

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 11, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 11, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., January 11, 2000.

2000-002 WHEREAS, the Purchasing Committee has awarded purchases on November 5, 15, 22 and 29, 1999, and December 7, 13, 20 and 27, 1999, in the amounts \$19,797.00, \$33,700.50, \$1,029,976.00, \$667,950.00, \$73,715.80, \$249,397.50, \$325,025.36, and \$283,661.20, respectively, totaling \$2,683,223.36, 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 in making the awards be ratified and confirmed in all particulars.

2000-003 WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2000, which membership is regarded as being highly beneficial to the Department.

2000-003 - Continued

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for membership dues for the year 2000, in the amount of \$1,250.00.

2000-004 WHEREAS, improving pavement smoothness is an important function of the Interstate rehabilitation program; and

WHEREAS, the existing profiling equipment cannot meet the needs of the Department during this accelerated construction program; and

WHEREAS, the Department has evaluated automated lightweight profiling equipment and found them to correlate with existing equipment.

NOW THEREFORE, the Director is authorized to purchase automated lightweight profiling equipment as necessary to monitor the smoothness of newly constructed interstate pavements.

2000-005 WHEREAS, the Code of Federal Regulations requires that after June 29, 2000, all sampling and testing shall be executed by qualified sampling and testing personnel, and that all contractors, vendor, and state testing used for acceptance decisions shall be performed by qualified laboratories; and

WHEREAS, there is a need to continue the certification of Department and Contractor technicians by the Mack-Blackwell Center for Training Transportation Professionals (CTTP) as previously established by agreement between the Department and CTTP; and

WHEREAS, the responsibilities of the CTTP need to be expanded to include qualifying laboratories.

NOW THEREFORE, the Director is authorized to enter into a three year agreement with the Mack Blackwell National Rural Training Study Center (MBTC) to continue the training and certification courses and to develop a laboratory certification program, as mutually agreed upon the Department and the MBTC Center for Training Transportation Professionals.

2000-006

WHEREAS, the Department in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the University of Arkansas/Mack Blackwell Transportation Center to conduct the following studies:

Supplemental Materials for Use with Educational Video Tapes

Development of Superpave Training Materials for Local Agencies

Development of a Work Zone Traffic Control Training Video

Development of a Roadway and Bridge Construction Control Certification Course.

2000-007

WHEREAS, the Arkansas State Highway Commission approved Minute Order 99-164 on August 11, 1999 authorizing the implementation of the Fiscal Year (FY) 2000 Arkansas Highway Safety Plan utilizing Title 23 United States Code Sections 402, 410 and 411 safety funds; and

WHEREAS, revisions to the FY 2000 Arkansas Highway Safety Plan are needed to include a public information and education campaign for seat belt usage and to include increases in the contract amount for some existing selective traffic enforcement projects as requested by the agencies; and

WHEREAS, Federal-aid safety funds are available to fund the additional project and the increases to the existing contracts as listed below.

NOW THEREFORE, the revisions to the FY 2000 Arkansas Highway Safety Plan are hereby approved and the Director is authorized to implement the revised Plan.

2000-007 - Continued

<u>Agency</u>	<u>Description</u>	<u>Current Contract Amount</u>	<u>Revised Contract Amount</u>
Arkansas Fellowship of Christian Athletes	Seat Belt Public Information and Education	\$0	\$53,000
Fort Smith Police Dept.	Selective Traffic Enforcement	\$90,000	\$120,000
Craighead County Sheriff's Office	Selective Traffic Enforcement	\$17,000	\$27,000
Marion Police Dept.	Selective Traffic Enforcement	\$13,500	\$16,500

2000-008

WHEREAS, construction work zone traffic safety is an integral and high priority element of the Interstate Rehabilitation Program; and

WHEREAS, Intelligent Transportation Systems advanced computer, communications, and sensor technologies are available that can provide real time information to variable message signs to:

Forewarn driver of closed lanes and congestion downstream,

Alert drivers to dangerous speed conditions ahead,

Provide speed advisories, and

Encourage diversion to alternate routes during incident management or excessive delays.

NOW THEREFORE, the Director is authorized to incorporate Intelligent Transportation Systems equipment into construction projects as necessary for use during the Interstate Rehabilitation Program.

2000-009

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

2000-009 - Continued

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways;

NOW THEREFORE, the Director is authorized to proceed with a \$30 million resurfacing program for 2000.

2000-010

WHEREAS, the 78th General Assembly in Regular Session passed Act 169 of 1991 authorizing State Agencies to develop a Catastrophic Leave Bank program; and

WHEREAS, the Arkansas State Highway and Transportation Commission approved and adopted the program on June 5, 1991, by Minute Order 91-220, and adopted revisions of the program on June 3, 1992, by Minute Order 92-265, on July 17, 1996, by Minute Order 96-129, and on May 21, 1998 by Minute Order 98-127; and

WHEREAS, a revision of the program has been completed and recommended for adoption;

NOW THEREFORE, the attached revised Catastrophic Leave Policy is hereby approved and adopted.

2000-011

WHEREAS, the Arkansas State Highway Commission has adopted and published Rules and Regulations for the Movement of Oversize and/or Overweight Vehicles and Cargoes in the State of Arkansas as authorized by law; and

WHEREAS, certain changes in said rules and regulations are deemed necessary and desirable; and

NOW THEREFORE, all of the Rules and Regulations for the Movement of Oversize and/or Overweight Vehicles and Cargoes in the State of Arkansas that have previously been adopted by the Highway Commission are hereby rescinded and the attached Permit Regulations for the Movement of Oversize and/or Overweight Vehicles are hereby adopted in their stead.

2000-011 - Continued

The Director is hereby authorized to take the necessary steps to publish said rules and regulations and cause them to be incorporated into a manual for distribution by the Arkansas State Highway and Transportation Department.

2000-012

WHEREAS, the 1999 Arkansas General Assembly passed and the Governor signed into law the Arkansas Highway Financing Act of 1999, subject to a vote of the electors of the State of Arkansas, authorizing the Arkansas Highway Commission to issue up to \$575,000,000 in principle amount of State of Arkansas Federal Grant Anticipation and Tax Revenue Bonds, GARVEE Bonds; and

WHEREAS, a majority of the electors of the State of Arkansas voting on June 15, 1999 voted to authorize the issuance of the GARVEE Bonds; and

WHEREAS, the projects to be funded are all on the Arkansas Interstate System; and

WHEREAS, it will be necessary to engage the services of a trustee to provide appropriate services relative to the bond issues.

NOW THEREFORE, the Director is authorized to issue a request for letters of interest from qualified trustee institutions for the GARVEE Bond Interstate Rehabilitation Program.

2000-013

WHEREAS, the 1999 Arkansas General Assembly passed and the Governor signed into law the Arkansas Highway Financing Act of 1999, subject to a vote of the electors of the State of Arkansas, authorizing the Arkansas Highway Commission to issue up to \$575,000,000 in principle amount of State of Arkansas Federal Grant Anticipation and Tax Revenue Bonds, GARVEE Bonds; and

WHEREAS, a majority of the electors of the State of Arkansas voting on June 15, 1999 voted to authorize the issuance of the GARVEE Bonds; and

2000-013 - Continued

WHEREAS, the projects to be funded are all on the Arkansas Interstate System; and

WHEREAS, it will be necessary to inform the traveling public of the construction activity and travel conditions on the Interstate system during the period of time this work is underway.

NOW THEREFORE, the Director is authorized to issue a request for letters of interest for media consulting services to develop a public information program for the GARVEE Bond Interstate Rehabilitation Program.

2000-014

WHEREAS, the Arkansas State Highway Commission acquired a Permanent Easement from James W. Garrett as a donation on July 13, 1998, for Job 009815, STP-BRN-0008(12), Kings River - Highway 143 (U. S. Highway 62) in Carroll County; and

WHEREAS, the grantor, Mr. James W. Garrett, has requested a portion of the easement be released to him, and the District Engineer has determined that the requested portion is not needed now or in the foreseeable future for highway purposes, such lands being described as follows:

Part of the Northeast Quarter of the Southeast Quarter of Section 16, Township 20 North, Range 25 West, Carroll County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 16; thence South 00° 02' 44" West along the West line thereof a distance of 281.65 feet to a point on the Southerly existing right of way line of U. S. Highway 62; thence South 81° 50' 02" East a distance of 35.88 feet to a point; thence North 08° 35' 16" East along said existing right of way line a distance of 20.00 feet to a point; thence South 82° 00' 36" East along said existing right of way line a distance of 125.14 feet to a point; thence in an Easterly direction along said existing right of way line along a curve to the left having a radius of 1918.55 feet a distance of 373.60 feet to a point on the proposed Northeasterly right of way line of Relocated U. S. Highway 62; thence South 36° 33' 02" East along said proposed right of way line a distance of 165.59 feet to a point; thence South

2000-014 - Continued

49° 34' 39" East along said proposed right of way line a distance of 65.43 feet to a point for the point of beginning; thence North 36° 01' 47" East a distance of 57.13 feet to a point; thence South 00° 03' 45" East a distance of 74.92 feet to a point on the Northeasterly proposed right of way line of Relocated U. S. Highway 62; thence North 49° 34' 39" West along said proposed right of way line a distance of 44.30 feet to point of beginning and containing 0.03 acre more or less.

NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Commission is authorized to execute a quitclaim deed to Mr. James W. Garrett for nominal consideration. Minute Order 99-194 is hereby rescinded.

2000-015

WHEREAS, the Commission acquired property from Charles A. Roberts, an unmarried person, for Job 60027-5, MM-051-1(8), Faulkner Lake Road - U. S. Highway 70 (East Belt Freeway), known as Tracts 506R and 520R, by warranty deeds filed of record in the Circuit Recorder's Office of Pulaski County on July 21, 1977; and

WHEREAS, Tract 506R was acquired for \$2,860.00 and Tract 520R was acquired for \$100.00; and

WHEREAS, the surviving heirs of Charles A. Roberts requested to repurchase Tracts 506R and 520R, and the District Engineer determined that the Tracts are no longer needed for highway purposes, said tracts being described as follows:

506R

Part of the Northwest Quarter of the Southwest Quarter of Section 2 and the Northeast Quarter of the Southeast Quarter of Section 32, Township 1 North, Range 11 West, Pulaski County, Arkansas, more particularly described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 3; thence North 87° 41' 00" West along the South line thereof a distance of 332.0 feet to a point on the proposed easterly right of way line of the East Belt Freeway; thence North 27° 38' 40" East along said proposed right of way line a distance of 1119.4 feet to a

point; thence South $01^{\circ} 16' 00''$ West a distance of 1013.0 feet to a point on the South line of the Northwest Quarter of the Southwest Quarter of Section 2; thence North $87^{\circ} 24' 00''$ West along said South line a distance of 165.0, feet to the point of beginning and containing 5.72 Acres more or less.

520R

Part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 1 North, Range 11 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 2; thence South $87^{\circ} 22' 00''$ East along the South line thereof a distance of 316.4 feet to a point on the proposed easterly right of way line of the East Belt Freeway which is the point of beginning; thence North $27^{\circ} 49' 25''$ East along said proposed right of way line a distance of 269.3 feet to a point; thence South $01^{\circ} 09' 00''$ West a distance of 243.8 feet to a point on the South line of the Southwest Quarter of the Northwest Quarter of Section 2; thence North $87^{\circ} 22' 00''$ West along the South line of the Southwest Quarter of the Northwest Quarter of Section 2 a distance of 120.9 feet to the point of beginning and containing 0.34 acres more or less.

WHEREAS, the Commission, by Minute Order 99-173, previously authorized and directed the Chairman of the Commission to sign quitclaim deeds conveying Tracts 506R and 520R to the heirs of Charles A. Roberts, namely Mary F. Cavin, Frances Jane Chapman, Luther H. Roberts, and Anna Corrine Wells; which was done and the consideration for the conveyance has been received; and

WHEREAS, it is necessary to correct the legal description of Tract 520R to that set forth herein and execute a quitclaim deed reflecting the corrected legal description;

NOW THEREFORE, BE IT RESOLVED that the Chairman of the Commission is authorized and directed to execute a corrected quitclaim deed conveying Tract 520R to the heirs of Charles A. Roberts, namely Mary F. Cavin, Frances Jane Chapman, Luther H. Roberts, and Anna Corrine Wells.

2000-016 WHEREAS, the Commission authorized the sale of certain real estate in Minute Order 99-227. The assignment of right to reacquire form was executed by individuals with no authority to act in this matter, and is therefore void. The sale authorized in Minute Order 99-227 was not consummated.

 NOW THEREFORE, Minute Order 99-227 the authority granted in Minute Order 99-227 is set aside and vacated.

2000-017 WHEREAS, IN BRADLEY COUNTY, Highway 15 Spur provides principle vehicular access to Moro Bay State Park; and

 WHEREAS, with the recent renumbering of the main route of Highway 15 in the area, a need exists to renumber Highway 15 Spur.

 NOW THEREFORE, IT IS ORDERED that Highway 15 Spur is hereby made a part of the Moro Bay State Park Access Drives designated as S. H. 600, Section 40 as shown on the attached sketch. This action will be effective upon official notification by Chief Engineer.

2000-018 WHEREAS, IN BRADLEY COUNTY, Job 070117 is nearing completion for the construction of a bypass around Hermitage.

 NOW THEREFORE, IT IS ORDERED that upon completion of Job 070117 the following changes to the State Highway System as shown on the attached sketch are to be made:

1. The new route as constructed by Job 070117 shall be added to the State Highway System as part of Highway 63, Section 17.
2. The old location shall be redesignated as Highway 63, Section 17B. Changes will become effective upon official notification by the Chief Engineer.

2000-019 WHEREAS, IN BRADLEY COUNTY, Highway 63 is a principal arterial; and

2000-019 - Continued

WHEREAS, it has been requested that a study be conducted to determine the feasibility of widening Highway 63 to five lanes from Central Avenue to Pine Street in Warren.

NOW THEREFORE, the Director is authorized to conduct a study of Highway 63 in Warren to determine if widening is feasible.

FURTHERMORE, if the improvement is found to be feasible, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2000-020

WHEREAS, the Arkansas Highway and Transportation Department, in cooperation with the Mississippi Department of Transportation and the Federal Highway Administration, has conducted environmental studies for the construction of a new bridge across the Mississippi River between Bolivar County, Mississippi, and Desha County, Arkansas (Great River Bridge); and

WHEREAS, such studies have resulted in the selection of a preferred location for the bridge; and

WHEREAS, it is deemed to be in the best interest of both states to retain the services of a qualified engineering consultant to perform design services for this project.

NOW THEREFORE, the Director is hereby authorized to enter into necessary agreements with the State of Mississippi and to retain the services of a consultant to design a new bridge crossing the Mississippi River at the location selected in the Great River Bridge Environmental Impact Statement.

2000-021

WHEREAS, the Department is developing plans to widen Highway 60 in the City of Conway from the Union Pacific railroad overpass westward to the Arkansas River; and

WHEREAS, Highway 60 is an important arterial highway across Conway which connects Perry County and other areas across the Arkansas River to Interstate 40; and

2000-021 - Continued

WHEREAS, the City of Conway, Metroplan, and the Department are cooperatively developing an access management plan for the Highway 60 corridor; and

WHEREAS, access management is an effective tool to maintain the safe and efficient operation of roadways by preserving their ability to carry traffic.

NOW THEREFORE, the Commission hereby authorizes the Director to enter into necessary agreements to implement the access management plan.

2000-022

WHEREAS, Highway 70, Section 8, from Highway 192 to Hempwallace is an important arterial route serving western Garland County; and

WHEREAS, traffic volumes along this route have increased substantially in recent years resulting in the need for an improved facility.

WHEREAS, this improvement is included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to initiate environmental and location studies, including a possible relocation around the Lake Hamilton School complex.

FURTHER, the Director is authorized to proceed with plans, surveys and construction of the recommended improvements as funds become available.

2000-023

WHEREAS, IN GREENE COUNTY, on Highway 412, Section 8, from Highway 141 to Paragould, a distance of approximately 6.5 miles, the need exists for widening this highway to meet increased traffic demands; and

WHEREAS, widening of this route is included in the 1991 Highway Improvement Program.

2000-023 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2000-024

WHEREAS, IN SEBASTIAN COUNTY, the proposed routing for the relocation of U. S. Highway 71 (future Interstate 49) crosses the western boundary of Ft. Chaffee; and

WHEREAS, the Department of the Army has determined that a portion of the Ft. Chaffee property will no longer be needed for military purposes; and

WHEREAS, the proposed routing of the Highway 71 relocation lies within this area to be released by the Department of the Army; and

WHEREAS, the Department has been working with the Ft. Chaffee Public Trust to obtain sufficient right of way for that portion of relocated Highway 71 through the former Ft. Chaffee grounds; and

WHEREAS, the Department and the Ft. Chaffee Public Trust have developed a Memorandum of Understanding regarding the transfer of land from the Trust to the Department for the Highway 71 relocation project;

NOW THEREFORE, the Director is authorized to enter into the Memorandum of Understanding with the Ft. Chaffee Public Trust to effect the transfer of said lands to the Department.

2000-025

IN WASHINGTON COUNTY, on Highway 873, Section 1, selected driveways and parking lots of the University of Arkansas at Fayetteville are in need of improvements; and

WHEREAS, the University of Arkansas has agreed to pay for their portion of this project to pave, resurface and/or rehabilitate these selected driveways and parking lots.

2000-025 - Continued

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

2000-026 WHEREAS, the City of Searcy is considering the development of an industrial park in the vicinity of an existing county road overpass of Highway 67 near the town of Garner; and

WHEREAS, the Mayor of Searcy has requested that the Department study the construction of an interchange at this location.

NOW THEREFORE, the Director is authorized to conduct a study to determine the feasibility of constructing an interchange at this county road overpass.

2000-027 WHEREAS, IN LONOKE COUNTY, on Route 89, Section 1, the City of Cabot is pursuing a project to reduce flooding in the Highway 89 and Eighth Street area; and

WHEREAS, the drainage structure under Highway 89 just west of Eighth Street needs to be increased to reduce the flooding potential and be compatible with the City's drainage plan.

NOW THEREFORE, the Director is authorized to proceed with plans and a construction project to provide an adequate drainage structure under Highway 89 in conjunction with the City of Cabot's project.

The work is to be done by contract.

2000-028 WHEREAS, the North dock of the Peel Ferry on Bull Shoals Lake was constructed in the early 1970's of treated pine and has deteriorated to the point that bilge pumps keep it afloat; and

WHEREAS, the South dock was replaced in 1994 with a steel dock; and

2000-028 - Continued

WHEREAS, the Federal Highway Administration has a Ferry Boat Discretionary Program, which provides a special funding category for the construction of ferry boats and ferry terminal facilities; and

WHEREAS, the North dock of the Peel Ferry meets the funding requirements.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to replace the North dock of the Peel Ferry with a steel dock as the funds become available.

2000-029

WHEREAS, Minute Order 98-211, dated September 22, 1998 authorizes the consolidation of certain Area Headquarters, located in counties with multiple headquarters, into one centralized location; and

WHEREAS, there are existing Area Headquarters facilities located in Osceola and Blytheville serving Mississippi County; and

WHEREAS, the maintenance crews of the Osceola and Blytheville locations will be combined at Osceola; and

WHEREAS, at the existing Osceola Area Headquarters location, insufficient area is owned to accommodate the necessary maintenance activities; and

WHEREAS, existing tracts of land more suitable for this facility have been located and may be available;

NOW THEREFORE, the Director is authorized to purchase a suitable site and to complete the work to construct an Area Headquarters facility, including fencing, appurtenances, and communications tower relocation.

Work to be done by contract and state forces as a Building Project.

2000-030

WHEREAS, bridge inspection in District 4 has revealed severe loss of paint on the bridge structure as shown below; and

WHEREAS, this bridge needs to be cleaned and painted to prevent structural loss due to rust.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to clean and paint this bridge as funds become available.

COUNTY	RTE./SEC./L.M.	BRIDGE NO.	NAME
SEBASTIAN	64/1/4.54	05176	ARKANSAS RIVER

2000-031

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **January 11, 2000** letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110351	1	CROSS	MAGOT SLOUGH-PARKIN (PASSING LANES) (S)	64
110354	1	PHILLIPS	HWY. 49/HWY. 49B SIGNAL UPGRADE (W. HELENA) (S)	49 & 49B
030218	3	MILLER	HWY. 82/OATS ST. SIGNAL (TEXARKANA) (S)	82
050083	5	CLEBURNE, FULTON & WHITE	DISTRICT FIVE BRIDGE PAINTING (S)	VARIOUS
R60112	6	PULASKI	HWY. 67 INTERCHANGE STRS. & APPRS. (PHASE I) (F)	440
100255	10	GREENE	EIGHT MILE CREEK BR. & APPRS. (S)	49B
100469	10	CLAY	MCDUGAL-POLLARD (S)	62
100480	10	VARIOUS	DISTRICT 10 SIDEWALK ENHANCEMENTS (PHASE II) (S)	---
100481	10	CRAIGHEAD & POINSETT	DISTRICT 10 SIDEWALK ENHANCEMENTS (PHASE III) (S)	---
BR0906	2	CHICOT	BOEUF RIVER STR. & APPRS. (S)	---
BR4107	3	LITTLE RIVER	BULL CREEK STR. & APPRS. (S)	---
FA5704	4	POLK	OUACHITA RIVER STR. & APPRS. (S)	---

2000-031 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

2000-032

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:15 p.m., January 11, 2000.

