

**Quorum Court Minutes**

**04/08/2019**

**FILED**  
**APR 12 2019**  
**KADE HOLLIDAY**  
**COUNTY & PROBATE COURT CLERK**

## April 8, 2019 Quorum Court Minutes

12 Justices Present. Justice Longmire was absent.

Judge Day called the meeting to order at 5:30 p.m.

---

Minutes from 3/25/19 and 3/28/19 were approved by Justice Couch and Justice Cline.

**Old Business:** The Bono Lake Property Ordinance was tabled in the meeting of 3/25/19 and Judge Day reminded the Quorum Court that they can vote to take the Ordinance off the table to be able to vote in favor of or against, or that they can continue the discussion. Justice Cline stated that he would like to hear the public's opinion. Judge Day then opened the floor for public comment. Doug Gilmore introduced himself as a long-time resident of Craighead County and ultimately stated that he encourages the Quorum Court to make the Bono Lake Property motorcycle and bike friendly only. Mr. Gilmore stated that the amount of motorcycle/bike sales is only one four-hundredth that of ATVs meaning that the number of riders would be miniscule compared to if ATVs were allowed on the property. Mr. Gilmore also referenced Craighead Forrest Park and how the bike trails were in great condition until they opened the trails to ATVs/UTVs and now they are erosion covered and have many ruts. He stated that he has recently driven to the property and has seen the current level of erosion and believes that the only way to prevent further erosion is to limit access to only motorcyclist and bicyclists. Dalton Marshall introduced himself as one of the people that helped to develop the mountain bike trails under the previous administration. Mr. Marshall stated that if you have been out to the trails, you would have seen that they have been developed to be sustainable to motorcycles and have very little erosion. They are low maintenance and follow the layout of the land making it easy for running, walking, horseback riding and cycling. Mr. Marshall further stated that allowing ATVs onto these trails would destroy all the volunteer time and effort. Further, it would cause more volunteer work to be necessary to fix the issues. Mr. Marshall stated he doesn't want to limit public use of the property, but there is no space for dedicated ATV trails because the wide-open spaces are already eroding away. Brett Vincent introduced himself as a life long resident of Craighead County and stated he supports what Mr. Gilmore and Mr. Marshall stated, backing their remarks, stating that he too has driven out to the property and there is no way that he could support ATV usage at the Bono Lake Property after looking at the issues that Craighead Forrest Park has. Mr. Vincent stated that he has seen first-hand what the allowance of ATVs can do. He also believes that the Quorum Court should limit access to horseback riding, bicycles, and motorcycles in an effort to limit damage such as erosion and ruts on the property. Mark Sparks introduced himself as one of the developers of the motorcycle trails and stated that if anyone ever needed to get in touch with someone regarding any issues with the trails, he is the man to reach out to. Greg Newsome stated that one thing to take into consideration is that there are organized groups of motorcyclist and bicyclist that have helped to develop trails and police the trails. Mr. Newsome asked what organization would be responsible for developing and

