim LSD	6.85

(10) – Minor Subdivision – Total New Lots Created: (29)			
Planning Area	Name	Acreage	Lots
County	Replat Tract C, Robinson Mountain Estates	3.17	2
County	Wedington Woods Unit 1 Lot 110 & 113 Replat	0.64	3
County	Sims Minor Subdivision	32.33	3
County	Replat Lot 45 & pt. lot 35, Tony Mountain Minor Subdivision and Private Road Development	6.26	3
County	Norma Harrelson Minor Subdivision	16.63	2
County	Devore Homes Minor Sub	3.51	2
County	Johnson Minor Subdivision	18.57	4
County	Replat/ Lotline Adjustment of Norma Harrelson Minor Subdivision Tract 1 and Forbis-Lacy Subdivision Tract B-1	2.57	3
County	Replat Lots 23, 24, and 27, Shady Cove Subdivision	0.28	3
County	Long Minor Subdivision	18.78	4

(4) – Subdivision – Total New Lots Created: (30)			
Planning Area	Name	Acreage	Lots
Fayetteville	Reindl Woods Subdivision	44.36	13
Fayetteville	Overton West Subdivision	2.16	12
County	Forbis/Lacy SD Replat	21.21	2
County	Replat Tract 1, Sims Subdivision	32.33	3

(4) – Variances – Total New Lots Created: (0)		
Planning Area	Name	Acreage
County	Variance for Replat of Lot 45 and pt. lot 35, Tony Mountain Subdivision and Private Road Development	6.73
County	Johnson Variance	18.57
County	Variance 1 - Replat Lots 23, 24, and 27, Shady Cove Subdivision (for the deck)	0.31
County	Variance 2 - Replat Lots 23, 24, and 27, Shady Cove Subdivision (for the house)	0.31

Marilyn Edwards
County Judge



John Adams
IT Director

WASHINGTON COUNTY, ARKANSAS

Information Technology Department

April 1, 2016

Subject: Accomplishment for 2015

3194 Tickets closed in 2015

Project and Activities

- Built Treasurer Office Management System
- Migrate Assessor's Office to Timeclock Plus
- Launch Timeclock Plus Mobile Device Application
- Rebuilt Data Scout Upload software
- Built P-Card Reporting for Comptroller
- Built recycling reports for Environmental Affairs
- Built purchasing limits reporting system for Comptroller
- Rebuild database instance on Scapp01
- Moved Timeclock Plus to different Server
- Upgraded SQL server and rebuilt all of the databases.
- Deployed Affordable Care Act Benefit Module for the Human Resources
- Rebuilt all SQL maintenance Plans for backup and recovery
- Circuit Clerk e-Search Deployment
- Contexte state application deployed
- ArcGIS Server software upgrade
- Developed Assessors Scanned Deeds Web Application
- VOIP Phone systems installed to Health Department and Extension Agency.
- Enhanced 911 Emergency Responder deployed county wide
- Network Fax Server deployed
- Server Operating System refreshed
- County Library Exchange Server deployed
- Fayetteville Revenue Office created
- North Campus Cameras deployed
- Help-desk System deployed for Building and Grounds

ORDINANCE NO. 2016-_____

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

**AN EMERGENCY ORDINANCE CONCERNING
COMMUNITY SEWER SYSTEMS, WASHINGTON
COUNTY CODE 11-99.1.**

WHEREAS, the population growth in Washington County has resulted in a multiplicity of developments utilizing community sewer systems; and,

WHEREAS, said systems have been used in various places across the country for some time and statutes have been enacted regarding such; and,

WHEREAS, said systems are not new to the State of Arkansas and legislation had been passed regarding such; and,

WHEREAS, Washington County once had an extensive ordinance and regulatory system in place regarding community sewer systems, but the Quorum Court repealed the same in reliance on then-existing State law; and,

WHEREAS, the State largely repealed its regulation of community sewer systems with the passage of Act 575 of 2015; and,

WHEREAS, pursuant to ACA § 8-4-203, ACA §14-14-802, ACA §14-14-804, ACA §14-14-805, and ACA §14-236-105, the Quorum Court has the ability to regulate these systems to a certain extent; and,

WHEREAS, the Quorum Court recognizes that community sewer systems have a profound, dramatic and direct impact upon the health, safety and welfare of Washington County residents and upon the economic vitality of the communities they serve; it is therefore the intent of the Quorum Court that this ordinance and the regulations adopted pursuant hereto apply to all community sewer systems operating now and in the future within Washington County.