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 December 13, 1999, and January 11, 2000.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 16, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 16, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-033 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., February 16, 2000.

2000-034 WHEREAS, the Purchasing Committee has awarded purchases on January 10, 21 and 31, 2000, and February 10, 2000, in the amounts \$3,890,666.25, \$399,339.32, \$883,206.75, and \$3,034,102.50, respectively, totaling \$8,207,314.82, 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 in making the awards be ratified and confirmed in all particulars.

2000-035 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2000 membership dues in the amount of \$250.00.

2000-036

WHEREAS, the American Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2000, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2000 in the amount of \$26,222.00.

2000-037

WHEREAS, the Arkansas State Highway and Transportation Department operates a Technology Transfer Center through the Federal Highway Administration's Local Technical Assistance Program (LTAP); and

WHEREAS, LTAP provides transportation related technology transfer to cities and counties in Arkansas; and

WHEREAS, the University of Arkansas at Fayetteville and Philander Smith College participate in LTAP through training activities.

NOW THEREFORE, the Director is authorized to enter into contracts and agreements as necessary to continue this cooperative effort to further transportation related technology transfer to local governments in Arkansas.

2000-038

WHEREAS, the Arkansas State Highway Commission approved Minute Order 99-164 on August 11, 1999 authorizing the implementation of the Fiscal Year (FY) 2000 Arkansas Highway Safety Plan utilizing Title 23 United States Code Sections 402, 410 and 411 safety funds; and

WHEREAS, revisions to the FY 2000 Arkansas Highway Safety Plan are needed to include two additional selective traffic enforcement projects and to include an increase in the contract amount for one existing selective traffic enforcement project as requested by the agency; and

(Continued)

2000-038 - Continued

WHEREAS, Federal-aid safety funds are available to fund the additional projects and the increase to the existing contract as listed below.

NOW THEREFORE, the revisions to the FY 2000 Arkansas Highway Safety Plan are hereby approved and the Director is authorized to implement the revised Plan.

<u>Agency</u>	<u>Description</u>	<u>Current Contract Amount</u>	<u>Revised Contract Amount</u>
Maumelle Police Dept.	Selective Traffic Enforcement	\$0	\$10,000
Greene County Sheriff's Office	Selective Traffic Enforcement	\$0	\$ 7,500
Bryant Police Dept.	Selective Traffic Enforcement	\$10,000	\$20,000

2000-039

WHEREAS, the Arkansas Highway Commission has selected locally sponsored projects for funding under the Transportation Enhancement Program from applications submitted by units of State and local government for work determined to be eligible as defined by federal regulations and guidelines.

NOW THEREFORE, the Director is authorized to proceed with implementation of the selected transportation enhancement projects (see attached list) as funds become available.

2000-040

WHEREAS, there is an urgent need for the rehabilitation of the Interstate Highway System in Arkansas, as recognized in Minute Order No. 98-214 of the Arkansas State Highway Commission; and

WHEREAS, in order to facilitate such rehabilitation it is appropriate that the Commission take steps to authorize and issue, pursuant to Act No. 1027 of the Acts of Arkansas of 1999, the first series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds.

2000-040 - Continued

NOW THEREFORE:

1. The General Resolution entitled "General Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit A.

2. The issuance and sale by competitive bid of a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds in an aggregate principal amount not to exceed One Hundred Seventy-Five Million Dollars (the "Bonds") is hereby authorized and the Preliminary Official Statement and Official Notice of Sale pertaining to the Bonds are hereby approved in substantially the form presented to this meeting, with such changes as the officer or representative of the Commission executing such writing shall deem appropriate or necessary to accomplish the intent and purposes of this Minute Order.

3. The Director of Highways and Transportation, and the officers of the Arkansas Highway and Transportation Department, according to the respective offices and as specified by the Director, are authorized and directed to execute writings and take any and all actions as such person, in his discretion, may deem to be necessary or appropriate to accomplish the sale of the Bonds and to carry out the intent and purposes of this Minute Order or the terms of the General Resolution.

2000-041

WHEREAS, the 1999 Arkansas General Assembly passed and the Governor signed into law the Arkansas Highway Financing Act of 1999, subject to a vote of the electors of the State, to authorize the Arkansas Highway Commission to issue up to \$575,000,000 in principle amount of State of Arkansas Federal Grant Anticipation and Tax Revenue Bonds, GARVEE Bonds; and

WHEREAS, a majority of the electors of the State of Arkansas voting on June 15, 1999 voted to authorize the issuance of the GARVEE Bonds; and

February 16, 2000

2000-041 - Continued

WHEREAS, the projects to be funded are all on the Arkansas Interstate System; and

WHEREAS, it will be necessary to engage the services of a trustee to administer principle and interest payments on the Series 2000A GARVEE Bonds.

NOW THEREFORE, the Director is authorized to enter into a contract with U. S. Bank, St. Paul, Minnesota to serve as trustee for the first of three issues.

2000-042

WHEREAS, IN HEMPSTEAD COUNTY an Original Contract dated December 5, 1996 was awarded to Western Construction, Inc. for Job 030091, FAP No. STP-5689(1), 16th Street Reconstruction (Hope) (S) based on a low bid of \$1,700,648.05; and

WHEREAS, the Contractor has failed to refund money due the Commission as a result of the determination of the final pay quantities for this project; and

WHEREAS, the Contractor was notified by Certified Mail dated January 3, 2000, that unless money due the Commission was refunded within 30 days of receipt of said letter, the project would be placed in default in accordance with Subsection 108.08 of the Standard Specifications; and

WHEREAS, the payment of \$7,644.00 has not been received:

NOW THEREFORE, IT IS ORDERED that the right of Western Construction, Inc. to proceed on Job No. 030091 is hereby terminated, and the Chief Engineer is authorized to arrange for fulfillment of the contract obligations in accordance with the plans and specifications and in compliance with the terms and conditions of the contract and bond.

2000-043

WHEREAS, IN BENTON COUNTY, Highway 94, Section 1, from Highway 71 to Highway 71B, is programmed for widening under Job 009985; and

2000-043 - Continued

WHEREAS, the City of Rogers has proposed funding right-of-way acquisition and utility replacement for Job 009985 and to accept the roadway as a city street and assume maintenance responsibility upon completion.

NOW THEREFORE, the Director is authorized to proceed with construction of Job 009985 as funds become available, subject to receipt of a proper resolution from the City Council of Rogers endorsing the proposal that the City of Rogers will provide right-of-way and adjustment of utilities for this project at no cost to the State and will accept this section of roadway as a city street and will assume maintenance responsibility upon completion.

FURTHERMORE, IT IS ORDERED that upon completion and receipt of the proper resolution from the City Council of Rogers, this section of Highway 94, Section 1, will no longer be part of the State Highway System. This change shall become effective upon notification by the Chief Engineer.

2000-044

WHEREAS, IN CARROLL COUNTY, in the vicinity of Pleasant Valley, Job 009815 is under contract for the realignment of a segment of Highway 62, Section 4.

NOW THEREFORE, upon completion of Job 009815, the following changes to the State Highway System, as shown on the attached sketch, are hereby ordered, such changes to become effective upon official notification by the Chief Engineer:

1. The official route of Highway 62, Section 4, shall be in accordance with the alignment as constructed by Job 009815.
2. In accordance with the Supreme Court Decision, the old location of Highway 62, Section 4, shall be no longer a part of the State Highway System.

2000-045

WHEREAS, IN SEVIER COUNTY, on Highway 71, Section 7, Job 030006 has been completed for the replacement of an overpass of the Kansas City Southern Railroad; and

WHEREAS, construction of the overpass necessitated the relocation of a short segment of the highway.

NOW THEREFORE, IT IS ORDERED that the following changes to the State Highway System, as shown on the attached sketch, are hereby made:

1. The official route of Highway 71, Section 7, shall be in accordance with the alignment as constructed by Job 030006.
2. In accordance with the Supreme Court Decision, the old location of Highway 71, Section 7, is hereby declared to be no longer a part of the State Highway System.

2000-046

WHEREAS, the highway corridor of Highway 71, from I-40 to Fayetteville was approved for future Interstate designation by the Federal Highway Administration (FHWA) on November 22, 1983; and

WHEREAS, this route has since been constructed on new location to Interstate design standards and officially approved by the American Association of State Highway and Transportation Officials (AASHTO) as I-540; and

WHEREAS, additional segments of this route have been completed to Interstate standards north of Fayetteville.

NOW THEREFORE, the Director is authorized to take necessary action to make application to the AASHTO Route Numbering Committee and the FHWA for the extension of I-540 north as appropriate.

2000-047

WHEREAS, a review of Highway 64, west of the Highway 67/167 interchange at Beebe, was conducted to determine improvement needs in response to the area's high traffic growth and the potential impact of continued commercial and residential development in the area; and

2000-047 - Continued

WHEREAS, the recommendation resulting from this review is that approximately two miles of Highway 64 from Highway 67/167 west should be widened to handle forecast traffic demand.

NOW THEREFORE, the Director is authorized to proceed with surveys and plan development for a major widening project for this segment of Highway 64 as funds become available.

2000-048

WHEREAS, litter is an increasing problem along the State Highway System; and

WHEREAS, Act 405 of 1973 authorized purchases of Workshop provided services; and

WHEREAS, Sebastian and Crawford Counties are areas of high populations, high visibility and subject to high degrees of roadside litter.

NOW THEREFORE, the Director is authorized to solicit proposals and enter into an agreement with a non-profit workshop for the disabled in that area for the purpose of pick-up and disposal of roadside litter.

2000-049

WHEREAS, the District 4 Headquarters Facility at Fort Smith is experiencing roof leaks in the Administrative Office Area; and

WHEREAS, the roofs on the Administrative Office Area and Shop Area are approximately twenty-five years old, and are in poor condition; and

WHEREAS, it has been determined that the most feasible means of repair is to remove the existing roof membranes and replace with new built-up roofs;

NOW THEREFORE, the Director is authorized to complete the work required to replace the roof membranes on the Administrative Office Area and Shop Area at the District 4 Headquarters Facility.

Work to be done by contract as a Building Project.

- 8 -

February 16, 2000

2000-050

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 16, 2000 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110303	01	CRITTENDEN	I-40-NORTH (S)	77
110343	01	CRITTENDEN	I-55 N.B. WEIGH STATION (SEWER & WATER EXT.) (S)	55
110367	01	LEE & ST. FRANCIS	COW BAYOU-HUGHES (S)	79
020046	02	DREW	BRIDGE & APPRS. E. WINCHESTER (S)	138
030193	03	MILLER	I-30 ILLUMINATION UPGRADE (TEXARKANA) (F)	30 & 245
050076	05	SHARP	HWY. 167 & HWY. 62/412 SIGNAL (ASH FLAT) (S)	167, 62 & 412
050077	05	SHARP	HWY. 167/HWY. 230 SIGNAL (CAVE CITY) (S)	167 & 230
060899	06	PULASKI & LONOKE	HWY.67/VANDENBERG BLVD. SB & HWY.5 NB EXIT RAMP (S)	67
060943	06	PULASKI	HWY. 365 SIDEWALKS (WRIGHTSVILLE) (S)	365
008825	08	PERRY	THORNBURG-PERRYVILLE (RESURF. & SHLDRS.) (S)	9
080165	08	JOHNSON	HWY. 103/SHERWOOD & HWY. 64/CRAWFORD SIGS. (CLARKSVILLE) (S)	103 & 64
090083	09	MARION	PEEL FERRY DOCK REPLACEMENT (PHASE II) (S)	125
100493	10	GREENE	CACHE RIVER-CO. RD. 218 (S)	412
100494	10	POINSETT	LEPANTO-CRAIGHEAD CO. LINE (S)	135
100495	10	GREENE & CLAY	HWY. 119-SOUTH (S)	139
SA0734	07	CALHOUN	HWY. 274-HWY. 205 (BASE & SURFACING) (S)	---
SA7346	05	WHITE	CO. RD. 78 (BASE NO. 2) (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

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February 16, 2000

(Continued)

2000-050 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Vice Chairman John "M" Lipton moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the recommendation of the financial advisor and bond counsel to secure the services of U. S. Bank of Minneapolis, MN (lowest qualified bidder), to serve as Trustee for the first issuance of GARVEE bonds under the Interstate Rehabilitation Program.

MOTION

Commissioner J. W. Benafield moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to begin negotiations for general planning studies for calendar year 2000 with the following consulting engineering firms: Garver Engineers, Carter and Burgess Engineers, and Parsons Transportation Group.

MOTION

Commissioner J. W. Benafield moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the staff's recommendation to begin negotiations with the firm of Louis Berger and Associates for the purposes of creating a Crittenden County Traffic Demand Model.

2000-051

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:45 p.m., February 16, 2000.

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 February 16, 1999.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 7, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 7, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-052 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:45 a.m., March 7, 2000.

2000-053 WHEREAS, there is an urgent need for the rehabilitation of the Interstate Highway System in Arkansas, as recognized in Minute Order No. 98-214 of the Arkansas State Highway Commission; and

WHEREAS, the Commission has, on February 16, 2000, adopted its General Resolution entitled "General Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds and Specifying Various Matters Related Thereto"; and

WHEREAS, pursuant to the General Resolution, the Minute Order pursuant to which it was adopted, and its Official Notice of Sale and Preliminary Official Statement, the Commission has offered, on competitive bid, its Bonds of Series 2000A (the "Series 2000A Bonds") and, upon receipt of bids on this March 7, 2000, it has been determined that the bid of the bid group led by Salomon Smith Barney Inc. (the "Purchaser") being the bid for the lowest true interest cost for the Series 2000A Bonds, is the successful bid; and

WHEREAS, it is in the interest of the State of Arkansas that the bid of the Purchaser be accepted and that the Series 2000A Bonds be sold and issued to the Purchaser; and

WHEREAS, there are attached hereto as Exhibit A, copies of the bids of all bidders on the Series 2000A Bonds;

NOW THEREFORE:

1. The Series Resolution entitled "Series Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2000A, and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit B.

2. The issuance and sale of the Series 2000A Bonds on the terms set forth in the bid of the Purchaser are hereby authorized and confirmed.

3. The Chairman and Vice Chairman of the Commission, and the Director of Highways and Transportation, are authorized to execute such writings and take such action as may be appropriate to cause the Series 2000A Bonds to be issued and to cause the proceeds thereof to be deposited and applied as set forth in the General Resolution and the Series Resolution.

Without limiting the generality of the foregoing, the Chairman and Vice Chairman and the Director of Highways and Transportation are authorized to execute and deliver (a) such agreements as may be necessary to comply with Rule 15c2-12 of the Securities and Exchange Commission, and (b) such agreements and related writings as may be appropriate to cause the proceeds of the Series 2000A Bonds to be invested at a guaranteed rate or rates of interest, provided that any agreement therefor (i) shall be awarded upon competitive bids and (ii) shall be with an institution rated not lower than "AA-" by Standard & Poor's Ratings Services or "Aa3" by Moody's Investors Service, Inc.

4. The Director of Highways and Transportation, and the officers of the Arkansas Highway and Transportation Department, according to their respective offices and as specified by the Director, are authorized and directed to execute writings and take any and all actions as such person, in his or her discretion, may deem to be necessary or appropriate to carry out the intent and purposes of this Minute Order or the terms of the Series Resolution.

2000-054

WHEREAS, the Arkansas State Highway Commission has, on February 16, 2000, adopted its General Resolution entitled "General Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds and Specifying Various Matters Related Thereto"; and

WHEREAS, the Commission has adopted its Series Resolution entitled "Series Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2000A, and Specifying Various Matters Related Thereto"; and

WHEREAS, it is appropriate that provision be made for the investment of the proceeds of the Series 2000A Bonds at guaranteed rates of interest; and

WHEREAS, upon competitive bid, the bid of Trinity Funding Co. LLC for the guaranteed investment of proceeds of the Series 2000A Bonds, being the best bid received, should be accepted; and

NOW THEREFORE:

1. The bid of Trinity Funding Co. LLC for the guaranteed investment of the proceeds of the Series 2000A Bonds is hereby accepted.

2. The Chairman and Vice Chairman of the Commission, and the Director of Highways and Transportation, are authorized to execute such writings and take such action as may be appropriate to cause the proceeds of the Series 2000A Bonds to be invested as set forth in the General Resolution and the Series Resolution and in accordance with the terms hereof.

3. Copies of all bids received shall be placed on file with the Commission.

2000-055

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:20 p.m., March 7, 2000.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 29, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 29, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-056 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., March 29, 2000.

2000-057 WHEREAS, the Purchasing Committee has awarded purchases on February 18, 25 and 29, 2000, and March 6, 9 and 20, 2000, in the amounts \$1,198,263.50, \$496,566.00, \$21,130.67, \$55,607.00, \$37,500.00, and \$211,689.56, respectively, totaling \$2,020,756.73, 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 in making the awards be ratified and confirmed in all particulars.

2000-058 WHEREAS, the American Association of State Highway and Transportation Officials has established the National Work Zone Safety Information Clearinghouse and has requested support for the program from all member States; and

WHEREAS, the Clearinghouse has been established to provide information for design and technical assistance and for operational

standards to enhance work zone safety for the benefit of motorists and workers; and

2000-058 - Continued

WHEREAS, the 1999 Interstate Rehabilitation Program will require extensive work zone safety initiatives that will benefit from participation in this clearinghouse.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to enter into a support agreement with the American Association of State Highway and Transportation Officials for the National Work Zone Safety Information Clearinghouse and to pay the annual dues in the amount of \$1,500.00.

2000-059

WHEREAS, the Arkansas State Highway Commission approved Minute Order 99-164 on August 11, 1999 authorizing the implementation of the Fiscal Year (FY) 2000 Arkansas Highway Safety Plan (HSP) utilizing Title 23, United States Code Sections 402, 410 and 411 safety funds; and

WHEREAS, the Department has applied for and received funds to implement a child passenger protection education program under Section 2003(b) of the Transportation Equity Act for the 21st Century; and

WHEREAS, a revision to the FY 2000 HSP has been prepared to include an additional project to effectively address child passenger protection education through a new contract as listed below.

NOW THEREFORE, the revision to the FY 2000 HSP is hereby approved and the Director is authorized to implement the revised Plan.

<u>Agency</u>	<u>Description</u>	<u>Contract Amount</u>
University of Arkansas for Medical Sciences	Child Passenger Protection Education	\$97,748

2000-060

WHEREAS, several major highway corridor projects have been proposed for improving Arkansas' Highway System; and

WHEREAS, construction of these major highway corridors would be beneficial to the State; and

WHEREAS, sufficient funds from existing sources are not currently available for improvement of these corridors in the desired time frame.

NOW THEREFORE, the Director is authorized to request proposals from consultants to prepare an innovative financing plan for appropriate improvements to the following corridors:

- Highway 49 (I-40 to Mississippi Line – including a new bridge over the Mississippi River)
- Highway 63 (I-55 to Payneway)
- Highway 65 (Damascus to Missouri Line)
- Highway 65 (Pine Bluff to Mississippi line-including a new bridge over the Mississippi River)
- Highway 67 (Newport to Missouri Line)
- Highway 71 (proposed I-49 from Missouri Line to Louisiana Line)
- Highway 79 (Memphis to Pine Bluff including a new bridge over the Mississippi River)
- Highway 167 (I-530 to El Dorado)
- Highway 412 (Oklahoma Line to Missouri Line)
- Proposed I-69 (Mississippi River to Louisiana Line-including a new bridge over the Mississippi River)
- I-530 extension (Pine Bluff to Highway 278)
- North Belt Freeway (U.S. 67 to I-40)
- Hot Springs Bypass (Highway 270 East to Highway 5/7)

FURTHER, this study shall consider the use of existing revenues, toll financing, bonding (including GARVEE Bonds), state-local government partnerships, local revenue units, public-private partnerships, privatization, use of non-traditional revenue sources, leveraging provisions of federal law, state infrastructure banks, and other potential sources of revenue that could be used to improve these corridors. The plan shall take into consideration the other identified highway needs that exist statewide.

March 29, 2000

2000-061

WHEREAS, U. S. Highway 67 from Little Rock to Newport is constructed substantially to Interstate standards; and

WHEREAS, environmental and location approval has been granted by the Federal Highway Administration on the section from Newport to Walnut Ridge/Hoxie; and

WHEREAS, design work is substantially complete on the Newport to Walnut Ridge/Hoxie section; and

WHEREAS, a planning study has been completed and adopted by Commission Minute Order No. 96-042 for the section from Walnut Ridge/Hoxie to the Missouri State Line.

NOW THEREFORE, the Director is authorized to conduct the appropriate environmental and location studies on the Walnut Ridge/Hoxie to the Missouri state line section of U. S. Highway 67 in order to obtain a Record of Decision from the Federal Highway Administration on a specific location for the future highway.