maintaining the ATV trails if they were allowed since there is no ATV organization. He stated that this is something he believes should also be taken into consideration. Judge Day closed the public comments and asked the Quorum Court if they had any thoughts they wanted to discuss. Justice Pasmore stated that after walking Craighead Forrest and visiting the Bono Lake property that he no longer believes it is a good idea to allow ATVs onto the property. Justice Pasmore also stated that after seeing all of the time and effort put in to keeping the dedicated trails so well maintained he is 100% on the same side as the public commenters. Justice Weinstock made comment that in the future she believes all the work that has been done needs to be honored and continue to be maintained, but for now believes the ATVs should be kept off the property. Judge Day thanked Justice Weinstock and asked for any further comments. Justice Cook asked if the revised ordinance (attached hereto as **Appendix 1**) needed to have a motion to reword. Judge Day advised that the Quorum Court could open it up to amend it or that it can be left tabled to make changes and present it to the committee, however the Quorum Court felt best. Justice Cook then stated he believes Section 2 needs to be reworded because the only traffic allowed on the levee is foot traffic. Further, that the will of the people is not to allow ATVs/UTVs on the property. He followed by stating that the next sentence says, "the only traffic allowed is foot traffic on the levee and grounds." He believes the word "grounds" should be taken out. Justice Cline commented that he has received calls about people visiting the property at night and being disruptive to the community. He stated that residents have inquired if a gate at the entrance of the property would be installed? They suggested that if so, only camping and fishing be permitted after dark. Justice Price stated he believes this issue would fall under loitering. Mr. Marshall stated that a lot of times at night people who get off work at 5 p.m. want to go ride their bikes or run and do so with the use of head lights. Mr. Marshall further commented that at Craighead Forrest Park, there is a time frame from 10 p.m. to 6 a.m. called quiet time that only permits fishing and camping. Judge Day asked if everyone was agreeable to a "quiet time" of 10 p.m. to 6 a.m., except in designated fishing and camping areas. Justice Cline suggested that signs for littering need to be posted even though littering is already against the law. Judge Day stated that there will be signs posted but these signs do not need to be addressed in a county ordinance. Justice Cline mentioned that motorcycles are still being ridden on the levee. Justice Rogers asked if there was a gate on the levee and was advised that there is already a gate present. Justice Cook stated he believes the ordinance should stay tabled and sent back to committee to be revised. Justice Cook stated that there has been discussion with the motorcycle and bicycle organizations and they feel it should be recommended that there will be no riding during wet weather. Justice Rogers stated that most of the things currently being discussed were stated like that in committee but not transferred into the ordinance. Therefore, the ordinance needs to be rewritten. There was no further discussion.

**New Business:** None to discuss.

**Announcements:** Judge Day reminded the Court that the next Quorum Court meeting will still be held at the Bono Lake Property.

With no further business, Justice Cline made motion to adjourn and was seconded by Justice Weinstock. Judge Day adjourned the meeting at 5:57 p.m.

ORDINANCE NO. \_\_\_\_\_

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

**An Ordinance establishing security and prohibiting Loitering and ATV use on certain property within the Bono  
Lake property in Craighead County, Arkansas, and for other purposes**

**WHEREAS**, on the 19th day of August, 2016, the Bono Lake property was officially deeded to and  
accepted by Craighead County from Arkansas Game and Fish, and

**WHEREAS**, Bono Lake was constructed by an overwhelming voter approval of a 1 cent sales tax  
for flood control and a recreational facility. The lake property is currently being utilized for fishing, bicycle trails,  
limited hunting, camping and other purposes. Craighead County is charged with operating a facility that appeals  
to families and sporting activities in a safe environment; and

**WHEREAS**, local law enforcement has encountered various issues regarding individuals disturbing the use of property  
at the Bono Lake Facility and grounds, and

**WHEREAS**, Craighead County is charged with maintaining the property and setting forth rules and regulations;  
signage and safety for the general public; and

**WHEREAS**, the Craighead County Quorum Court is charged with establishing allowable activities  
that will be conducive and safe for all citizens to enjoy with respect to various segments of the public, without  
infringement of others rights, safety for all persons, and with local law enforcement and Arkansas Game & Fish  
codes and regulations being enforced.

**NOW therefore, be it ORDAINED AND ENACTED:**

**SECTION 1.**

It shall be unlawful for a person to commit loitering. A person commits loitering if he or she purposely  
remains unlawfully in or upon the premises of the Bono Lake facility and its grounds.  
Prohibited activity includes remaining unlawfully by virtue of lingering, remaining loitering, or prowling on the premises.

**SECTION 2.**

It shall be unlawful for a person to use an ATV/UTV on the levee at the facility described herein.  
Only foot traffic shall be allowed on the levee of the Bono Lake Facility and grounds. All ATV,  
Side by Sides, 4-wheelers, and similar UTV shall be prohibited on the levee.

**SECTION 3.**

Penalty: Any person failing to comply with this Ordinance shall be guilty of a misdemeanor and upon conviction  
shall be fined no less than \$150.00 nor more than \$500.00.

**SECTION 4.**

All Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed.

ADOPTED AND APPROVED ON:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019

Approved: \_\_\_\_\_  
Marvin Day  
Craighead County Judge

Attest: \_\_\_\_\_  
Kade Holliday  
Craighead County Clerk