

ARKANSAS DEPARTMENT OF TRANSPORTATION

LITTLE ROCK, ARKANSAS

March 26, 2019

ADMINISTRATIVE CIRCULAR NO. 2019-04

TO: ALL DIVISION HEADS AND DISTRICT ENGINEERS

We are transmitting herewith for your information and records a copy of the Minutes of the Commission Meeting in Little Rock, AR on March 13, 2019.

After making a careful review of these proceedings, please take appropriate action through designated lines of authority to forward the carrying out of any orders applying to your respective divisions and districts.



Scott E. Bennett  
Director

c: Commission

MINUTES OF THE MEETING  
OF THE  
ARKANSAS STATE HIGHWAY COMMISSION

March 13, 2019

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 13, 2019. Members present were:

Thomas B. Schueck, Chairman  
Robert S. Moore, Jr., Vice Chairman  
Alec Farmer, Member  
Philip Taldo, Member  
Keith Gibson, Member

2019-016                   IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., March 13, 2019.

2019-017                   WHEREAS, the Purchasing Committee has awarded purchases on January 7, 2019, and February 11, 22 and 25, 2019, in the amount of \$386,104.00, \$676,664.00, \$3,518,323.25 and \$2,426,262.16, respectively, totaling \$7,007,353.41, and supply and service contracts, in accordance with authority previously conveyed, all of which have been documented by official minutes which are of record in the files of the Commission and Equipment and Procurement Division.

NOW THEREFORE, IT IS ORDERED that the action of the Purchasing Committee be ratified and confirmed in all particulars.

2019-018                   WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas Department of Transportation for membership dues for the year 2019; and

WHEREAS, this membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process payment for membership dues for the year 2019 in the amount of \$42,365.76.

2019-019

WHEREAS, the American Association of State Highway and Transportation Officials AASHTO re:source program (formerly the AASHTO Materials Reference Laboratory (AMRL)) is operated by AASHTO and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AASHTO re:source program are necessary for the Department to establish and maintain proficiency in sampling and testing material; and

WHEREAS, the participation in funding the services of the AASHTO re:source program supports the laboratory accreditation program and provides technical support in maintaining the AASHTO standards for materials testing; and

WHEREAS, the Department has received notice that its share of support for Fiscal Year 2019 is \$20,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support for this AASHTO program for Fiscal Year 2019.

2019-020

WHEREAS, the American Road & Transportation Builders Association (ARTBA) is a nationally recognized industry group that was established to help members develop and advocate consensus on legislative and regulatory policy positions; and

WHEREAS, ARTBA delivers exclusive news and information via multiple communication platforms on transportation investment, policy, safety, environmental and other issues; and

WHEREAS, membership in ARTBA provides a valuable benefit to the Department from various services and publications.

NOW THEREFORE, it is ordered that the Director be authorized to pay the 2019 membership dues in the amount of \$1,000.

2019-021

WHEREAS, the 91<sup>st</sup> General Assembly of the State of Arkansas enacted Act 705 during the 2017 Regular Session, which established the distribution of highway revenue interest income from the State Highway and Transportation Department Fund to create the Future Transportation Research Fund and the Transportation-Related Research Grant Program (TRRGP); and

WHEREAS, the purpose of the TRRGP is to support the study of materials and sources in order to establish facts and reach new conclusions to provide resilient and sustainable logistics, processes, materials, and methods to ensure cost-effectiveness and the furtherance of education and economic development concerning all forms of transportation; and

WHEREAS, the Arkansas Department of Transportation is responsible for administration of the TRRGP.

NOW THEREFORE, the Director is authorized to advertise for TRRGP applications for State Fiscal Year 2020 in accordance with the Arkansas Legislative Council's approved promulgated rules.

2019-022

WHEREAS, the Arkansas Highway Police Division has replaced outdated body armor and pepper spray; and

WHEREAS, the Arkansas Law Enforcement Training Academy has requested that these items be transferred to them for use in their operations and/or training.

NOW THEREFORE, the Director is authorized to transfer the outdated body armor and pepper spray to the Arkansas Law Enforcement Training Academy.