FURTHER, this study should be coordinated with the Missouri Department of Transportation in order to provide route continuity that can ultimately qualify the route of U. S. Highway 67 from Little Rock to St. Louis and as an Interstate route; and

FURTHER, when the appropriate studies have been completed, the Director is ordered to present to the Commission a proposal for submission of a request to the Federal Highway Administration and the Route Numbering Committee of the American Association of State Highway and Transportation Officials for designation of U. S. Highway 67 as an Interstate route from Little Rock, Arkansas to St. Louis, Missouri.

2000-062

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintains up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, these maps are widely requested and used by the Department, other state agencies and the public.

NOW THEREFORE, the Director is authorized to proceed with contracts and agreements for the printing of the 2000 State Highway Map, as necessary.

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March 29, 2000

2000-063

WHEREAS, the Commission adopted a policy to allow appropriate vegetation control of selected trees and vegetation on highway rights-of-way to allow visibility of outdoor advertising devices; and

WHEREAS, certain revisions to this policy are needed in order to clarify its intent;

NOW THEREFORE, the attached Restore Sign Visibility Policy (RSVP) is adopted, and the Director is authorized to implement it immediately.

2000-064

WHEREAS, the Commission's Financial Advisor has prepared and presented to the Commission a Financial Plan for the Interstate Rehabilitation Program; and

WHEREAS, the Commission agrees that this Financial Plan adequately addresses the financial needs of the Interstate Rehabilitation Program:

NOW THEREFORE, the Commission does hereby adopt the Interstate Rehabilitation Program Financial Plan as presented by Evenson Dodge, Inc.

2000-065

WHEREAS, the Commission acquired property known as Tracts 24R and 103R from Howard R. Johnson and Bennie F. Johnson, husband and wife; Lloyd Robertson and Brenda R. Robertson, husband and wife; and Jayne K. New, an unmarried person; for Job R60016-1, F-016-2(26), Hwy. 270-Hwy. 70 East-West Arterial (Hot Springs), by warranty deeds filed of record in the Circuit Recorder's Office of Garland County on December 3, 1986, and November 23, 1987, respectively; and

WHEREAS, Tract 24R was acquired for \$20,300.00 and Tract 103R was acquired for \$11,600.00; and

WHEREAS, C.D.S., Inc., has requested to repurchase Tracts 24R and 103R, excepting abutters' and access rights to the adjoining right of ways of U. S. Highways 270 and 70; Howard R. Johnson, Bennie F. Johnson, Lloyd Robertson, Brenda R. Robertson, and Jayne K. New have

assigned their rights to reacquire Tracts 24R and 103R to C.D.S., Inc., and the District Engineer has determined that the tracts are no longer needed for highway purposes, said tracts being described as follows:

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(Continued)

March 29, 2000

2000-065 - Continued

TRACT 24R:

Part of the West Half of the Northeast Quarter of Section 11, Township 3 South, Range 20 West, Garland County, Arkansas more particularly described as follows:

Starting at the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 11; thence North $83^{\circ} 22'$ East along the North line thereof a distance of 483.35 feet to a point; thence South $06^{\circ} 19'$ East a distance of 34.49 feet to a point on the Easterly proposed right of way line of the East West Arterial for the point of beginning; thence North $27^{\circ} 03' 52''$ East along said proposed right of way line a distance of 224.87 feet to a point; thence South $05^{\circ} 30'$ East a distance of 308.75 feet to a point on the Northerly existing railroad right of way line of the Union Pacific Railroad; thence in a Southwesterly direction along said existing railroad right of way line along a curve to the right having a radius of 1382.39 feet a distance of 119.60 feet to a point on the Easterly proposed right of way line of the East West Arterial; thence North $06^{\circ} 19'$ West along said proposed right of way line a distance of 128.49 feet to the point of beginning and containing 0.58 acre, more or less.

TRACT 103R:

Part of the West Half of the Northeast Quarter of Section 11, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 11; thence North $05^{\circ} 34' 00''$ West along the East Line there of a distance of 161.43 feet to a point on the Southerly existing right of way line of U. S. Highway 270; thence North $33^{\circ} 56' 47''$ West along said existing right of way line a distance of 31.51 feet to a point; thence North $86^{\circ} 27' 00''$ West along said existing right of way line a distance of 242.75 feet to a point; thence in a Southwesterly direction along said existing right of way line along a curve to the left having a radius of 2824.79 feet a distance of 59.00 feet to a point; thence South $86^{\circ} 41' 16''$

West along said existing right of way line a distance of 56.08 feet to a point; thence North 83° 24' 35" West along said existing right of way line a distance of 48.79 feet to a point; thence in a Southwesterly direction along said existing right of way line along a curve to the left having a radius of

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(Continued)

March 29, 2000

2000-065 - Continued

2824.79 feet a distance of 147.86 feet to a point; thence South 04° 23' 00" East a distance of 72.66 feet to a point on the Southerly proposed right of way line of the East West Arterial for the point of beginning; thence continue South 04° 23' 00" East a distance of 338.76 feet to a point on the Northerly existing railroad right of way line of the Union Pacific Railroad; thence South 75° 21' West along said existing railroad right of way line a distance of 63.32 feet to a point; thence in a southwesterly direction along said existing railroad right of way line along a curve to the right having a radius of 1382.39 feet a distance of 53.85 feet to a point; thence North 05° 30' West a distance of 308.75 feet to a point on the Southerly proposed right of way line of the East West Arterial; thence North 63° 15' 46" East along said proposed right of way line a distance of 131.10 feet to the point to beginning and containing 0.92 acre more or less.

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting any abutters' and access rights to and from U. S. Highways 270 and 70, is declared surplus, the Chairman of the Commission is authorized and directed to execute quitclaim deeds conveying said property, excepting the control of access, to C.D.S., Inc., for the consideration of \$31,900.00, and the right of way is to be remonumented. Any Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-066

WHEREAS, the Commission acquired property known as Tract 25R from Margaret Sparrow, an unmarried person; for Job R20090, NH-25-2(69), Highway 425 – Highway 199 (U. S. Highway 65, Linwood), by warranty deed filed of record in the Circuit Recorder's Office of Jefferson County on April 25, 1995; and

WHEREAS, Tract 25R was acquired for \$100.00; and

WHEREAS, D. S. Harmon Trucking, Inc., has requested to repurchase Tract 25R, Margaret Sparrow has assigned her rights to reacquire Tract 25R to D. S. Harmon Trucking, Inc., and the District

Engineer has determined that the tract is no longer needed for highway purposes, said tract being described as follows:

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(Continued)

March 29, 2000

2000-066 - Continued

TRACT 25R:

Part of the Northwest Quarter of the Northeast Quarter of Section 25, Township 6 South, Range 8 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 25; thence South 00° 04' 33" West along the West line thereof a distance of 75.16 feet to a point on the existing Southerly right of way line of U. S. Highway 65; thence South 89° 31' 20" East along said existing right of way line a distance of 169.38 feet to a point on the existing Easterly railroad right of way line of the Union Pacific Railroad; thence South 34° 58' 42" East along said existing railroad right of way line a distance of 79.80 feet to a point on the proposed Southerly right of way line of said U. S. Highway 65 for the point of beginning; thence South 89° 31' 20" East along said proposed right of way line a distance of 72.41 feet to a point; thence North 89° 51' 22" East along said proposed right of way line a distance of 307.95 feet to a point; thence South 00° 38' 12" West a distance of 535.34 feet to a point on the existing Easterly railroad right of way line of said Union Pacific Railroad; thence North 34° 58' 42" West along said existing railroad right of way line a distance of 653.11 feet to the point of beginning and containing 2.33 acres more or less or 101,681 square feet more or less.

DH/dh
4/3/98

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying said property, excepting the control of access, to D. S. Harmon Trucking, Inc., for the consideration of \$100.00, and, if necessary, the right of way is to be re-monumented. Any Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-067

WHEREAS, the Arkansas Highway Commission may have acquired an interest in a dedicated street right of way from the City of Fayetteville appurtenant to State Highway 112 Spur, which highway was relocated in Job 4976, MAM 5089(7), U. S. Highway 71 - Garland Avenue (State Highway 112 Spur, Section 0S), Washington County; and

- 8 -
(Continued)

March 29, 2000

2000-067 - Continued

WHEREAS, the District Engineer has determined that any interest the Commission may have in the dedicated street right of way is not needed now or in the foreseeable future for highway purposes; and

WHEREAS, the area to be released should be, and is, more particularly described as follows:

All that part of Dedicated Wedington Avenue lying Northeast of Lots 1, Block 2, Sunset Hills Addition to the City of Fayetteville, lying in the Southeast Quarter of the Northeast Quarter of Section 8, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Beginning at the most Easterly Corner of Lot 1, Block 2, Sunset Hills Addition to the City of Fayetteville, said point being at the intersection of the existing Southerly right of way line of Wedington Avenue and the Northerly right of way of Vista Drive; thence North $44^{\circ} 56' 37''$ West along the existing right of way line of Wedington Avenue a distance of 79.86 feet to a point; thence in a Northwesterly direction along said existing right of way line on a curve to the left having a radius of 960.29 feet a distance of 81.91 feet to a point on the proposed Southeasterly right of way line of State Highway 112 Spur; thence North $45^{\circ} 00' 58''$ East along said proposed right of way line a distance of 30.00 feet to a point; thence South $46^{\circ} 19' 20''$ East along said proposed right of way line a distance of 180.55 feet to a point; thence in a Southeasterly direction along said proposed right of way line on a curve to the left having a radius of 534.64 feet a distance of 19.42 feet to a point; thence North $84^{\circ} 30' 30''$ West along said proposed right of way line a distance of 49.57 feet to the point of beginning and containing 0.12 acres more or less or 5,273 square feet more or less.

WHEREAS, the Commission, by Minute Order 99-061, previously authorized and directed the Chairman of the Commission to

execute a quitclaim deed to the City of Fayetteville for nominal consideration in order to convey and release the interest of the Commission in said lands, if any; which was done; and

WHEREAS, it is necessary to correct in the previously executed quitclaim deed the legal description of the lands conveyed and released to conform to the legal description set forth herein;

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(Continued)

March 29, 2000

2000-067 - Continued

NOW THEREFORE, BE IT RESOLVED that the Chairman of the Commission is authorized and directed to execute a corrected quitclaim deed to the City of Fayetteville in order to release the interest of the Commission, if any. A copy of the quitclaim deed and this Minute Order are to be filed in the Circuit Records Office for Washington County and the right of way is to be remonumented. Any Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-068

WHEREAS, IN BOONE COUNTY, Job 009947 is under contract for major reconstruction of Highway 62, Section 6, near Alpena; and

WHEREAS, the work includes the relocation of a segment of Highway 62 and a new connection to the relocated of Highway 62.

NOW THEREFORE, upon completion of Job 009947 the following changes to the State Highway System, as shown on the attached sketch, are hereby ordered:

1. The official route of Highway 62, Section 6, shall be in accordance with the alignment as constructed by Job 009947.
2. A portion of the old location of Highway 62, Section 6, shall be redesignated as part of Highway 392, Section 1.
3. The new connection constructed by Job 009947 shall be added to the State Highway System as part of Highway 392, Section 1.

4. Two segments of the old location of Highway 62, Section 6, shall be declared no longer a part of the State Highway System.

2000-069 WHEREAS, IN FAULKNER COUNTY, Job R80065 is under contract for the relocation of a segment of Highway 65, Section 9.

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(Continued)

March 29, 2000

2000-069 - Continued

NOW THEREFORE, IT IS ORDERED that upon completion of Job R80065 the following changes to the State Highway System, as shown on the attached sketch, shall become effective upon notification by the Chief Engineer:

1. The official route of Highway 65, Section 9, shall be in accordance with the alignment as constructed by Job R80065.
2. In accordance with the Supreme Court Decision, the old location of Highway 65, Section 9, shall be removed from the State Highway System.

2000-070 WHEREAS, IN MISSISSIPPI COUNTY at the intersection of Highway 137 and County Roads 97 and 99/430 improvements are needed to enhance safety and operations.

NOW THEREFORE, the Director is authorized to make appropriate intersection modifications to accommodate traffic.

FURTHER, acquisition of the necessary rights-of-way and the relocations of utilities will be the responsibility of others.

2000-071 WHEREAS, by Minute Order 99-161, the Director was authorized to enter into any necessary contracts and agreements to conduct a study of freeway needs in the Central Arkansas Regional Transportation Study (CARTS) Area; and

WHEREAS, at Metroplan's request, the Department has included an evaluation of the existing and proposed Arkansas River bridges connecting the downtown areas of Little Rock and North Little Rock as Phase 1 in this study's scope of work; and

WHEREAS, the Metroplan Board of Directors has approved the expenditure of up to \$100,000 in STP-Attributable funds for the purpose of funding Phase 1 of this study.

March 29, 2000

2000-071 - Continued

NOW THEREFORE, the Director is authorized to enter into necessary agreements with Metroplan for the use of these funds.

2000-072

WHEREAS, it has been determined that the hazards at the below listed proposed railroad crossings warrant installing active warning devices and concrete surfaces.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
St. Francis	S. of Forrest City	Hwy. 1 Bypass	Union Pacific	Install Flashing Signals with Gates and Concrete Surface
St. Francis	N. of Forrest City	Hwy. 1 Bypass	Union Pacific	Install Flashing Signals with Gates and Concrete Surface

2000-073

WHEREAS, National Bridge Inspection Standards require the bridges shown to be inspected below the water surface; and

WHEREAS, underwater bridge inspection requires the experienced services of qualified professional engineers and divers; and

WHEREAS, the AHTD does not have the capability of performing this type of inspection.

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(Continued)

March 29, 2000

2000-073 - Continued

NOW THEREFORE, the Director is authorized to request Proposals from prospective engineering firms and proceed with the implementation of a project to inspect the underwater portion of these bridges as funds become available.

BRIDGE NO.	RTE./SEC./L.M.	DISTRICT	LOCATION
A3625	40/51/245	1	ST. FRANCIS RIVER
B3625	40/51/245	1	ST. FRANCIS RIVER
5211	79/10/4.51	2	ARK RIVER PINE BLUFF
5176	64/1/4.54	4	ARK RIVER FORT SMITH
5320	430/21/9.87	6	ARK RIVER 430
5292	5/10/0.0	6	ARK RIVER MAIN ST
2768	30/23/140	6	ARK RIVER I-30
6429	270/5/13.5	6	LAKE HAMILTON
5872	70/8/14.3	6	LAKE HAMILTON
3713	40/42/199.48	6	WHITE RIVER I-40
6178	7/9/4.02	6	LAKE HAMILTON
3636	12/3/6.19	9	BEAVER LAKE
4686	63585//1.63	9	LEATHERWOOD CK
17353	CR70/C/1.00	9	BLUE SPRINGS PK.RD./LAKE BEAVER

2000-074

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **March 29, 2000** letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110351	01	CROSS	MAGOT SLOUGH-EAST (PASSING LANES) (S)	64
110368	01	CROSS	WOLF PEN SLOUGH-CHERRY VALLEY (OVERLAY) (S)	42
110369	01	WOODRUFF	HWY. 33-HWY. 64 (OVERLAY) (S)	33C

110370	01	MONROE	HWY. 49-HWY. 17 (OVERLAY) (S)	70 & 49
110373	01	PHILLIPS	WALNUT CORNER-LEE CO. LINE (S)	1
R20155	02	JEFFERSON	BLACK BAYOU STR. & APPRS. (S)	15
020269	02	DREW	ASHLEY CO. LINE-NORTH (OVERLAY) (S)	425
020273	02	LINCOLN	MILL CREEK & WAGON BAYOU STR. & APPRS. (S)	11
020300	02	JEFFERSON	CLEVELAND CO. LINE-NORTH (OVERLAY) (S)	79
030101	03	MILLER	I-30-HWY. 296 (JEFFERSON AVE.) (TEXARKANA) (S)	- - -

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(Continued)

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2000-074 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030209	03	MILLER	NIX CREEK STR. & APPRS. (TEXARKANA) (S)	- - -
030223	03	LAFAYETTE	HWY. 360-NORTH (OVERLAY) (S)	29
030224	03	HOWARD	SEVIER CO. LINE-HWY. 278 NORTH (OVERLAY) (S)	70
030225	03	MILLER	BOGGY CREEK-NORTH (OVERLAY) (S)	71
040305	04	WASHINGTON	HWY. 412/J.O. KELLY DR. SIG. (SPRINGDALE) (S)	412
040316	04	WASHINGTON	ACCESS DRIVES RECONST. (U OF A) (PHASE VIII) (S)	873
040320	04	POLK	GRANNIS-NORTH & SOUTH (OVERLAY) (S)	71
040321	04	SEBASTIAN & FRANKLIN	HWY. 255-EAST (OVERLAY) (S)	22
040323	04	CRAWFORD	HWY. 162-NORTH (OVERLAY) (S)	59
050084	05	SHARP	HWY. 58E-LAWRENCE CO. LINE (OVERLAY) (S)	63
050085	05	STONE	SEARCY CO. LINE-NEWNATA (OVERLAY) (S)	66
050086	05	SHARP	STRAWBERRY RIVER-ASH FLAT (SEL. SECS.) (OVERLAY) (S)	167
060881	06	SALINE	MILLER COVE RD. & BEVERLY DR. INTERS. IMPVTS. (BENTON) (S)	5
060939	06	PULASKI	HWY. 10 OVERPASS REPAIR (GILL ST.) (LR) (S)	10
060958	06	PULASKI	SKYLINE DR.-McCAIN BLVD. (N.L.R.) (OVERLAY) (S)	107
060959	06	GARLAND	SUMMER ST.-LEAD ST. (HOT SPRINGS) (OVERLAY) (S)	70 & 270B

060960	06	HOT SPRING	FOURCHE A'LOUPE CREEK-SOUTH (OVERLAY) (S)	7
060961	06	PULASKI	FAULKNER CO. LINE-HWY. 100 (OVERLAY) (S)	365
070158	07	UNION	HWY. 167B/OAK, MAIN & CEDAR STS. SIGS. (EL DORADO) (S)	167B
070183	07	BRADLEY	VICK-JOHNSVILLE (OVERLAY) (S)	160
070184	07	CALHOUN	HWY. 172-HAMPTON (OVERLAY) (S)	167
070186	07	OUACHITA	COLUMBIA CO. LINE-NORTH (OVERLAY) (S)	79

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(Continued)

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2000-074 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
080140	08	YELL	HWY. 10-SOUTH (DANVILLE) (S)	27
080179	08	CONWAY	POPE CO. LINE-MORRILTON (OVERLAY) (S)	64
080180	08	VAN BUREN	CLINTON-NORTH (OVERLAY) (S)	65
090084	09	BENTON	CENTERTON-EAST & WEST (OVERLAY) (S)	102
090085	09	SEARCY	MARSHALL-NORTH & SOUTH (OVERLAY) (S)	65
090086	09	BENTON	HWY. 71B-HWY. 62 (OVERLAY) (S)	94
100379	10	CRAIGHEAD	HIGGINBOTTOM CREEK STR. & APPRS. (JONESBORO) (S)	1B
100498	10	CRAIGHEAD	HWY. 163-HWY. 63 (OVERLAY) (S)	1
100499	10	MISSISSIPPI	HWY. 61 & HWY. 140 (OSCEOLA) (SEL. SECS.) (OVERLAY) (S)	61 & 140
100500	10	MISSISSIPPI	BLYTHEVILLE-MISSOURI ST. LINE (OVERLAY) (S)	61
100502	10	LAWRENCE	HWY. 62 & HWY. 63 (IMBODEN) (SEL. SECS.) (OVERLAY) (S)	62 & 63
SA5925	06	PRAIRIE	CO. RD. 10-HWY. 11 (BASE NO. 2) (S)	---
SA6628	03	SEVIER	SEVIER COUNTY RESEAL NO. 10 (S)	---
FA7511	08	YELL	EAST CEDAR CREEK-SOUTHWEST (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

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(Continued)

March 29, 2000

2000-074 - Continued

WHEREAS, in accordance with Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved and Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the engineering consulting firms listed on the attached page for engineering and design work on the noted projects being considered for the second year of the Interstate Rehabilitation Program.

MOTION

Vice Chairman John "M" Lipton moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to accept the Staff's recommendation to appropriately advertise the attached Interstate Rehabilitation Program jobs for inclusion in the May, 2000, and June, 2000, bid openings.

2000-075

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., March 29, 2000.

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(Continued)

March 29, 2000

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 30, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 30, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-076 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., March 30, 2000.

MOTION Vice Chairman John Lipton moved and Commissioner Prissy Hickerson seconded the following motion:

The Arkansas Highway Commission wishes to go on record as strongly opposing any reduction in the federal motor fuels tax and to immediately convey this action to members of the Arkansas Congressional delegation and the Governor's office.

The motion passed unanimously.

2000-077 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., March 30, 2000.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on March 7, March 29, and March 30, 2000.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 17, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 17, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-078 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., May 17, 2000.

2000-079 WHEREAS, the Purchasing Committee has awarded purchases on March 22, 2000; April 4, 6, 12 and 21, 2000, and May 1 and 5, 2000, in the amounts \$108,898.00, \$110,905.25, \$102,595.00, \$616,678.80, \$408,612.60, \$77,656.00, and \$631,168.20, respectively, totaling \$2,056,513.85, 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 in making the awards be ratified and confirmed in all particulars.

2000-080 WHEREAS, the National Association of Governor's Highway Safety Representatives (NAGHSR) has billed the Arkansas State Highway and Transportation Department for the departmental membership dues in the amount of \$4,880 for the period from July 1, 2000 to June 30, 2001; and

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

2000-080 - Continued

NOW THEREFORE, the Director is authorized to pay NAGHSR membership dues in the amount of \$4,880 for the period from July 1, 2000 to June 30, 2001.

2000-081

WHEREAS, the mission of the Intelligent Transportation Society of America (ITS America) is to foster public/private partnerships to increase the safety and efficiency of surface transportation through the application of advanced technologies; and

WHEREAS, the successful deployment of intelligent transportation systems – comprised of a number of technologies, including information processing, communications, control, and electronics – will enable people and goods to move more safely and efficiently through a state-of-the-art, intermodal transportation system; and

WHEREAS, the Arkansas State Highway and Transportation Department benefits from its membership in ITS America through the receipt of valuable technical and management information regarding the development and deployment of intelligent transportation systems in the United States.

NOW THEREFORE, the Director is authorized to renew the Department's membership with ITS America.

2000-082

WHEREAS, there is a need for substructure design software to implement the LRFD Bridge Design Specification adopted by AASHTO; and

WHEREAS, the Department is currently a participating member in AASHTO's Opus superstructure design system; and

WHEREAS, this substructure software will complement the Opus superstructure design system.

NOW THEREFORE, the Director is authorized to participate in the new software development project entitled "Opus—AASHTOWare LRFD Bridge Substructure Design System" and to commit to making payments of \$30,000 per year for five years.

2000-083

WHEREAS, a new Materials Division Testing Laboratory, now under construction at the junction of Sibley Hole Road and Baseline Road in Little Rock, is scheduled for completion in February 2001; and

WHEREAS, the majority of the testing equipment in the existing Materials Division Testing Laboratory has been in use since 1964 and part of it is obsolete, inadequate, and in many cases, irreparable; and

WHEREAS, the maintenance and calibration of laboratory testing equipment is a mandatory requirement to maintain the American Association of State Highway and Transportation Officials (AASHTO) laboratory accreditation necessary for material acceptance on federally funded construction projects.

NOW THEREFORE, the Director is authorized to purchase replacement testing equipment necessary to maintain accreditation for the new Materials Division Testing Laboratory and essential furnishings.

2000-084

WHEREAS, the Department, in cooperation with the University of Arkansas System's Criminal Justice Institute (CJI), submitted an application to the National Highway Traffic Safety Administration (NHTSA) for funds to implement an innovative grant program to support increased seat belt use rates under Section 157 of Title 23, United States Code; and

WHEREAS, the application included funding for CJI to hire a law enforcement liaison to work with law enforcement agencies regarding traffic safety, to subcontract with local law enforcement agencies for selective traffic enforcement projects, and to hire a child passenger safety coordinator to conduct child passenger safety training; and

WHEREAS, NHTSA has provided \$237,000 to the Department for this program.

NOW THEREFORE, the Director is authorized to enter into a contract with the Criminal Justice Institute to implement this new grant program to support increased seat belt use rates.

2000-085

WHEREAS, the Federal Highway Administration has requested the Department's participation in a pooled-fund study of the High Speed Electromagnetic Roadway Mapping and Evaluation System

May 17, 2000

2000-085 - Continued

(HERMES II) to develop the next generation of ground penetrating radar for the evaluation of concrete bridge decks; and

WHEREAS, the effective condition assessment of bridge decks is an important and continuing concern to the Arkansas State Highway and Transportation Department; and

WHEREAS, by participating in the pooled-fund study, the Department will have input in the specifications and development of ground-penetrating radar providing a non-destructive method of assessing the condition of bridge.

NOW THEREFORE, the Director is authorized to participate in the High-Speed Electromagnetic Roadway Mapping and Evaluation System (HERMES II) pooled-fund study.

2000-086

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

NOW THEREFORE, the Director is authorized to proceed with the finalization, submission to the Federal Highway Administration, and implementation of the *SPR Work Program and Cost Estimate* for Fiscal Year 2001 and enter into any necessary contracts and agreements.

2000-087

WHEREAS, the Commission acquired property known as Tracts 1 and 3 from Thomas O. Shepherd, an unmarried person, for Job 070119, FAP No. STPH-0010(18), Highway 51 Grade Modification (U.P.R.R. Near Arkadelphia), by warranty deed filed of record in the Circuit Recorder's Office of Clark County on December 12, 1997, at 97-8213; and also acquired permanent construction easements on Tracts 1E and 3E from Thomas O. Shepherd, an unmarried person, on the same job by conveyances recorded on August 4, 1998, at 98-2683 and 98-2684, respectively; and

2000-087 - Continued

WHEREAS, Tracts 1 and 3 were acquired for \$1,550.00 and Tracts 1E and 3E were acquired for \$500; and

WHEREAS, Clark County, Arkansas, has requested to repurchase part of Tracts 1 and 3, as well as any interest the Commission may have in Tracts 1E and 3E; Thomas O. Shepherd has assigned his rights to reacquire Tracts 1, 1E, 3, and 3E to Clark County, Arkansas, and the District Engineer has determined that the portions of the tracts described below are no longer needed for highway purposes, being more particularly described as follows:

PART OF TRACT 1:

Part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 7 South, Range 19 West, Clark County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 16; thence South 02° 53' 33" West along the West line thereof a distance of 239.853 meters to a point on the existing Southerly right of way line of State Highway 51; thence South 71° 04' 10" East along said existing right of way line a distance of 19.816 meters to a point; thence South 77° 56' 03" East along said existing right of way line a distance of 22.959 meters to a point; thence South 66° 55' 36" East along said existing right of way line a distance of 30.770 meters to a point on the proposed Southerly right of way line of State Highway 51 for the point of beginning; thence North 83° 56' 17" East along said proposed right of way line a distance of 11.123 meters to a point; thence South 47° 08' 26" East along said proposed right of way line a distance of 14.906 meters to a point; thence South 51° 39' 35" West a distance of 8.960 meters to a point on the existing Southerly right of way line of State Highway 51; thence North 45° 51' 01" West along said existing right of way line a distance of 20.850 meters to the point of beginning and containing 0.016 hectare or 155 square meters more or less.

TRACT 1E
(PERMANENT CONSTRUCTION EASEMENT):

2000-087 - Continued

Part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 7 South, Range 19 West, Clark County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 16; thence South $02^{\circ} 53' 33''$ West along the West line thereof a distance of 239.852 meters to a point on the existing Southerly right of way line of State Highway 51; thence South $71^{\circ} 04' 10''$ East along said existing right of way line a distance of 19.816 meters to a point; thence South $77^{\circ} 56' 03''$ East along said existing right of way line a distance of 22.959 meters to a point; thence South $66^{\circ} 55' 36''$ East along said existing right of way line a distance of 30.770 meters for the point of beginning; thence South $45^{\circ} 51' 01''$ East a distance of 20.850 meters to a point on the existing Westerly right of way line of the Union Pacific Railroad; thence South $51^{\circ} 39' 35''$ West along said existing right of way line a distance of 6.350 meters to a point; thence North $28^{\circ} 23' 40''$ West a distance of 20.986 meters to the point of beginning and containing 0.007 hectare more or less.

PART OF TRACT 3:

Part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 7 South, Range 19 West, Clark County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 16; thence South $02^{\circ} 53' 33''$ West along the West line thereof a distance of 239.853 meters to a point on the existing Southerly right of way line of State Highway 51; thence South $71^{\circ} 04' 10''$ East along said existing right of way line a distance of 19.816 meters to a point; thence South $77^{\circ} 56' 03''$ East along said existing right of way line a distance of 22.959 meters to a point; thence South $66^{\circ} 55' 36''$ East along said existing right of way line a distance of 30.770 meters to a point; thence North $45^{\circ} 51' 01''$ West along said existing right of way line a distance of 34.659 meters to a point; thence North $38^{\circ} 21' 31''$ West along said existing right of way line a distance of 6.711 meters to a point; thence North $46^{\circ} 04' 17''$ West along said existing right of way line a distance of 9.726 meters for the point of beginning; thence North $51^{\circ} 28' 01''$ East a distance of 7.677 meters to a point; thence North $53^{\circ} 13' 11''$ East a distance of 0.451 meters to a point on the proposed Westerly right of way line of State Highway 51;

2000-087 - Continued

thence South 39° 47' 49" East along said proposed right of way line a distance of 12.249 meters to a point; thence South 43° 59' 08" East along said proposed right of way line a distance of 72.993 meters to a point on the existing right of way line of State Highway 51; thence North 50° 31' 09" West along said existing right of way line a distance of 52.357 meters to a point; thence North 46° 04' 17" West along said existing right of way line a distance of 34.000 meters to the point of beginning and containing 0.038 hectare or 381 square meters more or less.

TRACT 3E
(PERMANENT CONSTRUCTION EASEMENT):

Part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 7 South, Range 19 West, Clark County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 16; thence South 02° 53' 33" West along the West line thereof a distance of 239.852 meters to a point on the existing Southerly right of way line of State Highway 51; thence South 71° 04' 10" East along said existing right of way line a distance of 19.816 meters to a point; thence South 77° 56' 03" East along said existing right of way line a distance of 22.959 meters to a point; thence South 66° 55' 36" East along said existing right of way line a distance of 30.770 meters to a point; thence South 45° 51' 01" East along said existing right of way line a distance of 34.659 meters to a point; thence South 38° 28' 31" East along said existing right of way line a distance of 6.711 meters to a point; thence South 46° 04' 17" East along said existing right of way line a distance of 9.726 meters to a point on the existing Easterly right of way line of Union Pacific Railroad for the point of beginning; thence South 46° 04' 17" East along the Southerly existing right of way line of State Highway 51 a distance of 34.000 meters to a point; thence South 50° 31' 09" East along said existing right of way line a distance of 47.547 meters to a point; thence North 74° 19' 37" West a distance of 41.262 meters to a point; thence North 56° 05' 49" West a distance of 22.674 meters to a point; thence North 19° 56' 36" West a distance of 26.571 meters to a point on the existing Easterly right of way line of the Union Pacific Railroad; thence North 51° 50' 27" East along said existing right of way line a distance of 8.170 meters to the point of beginning and containing 0.103 hectare more or less.

May 17, 2000

2000-087 - Continued

WHEREAS, three qualified appraisers have determined that the current fair market value of the above-described portions of Tracts 1, 1E, 3, and 3E is \$150.00;

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; that the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the Commission's interest in such to Clark County, Arkansas, for the consideration of \$150.00; and, if necessary, that the right of way shall be remonumented. It is further directed that any Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-088

WHEREAS, the Commission acquired property known as Tract 17R from W. L. Farr and Dorothy Farr, Husband and Wife; for Job 11628-1, FAP No. I-40-5 (19) 266, Shearville – Lehi, on or about December 15, 1964, by warranty deed filed of record in the Circuit Recorder's Office of Crittenden County at Book 379, Page 447; and

WHEREAS, Tract 17R was acquired for \$5,430.00; and

WHEREAS, Champ Udell and Fannie Udell, Husband and Wife, have asked to repurchase Tract 17R, excepting abutters' and access rights to Interstate 40; W. L. Farr is deceased and Dorothy Farr has assigned their rights to reacquire Tract 17R to Champ Udell and Fannie Udell, Husband and Wife; and, the District Engineer has determined that Tract 17R, being more particularly described as follows, is no longer needed for highway purposes:

TRACT 17R:

Being all that part of the East Half of the Southwest Quarter of Section 10, Township 6 North, Range 7 East, lying North of existing U. S. Highway 70 and South of proposed Interstate Highway I-40, Crittenden County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the East Half of the Southwest Quarter of Section 10; thence North 01° 08' East along the East line of the East Half of the Southwest Quarter for a distance of 65.1 feet to a point on the northerly proposed right of way line of U. S. Highway 70; thence North 88°

May 17, 2000

2000-088 - Continued

39' West along said proposed right of way line a distance of 1326.0 feet to a point on the West line of the East Half of the Southwest Quarter of Section 10; thence North 01° 28' East along said line a distance of 176.9 feet to a point on the southerly proposed right of way line of Interstate Highway I-40; thence South 85° 56' East along said proposed right of way line a distance of 515.7 feet to a point; thence South 84° 47' East along said proposed right of way line a distance of 500.1 feet to a point; thence South 85° 56' East along said proposed right of way line a distance of 311.5 feet to a point on the East line of said East Half of the Southwest Quarter; thence South 01° 08' West along the said East land line a distance of 104.0 feet to a point on the northerly proposed right of way line of U. S. Highway 70 and the point of beginning and containing 4.3 acres \pm more or less.

R: pm\winword\surplus\ld11628-1

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting any abutters' and access rights to and from Interstate 40, is declared surplus; the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying said property, excepting the control of access, to Champ Udell and Fannie Udell, Husband and Wife, upon receipt of the consideration of \$5,430.00; a copy of the deed and this Minute Order shall be recorded in the County Records of Crittenden County, Arkansas; and, if necessary, the right of way shall be remonumented. It is further directed that any Federal-Aid funds from this disposal shall be credited to Federal funds.

2000-089

WHEREAS, the Commission acquired right of way for Job 60455, FAP BRN-0030(8), State Highway 84 (commonly known as the Derouche Bayou Structure and Approaches), by Hot Spring County Court Order dated May 1, 1998, recorded at Book 16, Page 264, and revised by Hot Spring County Court Order dated August 21, 1998, recorded at Book 16, Page 358; and

WHEREAS, the District Engineer has determined that the area outside the proposed right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits more particularly described as follows:

2000-089 - Continued

From Designated Survey Centerline Station 29+80.00 to Centerline Station 33+58.49, the originally executed Court Order for Job 60455, dated May 1, 1998, recorded at Book 16, Page 264, and revised by Hot Spring County Court Order dated August 21, 1998, recorded at Book 16, Page 358, shall hereby be revised as follows:

The width of the right of way to the left and right of the described Centerline shall be:

FROM STATION	TO STATION	METERS	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
29+ 80.0	30+00.0	20.0m	Var. 12.192m-14m	EX. R/W	Var.
30+00.0	30+28.36	28.36m	14m	EX. R/W	Var.
30+28.36	32+06.763	178.403m	14m	EX. R/W	Var.
32+06.763	32+10.00	3.237m	14m	EX. R/W	Var.
32+10.00	32+20.00	10.00m	Var. 14m-20m	EX. R/W	Var.
32+20.00	32+50.00	30.00m	20m	EX. R/W	Var.
32+50.00	32+80.00	30.00m	Var. 20m-14m	EX. R/W	Var.
32+80.00	33+40.00	60.00m	14m	EX. R/W	Var.
33+40.00	33+58.49	18.49m	Var. 14m-12.192m	EX. R/W	Var.

Note: In all other respects the Court Order shall remain the same.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this minute order with the Recorder of Hot Spring County; and that the right of way shall be remonumented to reflect the new boundaries designated herein.

2000-090

WHEREAS, the Commission acquired right of way for Job 1160, HRW-AR 6582, more commonly known as the Truman – Bay Road, currently State Highway 463 (formerly State Highway 63), by Poinsett County Court Order dated May 20, 1937, which is recorded at Poinsett County Court Record 71, Page 160, and as amended and revised by

2000-090 - Continued

Commission Minute Order 81-155, which is recorded at Miscellaneous Record 29, Page 78, of the Poinsett County Records; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

From Designated Survey **Centerline Station 110+50.00 to Centerline Station 111+01.02** the originally executed Court Order for **Job 1160** dated May 20, 1937, and being recorded in the County Court Records of Poinsett County, AR, in Record "71" at page 160 and subsequently revised by Minute Order No. 81-155, dated July 22, 1981, and being recorded in the County Court Records of Poinsett County, AR, in Miscellaneous Record "28" at page 782, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the herein described Centerline shall be as follows:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
110+50.00	111+01.02	51.02'	50.0'	40.0'	90.0'

Note: In all other respects the original Court Order shall remain as is.

DT/dh
02-18-00

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this minute order with the Recorder of Poinsett County; and that the right of way shall be remonumented to reflect the new boundaries designated herein.

2000-091

WHEREAS, the Commission acquired property known as Tract 36 from Richard Brittingham and Willie May Brittingham, Husband and Wife; for Job 6612, FAP: IN-30-2(6)127, Saline County Line – Little Rock (Interstate 30 – Additional Lanes), on or about October 10, 1955, by warranty deed filed of record in the Circuit Recorder’s Office of Pulaski County at Book 584, Page 507; and

WHEREAS, the J & J Family Partnership, has requested to repurchase part of the original Tract 36, excepting abutters’ and access rights to the main travel lanes of Interstate 30; Richard Brittingham and Willie May Brittingham have assigned their rights to reacquire the subject part of Tract 36 to J & J Family Partnership; and, the District Engineer has determined that the part of Tract 36 to be repurchased, being more particularly described as follows, is no longer needed for highway purposes:

PART OF TRACT 36:

Part of the Northwest Quarter of the Northeast Quarter of Section 3, Township 1 South, Range 13 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northwest Quarter of the Northeast Quarter of Section 3; thence North along the West Line of said Northwest Quarter of the Northeast Quarter a distance of 91.0 feet to a point on the Southerly existing right of way line of Interstate 30, said point being 130.0 feet and perpendicular to the centerline of Interstate 30 as shown on Job 6612; thence North 66° 04' East parallel to and 130.0 feet from said centerline and along said existing right of way line as describe in Deed Book 631 at Page 421 of the records of Pulaski County, Arkansas a distance of 523.0 feet to the West line of the parcel described in Deed Book 583 at Page 507 of the records of Pulaski County, Arkansas; thence South along said West line 22.0 feet to the Southwest Corner of said parcel, said point being on the existing Southerly right of way line of Interstate 30; thence North 66° 04' East along said existing right of way line and the South line of said parcel 75.0 feet; thence North along the East line of said parcel 22.0 feet to a point on the proposed Southerly right of way line of Interstate 30 that is 130.0 feet from and perpendicular to the centerline of Interstate 30; thence South 66° 04' West along said proposed right of way line, parallel to and 130 feet from said centerline 75.0 feet to the point of beginning and containing 1,508 square feet more or less.

2000-091 - Continued

WHEREAS, three qualified appraisers have determined that the current fair market value of the above-described part of Tract 36 is \$150.00;

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting abutters' and access rights to the main travel lanes of Interstate 30, is declared surplus; the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying said property, excepting the control of access, to J & J Family Partnership, for the consideration of \$150.00; and, if necessary, the right of way shall be remonumented. It is further directed that any Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-092

WHEREAS, the Commission acquired right of way for Job 8458, FAP No. S-293-3, more commonly known as the Highway 7 Relocation (Dardanelle), Yell County, Route 7 Section 13, by Yell County Court Order dated December 15, 1960, which is recorded in the Yell County Court Records at Book O, Page 557; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

From Designated Survey **Centerline Station 0+00.00** to **Centerline Station 5+55.60** the originally executed Court Order for **Job 8458** dated December 15, 1960 and being recorded in the County Court Records of Yell County, AR, in Book "O" at page 557, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the herein above described Centerline shall be as follows.

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
0+00.00	1+55.00	55.00'	EX. R/W	40'-45'	VARIES
1+55.00	3+15.00	160.00'	EX. R/W	45'-45'	VARIES

2000-092 - Continued

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
3+15.00	4+55.00	140.00'	EX. R/W	45'-60'	VARIES
4+55.00	5+55.6	100.60'	EX. R/W	60'-45'	VARIES

Note: In all other respects the original Court Order shall remain as is.

DT/dh
8/25/09

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this minute order with the Recorder of Yell County; and that the right of way shall be remonumented to reflect the new boundaries designated herein.

2000-093

WHEREAS, IN WASHINGTON COUNTY, near Beaver Lake, Job 040235 is under contract for the reconstruction of approximately 3.42 miles of Highway 412, Section 2; and

WHEREAS, the scope of work includes minor relocations to improve route alignment and enhance travel safety.

NOW THEREFORE, upon completion of Job 040235 it is ordered that the following changes to the State Highway System be made:

1. The official route of Highway 412, Section 2, shall be in accordance with the alignment as constructed by Job 040235.
2. In accordance with the Supreme Court decision, the old locations of Highway 412, Section 2, shall be no longer a part of the State Highway System, all as shown on the attached sketch.

(Continued)

2000-094 WHEREAS, IN YELL COUNTY, the Area Maintenance Headquarters has been relocated and the property on Highway 830, Section 8, was disposed of by Minute Order 99-140; and

 WHEREAS, the highway no longer provides service as an Institutional Drive as designated by Minute Order 71-239.

