

FILED

RESOLUTION 16-3

2016 JUN 22 AM 11:23

Be it resolved by the Quorum Court of Faulkner County, State of Arkansas: A Resolution regarding the Floodway barn of DeWayne Dycus.

MARGARET DARTER
FAULKNER COUNTY CLERK

BY: *[Signature]*

WHEREAS, DeWayne Dycus began construction of a large barn in the floodway of Tupelo Bayou without a permit, in violation of Ordinance #11-15; and

WHEREAS, when the Faulkner County OEM discovered the structure and issued a Cease and Desist Order, Mr. Dycus applied for a permit, but was denied; and

WHEREAS, Mr. Dycus thereafter appealed to this body under the same ordinance, and was granted time to secure engineering services to comply with the requirements for a variance.

WHEREAS, this body has now received the report of an engineer regarding Mr. Dycus' barn, and is convinced that more time should be allowed for Mr. Dycus to comply with the engineer's recommendations in order for a "no rise certificate" to be issued and construction to resume.

NOW, THEREFORE BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF FAULKNER, STATE OF ARKANSAS, that DeWayne Dycus is granted one hundred twenty (120) days to comply with Mr. Garner's recommendations as stated in his May 21, 2016 letter, attached, as well as all ordinance requirements to the satisfaction of the Faulkner County OEM Director.

Dated: June 21, 2016

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Attest: *Margaret Darter*
Margaret Darter
Quorum Court Secretariat
Faulkner County, AR

Affirm: *Jim B. Baker*
Jim B. Baker
Faulkner County Judge
Faulkner County, AR

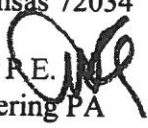
Garner Engineering PA

9300 Professor Drive Little Rock, Arkansas 72227

P/F: 501-225-8181
Mobile: 501-681-1491
501-681-1492

May 21, 2016

To: Sheila Bellott
Floodplain Administrator
Faulkner County OEM/911
801 Locust
Conway, Arkansas 72034

From: Carl W Garner P.E. 
Garner Engineering PA

Thomas F Black P.E. CFM®
Flood Plain Services

Re: Dewayne Dycus Barn
862 B Lollie Road
Mayflower, Faulkner County, Arkansas

Confirmed here are engineering actions proposed for modifying the barn structure and excavate the floodplain to mitigate the conveyance reduction caused by the fill and structural development. The proposed actions are based on our discussion and provisions of Faulkner County Ordinance 11-15 as well as telecon with regional FEMA personnel.

Actions which would be completed to accomplish the mitigation are outlined below:

1. Survey the existing as-built topography created by the barn and fill extending onto original terrain in order to determine baseline conditions for required compensatory excavation within the floodway. This survey has been completed by Marlar Engineering as provided in the FEMA Elevation Certificate dated 4/14/2016.
2. Calculate the cumulative volume of fill placed on the construction site and structure pad below the BFE to determine the volume of soil to be removed from the floodway.
3. Complete the required excavation of material.
4. Produce plan sheets and calculations that document the extent and actual volume of material excavated from the floodway. Cross section volume removed will be calculated from survey data obtained prior to and following excavation.
5. Equip the doors and/or walls in the barn structure with proper flood venting to ensure the integrity of the building during periods of flooding and to allow

flood waters to pass through the structure when flood heights exceed the floor elevations).

6. Verify the completion of these modifications and excavations and submit a No Rise Certification to the County Floodplain Administrator.
7. Complete a floodplain development permit and accompanying Elevation Certificate and submit to County Floodplain Administrator for approval.

As discussed with you, Mr. Dycus is prepared to move forward with excavation of the required volume of material from the floodplain as discussed in Items 1, 2 and 3. However, in view of the Cease and Desist Order, excavation would not begin until allowed/authorized by the Floodplain Administrator or other authorized representative of Faulkner County.

We trust this review of the modifications and related actions proposed to mitigate the barn construction in the Arkansas River Floodway will confirm Mr. Dycus's intent to comply with Section E of the Faulkner County Ordinance 11-15. Garner Engineering PA and Flood Plain Services will provide specific engineering requirements for structure modification and material removal and will perform inspections and verifications of the actions. Subsequent to completion of all actions, Items 6 and 7 will be prepared and submitted to the Faulkner County Floodplain Administrator for final action.