2019-023

WHEREAS, it has been determined that improvements are warranted to enhance safety at the five on-system railroad crossings indicated on the attached list; and

WHEREAS, Federal-aid Rail-Highway Crossing Safety funds are eligible for these improvements.

NOW THEREFORE, the Director is authorized to proceed with improvements at these crossings as funds become available subject to the following conditions:

- Maintenance of the signals and surfaces shall be performed by the Railroad Company at no cost to the State.
- All required right-of-way shall be furnished at no cost to the State.

2019-024

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as the former Carroll County Area Maintenance Headquarters – Berryville (former Maintenance Headquarters) from Grace Champlin by Warranty Deed dated May 3, 1957, filed for record on June 3, 1957, in the Circuit Clerk's office of Carroll County, Arkansas, in Deed Record Book 58 at page 379; and

WHEREAS, the former Maintenance Headquarters was acquired by the Commission for the sum of FOUR HUNDRED AND NO/100 DOLLARS (\$400.00) and the Commission invested THIRTY-THREE THOUSAND THREE HUNDRED EIGHTY-NINE AND 42/100 DOLLARS (\$33,389.42) in improvements for said former Maintenance Headquarters; and

WHEREAS, Kenneth H. Butler, Trustee of the Kenneth H. Butler Trust #2 has bid the sum of ONE HUNDRED TWELVE THOUSAND AND NO/100 DOLLARS (\$112,000.00) which is the highest bid received for the portion of the former Maintenance Headquarters at a public sale effective February 28, 2019. Three (3) qualified appraisers have opined that the current fair market value of the portion of the former Maintenance Headquarters is ONE HUNDRED FIVE THOUSAND AND NO/100 DOLLARS (\$105,000.00); and the District Engineer for District Nine has determined that the former Maintenance Headquarters is not now, nor in the foreseeable future will be, needed for highway purposes. The portion of the former Maintenance Headquarters to be declared surplus is more particularly described as follows:

Part of the fractional North half of the Northwest Quarter of Section 30, Township 20 North, Range 24 West and part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 20 North, Range 25 West, Carroll County, Arkansas more particularly described as follows:

Commencing at the Northwest corner of said fractional North half Northwest Quarter said point of being a rebar and 2" aluminum cap PLS 1475; thence South  $01^{\circ}26'25''$  West a distance of 88.18' along the West line of said fractional part to the point of beginning said point being a set 5/8" rebar with alum/cap stamped PLS 1731; thence North  $75^{\circ}04'52''$  East a distance of 6.04' to a set 5/8" rebar with alum/cap stamped PLS 1731; thence South  $88^{\circ}29'51''$  East a distance of 232.80' to a set 5/8" rebar with alum/cap stamped PLS 1731; thence South  $00^{\circ}46'51''$  East a distance of 291.60' to a found rebar w/yellow plastic cap PLS 1302; thence North  $88^{\circ}59'07''$  West a distance of 225.86' to a found AHTD 2" aluminum AHTD bdy cap PLS 1475 on the Easterly right of way Hwy. 62 per AHTD JOB# 009901; thence along said right of way the following calls; thence North  $00^{\circ}20'46''$  East a distance of 78.05' to a found 5/8" rebar; thence North  $21^{\circ}57'52''$  West a distance of 56.82' to a found 5/8" rebar; thence North  $31^{\circ}58'45''$  West a distance of 162.03' to a set 5/8" rebar with alum/cap stamped PLS 1731; thence leaving said right of way North  $75^{\circ}04'52''$  East a distance of 93.02' to point of beginning containing 1.75 acres (76235.75 sq ft) more or less.

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NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of ONE HUNDRED TWELVE THOUSAND AND NO/100 DOLLARS (\$112,000.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to Kenneth H. Butler, Trustee of the Kenneth H. Butler Trust #2; this Minute Order along with a copy of the deed shall be recorded in Carroll County, Arkansas and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds.

