

Item 2025-O-083

Requested by: Quorum Court
Drafted by: County Attorney Brian R. Lester

ORDINANCE NO. 2025-

APPROPRIATION ORDINANCE

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

**AN ORDINANCE APPROPRIATING \$500,000
FROM THE UNAPPROPRIATED RESERVES TO
SETTLE A LAWSUIT; AND FOR OTHER MATTERS
PERTAINING THERETO.**

WHEREAS, Washington County has been sued for violating the Fair Housing Act and Americans with Disabilities Act in the United State District Court for the Western District of Arkansas, case number 5:24-CV-05249-TLB; and,

WHEREAS, the Plaintiffs, Eaglecrest Recovery, LLC and Conway Lakeside, LLC have offered to settle the case against Washington County without the need for continued litigation; and,

WHEREAS, after considering the proposed settlement, the Washington County Quorum Court desires to accept the offer and settle the matter to avoid additional expenses; and,

WHEREAS, Washington County agrees to pay Eaglecrest Recover, LLC and Conway Lakeside, LLC, collectively, the total amount of \$500,000, inclusive of all damages and attorneys' fees and Washington County acknowledges that Eaglecrest Recovery, LLC and Conway Lakeside, LLC shall not be required to obtain a conditional use permit, as originally requested in 2023.

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

ARTICLE 1. There is hereby appropriated the total amount of \$500,000 from the unappropriated reserves in the General Fund (1000) to the Judgments and Damages line item in the Quorum Court Budget (10000107.3098) for 2025.

ARTICLE 2. Pursuant to the proposed settlement, the Washington County Quorum Court acknowledges that Eaglecrest Recovery, LLC and Conway Lakeside, LLC are not required to obtain a conditional use permit to continue

operations, as contemplated at the time of their application in 2023, and are considered grandfathered in under the Washington County zoning ordinances in place as of their application for a conditional use permit in 2023.

PATRICK W. DEAKINS, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by:

Date of Adoption:

Members Voting For:

Members Voting Against:

Members Abstaining:

Members Absent:

Committee History:

Quorum Court History: