

# The Morning News

## Local News for Northwest Arkansas

### Impact Fee Election Upheld

*By Dug Begley*  
*The Morning News*

FAYETTEVILLE -- It's official. Fayetteville will not have road impact fees.

Washington County Attorney George Butler said his research upholds the county election commission's decision to accept an overseas absentee ballot and certify the city road impact fee election.

"I determined the vote should be counted," Butler said Monday morning.

Michael K. Lee, a Fayetteville resident living in Panama, submitted the sole absentee ballot in the April 10 election. Lee's ballot was counted and the election commission certified it Friday, despite Lee writing the wrong address on his absentee ballot request.

Butler said the election commission was instructed to "compare" Lee's voter information to make sure it was correct, and that a small discrepancy in the address was not enough to reject the ballot.

With Lee's ballot, the road impact fee election ended in a tie, with both sides receiving 2,015 votes. An election question that does not receive a majority of "yes" votes fails, according to state law.

Election commission chairman John Logan Burrow said he was pleased Butler's research upheld the election. He said the certification also brings the contentious election to a close.

"Most people I have spoken to since Friday said they had a sense of relief the election was over with," Burrow said.

He said the election confirms the "meticulous" process the commission used.

"We are very careful to follow the law," Burrow said.

The road impact fees would have levied a charge on new construction based on the type of building. Single-family homes would have paid a set price, while commercial property would have paid a rate per 1,000 square feet of space.

## BY THE NUMBERS

### Not So Secret Vote

How someone voted in an election would not be disclosed to the public in most cases, but was in the Fayetteville road impact fee election. Michael K. Lee was the only voter to submit an overseas absentee ballot in the election. State election law requires the name of an overseas voter to be disclosed during the meeting, and then the ballots are shuffled and tallied. Because Lee was the only voter, how he voted was disclosed.

Source: Staff Report