WHEREAS, in the vicinity of Interstate 40 and Highway 219 Interchange, the Arkansas State Highway Commission acquired properties for highway right of way for Job No. 4500-Sec. 3, more commonly known as "Jct. Hwy. 23 – East Gar Creek" in Franklin County, Arkansas; and

2019-025 - Continued

WHEREAS, Rickey Bowman, the Franklin County Judge, has requested that portions of said right of way be transferred to Franklin County pursuant to Ark. Code Ann. § 27-65-109, for highway purposes; and

WHEREAS, the County's request is more specifically described as follows:

The Legal Description in Exhibit "A" and areas shown in red and depicted on Exhibits "B", and "C" attached hereto.

NOW THEREFORE, the Director is authorized to enter into a transfer agreement for the above-described properties pursuant to Minute Order 2012-008, conditioned upon the County's continued maintenance of the property interests herein transferred for said highway purposes, and provided that in the event the County fails to use and maintain the properties described herein, or abandons same, the transfer agreement shall, upon 30 days notice, be terminated, and the transferred property shall revert back to the Commission.

2019-026

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as District Four Headquarters from E.H. Leonhard and Helen Leonhard, husband and wife, by Warranty Deed dated May 18, 1950, recorded in Deed Book 7, Page 499, of the public records of Sebastian County, Arkansas for the consideration of EIGHT THOUSAND FIVE HUNDRED AND NO/100 (DOLLARS) \$8,500.00; and

WHEREAS, WRH Properties, LLC, an Arkansas Limited Liability Company, purchased District Four Headquarters at public auction for TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00), representing the highest bid on October 16, 2018; and deposited TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) as earnest money; and

WHEREAS, District Four Headquarters is more particularly described as follows:

A part of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub>, Section 28, Township 8 North, Range 32 West, Sebastian County, Arkansas, being more particularly described as:

Commencing at a found railroad spike accepted as the NE corner of said SW <sup>1</sup>/<sub>4</sub> of the SW <sup>1</sup>/<sub>4</sub> of Section 28, thence N86°08'18"W, 1296.09' to a point on the East Right of Way of Highway 71B, thence along said Right of Way the following bearings and distances: S02°59'51"W, 548.44'; S87°00'09"E 15.00'; S02°59'51"W, 78.78' for the point of beginning being a set 5/8" rebar with aluminum cap stamped Arkansas Hwy & Trans Dept, BDY, PS 1731. Thence S02°59'51"W, along said East Right of Way, 21.22'; thence leaving said Right of Way S02°59'51"W, 383.38' to a set 5/8" rebar with aluminum cap stamped Arkansas Hwy & Trans Dept, BDY, PS 1731; thence S86°09'28"E, 1073.77' to a found 1 1/4" pipe on the West Right of Way of Missouri Pacific Railroad; thence N18°09'01"W, along said Railroad Right of Way, 629.00' to a set 5/8" rebar with aluminum cap stamped Arkansas Hwy & Trans Dept, BDY, PS 1731; thence leaving said Railroad Right of Way N86°10'53"W, 77.15' to a set 5/8" rebar with aluminum cap stamped Arkansas Hwy & Trans Dept, BDY, PS 1731; thence S03°11'13"W, 280.09' to a 1' creosote post; thence N86°10'53"W, 576.96'; thence N40°53'29"W, 139.28' to a set 5/8" rebar with aluminum cap stamped Arkansas Hwy & Trans Dept, BDY, PS 1731; thence N84°30'56"W, 95.29' to the point of beginning. Containing 8.24 acres, (358,824 sq. ft.) more or less.

NOW THEREFORE, upon receipt and consideration of the sum of ONE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$190,000.00) from WRH Properties, LLC, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the right, title, interest or equity of the above-described properties to WRH Properties, LLC; and hereby releasing the same from the State Highway System, that the Right of Way Division is directed and authorized to record a copy of this Minute Order and the Quitclaim Deed in the records of Sebastian County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the boundaries designated herein. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds or otherwise credited as permitted by Federal Law.



WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 8XR-2, Job No. 050251, from the Estate of Janis A. Cantwell, by Administrator's Deed dated March 3, 2016, and filed of record on March 8, 2016, as Book 2016, Page 2919, in the Circuit Clerk's office for White County, Arkansas; and

WHEREAS, Jeremy Sciba of Searcy, Arkansas has requested to purchase Tract No. 8XR-2, Job No. 050251, which the District Engineer for District 5 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 8XR-2 was acquired as surplus property by the Commission and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. Mr. Sciba offered to purchase the tract for FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00), representing the Fair Market Value by three Commission appraisers.

WHEREAS, the Commission acquired Tract No. 8XR-2 for FOUR THOUSAND TWENTY-FIVE AND NO/100 DOLLARS (\$4,025.00), which the tract is more particularly described as follows:

Part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 8 North, Range 7 West, White County, Arkansas, more particularly described as follows:

Commencing at a 3 inch pipe being used as the Section Corner of Sections 3 and 4; thence South 88°44'24" East along the South line of the Southwest Quarter of the Southwest Quarter of Section 34 a distance of 1,219.43 feet to a point on the East line of the Southwest Quarter of the Southwest Quarter of Section 34; thence North 00°26'02" East along said East line a distance of 215.84 feet to a point on the Northerly right of way line of Arkansas State Highway 13 as established by AHTD Job 050251 to the POINT OF BEGINNING; thence North 85°10'34" West along said right of way line a distance of 455.06 feet to a point; thence North 76°44'40" West along said right of way line a distance of 414.82 feet to a point; thence South 88°49'39" East a distance of 858.27 feet to a point on the East line of the Southwest Quarter of the Southwest Quarter of Section 34; thence South 00°26'02" West along said East line a distance of 115.83 feet to the point of beginning and containing 1.46 acres more or less as shown on plans prepared by the AHTD referenced as Job 050251.

2019-027 - Continued

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00) from Jeremy Sciba of Searcy, Arkansas, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the right, title, interest or equity of the above-described property to Mr. Sciba; and hereby releasing the same from the State Highway System, that the Right of Way Division is directed and authorized to record a copy of this Minute Order and the Quitclaim Deed in the records of White County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the boundaries designated herein. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds or otherwise credited as permitted by Federal Law.

2019-028

WHEREAS, IN CRAWFORD COUNTY, Minute Order 2015-111 authorized a study to determine the need for and feasibility of adding on and off ramps to Interstate 40 at the Ridge Road overpass in the City of Dyer; and

WHEREAS, the Dyer Interchange Study has been prepared; and

WHEREAS, it has been determined that an interchange at this location is not feasible due to the high cost and marginal benefits.

NOW THEREFORE, this study is adopted with no further action required.

2019-029

WHEREAS, IN BAXTER COUNTY IN THE CITY OF GASSVILLE, it has been determined that pavement preservation improvements are needed on Highway 345, Section 1 between Highway 62 and Highway 126; and

WHEREAS, the City of Gassville has agreed to partner with the Department by accepting ownership and responsibility for this portion of Highway 345 upon completion of these improvements.

2019-029 - Continued

NOW THEREFORE, upon receipt of a resolution from the City of Gassville authorizing this partnering arrangement, the Director is authorized to enter into any necessary agreements with the City and to proceed with construction of the improvements to Highway 345 as funds become available.

FURTHERMORE, upon completion of these improvements to Highway 345, and official notification by the Deputy Director and Chief Engineer, Highway 345, Section 1 will be removed from the State Highway System as shown on the attached map.

2019-030

WHEREAS, IN JACKSON COUNTY, IN THE CITY OF NEWPORT, local officials have requested a study to determine the need for and feasibility of improvements to Highway 384 between Highway 67 and Highway 367; and

WHEREAS, the study should also evaluate the existing traffic signal at Highway 367.

NOW THEREFORE, the Director is authorized to conduct a planning study on Highway 384 between Highway 67 and Highway 367.

2019-031

WHEREAS, IN LONOKE COUNTY, IN THE CITY OF CABOT, a project to widen Highway 321 to five lanes between Highway 367 and Highway 89 was originally scheduled for Federal Fiscal Year 2020; and

WHEREAS, Minute Order 2018-049 established a partnering arrangement with the City to expedite the schedule for design and construction of this project; and

WHEREAS, the City has requested a modification to the partnering agreement; and

WHEREAS, the City has agreed to accept ownership and responsibility for Highway 367, Section 14 between Palisade Drive and Highway 89; and

2019-031 - Continued

WHEREAS, the City has also agreed to accept ownership and responsibility for Highway 89, Section 1 between Highway 367 and Highway 67 upon completion of a pavement preservation project by the Department.

NOW THEREFORE, upon receipt of a proper resolution from the City, the Director is authorized to enter into any necessary agreements with the City of Cabot and to proceed with construction of improvements to Highway 321 and Highway 89 as funds become available.

FURTHERMORE, once these improvements are completed and upon official notification by the Deputy Director and Chief Engineer, the following portions of state highways will be removed from the State Highway System:

- Highway 367, Section 14 between Palisade Drive and Highway 89
- Highway 89, Section 1 between Highway 367 and Highway 67.

2019-032

WHEREAS, IN PHILLIPS COUNTY, the need to accelerate pavement improvements to Highways 49 and 49B in the City of Helena-West Helena has been identified.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of pavement improvements as funds become available.

2019-033

WHEREAS, IN PULASKI COUNTY, local officials have requested a study to determine the need for and feasibility of improvements to Highway 107 from General Samuels Road to Republican Road; and

WHEREAS, Pulaski County has agreed to partner with the Department to conduct this study.

2019-033 - Continued

NOW THEREFORE, the Director is authorized to enter into any agreements necessary with Pulaski County to conduct a study to determine the need for and feasibility of improvements to Highway 107.

2019-034

WHEREAS, Minute Order 2014-075 adopted the North Belt Freeway Tolling Feasibility Study at the June 4, 2014 Commission meeting; and

WHEREAS, the 2014 study determined that tolling of the North Belt Freeway is not a fiscally viable option; and

WHEREAS, east-west mobility needs in the growing region of northern Pulaski County continue to increase; and

WHEREAS, Metroplan has proposed to partner with the Department to conduct a study of an East-West North Pulaski Connector that generally follows the North Belt Freeway preferred alignment; and

WHEREAS, this study would consider cost effective solutions such as a non-freeway alternative, variations in alignment due to recent development, additional connectors and utilization of existing roadways, phasing, and cost estimates.

NOW THEREFORE, the Director is authorized to enter into any agreements necessary with Metroplan to conduct a study to determine the need for and feasibility of the East-West North Pulaski Connector.

2019-035

WHEREAS, IN SCOTT COUNTY, the need for pavement improvements to selected sections of Highways 28 and 80 between Highway 71 and the Yell County Line has been identified.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of pavement improvements as funds become available.

2019-036 WHEREAS, IN WHITE COUNTY IN THE CITY OF BEEBE, local officials have requested a study to determine the need for and feasibility of improvements to the U.S. Highway 67 interchange with Highway 64 and Highway 67B.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to the U.S. Highway 67 interchange with Highway 64 and Highway 67B.

2019-037 WHEREAS, the Barling Board of Directors, by Resolution 19-02, has requested that the portion of Highway 22 within the City Limits of Barling, be designated as the “Mayor Jerry Barling Memorial Highway”; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2014-023 and the City’s request meets these guidelines.

NOW THEREFORE, the Director is authorized to permit the installation of signs on each end of this section of Highway 22, as requested by the City, in accordance with Commission Policy.

2019-038 WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects at the April 10, 2019 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110643	01	PHILLIPS	COFFEE CREEK & DRAINAGE DITCH STRS. & APPRS. (S)	316	N
020614	02	LINCOLN	MILLS BAYOU STR. & APPRS. (S)	54	N
020633	02	ASHLEY	HWY. 133 – HWY. 82 (CROSSETT) (S)	133T	Y
020639	02	ASHLEY	HWY. 52 – NORTH (S)	165	Y
030483	03	PIKE	HWY. 70 – CLARK CO. LINE (SEL. SECS.) (S)	8	Y
030540	03	LAFAYETTE	MILLER CO. LINE – COLUMBIA CO. LINE (S)	82	Y
050350	05	WHITE	LONOKE CO. LINE – HWY. 67B (SEL. SECS.) (S)	367	Y
050370	05	FULTON & SHARP	ASH FLAT – HARDY (S)	62	Y
061517	06	SALINE	SALT CREEK RD. – I-30 (BENTON) (S)	5	Y

2019-038 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
061520	06	GARLAND	HWY. 70 – HWY. 7 (HOT SPRINGS) (S)	270	Y
061602	06	PULASKI	HWY. 391 – HWY. 70 (NORTH LITTLE ROCK) (S)	165	Y
CA0705	07	COLUMBIA	CO. RD. 27 – HWY. 79 (WIDENING) (S)	82	Y
070447	07	OUACHITA	HWY. 24 – HWY. 79 (CAMDEN) (S)	278	Y
090534	09	CARROLL	HWY. 103 – EAST (GREEN FOREST) (S)	62	Y
100899	10	CRAIGHEAD	BNSF RAILROAD – HWY. 49 (AIRPORT RD.) (JONESBORO) (S)	351	Y
100906	10	POINSETT	CRAIGHEAD CO. LINE – PAYNEWAY (S)	463	Y
C08006	09	CARROLL	BERRYVILLE FREEMAN AVE. EXTENSION (S)	---	-
C18009	01	CRITTENDEN	WEST MEMPHIS OVERLAY (SEL. SECS.) (S)	---	-
C32006	05	INDEPENDENCE	MOOREFIELD, NEWARK & SULPHUR ROCK OVERLAY & SURF. (S)	---	-
C33005	05	IZARD	HORSESHOE BEND E. TRI-LAKES DRIVE OVERLAY (S)	---	-
C44004	09	MADISON	HUNTSVILLE OVERLAY NO. 2 (SEL. SEC.) (S)	---	-
C46003	03	MILLER	FOUKE OVERLAY (SEL. SECS.) (S)	---	-
C48002	01	MONROE	HOLLY GROVE OVERLAY (SEL. SECS.) (S)	---	-
C76045	03 & 07	COLUMBIA & LAFAYETTE	STAMPS & WALDO OVERLAY (SEL. SECS.) (S)	---	-
C76050	10	CRAIGHEAD & MISSISSIPPI	BONO, LEACHVILLE & MONETTE OVERLAY & SURF.(SEL. SECS.) (S)	---	-

WHEREAS, a thorough bid review and analysis is undertaken by the Department to ensure that only those projects are awarded which are judged to be in the best interests of the State; and

WHEREAS, the right is retained to reject any or all proposals, to waive technicalities, or to advertise for new proposals, also as judged to be in the best public interests of the State; and

WHEREAS, the Commission desires to expedite work on these important projects; and

WHEREAS, in accordance with Amendment 42 of the Arkansas Constitution, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain powers to the Director of Highways and Transportation.

NOW THEREFORE, upon the contractors furnishing the necessary performance and payment bonds and submitting all additional information required for the above mentioned projects, the Director is hereby authorized to enter into contracts and supplemental agreements for any projects deemed to be in the best interests of the State.

FURTHERMORE, the Director is authorized to reject any or all proposals, to waive technicalities, and/or to advertise for new proposals whenever deemed to be in the best interests of the State.

Chairman Tom Schueck opened the meeting by welcoming those in attendance.

MOTION                      Commissioner Philip Taldo moved, Commissioner Alec Farmer seconded and the motion passed to approve the Minutes from the previous Commission Meeting of January 9, 2019.

MOTION                      The Commission approved Minute Order 2018-082 on August 29, 2018 authorizing the Department to advertise for qualified firms to provide on-call geotechnical services. Vice Chairman Robert S. Moore, Jr. moved, Commissioner Alec Farmer seconded and the motion passed to accept the Staff's recommendation to enter into negotiations to provide on-call geotechnical services with the following firms:

Geotechnology, Inc. - Memphis, TN  
Grubbs, Hoskyn, Barton & Wyatt, Inc. - Little Rock, AR  
Terracon Consultants, Inc. - Bryant, AR



## OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the January 2019 update on state highway revenue. Mr. Patton noted that state highway revenues to the Department from traditional sources are up a total of 1.8% (\$4.3 million) in the State Fiscal Year (SFY) 2019 compared to the same period for SFY 2018. Revenue from the Natural Gas Severance Tax is lower this year compared to last year, resulting in total revenues available being 1.9% (\$4.6 million) above last year. Actual state revenue received is 2.4% (\$5.7 million) above projected (budgeted) revenue for this year.