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

ARTICLE 1. Community Sewer Systems, also known as Decentralized Sewer Systems, are defined in Washington County Code 11-99.1(a) as follows:

Any system serving two (2) or more individual lots for the collection and disposal of domestic or industrial wastewater of a liquid nature, including various devices for the collection, conveyance and treatment of the treated wastewater effluent and the monitoring of the affected groundwater quality and the management of the associated solid waste byproducts (septage and sludge).

ARTICLE 2. The Responsible Entities (RES) shall include, without limitation, the owner of the system, the permittee of State agencies with jurisdiction over the system, the person, persons, corporation, partnership or other entity that has the managerial, financial and technical oversight over any system, including without limitation, operations and management, permit compliance, recordkeeping, reporting, customer service, billing and collection and is fully responsible for the long-term cost effective operations in accordance with all applicable laws and regulations and performance requirements.

ARTICLE 3. The RES shall charge a sufficient rate or fee that includes reserves for operation and maintenance, emergencies, and capital improvements; the County Judge is hereby authorized to promulgate rules and regulations concerning such, and is also given the County Public Utilities Coordinator to administer all other terms of this Ordinance; and promulgate any additional regulations it deems necessary.

ARTICLE 4. The RES shall within ninety (90) days from the date of the enactment of this Ordinance report to the County Public Utilities Coordinator the following:

- (a) The name and location of the subdivision to be served by said system and the type of system that is being utilized;
- (b) The number of lots to be served by said system;
- (c) The rate or fee that will be charged to each property owner to be served by said system;
- (d) The amount of reserves that will be built into any rate or fee along with evidence indicating how these reserves are adequate and appropriate to provide long-term sustainable system performance and compliance with permits;
- (e) The legal entity that will own and retain the services of the licensed operator of the system and the exact name, address, email address and phone number of said entity and operator;
- (f) A copy of the contract to be executed for the operation of the system;

- (g) Plans to enforce and collect the rate or fee to be charged; and,
- (h) Any other matter deemed relevant by the County Public Utilities Coordinator.

ARTICLE 5. The RES shall report to the County Public Utilities Coordinator, upon request, any matters relevant to the operation of said system including, but not limited to operation and maintenance issues, environmental issues, financial matters, customer service issues, and any other matter deemed relevant by the County Public Utilities Coordinator. A bond or other sufficient guaranty of financial security in an amount equal to or greater than five (5) years of estimated operating expenses for said system shall be posted by the RES in favor of the County to ensure compliance with this Ordinance and any regulations promulgated hereto.

ARTICLE 6. This Ordinance shall be applicable throughout the unincorporated area of the County including the extra-territorial growth area of any incorporated City. This Ordinance shall not be applicable in the event any such system is or becomes owned, maintained, or operated by an incorporated city or other public entity. In the event that an incorporated city or other public entity enacts ordinances or rules and regulations concerning said systems, then the more stringent provisions shall apply. Construction of any new Community Based Sewer System shall require the engagement of an Arkansas-licensed civil engineer at the contractor's expense. Said engineer shall be on-site during construction and shall provide the County Public Utilities Coordinator with weekly written updates as to the progress of construction until said system is complete. The engineer shall certify to the County that the system was built as designed and approved by ADEQ and/or ADH.

ARTICLE 7. The County is authorized to assess and collect a monthly fee from each RES, not to exceed two dollars (\$2.00) per water meter or tap, to defray the administrative expenses necessitated by enactment of this ordinance.

ARTICLE 8. Before or at the time of Preliminary Plat submittal to the County, the Developer must submit a report summarizing the soil findings and system proposals for review and comment to the Health Department and the Department of Environmental Quality. All comments regarding capacity issues must be addressed and approved prior Preliminary Plat approval.

ARTICLE 9. Each system installed in Washington County shall be designed in such a fashion to allow for a singular connection in the event that a municipal system becomes readily available at a future date.