 NOW THEREFORE, Highway 830, Section 8, as shown on the attached sketch, is hereby removed from the State Highway System.

2000-095 WHEREAS, IN BRADLEY COUNTY, on Highway 63, Section 16, from Highway 8 to Highway 63B in Warren, a distance of approximately 0.6 miles, widening of this highway will increase capacity and improve traffic flow along this facility.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2000-096 WHEREAS, IN CRAIGHEAD AND ST. FRANCIS COUNTIES, National Scenic Byway grant funds have been approved for the Jonesboro/Caraway Road Safety Enhancement project and the St. Francis County Museum Renovation project; and

 WHEREAS, Transportation and Community and System Preservation grant funds have also been approved for the Jonesboro/Caraway Road Safety Enhancement project.

 NOW THEREFORE, the Director is authorized to enter into agreements with the local sponsors for project implementation.

2000-097 WHEREAS, IN GARLAND COUNTY, Highway 227 is a two-lane facility between the Union Pacific Railroad and Mountain Pine; and

 WHEREAS, traffic volumes continue to increase on this route.

2000-097 - Continued

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

2000-098

WHEREAS, IN GREENE COUNTY at the intersection of Highway 49, Section 2, and Highway 412, Sections 8 and 9, the City of Paragould requested that a study be initiated to determine possible improvements for these two highways to enhance traffic movement; and

WHEREAS, the study determined that construction of right turn lanes and improvements to the turning radii are warranted to improve traffic flow at this intersection; and

WHEREAS, the City of Paragould has agreed to assist with the acquisition of right of way.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this intersection as funds become available.

2000-099

WHEREAS, the Transportation Equity Act for the 21st Century authorized funds to be appropriated for safety projects on sections of highways which have high accident rates; and

WHEREAS, based on a recent study which included an accident analysis, it has been determined that a project to widen Highway 69, Section 3 in Batesville to include a two-way, continuous, left turn lane from Highway 167 to Eagle Mountain Road is eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to widen this section of highway as funds become available. Furnishing of any right of way and adjustment of utilities will be in accordance with Highway Commission policy.

(Continued)

2000-100

WHEREAS, the City of North Little Rock has replaced a bridge and widened the roadway to provide for four traffic lanes on North Hills Boulevard just north of Interstate 40; and

WHEREAS, the City of North Little Rock plans to further improve North Hills Boulevard north of Interstate 40 to provide for four traffic lanes; and

WHEREAS, the portion of this street on Interstate 40 right-of-way was constructed by and is currently maintained by the Arkansas State Highway and Transportation Department; and

WHEREAS, in order to provide route continuity and improved traffic operations and to cooperate with the City of North Little Rock in its development of this route, the portion of North Hills Boulevard under Department jurisdiction should be improved.

NOW THEREFORE, the Director is authorized to widen the portion of North Hills Boulevard on Interstate 40 right-of-way and to coordinate such widening with the City of North Little Rock's improvement project as funds become available. The City of North Little Rock will be responsible for relocation of all utilities within the limits of the project.

2000-101

WHEREAS, the Transportation Equity Act for the 21st Century authorized funds to be appropriated for safety projects on sections of highways which have high accident rates; and

WHEREAS, based on a recent study which included an accident analysis, it has been determined that a project to improve the horizontal and vertical alignment on Highway 45 in Sebastian County from log mile 15.73 to 17.50, at Backbone Mountain, is eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a safety project to reconstruct and/or relocate this section of highway as funds become available. Furnishing of any right of way and adjustment of utilities will be in accordance with Highway Commission policy.

2000-102 WHEREAS, Minute Order 99-106 authorized the Department to conduct a study of a northeastern bypass of Stuttgart and a Highway 165 overpass of the Union Pacific Railroad main line; and

 WHEREAS, the proposed bypass and railroad overpass have been evaluated and recommendations have been made in the *Highway 165 Bypass and Railroad Overpass Feasibility Study*.

 NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area.

2000-103 WHEREAS, Minute Order 97-009 authorized the Department to conduct a study of long-term improvements to Highway 64 in Vilonia; and

 WHEREAS, the *Highway 64 Corridor Study: Vilonia, Arkansas* has been completed and recommends construction of a bypass around the City of Vilonia.

 NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with surveys, environmental studies, and plan development, as funds become available.

2000-104 WHEREAS, Minute Order 99-112 authorized the Director to undertake a study of Highway 49 from Brinkley to Helena; and

 WHEREAS, *The Delta Parkway Initiative Study - Highway 49 - Interstate 40 (Brinkley) to the Mississippi River* has been completed.

 NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements along Highway 49, and the Director is authorized to proceed with surveys and plan development for the recommended projects as funds become available.

2000-105 WHEREAS, Minute Order 98-198 authorized the Department to conduct a study of an interchange at the Interstate 40/Highway 326 overpass; and

2000-105 - Continued

WHEREAS, the proposed interchange has been evaluated and recommendations have been made in the *Interstate 40/Highway 326 Interchange Feasibility Study*.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with surveys and plan development as funds become available.

2000-106

WHEREAS, Minute Order 97-143 authorized the Department to conduct a study of a southeastern bypass of Russellville; and

WHEREAS, the proposed bypass has been evaluated and recommendations have been made in the *Russellville Bypass Study*.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with surveys and plan development as funds become available.

2000-107

WHEREAS, the sewage at the Gurdon Rest Areas located on Interstate 30 in Clark County is treated by Extended Aeration Sewage Treatment Package Plants; and

WHEREAS, the effluents from these plants are tested to assure compliance with requirements as set forth and regulated by the United States Environmental Protection Agency (USEPA) and the Arkansas Department of Environmental Quality (ADEQ); and

WHEREAS, these plants have surpassed their design life and can not properly handle the present hydraulic loads placed upon them; and

WHEREAS, the effluents from these plants have consistently not been able to meet Discharge Monitoring Requirements as established and enforced by ADEQ; and

2000-107 - Continued

WHEREAS, it has been determined, in order to meet the aforementioned requirements, that these existing plants need to be replaced with new Sewage Treatment Facilities complete with Tertiary Treatment;

NOW THEREFORE, the Director is authorized to complete the work required to remove and replace the sewage treatment plants and related items at the Gurdon Rest Areas.

Work to be done by contract as a Building Project.

2000-108

WHEREAS, bridge inspection in District 3 has revealed severe loss of paint on sixteen bridge structures as shown below; and

WHEREAS, the bridges need to be cleaned and painted to prevent structural loss due to rust.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to clean and paint these bridges as funds become available.

COUNTY	RTE./SEC./L.M.	BRIDGE NO.	NAME
HOWARD	84/1/5.18	05216	SALINE RIVER
PIKE	84/2/2.05	05294	LITTLE MO. RIVER
PIKE	84/2/5.09	05296	BLOCKER CREEK
PIKE	301/1/1.58	05291	PRAIRIE CREEK
SEVIER	70/1/3.69	02463	BEAR CREEK
SEVIER	24/0/3.36	05298	WEST FORK-ROLLING FORK
SEVIER	24/0/3.49	05299	EAST FORK-ROLLING FORK
SEVIER	24/0/4.43	05300	ROLLING FORK RIVER
SEVIER	24/1/7.15	03433	COSSATOT RIVER
SEVIER	71/5/4.12	01707	WINTERS CREEK
MILLER	245/1/3.89	A5631	U. S. 67 OVERPASS
MILLER	245/1/3.89	B5631	U. S.67 OVERPASS
MILLER	71/2/13.32	A0969	ABANDONED RR
MILLER	237/1/9.83	03752	SULPHUR RIVER
LAFAYETTE	29/1/7.98	02450	DOOLEY CREEK
LAFAYETTE	160/2/9.00	03749	BODCAW CREEK

2000-109

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **May 17**, 2000 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10100	01	ST. FRANCIS	GOODWIN-EAST (F)	40
B10108	01	CRITTENDEN	I-40-JERICHO (F)	55
110285	01	CRITTENDEN	WALKER STREET-8TH STREET (SOUTH LOOP-WEST MEMPHIS) (S)	---
110366	01	CRITTENDEN	I-40 W.B. WEIGH STATION (SEWER & WATER EXT.) (S)	I-40
110371	01	CROSS	HWY. 64-SOUTH (OVERLAY) (S)	1
002684	02	ASHLEY	HAMBURG-EAST (OVERLAY) (S)	82
020301	02	DREW	HWY. 83-SOUTH (OVERLAY) (S)	425
030226	03	HOWARD	SEVIER CO. LINE-MINERAL SPRINGS (OVERLAY) (S)	27
030227	03	HEMPSTEAD	HWY. 67-HWY. 278 (HOPE) (OVERLAY) (S)	29B, 29, & 32
B40100	04	CRAWFORD	OKLAHOMA STATE LINE-ARK. MO. R.R. OVERPASS (F)	40
040230	04	WASHINGTON	WHITE RIVER, RICHLAND & BRUSH CRKS. STRS. & APPRS. (S)	45
040322	04	LOGAN	PARIS-EAST (OVERLAY) (S)	22
040324	04	SEBASTIAN	HWY. 10-NORTH (OVERLAY) (S)	45
R50089	05	STONE	COVE PRONG CREEK-HWY. 14 (S)	5
050030	05	INDEPENDENCE	CO. RD. 6-HWY. 14S (S)	167
050049	05	WHITE	HWY. 310-SEARCY (OVERLAY) (S)	36
050081	05	WHITE	HWY. 36/ELM ST. & REMINGTON RD. SIGNALS (SEARCY) (S)	36
B60101	06	LONOKE	HWY. 31-CARLISLE (F)	40
R60015	06	PULASKI	I-40 EAST-HWY. 67 (BS. & SURF.) (F)	440
060871	06	GARLAND	HWY. 70/HWY. 270B & HWY. 7 INTERS. IMPRVTS. (HOT SPRINGS)(S)	7, 70 & 270B
060874	06	PULASKI	MARKHAM ST.-EAST 3RD ST. (SCOTT ST.-LR) (S)	---
060955	06	GARLAND & MONTGOMERY	DISTRICT 6 SEALING (SEL. SECS.) (PHASE II) (S)	227 & 8

2000-109 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
060962	06	LONOKE & PULASKI	HWY. 161-JOHN SHELTON RD. (OVERLAY) (S)	294
060963	06	LONOKE	BETTIS LANE-HWY. 38 (OVERLAY) (S)	31
060964	06	PRAIRIE & WOODRUFF	SANDHILL RD.-HWY. 33 (OVERLAY) (S)	38
B70101	07	CLARK	HWY. 53-GUM SPRINGS (F)	30
R70031	07	CALHOUN & OUACHITA	BEARDEN BYPASS ADD'L. LANES (S)	79
070185	07	DALLAS	PRINCETON-HWY. 48 (OVERLAY) (S)	9
070188	07	BRADLEY	BANKS-WARREN (STRUCTURES IMPVTS.) (S)	278
070189	07	BRADLEY, CALHOUN, CLEVELAND & DALLAS	DISTRICT 7 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VARIOUS
B80102	08	CONWAY	PLUMERVILLE-EAST (F)	40
R80102	08	CONWAY	HWY. 124-NORTH (OVERLAY) (S)	95
080181	08	JOHNSON	HWY. 64-HWY. 352 EAST (OVERLAY) (S)	164
080182	08	YELL	HWY. 22-ARKANSAS RIVER (OVERLAY) (S)	7
080183	08	POPE	SKYLINE DR.-HWY. 7 (RUSSELLVILLE) (OVERLAY) (S)	326
080188	08	POPE	HWY. 7-HWY. 64 (OVERLAY) (S)	7T
009917	09	MADISON	WAR EAGLE CREEK STR. & APPRS. (S)	23
090045	09	BAXTER & MARION	WHITE RIVER BRIDGE REPAIR (COTTER) (S)	62B
090075	09	MADISON	FORUM-HWY. 12 (OVERLAY) (S)	23
090087	09	BOONE	HARRISON-NORTH (OVERLAY) (S)	65
100501	10	RANDOLPH	IMBODEN-ELEVEN PT. RIVER (OVERLAY) (S)	62
100503	10	MISSISSIPPI	HWY. 119 WEST-NORTH (OVERLAY) (S)	61
001875	VAR	VARIOUS	I-530, HWY. 63 & HWY. 67 PLOWABLE PVMT. MARKERS (S)	530, 63 & 67

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA0538	09	BOONE	HWY. 65-WEST (OVERLAY) (S)	---
SA1231	05	CLEBURNE	HWY. 92-SOUTH (OVERLAY) (S)	---
SA1232	05	CLEBURNE	HWY. 92-SOUTH (RESEAL) (S)	---
SA1537	08	CONWAY	HWY. 95-EAST (ADD'L. BASE & SURF.) (S)	---
SA1643	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 16 (SEL. SEC.) (S)	---
SA2231	02	DREW	CO. RD. 273-NORTH (OVERLAY) (S)	---
SA2357	08	FAULKNER	FAULKNER CO. BASE & PRIME NO. 3 (SEL. SEC.) (S)	---
SA2643	06	GARLAND	GARLAND COUNTY OVERLAY NO. 7 (S)	---
SA3126	03	HOWARD	HOWARD COUNTY SURFACING NO. 4 (S)	---
SA3628	08	JOHNSON	JOHNSON COUNTY OVERLAY (S)	---
SA4125	03	LITTLE RIVER	HWY. 234-HWY. 41 (SURFACING) (S)	---
SA5841	08	POPE	HWY. 331-EAST (OVERLAY) (S)	---
SA5842	08	POPE	CO. RD. 51 (SURFACING) (S)	---
SA6124	10	RANDOLPH	RANDOLPH COUNTY OVERLAY NO. 3 (SEL. SEC.) (S)	---
SA6629	03	SEVIER	HWY. 41-CO. RD. 13 (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation;

- 23 -

(Continued)

May 17, 2000

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

2000-110

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:50 p.m., May 17, 2000.

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 May 17, 2000.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 27, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 27, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-111 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:30 p.m., June 27, 2000.

MOTION Commissioner Prissy Hickerson moved and Commissioner J. W. Benafield seconded and the motion passed unanimously to concur in the Staff's recommendation to submit an application for the Federal Highway Administration's Fiscal Year 2001 Borders and Corridors Program.

MOTION Commissioner J. W. Benafield moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to direct the Staff to advertise for an auction service to coordinate the AHTD Equipment Auction in late September or early October, 2000.

MOTION Vice Chairman John "M" Lipton moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the Staff's recommendation to begin negotiations with Peter's and Associates of Little Rock to conduct a statewide seat belt usage survey.

MOTION Commissioner Prissy Hickerson moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the

Staff's recommendation to begin negotiations with PB Farradyne, Inc., to develop a Statewide Intelligent Transportation System (ITS) Plan.

MOTION

Commissioner J. W. Benafield moved, Vice Chairman John “M” Lipton seconded and the motion passed unanimously to accept the Staff’s recommendation to begin negotiations with Louis Berger and Associates, Inc., to conduct a Central Arkansas Regional Transportation Study (CARTS) Freeway Study in the Little Rock metropolitan area.

2000-112

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:45 p.m., June 27, 2000.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 28, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 28, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-113 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., June 28, 2000.

2000-114 WHEREAS, the Purchasing Committee has awarded purchases on May 15, 19 and 26, 2000, and June 7 and 15, 2000, in the amounts \$349,392.20, \$19,185.00, \$72,357.00, \$336,437.60, and \$286,147.00, respectively, totaling \$1,063,518.80, 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 in making the awards be ratified and confirmed in all particulars.

2000-115 WHEREAS, the Department is constructing a building to support the various activities of the Materials Division; and

WHEREAS, telecommunications equipment is needed; and

WHEREAS, equipment is available to provide the features necessary to meet future needs;

2000-115 - Continued

NOW THEREFORE, the Director is authorized to proceed with acquiring the telecommunications equipment as funds become available.

2000-116 WHEREAS, many of the Operations of the Department are accomplished using electronic data and telecommunications; and

WHEREAS, a constant effort is made to improve and expand existing automated systems and to develop new systems based on proven technology; and

WHEREAS, to support these Department efforts additional hardware, software, network devices, storage media, training, and other integral products and services are necessary.

NOW THEREFORE, the Director is authorized to proceed with the purchase of the necessary equipment for this project as funds become available.

2000-117 WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, the Director is ordered to enter into the annual licensing agreement for the products.

2000-118 WHEREAS, the Arkansas State Highway Commission approved Minute Order 99-164 on August 11, 1999 authorizing the implementation of the Fiscal Year (FY) 2000 Arkansas Highway Safety Plan utilizing Title 23 United States Code Sections 402, 410 and 411 safety funds; and

WHEREAS, a revision to the FY 2000 Arkansas Highway Safety Plan is needed to include an additional child passenger safety training project; and

WHEREAS, Federal-aid safety funds are available to fund the additional project as listed below.

NOW THEREFORE, the revision to the FY 2000 Arkansas Highway Safety Plan is hereby approved and the Director is authorized to implement the revised Plan.

<u>Agency</u>	<u>Description</u>	<u>Current Contract Amount</u>	<u>Revised Contract Amount</u>
Arkansas Transit Association	Child Passenger Safety Training Project	\$0	\$10,000

WHEREAS, the Highway Safety Act of 1966 established a grant program to improve highway safety in the states; and

WHEREAS, Title 23, United States Code (U.S.C.), Section 402 requires that each State have a highway safety program designed to reduce traffic crashes, fatalities and injuries and Section 402 funds are provided for implementing this program; and

WHEREAS, the Department has received additional highway safety funds under Title 23, U.S.C., Sections 410, 411, 157 and 154 and Section 2003(b) of the Transportation Equity Act for the 21st Century to supplement the highway safety program; and

WHEREAS, the Department has prepared the Fiscal Year 2001 Highway Safety Plan (HSP) which identifies highway safety problems and recommends projects to effectively address these problems; and

WHEREAS, the Director of the Arkansas State Highway and Transportation Department has been designated as the Highway Safety Representative to carry out the functions of the highway safety program.

2000-119 - Continued

NOW THEREFORE, the Fiscal Year 2001 HSP is hereby approved and the Director is authorized to enter into the contracts to implement the plan.

2000-120

WHEREAS, Minute Order No. 97-166 authorized a project to allow a demonstration of the HELP, Inc/Pre-Pass System; and

WHEREAS, this system was installed at Arkansas State Highway and Transportation Department weight/inspection stations on Interstate 30 near Hope, on Interstate 40 near Alma, and on Interstate 40 near West Memphis; and

WHEREAS, favorable results have thus far been achieved using this system as evidenced by a reduction in commercial vehicle congestion at these sites; and

WHEREAS, the demonstration phase of the project is considered to have been completed:

NOW THEREFORE, the Director is authorized to enter into further agreements with HELP, Inc./Pre-Pass to make an operational system.

2000-121

WHEREAS, Act 1027, the Arkansas Highway Financing Act of 1999, provided for a report to the Governor setting forth the projects to be financed under the GARVEE Bonds; and

WHEREAS, the Highway Commission Chairman, by letter dated April 1, 1999, provided the initial report of Interstate Rehabilitation projects; and

WHEREAS, Section 4(b) of the Act allows the report of projects to be modified from time to time; and

WHEREAS, Interstates 530 and 540 have recently been designated and sections thereof may require rehabilitation.

2000-121 - Continued

NOW THEREFORE, the Director is authorized to modify the report to include the following projects and transmit the revised report to the Governor:

- Rehabilitate selected sections of Interstate 540 from Fayetteville to Bentonville in Washington and Benton Counties at an estimated cost of \$ 5 million.
- Rehabilitate selected sections of Interstate 530 from Little Rock to Pine Bluff in Pulaski, Saline, Grant and Jefferson Counties at an estimated cost of \$ 26 million.

2000-122

WHEREAS, the 78th General Assembly in Regular Session passed Act 169 of 1991 authorizing State Agencies to develop a Catastrophic Leave Bank program; and

WHEREAS, the Arkansas State Highway and Transportation Commission approved and adopted the program on June 5, 1991, by Minute Order 91-220, and adopted revisions to the program on June 3, 1992, by Minute Order 92-265, on July 17, 1996, by Minute Order 96-129, on May 21, 1998, by Minute Order 98-127, and on January 11, 2000 by Minute Order 2000-010; and

WHEREAS, a revision of the program has been completed and recommended for adoption;

NOW THEREFORE, the attached revised Catastrophic Leave Policy is hereby approved and adopted.

2000-123

WHEREAS, the Commission acquired right of way for Job 9225, FAP No. S-286(1), more commonly known as the Harrison – South Road (State Highway 7), Route 7, Section 16, by Boone County Court Order dated May 27, 1946, which is recorded in the Boone County Court Record at Book D, Page 240; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction

of the right of way to reflect the new right of way limits, which are more particularly described as follows:

The width of the right of way to the left and to the right of the herein above described Centerline shall be as follows:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
191+00.0	191+33.0	33.0'	40'	40'	80'
191+33.0	196+50.0	517.0'	Var.71.38'- 40'	40'	Var.111.38'- 40'

Note: In all other respect the original Court Order shall remain as is.