In closing, Mr. Patton stated that January revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 5.14% lower, (-\$875,130) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is below projections by 1.99% (-\$2,310,410). Since inception, this revenue source is 0.75%, or \$7.3 million, under DF&A's projections.

Director Bennett provided the latest information on the Federal highway and transit funding issues. Director Bennett noted that the passage of the FAST Act, passed in December 2015, provided increased funding over its five-year term. On February 9, 2018 Congress passed a budget for Federal Fiscal Years 2019. After nearly five months of short-term extensions and the longest government shutdown in U.S. history, Congress passed and the President signed the final seven Federal Fiscal Year 2019 spending bills. This provides full funding for the FAST Act until September 30, 2019. Long-term funding for the Highway Trust Fund continues to be an issue. President Trump has stated that beginning in Federal Fiscal Year 2021, funding should be limited to revenue that is deposited into the Highway Trust fund. This would result in a 40% reduction in the Federal-aid Highway Program.

In closing, Director Bennett stated that before the Regular Session of the 92nd Arkansas General Assembly are two bills that, if enacted, will provide additional State revenue that can be used to provide the match for Federal-aid and maintain and improve Arkansas' transportation system.

Director Bennett gave an update on the status of the 2011 Interstate Rehabilitation Program (IRP) and Connecting Arkansas Program (CAP). The 2011 Interstate Rehabilitation Program was approved by Arkansas voters in November 2011. Under this program, the Commission has the authority to issue up to \$575 million in GARVEE bonds for Interstate rehabilitation. Three series of bonds have been issued. The first was sold in September 2012 at a par value of \$197 million (true interest cost of 1.6%) with a premium of \$33 million (total of \$230 million available for construction). The second was sold in October 2013 at a par value of \$172 million (true interest cost of 2.2%) with a premium of \$29 million (total of \$201 million available for construction). The third was sold in November 2014 at a par value of \$206 million (true interest cost of 2.1%) with a premium of \$37 million (total of \$243 million available for construction).

The Connecting Arkansas Program was approved by Arkansas voters in November 2012. Under this program, the Commission has the authority to issue up to \$1.3 billion in revenue bonds for four-lane highway construction. The first series of bonds was sold in September 2013 at a par value of \$469 million (true interest cost of 3.1%) with a premium of \$25 million (total of \$494 million available for construction). No other bond sales under this program are expected.

Director Bennett briefed the Commissioners on the 92<sup>nd</sup> General Assembly of the Legislature that convened Monday, January 14, 2019. The staff discussed the Department's legislative package, highway funding, and notable legislation that may have an impact on the Department.

Director Bennett presented a summary of the apparent low bids and bidders from the January 16, 2019 and February 27, 2019, Bid Letting.

Director Bennett presented a list of upcoming meetings and events that the Commissioners and Director will be attending.

Director Bennett recognized the Department for a couple of awards recently received from the American Council of Engineering Companies (ACEC) Arkansas:

- U.S. 412 Springdale Northern Bypass - Engineering Excellence Honor Award - Category H - Transportation
- U.S. Highway 70 Widening - Engineering Excellence - Category H - Transportation & People's Choice Award


Director Bennett recognized Commissioner Moore for being inducted into the Arkansas Tourism Hall of Fame on February 25, 2019 at the Governor's Conference on Tourism in Hot Springs. Also, House Resolution 1043 was in House Ag this morning that recognizes the many contributions of Robert S. Moore, Jr. to the State and to extend congratulations on his induction into the Arkansas Tourism Hall of Fame.

Commissioner Philip Taldo recognized Aaron Burkes as the new CEO and Executive Director for the Northwest Arkansas Regional Airport (XNA) in Highfill.

2019-039

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:50 a.m., March 13, 2019.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meeting on March 13, 2019.

  
Lindy H. Williams  
Commission Secretary