ARTICLE 10. A violation of this Ordinance or any regulation promulgated hereto by the County Judge shall be enforceable by appropriate civil action by the County Judge. Such civil remedy shall include but is not limited to injunctive relief, civil sanctions, removal of the RES, the owner, and/or the operator from operating

or in any other manner managing said system; attorney's fees and any other costs related to any civil action.

ARTICLE 11. This Ordinance does not authorize the County, any County Department, Board, or Commission to take ownership, permanently or temporarily, or to take over operation or maintenance of any such system.

ARTICLE 12. Severability. If any sentence, clause, article, section, phrase or portion of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance.

ARTICLE 13. Retroactivity. The Quorum Court finds that community sewer systems, when mismanaged, constitute a threat to public health, safety and welfare, and that a lack of oversight of said systems on a local level magnify that threat. Therefore, this ordinance is deemed to be retroactive to the effective date of Act 575 of 2015.

ARTICLE 14. Emergency Clause. It is hereby ascertained and declared that regulations on community sewer systems are immediately needed for the preservation of the public peace, health and safety. Therefore, it is declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in force and take effect immediately upon and after its passage.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: Robert Dennis & Rick Cochran

Date of Passage: _____

Votes For: _____ Votes Against: _____

Abstention: _____ Absent: _____

WASHINGTON COUNTY CODE OF ORDINANCES**Sec. 11-99.1. - Community Sewer Systems.**

- (a) "Community sewer systems," also known as "decentralized sewer systems," are defined as follows: Any system serving two (2) or more individual lots for the collection and disposal of domestic or industrial wastewater of a liquid nature, including various devices for the collection, conveyance and treatment of the treated wastewater effluent and the monitoring of the affected groundwater quality and the management of the associated solid waste byproducts (septage and sludge).

- (b) To ensure compatibility in the event of annexation, all community sewer systems located within two (2) miles of any incorporated city shall be designed as "gravity flow" unless the city most likely to annex the area where the system is located prefers otherwise. The Public Utility Coordinator shall make this determination after consulting with the cities involved.
 - (1) Gravity flow means water or waste water flowing through a higher elevation to a lower elevation due to the force of gravity without aid of individual lot interceptor tanks. This shall not exclude lift stations.

- (c) All community sewer systems shall contain a SCADA (Supervisory and Data Acquisition) system as follows:
 - (1) Automatic call-out or text to emergency contact number during alarm event.

- (d) Prior to construction plan approval pursuant to section 11-74, proof of application from the Arkansas Department of Environmental Quality showing a permit has been applied for and is deemed administratively complete shall be submitted to the Public Utility Coordinator.

- (e) Prior to receiving final plat approval pursuant to section 11-75, proof of the operation permit from the Arkansas Department of Environmental Quality shall be submitted to the Public Utility Coordinator.

- (f) This section shall be enforceable by appropriate civil action by the County Judge.

- (g) All community sewer systems are required to have a back-up generator in the event of power outage, said generator to be approved by the Washington County Public Utilities Coordinator.

RESOLUTION NO. 2016-_____

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

A RESOLUTION SUPPORTING THE SPRINGDALE CITY COUNCIL IN THEIR REQUEST TO NAME THE SPRINGDALE NORTHERN BYPASS (U.S. HIGHWAY 412) THE JOHN TILLMAN HUSSEY MEMORIAL HIGHWAY.

WHEREAS, the Springdale Northern Bypass is currently under construction between Highway 412 west of Tontitown to west of Beaver Lake; and,

WHEREAS, the Springdale City Council has made a request to the Arkansas State Highway and Transportation Department to name the portion of the bypass going through the City of Springdale after Springdale Police Officer John Hussey; and,

WHEREAS, Springdale Officer John Tillman Hussey lost his life on December 21, 1975, in the line of duty in December, 1975.

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

ARTICLE 1. That is supports the Springdale City Council's request to the Arkansas State Highway and Transportation Department to name the U.S. 412 Bypass the John Tillman Hussey Memorial Highway.

MARILYN EDWARDS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Sponsor: _____ Butch Pond
Date of Passage: _____
Votes For: _____ Votes Against: _____
Abstention: _____ Absent: _____