DT/dh

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this minute order with the Recorder of Boone County; and that the right of way shall be remonumented to reflect the new boundaries designated herein.

2000-124

WHEREAS, the Commission received right of way for Job 020139, NH-NHG-0021(12), Union Pacific R.R. Overpass-South C.L. McGehee, Route 65, Section 19, in Desha County, from the City of McGehee ("City"), said right of way having been dedicated as a public right of way before becoming part of the state highway system; and

WHEREAS, the District Engineer has determined that the following part of its right of way, being more particularly described as follows, is no longer needed for highway purposes:

WHEREAS, the property to be released is more accurately described as:

SURPLUS RIGHT OF WAY
(OLD HIGHWAY 65/OWL STREET):

A part of the West Half of the Fractional Northwest Quarter of Section 2, Township 13 South, Range 3 West and part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 12 South, Range 3 West, Desha County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southwest Quarter of the Southwest Quarter of Section 35; thence North 89° 42' 29" East along the South line thereof a distance of 104.41 feet to a point on the proposed Easterly right of way line of U. S. Highway 65 for the point of beginning; thence North 00° 33' 54" West along said proposed right of way line a distance of 58.83 feet to a point; thence North 02° 20' 22" West along said proposed right of way line a distance of 896.50 feet to a point; thence North 00° 43' 09" West along said proposed right of way line a distance of 315.06 feet to a point; thence North 66° 47' 54" East along said proposed right of way line a distance of 93.88 feet to a point on the existing Easterly right of way line of U. S. Highway 65; thence South 00° 38' 32" West along said existing right of way line a distance of 712.66 feet to a point; thence South 27° 24' 34" East along said existing right of way line a distance of 48.89 feet to a point; thence South 00° 27' 29" West along said existing right of way line a distance of 640.87 feet to a point; thence South 00° 27' 30" West along said existing right of way line a distance of 25.00 feet to a point; thence South 00° 54' 49" West along said existing right of way line a distance of 150.00 feet to a point on said proposed Easterly right of way line of U. S. Highway 65; thence North 88° 40' 45" West along said proposed right of way line a distance of 49.37 feet to a point; thence North 00° 33' 54" West along said proposed right of way line a distance of 264.11 feet to the point of beginning and containing 2.44 acres more or less.

WHEREAS, the City has requested that the Commission release its interest in the described surplus right of way to the City and the City has further agreed to accept conveyance of said surplus right of way; and

NOW THEREFORE, BE IT RESOLVED that: the above-described property is declared surplus; the Chairman of the Commission is authorized and directed to execute a quitclaim deed releasing and conveying any right, title, or interest the Commission may have in the property to the City of McGehee; a copy of the deed and this Minute Order

shall be recorded in the County Records of Desha County, Arkansas; and, if necessary, the right of way shall be remonumented. It is further directed that any Federal-Aid funds from this disposal shall be credited to Federal funds.

2000-125

WHEREAS, the Commission acquired property known as Tract 204 from the Arkansas State Hospital for Nervous Diseases; for Job 6861-2, FAP: I-430-2(74) 130, Markham Street – Arkansas River, by an action in eminent domain, Arkansas State Highway Comm'n v. Arkansas State Hospital for Nervous Diseases, No. 70193 (Pulaski Co. Cir. Ct. 1969), which was commenced on or about August 4, 1969, and concluded by Consent Judgment entered December 31, 1969; and

WHEREAS, the Commission acquired property known as Tract 205 from Fred Arnold, Jr. and Mary Arnold, husband and wife, for Job 6861-2, FAP: I-430-2(74) 130, Markham Street – Arkansas River, on or about December 29, 1970, by warranty deed filed of record in the Circuit Recorder's Office of Pulaski County at Book 1130, Page 131; and

WHEREAS, the Commission acquired property known as Tract 206 from the International Paper Co., a New York corporation; for Job 6861-2, FAP: I-430-2(74) 130, Markham Street – Arkansas River, on or about October 30, 1970, by warranty deed filed of record in the Circuit Recorder's Office of Pulaski County at Book 1124, Page 557; and

WHEREAS, the Immanuel Baptist Church, has requested to repurchase parts of the original Tracts 204, 205, and 206, excepting abutters' and access rights to the main travel lanes of Interstate 430; and

WHEREAS, the Arkansas State Hospital for Nervous Diseases has assigned its rights to reacquire the subject part of Tract 204 to the Immanuel Baptist Church; Fred Arnold, Jr. and Mary Arnold have assigned their rights to reacquire the subject part of Tract 205 to the Immanuel Baptist Church; and, Sustainable Forest, L.L.C., successor in interest to International Paper Co., has assigned its rights to reacquire the subject part of Tract 206 to the Immanuel Baptist Church; and

WHEREAS, the Immanuel Baptist Church, has further agreed to be exclusively and solely responsible for any and all costs associated with utility adjustments within the described area of Tracts 204, 205, and 206, and has further agreed to save and hold harmless the Arkansas State Highway Commission from any cost resulting from or related to the relocation or adjustment of any utility within the described area, specifically including any fiber optic cables located within the described area; and

WHEREAS, the District Engineer has determined that the parts of Tracts 204, 205, and 206 to be repurchased, being more particularly described as follows, are, subject to and contingent upon the approval of the Federal Highway Administration, no longer needed for highway purposes:

JOB 6861-2
PART OF TRACT 204

Part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 2 North, Range 13 West, Little Rock, Pulaski County, Arkansas, more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of the Southwest Quarter of Section 34; thence South $87^{\circ} 26' 43''$ East along the North line of said Southwest Quarter of the Southwest Quarter and the South line of Walnut Valley Addition 697.41 feet to a point on the West right of way line of Interstate Highway 430 and the point of beginning; thence continue along the North line of said Southwest Quarter of the Southwest Quarter South $87^{\circ} 26' 43''$ East 50.0 feet; thence South $01^{\circ} 59' 19''$ East 117.88 feet; thence North $89^{\circ} 33' 33''$ West 30.0 feet to a point on the West right of way line of Interstate Highway 430; thence North $11^{\circ} 20' 47''$ West along the West right of way line of said Highway 122.20 feet to the point of beginning, containing 4732 square feet or 0.1086 acres more or less.

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JOB 6861-2
PART OF TRACT 205

Part of the Northwest Quarter of the Southwest Quarter of Section 34, Township 2 North, Range 13 West, Little Rock, Pulaski County, Arkansas, more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 34; thence South $87^{\circ} 26' 43''$ East along the South line of said Northwest Quarter of the Southwest Quarter and the South line of Walnut Valley Addition 697.41 feet to a point on the West right of way line of Interstate Highway 430 and the point of beginning; thence North $02^{\circ} 33' 54''$ East along the West right of way line of said highway 328.23 feet; thence South $87^{\circ} 35' 28''$ East 50.0 feet; thence South $02^{\circ} 33' 54''$ West 328.36 feet to a point on the South line of said Northwest Quarter of the Southwest Quarter; thence North $87^{\circ} 26' 43''$ West along the South line of said Northwest Quarter of the Southwest Quarter 50.0 feet to the point of beginning containing 16,414 square feet or 0.3768 acres more or less.

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JOB 6861-2
PART OF TRACT 206

Part of the Northwest Quarter of the Southwest Quarter of Section 34, Township 2 North, Range 13 West, Little Rock, Pulaski County, Arkansas, more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 34; thence South $87^{\circ} 26' 43''$ East along the South line of said Northwest Quarter of the Southwest Quarter and the South line of Walnut Valley Addition 697.41 feet to a point on the West right of way line of Interstate Highway 430; thence North $02^{\circ} 33' 54''$ East along the West right of way line of said Highway 328.23 feet to the point of beginning; thence continue along the West right of way line of said highway the following courses: North $09^{\circ} 30' 12''$ East 357.02 feet; thence North $09^{\circ} 31' 02''$ East 151.57 feet to a point on the Southerly right of way line of Breckenridge Drive (said point being on the arc of a curve to the left having a radius of 212 feet); thence in a Southeasterly direction along the arc of said curve to the left and the Southerly right of way line of Breckenridge Drive to a point which is South $77^{\circ} 04' 42''$ East 50.09 feet

from the previous point; thence South 09° 31' 02" West 148.59 feet; thence South 09° 30' 12" West 350.80 feet; thence North 87° 35' 28" West 50.00 feet to the point of beginning, containing 25,150 square feet or 0.5773 acres more or less.

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WHEREAS, three qualified appraisers have determined (a) that the current fair market value of the above-described part of Tract 204 is \$1,900.00, (b) that the current fair market value of the above-described part of Tract 205 is \$6,600.00, and (c) that the current fair market value of the above-described part of Tract 206 is \$10,100.00; and

WHEREAS, this resolution shall be, and is hereby, expressly contingent upon the approval and concurrence of the Federal Highway Administration, United States Department of Transportation, in the determination that the above-described parts of Tracts 204, 205, and 206 are no longer needed for right of way purposes;

NOW THEREFORE, BE IT RESOLVED that, contingent upon the approval of the Federal Highway Administration: (a) the above-described property, excepting abutters' and access rights to the main travel lanes of Interstate 430, shall be declared surplus; (b) upon receipt of the total consideration of \$18,600.00, the Chairman of the Commission shall be authorized and is hereby directed to execute a quitclaim deed conveying said property, excepting the control of access, to Immanuel Baptist Church; and, (c) if necessary, the right of way shall be remonumented. It is further directed that any Federal-Aid funds from this disposal are to be credited to Federal funds. No action shall be taken pursuant to the terms of this Minute Order unless and until the Federal Highway Administration approves and concurs in the determination that the property described herein is surplus.

WHEREAS, IN CRAIGHEAD COUNTY, in the vicinity of Brookland, Job R00020 is underway for improvements to Highway 49, Section 3; and

WHEREAS, the project includes a bypass to the west of Brookland, on new location.

2000-126 - Continued

NOW THEREFORE, upon completion of Job R00020 and official notification by the Chief Engineer, the following changes to the State Highway System will be made as shown on the attached sketch:

1. The official route of Highway 49, Section 3, shall be in accordance with the alignment as constructed by Job R00020.
2. Short segments of the old route will be removed from the State Highway System at each end of the construction limits and new connections to the bypass will be constructed.
3. The remaining segment of the old route and the new connections will be designated as Highway 49, Section 3B.

2000-127

WHEREAS, IN ASHLEY AND CHICOT COUNTIES, on Highway 82, Sections 9 and 10, from Highway 425 to Lake Village, the need exists for reconstruction of portions of this highway and construction of passing lanes to meet increased traffic demands; and

WHEREAS, improvements to this route are included in the 1991 Highway Improvement Program.

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

2000-128

WHEREAS, Minute Order 92-336 authorized the Director to proceed with a project to provide major widening of Highway 5 from Highway 201 to Hospital Drive in Mountain Home; and

WHEREAS, this project is included in *Arkansas' Statewide Transportation Improvement Program for Fiscal Years 1999 to 2001*; and

2000-128 - Continued

WHEREAS, during development of this project, it has been determined that capacity improvements are also needed on Highway 5 from Highway 62B to Highway 201 and that improvements are needed to align Highway 201 and West 1st Street at their intersection with Highway 5 to better accommodate traffic flow.

NOW THEREFORE, the Director is authorized to extend the approved project and proceed with surveys, design and construction to provide the widening of Highway 5 from Highway 62B to Hospital Drive, including improvements at the intersection of Highway 5 with Highway 201 and West 1st Street.

This work to be completed as Job 009942, Hospital Dr.-Hwy. 62B (Mt. Home).

2000-129

WHEREAS, the Highway 72 crossing of the Kansas City Southern Railroad in Gravette is an at-grade crossing; and

WHEREAS, the City of Gravette has concerns for the safety of this crossing; and

WHEREAS, the City of Gravette has requested that an overpass be constructed on Highway 72; and

WHEREAS, the City of Gravette has expressed its willingness to provide the necessary right-of-way, utility adjustments and funds for the construction of the overpass structure; and

WHEREAS, the Commission, by Minute Order 99-237, dated November 11, 1999, authorized the Director to program a project for this work and to advance preliminary engineering activities to the right-of-way acquisition stage:

NOW THEREFORE, the Director is authorized to perform the necessary engineering work to construct a new Highway 72 railroad overpass and approaches in Gravette with the City funding the right-of-way, adjusting all utilities and providing the funds for the overpass structure. The Department will fund the construction of the approaches.

2000-129 - Continued

Upon completion of the work, Highway 72 will be routed over the new roadway and the City of Gravette will assume ownership of the old roadway.

2000-130 WHEREAS, the University of Arkansas-Monticello has requested that the Department assist with the surfacing of existing parking areas and drives; and

 WHEREAS, the University of Arkansas-Monticello has agreed to pay 100% of the cost of these improvements.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to surface existing parking areas and drives at the University.

 Work to be done by contract. This action is subject to the University of Arkansas-Monticello providing 100% of the cost of these improvements prior to contract execution.

2000-131 WHEREAS, IN FAULKNER COUNTY, on Interstate 40, Section 32, the traffic volumes at the Highway 65 interchange in Conway have increased to the point that the existing ramps have reached capacity during peak hours; and

 WHEREAS, on the basis of on-site investigations and design review, it has been recommended that capacity improvements be made to the existing ramps.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to increase capacity of the interchange ramps as funds become available.

2000-132 WHEREAS, IN FULTON COUNTY, on Highway 62, Section 13, from Salem to Ash Flat, a distance of approximately 17.2 miles, the need exists for passing lanes to meet increased traffic demands; and

2000-132 - Continued

WHEREAS, improvements to this route are included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of passing lanes on this highway as funds become available.

2000-133 WHEREAS, IN HEMPSTEAD COUNTY, on Highway 29, Section 4, from Highway 32 to Highway 371 at Blevins, a distance of 14.30 miles, the pavement condition has deteriorated; and

WHEREAS, the section from Highway 332 to Highway 371 is included in the 1991 Highway Improvement Program.

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

This work to be completed under two separate projects, Job 030237 from Highway 332 to Highway 371 and Job 030238 from Highway 32 to Highway 332.

2000-134 WHEREAS, IN INDEPENDENCE COUNTY, on Highway 167, Section 18, from Batesville to Cave City, a distance of 13.26 miles, traffic volumes have increased to a level such that an increase in capacity is needed.

NOW THEREFORE, the Director is authorized to proceed with a study to determine the appropriate scope of improvements for Highway 167 from Batesville to Cave City.

2000-135 WHEREAS, IN MADISON COUNTY, on Highway 412, at the intersection of Highway 21 south, a review by department personnel has indicated the need for a left turn lane on Highway 412;

2000-135 - Continued

NOW THEREFORE, the director is authorized to proceed with a project to construct the needed left turn lane as funds become available. Right of way and utility relocation will be handled in accordance with Commission Policy.

2000-136 WHEREAS, IN POLK COUNTY, at the intersection of Highway 71, Section 9 and Highway 8, Section 1 in Mena, the Transportation Equity Act for the 21st Century made available High Priority Project funds for the construction of turn lanes.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project for turn lanes at this intersection as funds become available.

2000-137 WHEREAS, IN POLK COUNTY, on Highway 270, Section 1, from Highway 272 to Highway 71, a distance of approximately 9.0 miles, the need for roadway improvements has been determined; and

WHEREAS, improvements to this route are included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface the roadway and shoulders to improve this highway as funds become available.

2000-138 WHEREAS, IN PRAIRIE COUNTY, on Highway 63, Section 11, from the Arkansas County Line to Highway 70, it has been determined that passing lanes would increase the capacity of this section; and

WHEREAS, improvements to this route are included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to determine locations for passing lanes and to proceed with surveys, plans, and construction as funds become available.

2000-139 WHEREAS, in North Little Rock, the 1991 Highway Improvement Program included the widening of East Broadway (US Highway 70) between Interstate 30 and Highway 165.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to widen this section of highway as funds become available.

2000-140 WHEREAS, traffic volumes continue to increase on Highway 70, Section 1B, in DeQueen; and

 WHEREAS, resurfacing a portion of this highway is needed in order to improve its ride quality.

 NOW THEREFORE, the Director is authorized to proceed with a resurfacing project on Highway 70, Section 1B, from its junction with Highway 71 to Ninth Street in DeQueen as funds become available.

2000-141 WHEREAS, IN SEVIER COUNTY, on Highway 71, Sections 5 and 6, from the Little River County Line to Highway 70, the need exists for passing lanes to meet increased traffic demands; and

 WHEREAS, improvements to this route are included in the 1991 Highway Improvement Program.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of passing lanes on this highway as funds become available.

2000-142 WHEREAS, Highway 63 from Pine Bluff to El Dorado is an important arterial highway serving the various needs of communities and businesses in Jefferson, Cleveland, Bradley and Union Counties.

 NOW THEREFORE, the Director is authorized to proceed with studies to determine the need for passing lane and widening projects on Highway 63 from Pine Bluff to El Dorado.

2000-142 - Continued

FURTHERMORE, if improvements are warranted, the Director is authorized to proceed with all necessary action to program, survey, plan, design, and construct passing lane or widening projects as funds become available.

2000-143 WHEREAS, IN HOT SPRING COUNTY, on Interstate Route 30, Bridge #05026 over I-30 at Log Mile 92.75 was damaged as a result of a tractor-trailer accident; and

WHEREAS, the tractor-trailer struck the bridge and burned under the South end span; and

WHEREAS, the columns and cap of Bent 5 need to be replaced as a result of the accident; and

WHEREAS, the concrete deck for half of the South end span needs to be replaced and the west outside beam of the South end span needs to be repaired as a result of the accident; and

WHEREAS, the last two spans need to be cleaned and the structural steel repainted as a result of the accident.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to repair the accident damage to Bridge #05026 as funds become available.

2000-144 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **June 28**, 2000 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10101	01	CRITTENDEN	HWY. 131-MISSISSIPPI RIVER (F)	40
110353	01	CROSS & ST. FRANCIS	WYNNE & FORREST CITY SIGNALS IMPROVEMENTS (S)	1, 64 & 70
110371	01	CROSS	HWY. 1 & HWY. 64 (WYNNE) (OVERLAY) (S)	1 & 64
110372	01	CRITTENDEN	LEHI-FIFTEEN MILE BAYOU (OVERLAY) (S)	70

2000-144 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020249	02	DREW	WILMAR-MONTICELLO (S)	278
B30101	03	NEVADA	HWY. 371-BOUGHTON RD. (F)	30
B40101	04	FRANKLIN	CRAWFORD CO. LINE-EAST (F)	40
040149	04	CRAWFORD	HWY. 162-SOUTH (UA AGRI. EXP. STA.) (S)	819
050005	05	WHITE	BULL BAYOU STR. & APPRS. (S)	367
050006	05	INDEPENDENCE	HWY. 14-EAST STRS. & APPRS. (LOCUST GROVE) (S)	25
050042	05	WHITE	HWY. 267 WIDENING (SEARCY) (S)	267
050063	05	FULTON	COLD SPRINGS CURVE-SOUTH (SAFETY IMPROVEMENTS) (S)	63
050094	05	FULTON & SHARP	HWY. 289-ASH FLAT (OVERLAY) (S)	62
B60115	06	HOT SPRING	SOCIAL HILL-WEST (RESURFACING) (F)	30
060806	06	PULASKI	WAR MEMORIAL PARK PEDESTRIAN TRAIL/BIKEWAY (LITTLE ROCK) (S)	- - -
060871	06	GARLAND	HWY. 70/HWY. 270B & HWY. 7 INTERS. IMPRVTS.(HOT SPRINGS) (S)	7, 70 & 270B
060929	06	GARLAND	HWY. 270B/HWY. 128 SIGNAL UPGRADE (HOT SPRINGS) (S)	270 & 128
070113	07	COLUMBIA	CYPRESS RELIEF & SO. CYPRESS CRKS. STRS. & APPRS. (S)	19 & 79
070187	07	CALHOUN & DALLAS	FORDYCE CITY LIMIT-SOUTH (OVERLAY) (S)	274
070189	07	VARIOUS	DISTRICT 7 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VAR I)
B80100	08	JOHNSON	HWY. 164-HWY. 64 WEST (F)	40
B80101	08	POPE & CONWAY	ATKINS-BLACKWELL (F)	40
008937	08	JOHNSON	CEDAR, BIG PINEY & LITTLE PINEY CREEKS STRS. & APPRS. (S)	359
080141	08	VAN BUREN	COVE CREEK STR. & APPRS. (S)	336
080166	08	FAULKNER	HWY. 64/HWY. 25 SIGNAL (CONWAY) (S)	64 & 25

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
090089	09	BENTON	DISTRICT 9 SIDEWALK ENHANCEMENTS (PHASE I) (S)	---
100504	10	CRAIGHEAD	MAPLE VALLEY DR.-HWY. 226S (OVERLAY) (S)	49
100505	10	CRAIGHEAD	CO. RD. 270-CASH (OVERLAY) (S)	18
100515	10	POINSETT	ST. FRANCIS RIVER-SOUTH (RESURFACING) (S)	63
100519	10	GREENE	CRAIGHEAD CO. LINE-NORTH (OVERLAY) (S)	141
SA0633	07	BRADLEY	BRADLEY COUNTY SURFACING & RESEAL NO. 3 (S)	---
BR0806	09	CARROLL	OSAGE CREEK STR. & APPRS. (S)	---
SA1431	07	COLUMBIA	MAGNOLIA CITY LIMITS-NORTHEAST (RESEAL) (S)	---
SA1749	04	CRAWFORD	HWY. 71-EAST OVERLAY (S)	---
SA1925	01	CROSS	HWY. 1-NORTHWEST (BASE & SURFACING) (S)	---
SA2727	02	GRANT	GRANT CO. BASE & SURFACING NO. 2 (SEL. SEC.) (S)	---
SA2847	10	GREENE	CLAY CO. LINE-SOUTH (OVERLAY) (S)	---
SA2931	03	HEMPSTEAD	HWY. 355-NORTH (OVERLAY) (S)	---
SA3248	05	INDEPENDENCE	CO. ROAD 11-WHITE CO. LINE (SURFACING) (S)	---
SA4125	03	LITTLE RIVER	HWY. 234-HWY. 41 (SURFACING) (S)	---
SA4422	09	MADISON	HWY. 16-SOUTH (BASE & SURFACING) (S)	---
SA4627	03	MILLER	COUNTY ROAD 10 RESEAL (S)	---
SA4628	03	MILLER	MILLER COUNTY RESEAL NO. 8 (S)	---
SA4818	01	MONROE	MONROE CO. SURFACING (SELECTED SECTIONS) (S)	---
SA5433	01	PHILLIPS	CO. ROAD 83-WEST (BASE & SURF.) (S)	---
SA5533	03	PIKE	PIKE COUNTY SURFACING NO. 5 (S)	---
SA5628	10	POINSETT	HWY. 1-WEST (REPAIR & SURFACING) (S)	---

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(Continued)

June 28, 2000

2000-144 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
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SA5722	04	POLK	POLK COUNTY RESEAL NO. 8 (S)	---
SA5926	06	PRAIRIE	CO. RD. 10-HWY. 11 (SURFACING) (S)	---
SA6427	09	SEARCY	SEARCY COUNTY OVERLAY NO. 6 (S)	---
SA6538	04	SEBASTIAN	SCOTT COUNTY LINE-CO. RD. 81 (BASE) (S)	---
SA6842	01	ST. FRANCIS	PALESTINE-WEST (SURFACING) (S)	---
SA7253	04	WASHINGTON	HWY. 62-SOUTH (OVERLAY) (S)	---
SA7347	05	WHITE	CO. RD. 78 (SURFACING NO. 2) (S)	---
SA7348	05	WHITE	COUNTY ROAD 12 (BASE & SURFACING) (S)	---
SA7427	01	WOODRUFF	WOODRUFF COUNTY RESEAL NO. 7 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Vice Chairman John "M" Lipton moved and Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the Staff's recommendation to request proposals from the following consultants for the design of the proposed Great River Bridge:

Figg Engineering Group
HNTB Corporation
T. Y. Lin International

MOTION Commissioner J. W. Benafield moved, Vice Chairman John
“M” Lipton seconded and the motion passed unanimously to adopt the
Fiscal Year 2001 AHTD budget as presented by Staff.

MOTION Commissioner Prissy Hickerson moved, Commissioner J. W.
Benafield seconded and the motion passed unanimously to rescind Minute
Order No. 2000-121 signed earlier on this date regarding proposed
additions to the Interstate Rehabilitation Program pending further review of
the proposed additions.

2000-145 IT IS ORDERED that a meeting of the Arkansas State
Highway Commission be closed at 3:00 p.m., June 28, 2000.

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 June 27 and 28, 2000.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 24, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 24, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-146 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., July 24, 2000.

2000-147 WHEREAS, pavement friction data is used to identify roadway sections with low skid resistance and as an aide in designing improvements to minimize wet weather skidding crashes; and

WHEREAS, the existing skid testing equipment has been in use since 1986 and is in need of replacement.

NOW THEREFORE, the Director is authorized to purchase new skid testing equipment necessary for Department operations.

2000-148 WHEREAS, the Commission acquired property known as Tract 9 from the Marianna Tractor Co., an Arkansas Corporation, for Job 11842, FAP No. F-031-2(25), Highway 1 Relocation (Marianna), on or about June 7, 1973, by warranty deed filed of record in the Circuit Clerk's Office of Lee County in Book No. 256 at Page 54; and

WHEREAS, Tract 9 was acquired for \$87,500.00; and

WHEREAS, the Marianna Chamber of Commerce has asked to repurchase, contingent upon the approval and concurrence of the Federal

Highway Administration, Part of Tract 9, excepting abutters' and access rights to and from Highway 1; and

WHEREAS, Carmen Lloyd, Thomas L. Lloyd, Jr., Harris B. Lloyd, Michael G. Gray, Steven D. Gray, and James C. Gray, the successors in interest to the now dissolved Marianna Tractor Co., have assigned their rights to reacquire Tract 9 to the Marianna Chamber of Commerce; and, the District Engineer has determined that the Part of Tract 9 to be repurchased, being more particularly described as follows, is no longer needed for highway purposes:

JOB 11842

PART OF TRACT 9:

Part or Lot 3, Atkins Addition to the City of Marianna, Arkansas, being part of the Northwest Quarter of the Northeast Quarter of Section 22, Township 2 North, Range 3 East, Lee County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of Lot 3, Atkins Addition to the City of Marianna, Arkansas; thence South 85° 44' West along the North line thereof a distance of 111.9 feet to a point on the existing Easterly right of way line of Arkansas State Highway 1; thence South 62° 51' West along said existing right of way line a distance of 57.4 feet to the point of beginning; thence South 03° 49' East along said existing right of way line a distance of 60.0 feet to a point on the proposed Easterly right of way line of said Arkansas State Highway 1; thence South 86° 11' West along said proposed right of way line a distance of 50.0 feet to a point; thence North 29° 52' East along said proposed right of way line a distance of 72.1 feet to a point; thence North 86° 11' East along said proposed right of way line a distance of 10.0 feet to the point of beginning and containing 0.04 acre or 1,800 square feet more or less.

WH/ll
12/10/99

WHEREAS, three qualified appraisers have determined that the current fair market value of the above-described Part of Tract 9 is \$300.00;

NOW THEREFORE, BE IT RESOLVED that, upon the approval and concurrence of the Federal Highway Administration: the above-described property is declared surplus; the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property, excepting the control of access to and from Highway 1, to the Marianna Chamber of Commerce upon receipt of the consideration of \$300.00; a copy of the deed and this Minute Order shall be recorded in the County Records of Lee County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2000-149

WHEREAS, Section 404 of the Clean Water Act requires compensatory mitigation for adverse impacts to wetlands and waters of the United States due to highway construction, maintenance and operation activities; and

WHEREAS, the Corps of Engineers requires mitigation of unavoidable wetland impacts due to highway projects; and

WHEREAS, mitigation sites must be in the same wetland planning region as the area of impact; and

WHEREAS, the Department does not have a mitigation site within the Red River or Dorcheat/Bodcau Wetland Planning Areas of the Coastal Plain Wetland Planning Region nor the Upper Red River Wetland Planning Area of the Ouachita Wetland Planning Region.

NOW THEREFORE, the Director is authorized to proceed with planning to acquire and develop the Pond Creek Multi-Project Mitigation Area subject to the following conditions:

1. Development of an acceptable management agreement; and
2. Approval by the Federal Highway Administration.

MOTION

Commissioner Prissy Hickerson moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to direct the Staff to negotiate with Thoma-Thoma Creative of Little Rock regarding the creation of a public information strategy to be used during the Interstate Rehabilitation Program, and to re-assess and utilize in-house (AHTD Staff) capabilities to the greatest extent practical in the development of such a strategy.

2000-150

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:55 p.m., July 24, 2000.

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July 24, 2000

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 16, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 16, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-151 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:45 a.m., August 16, 2000.

2000-152 WHEREAS, the Purchasing Committee has awarded purchases on June 30, 2000, July 17, 20 and 28, 2000, and August 7, 2000, in the amounts \$23,990.00, \$160,665.00, \$121,440.14, \$61,095.80, and \$439,591.40, respectively, totaling \$806,782.34, 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 in making the awards be ratified and confirmed in all particulars.

2000-153 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

2000-153 - Continued

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2001.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2001 in the amount of \$4,500.00.

2000-154

WHEREAS, several state universities have expressed interest in using the Department's recently purchased Freight Goods Movement Database to provide research assistance and analysis for other Arkansas agencies and institutions; and

WHEREAS, the terms of the Database purchase agreement allow the Department to share this information with other Arkansas state agencies and institutions, including universities.

NOW THEREFORE, the Director is authorized to execute agreements with state universities in Arkansas for the purpose of sharing the Freight Goods Movement Database.

2000-155

WHEREAS, in accordance with Minute Order 97-100, the Department entered into a contract, which will expire on December 31, 2000, for the collection of vehicular turning movement counts for calendar years 1999 and 2000; and

WHEREAS, work performed under this contract has proven beneficial by supplementing in-house capabilities, allowing the Department's field personnel to perform other critical tasks.

NOW THEREFORE, the Director is authorized to solicit proposals from qualified firms and enter into a contract to provide necessary traffic turning movement counts for calendar years 2001 and 2002.

2000-156

WHEREAS, the Texas Department of Transportation is initiating a process to develop and implement Intelligent Transportation Systems (ITS) throughout their state; and

WHEREAS, ITS will be studied and implemented on a regional basis; and

WHEREAS, it would be beneficial to coordinate with the Texas Department of Transportation in the identification and development of ITS architecture for the northeast Texas region (including the Texarkana urbanized area).

NOW THEREFORE, the Director is authorized to enter into a Memorandum of Understanding (MOU) for the Arkansas State Highway and Transportation Department to participate in the development of an ITS Plan and Regional ITS Architecture with the Texas Department of Transportation.

2000-157

WHEREAS, Minute Order 2000-013 authorized the Director to request letters of interest for media consulting services to develop a public information program for the Interstate Rehabilitation Program; and

WHEREAS, that process led to the Commission hearing presentations on July 24, 2000, from four prospective firms to provide those services; and

WHEREAS, following those presentations, the Commission instructed the Director to begin negotiations with the firm of Thoma Thoma Creative of Little Rock to serve as media consultant to the Commission for the Interstate Rehabilitation Program; and

WHEREAS, those negotiations have resulted in the development of the attached Letter of Engagement between Thoma Thoma Creative and the Arkansas State Highway and Transportation Department.

NOW THEREFORE, the Director is authorized to enter into an agreement with Thoma Thoma Creative to provide media consulting services to the Commission under the terms specified in the Letter of Engagement.

WHEREAS, the Commission acquired property known as Tract 23R from Joseph R. Snyder and Barbara D. Snyder, Husband and Wife; for Job 9659, FAP No. F-042-3(2), Highway 62 Relocation, on or about July 9, 1985, by warranty deed filed of record in the Circuit Recorder's Office of Baxter County as instrument number 85-3806; and

WHEREAS, Tract 23R was acquired for \$100.00; and

WHEREAS, John M. Medley and Juanita M. Medley, Husband and Wife, have asked to repurchase Tract 23R, excepting abutters' and access rights to and from U. S. Highway 62/412; Joseph R. Snyder and Barbara D. Snyder have assigned their rights to reacquire Tract 23R to John M. Medley and Juanita M. Medley, Husband and Wife; and, the District Engineer has determined that Tract 23R, being more particularly described as follows, is no longer needed for highway purposes:

JOB 9659
TRACT 23R:

A part of Lot 7, Carolyn Hills Estates, to the City of Mountain Home, Baxter County, Arkansas, more particularly described as follows:

Beginning at the Northwest corner of Lot 7, Carolyn Hills Estates; thence South 88° 42' East along the North line of said lot a distance of 185.76 feet to a point on the proposed Northwesterly right of way line of U. S. Highway 62 Relocation; thence South 41° 17' West along said proposed right of way line a distance of 153.9 feet to a point; thence South 28° 45' West along said proposed right of way line a distance of 161.1 feet to point on the West line of said Lot 7 of Carolyn Hills Estates; thence North 01° 28' West along said West line a distance of 261.1 feet to the point of beginning and containing 21,541 square feet or 0.53 acre more or less.

R:/engr/david/965923r.doc

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting abutters' and access rights to and from U. S. Highway 62/412, is declared surplus; the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying said property, excepting the control of access, to John M. Medley and Juanita M. Medley, Husband and Wife, upon receipt of the consideration of \$100.00; a copy of the deed and this Minute Order shall be recorded in the County Records of Baxter County, Arkansas; and, if necessary, the right of way shall be remonumented. It is further directed that any Federal-Aid funds from this disposal shall be credited to Federal funds.

2000-159

WHEREAS, the Commission acquired right of way for Job R90011, BR-NBIL(10), more commonly known as the Madison County Line – Northeast job, State Highway 221, Yell County, Route 221, Section 0, by Carroll County Court Order dated May 7, 1997, which is recorded in the Carroll County Court Records at Book 16, Pages 289-311, inclusive; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

From Designated Construction **Centerline Station 189+00.0** to **Centerline Station 220+50.0** the originally executed Court Order for **Job R90011** dated May 07, 1997 and being recorded in County Court Records of Carroll County, AR, in Book “16” at pages 289 – 311 inclusive, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the herein above described Centerline shall be:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
189+00	189+34.07	34.07'	Var.105'- 46.64'	120'	Var.225'- 166.64'
189+34.07	190+00	65.93'	Var.46.64'- 45	120'	Var.166.64'- 165'
190+00	189+83.01	-16.99'		Var.120'- 67.92'	
189+83.01	190+00	16.99'		Var.67.92'- 70'	
190+00	191+00	100'	45'	Var.70'- 50'	Var.115'-95'
191+00	192+00	100'	45'	Var.50'- 55'	Var.95'-100'
192+00	193+00	100'	45'	Var.55'- 40'	Var.100'-85'
193+00	194+00	100'	Var.45'- 40'	Var.40'- 55'	Var.85'-95'
194+00	195+00	100'	40'	Var.55'- 68'	Var.95'-108'

2000-159 - Continued

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
195+00	196+00	100'	Var.40'- 45'	Var.68'- 65'	Var.108'- 110'
196+00	197+00	100'	45'	Var.65'- 40'	Var.110'-85'
197+00	198+00	100'	Var.45'- 55'	40'	Var.85'-95'
198+00	199+00	100'	Var.55'- 45'	Var.40'- 50'	Var.95'-95'
199+00	200+00	100'	Var.45'- 70'	50'	Var.95'-120'
200+00	201+00	100'	70'	50'	120'
201+00	202+00	100'	Var.70'- 55'	Var.50'- 55'	Var.120'- 110'
202+00	203+00	100'	55'	Var.55'- 45'	Var.110'- 100'
203+00	204+00	100'	55'	Var.45'- 40'	Var.100'-95'
204+00	205+00	100'	55'	40'	95'
205+00	206+00	100'	55'	40'	95'
206+00	207+00	100'	Var.55'- 60'	40'	Var.95'-100'
207+00	208+00	100'	Var.60'- 65'	40'	Var.100'- 105'
208+00	209+00	100'	Var.65'- 70'	40'	Var.105'- 110'
209+00	210+00	100'	Var.70'- 60'	40'	Var.110'- 100'
210+00	211+00	100'	Var.60'- 65'	40'	Var.100'- 105'
211+00	212+00	100'	Var.65'- 75'	40'	Var.105'- 115'
212+00	213+00	100'	75'	Var.40'- 35'	Var.115'- 110'
231+00	214+00	100'	Var.75'- 65'	Var.35'- 45'	110'
214+00	215+00	100'	Var.65'- 75'	Var.45'- 65'	Var.110'- 140'

2000-159 - Continued

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
215+00	216+00	100'	75'	Var.65'-60'	Var.140'-135'
216+00	217+00	100'	Var.75'-60'	Var.60'-40'	Var.135'-100'
217+00	218+00	100'	Var.60'-55'	Var.40'-50'	Var.100'-105'
218+00	218+23.80	23.80'		Var.50'-80'	Var.
218+00	219+00	100'	Var.55'-60'	Ex. R/W	Var.
219+00	220+00	100'	Var.60'-70'	Ex. R/W	Var.
220+00	220+50	50'	70'	Ex. R/W	Var

Note: In all other respects the original Court Order shall remain as is.

DT/dh
05-01-00

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Carroll County; and that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds.

2000-160

WHEREAS, the City of Perryville has requested an Airspace Permit to use certain highway right of way, located in Perry County, Arkansas, and owned by the Commission, to construct and maintain access to a planned city park; and

WHEREAS, the right of way to be subject to the Airspace Permit is more particularly described as follows:

JOB 8196
FAP NO.: 120-E-(1)
PERRYVILLE - SOUTH ROAD
(STATE HIGHWAY 9)
PERRY COUNTY

ROUTE 9 SECTION 6

From Designated Survey **Centerline Station 50+35.9** to **Centerline Station 65+52.0**, as described in the originally executed Court Order for **Job 8196** dated March 17, 1939 and being recorded in County Court Records of Perry County, AR, in Book "5" at page 6, the portion that shall be subject to the Airspace Permit shall be that portion of the right of way lying outside the width to the left and to the right of the following described Centerline.

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN. FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
50+35.9	65+52.0	1516.1'	Ex R/W	75'	Var

WHEREAS, the District Engineer has determined that the proposed use will not interfere with the use of the property for highway purposes; and

WHEREAS, an Airspace Permit has been prepared in accordance with state and federal laws governing real property management and will be submitted to the Federal Highway Administration for approval and concurrence.

NOW THEREFORE, the Director of State Highways and Transportation is, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, authorized to execute a Airspace Permit authorizing the City of Perryville to use the property described above for construction and maintenance of the access to and from the proposed park.

2000-161

WHEREAS, the Commission acquired property known as Tract 8R from Frostyaire for Frozen Foods, Inc., an Arkansas Corporation, for Job 5944, FAP No. STPECG-5800(1), Main Street – East (Searcy), White County, by warranty deed filed of record on December 29, 1994, in the Circuit Clerk's Office of White County in Book No. 541, Page 347; and

WHEREAS, Tract 8R was acquired for \$3,275.00; and

WHEREAS, Frostyaire for Frozen Foods, Inc. has asked to repurchase Tract 8R, and the District Engineer has determined that Tract 8R, being more particularly described as follows, is no longer needed for highway purposes:

JOB 5944
TRACT 8R:

Part of the Southeast Quarter of the Southeast Quarter of Section 10 and the Southwest Quarter of the Southwest Quarter of Section 11, both being in Township 7 North, Range 7 West, White County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 10; thence North 00° 09' 50" East along the East line thereof a distance of 996.30 feet to a point for the point of beginning; thence North 89° 46' 47" West a distance of 21.57 feet to a point; thence North 00° 09' 50" East a distance of 132.00 feet to a point; thence in a Northwesterly direction on a curve to the left having a radius of 643.39 feet a distance of 2.40 feet to a point on the proposed Southerly right of way line of Relocated State Highway 36; thence South 66° 59' 46" East along said proposed right of way line a distance of 55.42 feet to a point; thence South 74° 59' 46" East along said proposed right of way line a distance of 109.68 feet to a point; thence South 88° 13' 33" East along said proposed right of way line a distance of 109.44 feet to a point; thence North 89° 00' 14" East along said proposed right of way line a distance of 108.29 feet to a point; thence North 79° 32' 21" East along said proposed right of way line a distance of 147.84 feet to a point; thence North 74° 04' 27" East along said proposed right of way line a distance of 31.38 feet to a point; thence South 37° 43' 38" East along said proposed right of way line a distance of 59.24 feet to a point; thence South 19° 33' 38" East along said proposed right of way line a distance of 78.31 feet to a point; thence North 89° 46' 47" West a distance of 591.46 feet to the point of beginning and containing 1.31 acres more or less or 57,177 square feet more or less.

JC/dh

2000-161 - Continued

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$3,275.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Frostyaire for Frozen Foods, Inc.; a copy of the deed and this Minute Order shall be recorded in the County Records of White County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2000-162

WHEREAS, the Highway 412 east-west corridor from Tulsa, Oklahoma through Arkansas to Nashville, Tennessee was identified as a high priority corridor on the National Highway System by the Intermodal Surface Transportation Efficiency Act of 1991; and

WHEREAS, the corridor through northern Arkansas presently consists of segments of several U. S. Routes, in addition to U. S. Route 412, and a single continuous route number identifying this highway is desirable.

NOW THEREFORE, the Director is authorized to petition the AASHTO Route Numbering Committee for approval to establish a continuous U. S. Route 412 across the state.

2000-163

WHEREAS, IN JEFFERSON COUNTY, in the vicinity of Pine Bluff, the three Highway 104 interchanges with Interstate 530 cause considerable confusion to motorists in determining addresses; and

WHEREAS, local officials have requested that the route of Highway 104 in the City of Pine Bluff be renumbered for clarification.

NOW THEREFORE, Highway 104, Section 1, is hereby redesignated as Highway 190, Section 5, as shown on the attached sketch. This action will become effective upon official notification by the Chief Engineer.

2000-164

WHEREAS, Minute Order 97-085 authorized the Director to proceed with a study of traffic needs in the area of the Interstate 40 interchange with Highway 391 at Galloway; and

WHEREAS, recommendations for improvement have been made in the study titled *Interstate 40/Highway 391 (Galloway) Interchange Study*.

NOW THEREFORE, this study is adopted as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with development of the recommended projects, as funds become available.

2000-165

WHEREAS, the Commission adopted, by Minute Order 2000-102, *the Highway 165 Bypass and Railroad Overpass Feasibility Study* in Stuttgart; and

WHEREAS, addition of the proposed bypass to the State Highway System, along with accompanying transfers of existing highway system mileage to other jurisdictions, could be beneficial to the overall state transportation network.

NOW THEREFORE, the Director is hereby authorized to establish a project for development of the Stuttgart bypass and railroad overpass and to continue to work with local leaders to pursue dedicated funding for this work.

2000-166

WHEREAS, the Transportation Equity Act for the 21st Century authorized funds to be appropriated for safety projects on sections of highways which have high accident rates; and

WHEREAS, based on a recent study which included an accident analysis, it has been determined that a project to widen Highway 133, Section 1 in Ashley County to include a two-way, continuous, left turn lane from Highway 82 to Highway 52 is eligible for Federal-aid Safety funds.

2000-166 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to widen this section of highway as funds become available. Furnishing of any right of way and adjustment of utilities will be in accordance with Highway Commission policy.

2000-167 WHEREAS, IN ASHLEY COUNTY, on Highway 133, Section 1, from Highway 52 to the north for approximately 0.98 mile, it has been determined that roadway improvements are warranted.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to provide shoulders or curb and gutter as needed and to widen the existing travel lanes as funds become available.

2000-168 WHEREAS, IN BRADLEY COUNTY, on Highway 8, Section 12, from Highway 63 to Johnsville, two projects are programmed to construct four passing lanes; and

WHEREAS, it has been determined that roadway improvements are warranted for the sections between the passing lanes.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to provide necessary roadway improvements as funds become available.

2000-169 WHEREAS, IN GARLAND COUNTY, on Highway 128, the City of Hot Springs has expressed concern over the curvilinear alignment and narrow roadway width between the Highway 270 Bypass and the Ouachita River; and

WHEREAS, the City expects current and future developments along this section of highway to result in increased traffic volumes; and

WHEREAS, the City of Hot Springs has requested that the roadway be realigned to provide an improved facility.

2000-169 - Continued

NOW THEREFORE, the Director is authorized to conduct a study of this section of Highway 128 to determine improvement needs.

2000-170

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing active warning devices or improving the crossing surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Jefferson	Near Pine Bluff	Co. Rd. 53	Union Pacific	Install Flashing Signals with Gates
Polk	Near Acorn	Hwy. 270	Kansas City Southern	Install Concrete Surface

2000-171

WHEREAS, the Texarkana Metropolitan Planning Organization has recently completed a study of Interstate frontage roads in the City; and

WHEREAS, the Texas Department of Transportation is beginning design work for the State Line/I-30 Interchange; and

WHEREAS, traffic volumes at the Jefferson, Highway 245 and Highway 108 Interchanges with Interstate 30 in Texarkana continue to increase.

2000-171 - Continued

NOW THEREFORE, the Director is authorized to initiate a study of needed I-30 Interchange improvements at these locations for the purpose of identifying immediate and potential future improvements needed.

2000-172

WHEREAS, IN WASHINGTON COUNTY, on Interstate 540, Section 4, the traffic volumes at the Highway 412 interchange in Springdale have increased to the point that the existing ramps have reached capacity during peak hours; and

WHEREAS, on the basis of on-site investigations and design review, it has been recommended that capacity improvements be made to the existing ramps.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to increase capacity of the interchange ramps as funds become available.

2000-173

WHEREAS, IN WHITE COUNTY, near the City of Searcy, on Highway 36, Section 3, from Country Club Road west for approximately 1.50 miles, it has been determined that capacity improvements are warranted based on present and future traffic volumes.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to increase the capacity of this section of roadway as funds become available.

2000-174

WHEREAS, the Department has reviewed the traffic congestion that occurs at the intersections shown below; and

WHEREAS, this congestion can be relieved by the construction of turning lanes on the state highways at the intersection locations.

2000-174 - Continued

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to construct turning lanes at these locations.

<u>COUNTY</u>	<u>RTE./SEC.</u>	<u>LOCATION</u>
Howard	Hwy. 980/Sec. 25	Old Airport Road (Co. Rd. 407)
Howard	Hwy. 278/Sec. 3	Green Plains Road (Co. Rd. 29)

The work is to be performed by Maintenance and contract forces and funded from the District Maintenance Expense Budget or the Road Improvement Program as funds become available.

2000-175

WHEREAS, the I-30 Arkansas River bridge from the cellular structure in North Little Rock to the North end of the bridge has severe loss of paint; and

WHEREAS, the I-30 bridge over Washington Avenue in North Little Rock has severe loss of paint; and

WHEREAS, these bridges need to be cleaned and painted to prevent structural loss due to rust.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to clean and paint these bridges as funds become available.

COUNTY	RTE./SEC./L.M.	BRIDGE NO.	NAME
PULASKI	30/23/140.90	02768	ARKANSAS RIVER
PULASKI	30/23/141.03	K2768	WASHINGTON AVENUE

2000-176

WHEREAS, the Central Office Main Building was constructed approximately thirty-five years ago; and

WHEREAS, the texcoat "stuccoed" portions of the building have deteriorated to the extent that these exterior surface areas are in need of repair; and

WHEREAS, it has been determined that the most feasible means of repair is to completely clean, make plaster repairs, and waterproof with an elastomeric waterproofing coating.

NOW THEREFORE, the Director is authorized to complete the work required to clean, repair, and waterproof all exterior plaster surfaces of the Central Office Main Building.

Work to be done by contract as a Building Project.

2000-177

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 16, 2000 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020237	02	JEFFERSON	HARDING DRAIN STR. & APPRS. (PINE BLUFF) (S) - - -	
020290	02	JEFFERSON	HWY. 63B SIGNALS UPGRADE (PINE BLUFF) (S)	63B & 104
020302	02	VARIOUS	DISTRICT 2 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VARIOUS
020319	02	DREW	U OF A-MONTICELLO DRIVES & PARKING AREAS SURFACING (S)	871
030237	03	HEMPSTEAD	HWY. 332-HWY. 371 (S)	29
040278	04	WASHINGTON	HWY. 71B/RANDAL WOBBE LANE SIG. (SPRINGDALE) (S)	71B
040325	04	SCOTT & SEBASTIAN	HWY. 96 NORTH & SOUTH (MANSFIELD) (OVERLAY) (S)	71
R50112	05	INDEPENDENCE	NEWARK-NORTH (S)	69
050097	05	JACKSON	NEWPORT-TUCKERMAN (RESURFACING) (S)	67
R60040	06	GARLAND	HWY. 270 EAST-HWY. 70 EAST (GR. & STRS.) (S)	70
060931	06	HOT SPRING	SOCIAL HILL REST AREA (SEWER & WATER EXT.) (S)	30

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
060936	06	SALINE	I-30 FRONTAGE ROAD SLIDE REPAIR (BENTON) (S)	30
060965	06	MONTGOMERY	HWY. 88-OUACHITA RIVER (RESURFACING) (S)	270
060983	06	PULASKI	HWY. 10 BASE REPAIRS (S)	10
070046	07	OUACHITA	HWY. 57 R.R. OVERPASS & APPRS. (STEPHENS) (S)	57
070173	07	COLUMBIA	HWY. 82/HWY. 371 SIGNAL (MAGNOLIA) (S)	82 & 371
080141	08	VAN BUREN	COVE CREEK STR. & APPRS. (S)	336
009863	09	MADISON	ONION CREEK & KINGS RIVER STRS. & APPRS. (F)	412
SA0735	07	CALHOUN	CO. RD. 190-HAMPTON CITY LIMITS (S)	---
SA0832	09	CARROLL	HWY. 21-EAST (OVERLAY) (S)	---
SA1048	07	CLARK	CLARK COUNTY SURFACING NO. 4 (S)	---
SA1341	07	CLEVELAND	CLEVELAND CO. SURFACING NO. 7 (SEL. SEC.) (S)	---
BR1415	07	COLUMBIA	BIG CREEK STR. & APPRS. (S)	---
FA1708	04	CRAWFORD	HWY. 348-SOUTH (RECONST.) (S)	---
SA1750	04	CRAWFORD	CO. RD. 19-NORTH (BASE & SURFACING) (S)	---
SA1925	01	CROSS	HWY. 1-NORTHWEST (BASE & SURFACING) (S)	---
SA2023	07	DALLAS	HWY. 274-NORTHEAST (OVERLAY) (S)	---
SA2123	02	DESHA	DESHA COUNTY SURFACING NO. 10 (OVERLAY) (S)	---
SA2437	04	FRANKLIN	FRANKLIN CO. SURFACING NO. 3 (SEL. SEC.) (S)	---
FA3503	02	JEFFERSON	HWY. 63-NORTH (HARBOR INDUSTRIAL DISTRICT) PHASE I (S)	---
SA4330	06	LONOKE	LONOKE COUNTY OVERLAY NO. 11 (S)	---
SA4818	01	MONROE	MONROE CO. SURFACING (SELECTED SECTIONS) (S)	---

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA4921	06	MONTGOMERY	MONTGOMERY COUNTY RESEAL NO. 8 (S)	---
FA6915	05	STONE	PLEASANT HILL-EAST (S)	---
SA7124	08	VAN BUREN	GRAVESVILLE-HWY. 65 (OVERLAY) NO. 2 (S)	---
SA7254	04	WASHINGTON	CO. RD. 259-HWY. 62 (OVERLAY) (S)	---
FA7418	01	WOODRUFF	COUNTY ROAD 19-NORTH (SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner J. W. Benafield moved, Vice Chairman John "M" Lipton seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction at a date to be determined in the fall.

- 18 -

August 16, 2000

MOTION

Vice Chairman John "M" Lipton moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the

Staff's recommendation for the proposed letting dates for the calendar year 2001.

2000-178

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:35 a.m., August 16, 2000.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on July 24, 2000, and August 16, 2000.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 27, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 27, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-179 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:45 a.m., September 27, 2000.

2000-180 WHEREAS, the Purchasing Committee has awarded purchases on August 14 and 17, 2000, and September 14, 2000, in the amounts \$136,396.75, \$147,830.00, and \$72,318.40, respectively, totaling \$356,545.15, 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 in making the awards be ratified and confirmed in all particulars.

2000-181 WHEREAS, the AASHTO Technical Committee for Structural Steel Design has solicited all states to participate in a Pooled Funded Extension of FHWA Curved Steel Bridge Tests; and

WHEREAS, the results of the tests will benefit all states that design and construct curved steel bridges;

NOW THEREFORE, the Director is authorized to enter into such agreements as may be needed to participate in this National Pooled

Fund. Funding will be made available from SPR funds in Fiscal Year 2001.

2000-182

WHEREAS, in consideration of the continuing need for maintaining the roadways and bridges of the State Highway System; and

WHEREAS, the maintenance of bridge decks, roadway surfaces, shoulders and drainage in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2001 described as the "Roadway Improvement Program" in the amount of \$12,000,000 to cover the maintenance of bridge decks and roadway surfaces including asphalt surface treatments, leveling and special improvements.

2000-183

WHEREAS, in accordance with Arkansas Code §27-35-210, the Arkansas Highway Commission may, in their discretion and as provided, issue permits for special cargoes to be transported on highways under their jurisdiction; and

WHEREAS, member states of the Southeastern Association of State Highway and Transportation Officials (SASHTO) participate in an "envelope vehicle" program whereby certain oversize/overweight vehicles, which are in compliance with the uniform regulations set by member states, may more easily obtain a permit to travel in said member states; and

WHEREAS, non-member states of SASHTO have requested to participate in SASHTO's "envelope vehicle" program whereby certain oversize/overweight vehicles which are in compliance with the uniform regulations set by member states, may more easily obtain a permit to travel in said participating states.

NOW THEREFORE, the Director of Highways and Transportation is authorized to enter into an agreement with other participating states for the Department to participate in an inter-regional, multi-jurisdictional Envelope Vehicle Permit Program, adopt policies and take all actions necessary to implement the Agreement

2000-184

WHEREAS, the Transportation Equity Act for the 21st Century contained funding for the Arkansas Recreational Trails Program for the Federal Fiscal Year 2000; and

WHEREAS, the Arkansas Recreational Trails Advisory Committee met June 22, 2000 and recommended projects for funding.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the projects on the attached list.

2000-185

WHEREAS, IN CROSS COUNTY an Original Contract dated November 23, 1994 was awarded to Mid-South Road Builders, Inc. for Job SA1921, State Aid Job, Wynne City Limits-South & East(S) based on a low bid of \$216,574.91; and

WHEREAS, the Contractor has failed to refund money due the Commission as a result of the determination of the final pay quantities for this project; and

WHEREAS, the Contractor was notified by Certified Mail dated June 28, 2000, that unless money due the Commission was refunded within 30 days of receipt of said letter, the project would be placed in default in accordance with Subsection 108.08 of the Standard Specifications; and

WHEREAS, the payment of \$6,891.13 has not been received:

NOW THEREFORE, IT IS ORDERED that the right of Mid-South Road Builders, Inc. to proceed on Job No. SA1921 is hereby terminated, and the Chief Engineer is authorized to arrange for fulfillment of the contract obligations in accordance with the plans and specifications and in compliance with the terms and conditions of the contract and bond.

2000-186

WHEREAS, the Commission acquired right of way for Job 6283, more commonly known as the Aluminum Plant – North Road (Access Road), Hot Spring County, Route 270, Section 70, by Hot Spring County Court Order dated June 15, 1942, which is recorded in the Hot Spring County Court Records at Record “S”, page 412; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

JOB 6283
 ALUMINUM PLANT - NORTH ROAD
 (ACCESS ROAD)
 HOT SPRINGS COUNTY
 ROUTE 270 SECTION 7

From Designated Survey Centerline Station 39+56.2 to Centerline Station 43+81.0 the originally executed Court Order for Job 6283 dated June 15, 1942 and being recorded in the County Court Records of Hot Springs County, AR, in Record "S" at page 412, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the herein above described Centerline shall be:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
39+56.2	40+34.5Bk	78.3'	0'	0'	0'
40+36.5Ahd	43+81.0	344.5	0'	0'	0'

Note: In all other respect the original Court Order shall remain as is.

DT/dh
 09-5-00

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order in Hot Spring County; and that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds.

2000-187

WHEREAS, the Commission acquired property known as Tract 4-1R from J. H. Hewitt and Mabel Lee Hewitt, husband and wife, for Job 2650, FAP No. F-025-2(18), Blake Street – Missouri Street (Pine Bluff), Jefferson County, by warranty deed filed of record on October 17, 1967, in the Circuit Clerk’s Office of Jefferson County in Book No. 365, Page 659; and

WHEREAS, Tract 4-1R was acquired for \$1,500.00; and

WHEREAS, Gene Owen and Lena Owen have asked to repurchase Tract 4-1R; J. H. Hewitt is deceased; Mabel Lee Hewitt, surviving spouse of J. H. Hewitt, has assigned her rights to reacquire Tract 4-1R to Gene Owen and Lena Owen; and, the District Engineer has determined that Tract 4-1R, being more particularly described as follows, is no longer needed for highway purposes:

JOB 2650

TRACT 4-1R:

Part of Lots 1 and 2, Block 38 of Woodruff’s Addition West and South to the City of Pine Bluff, Jefferson County, Arkansas, more particularly described as follows:

Beginning at the Southeast Corner of Lot 1, Block 38 of Woodruff’s Addition West and South to the City of Pine Bluff; thence North 89° 46’ West along the South line of Lots 1 and 2 a distance of 90.0 feet to a point; thence North 00° 10’ East a distance of 49.8 feet to a point on the southerly proposed right of way line of U. S. Highway 65; thence South 89° 36’ East along said proposed right of way line a distance of 90.0 feet to a point on the East line of Lot 1; thence South 00° 10’ West along said East line a distance of 49.5 feet to the point of beginning and containing 4,468 square feet more or less.

DH/dh

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$1,500.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property, excepting any abutters’ and access rights to and from U. S. Highway 65, to Gene Owen and Lena Owen, husband and wife; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2000-188

WHEREAS, IN DESHA COUNTY, in the City of McGehee, route identification of Highway 4 is unclear due to its two intersections with Highway 65 within a half mile of each other; and

WHEREAS, route definition in the city could be greatly enhanced by renumbering one of the Highway 4 connections.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes to the State Highway System shall be made as shown on the attached sketch:

Desha County

1. That part of Highway 4, Section 17, from the junction of Highway 4, Section 17Y, to the junction of Highway 65 shall be redesignated as Highway 169, Section 1.
2. Highway 4, Section 17Y, shall be redesignated as part of Highway 4, Section 17.

Arkansas County

3. Highway 169, Section 1, from Highway 165 to Arkansas Post shall be redesignated as Highway 169, Section 2.

2000-189

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991, as amended by the Transportation Equity Act for the 21st Century, identified the North-South Corridor from Kansas City, Missouri, to Shreveport, Louisiana, as a high priority corridor and designated this route as a future part of the Interstate System; and

WHEREAS, Highway 245 in Texarkana between the Texas State line to I-30 is part of the proposed corridor route location presented in environmental documentation for the segment from Texarkana to DeQueen.

NOW THEREFORE, the Director is authorized to petition the American Association of State Highway and Transportation Officials (AASHTO) for assignment of an Interstate route number for this segment of Highway 245.

2000-190

WHEREAS, on Highway 252, Section 1, in Sebastian County, approximately 1 mile west of Highway 71 at Huntington, the Natural Resource Conservation Service (NRCS), in cooperation with the Arkansas Department of Environmental Quality (ADEQ), has undertaken strip mine reclamation activity in areas adjacent to Highway 252; and

WHEREAS, as a measure to mitigate drainage concerns relating to some of the reclaimed areas adjacent to the state highway, NRCS and ADEQ proposed the relocation of approximately one-half mile of Highway 252; and

WHEREAS, this relocation will provide improved horizontal and vertical alignment for the highway, as well as allowing for positive drainage in areas which have little or no drainage; and

WHEREAS, the NRCS, ADEQ and Sebastian County will partner to provide the necessary right of way and construct a roadbed and base course for the proposed relocation of this half-mile section of Highway 252.

NOW THEREFORE, the Director is authorized to accept this relocation proposal and, upon satisfactory completion of the work outlined, to apply an Asphalt Surface Treatment to the completed base course. The Surface Treatment is to be funded from the District's Road Improvement Funds.

Upon completion of the surfacing, the new roadway will be added to the Highway System and the existing roadway dropped from the System.

2000-191

WHEREAS, Minute Order 97-110 authorized a study of roadway needs in Mena; and

WHEREAS, the study focused on traffic congestion along Highway 71 and the need and feasibility of constructing an overpass of the Kansas City Southern Railroad; and

WHEREAS, no economically feasible options were identified for constructing this railroad overpass.

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

2000-192

WHEREAS, IN WHITE COUNTY, local officials have proposed an interchange at the Garner overpass to serve industrial development that has been initiated to the north of Highway 67; and

WHEREAS, an interchange at this location has been evaluated and findings reported in the *Proposed Garner Interchange, Highway 67 and KOA Road* study.

NOW THEREFORE, the significant benefits of a future interchange are recognized, and the study is hereby adopted.

2000-193

WHEREAS, IN ARKANSAS COUNTY, on Highway 165, Section 5, from DeWitt to Stuttgart, a distance of approximately 23 miles, the condition of the shoulders at various locations has deteriorated and it has been determined that shoulder rehabilitation is warranted.

NOW THEREFORE, the Director is authorized to determine locations for shoulder rehabilitation and to proceed with surveys, plans, and construction of a project to improve this highway as funds become available.

2000-194

WHEREAS, it has been determined that conditions at the below listed railroad crossing warrant installing a concrete surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Chicot	Lake Village	Hwy. 65	Delta Southern	Install Concrete Surface

2000-195

WHEREAS, IN GARLAND COUNTY, at the intersection of Highway 270 West and Highway 270B in Hot Springs, modifications are necessary to enhance the safety of this intersection; and

WHEREAS, it has been determined that the ramp that connects Highway 270 and Highway 270B should be reconstructed with provisions for an acceleration lane.

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

2000-196

WHEREAS, Minute Order 84-14 authorized the Director to proceed with a project to provide reconstruction of Highway 69 in Independence County from the Independence Power Plant entrance for 5.49 miles to the southeast; and

WHEREAS, this section of Highway 69 will be reconstructed under Job R50064, Power Plant Entrance-Southeast (S); and

WHEREAS, Job R50112, Newark-North, will provide for reconstruction and relocation of Highway 69 from Highway 122 to the west; and

WHEREAS, in order to provide consistency, improvements are also needed on Highway 69 east of Highway 122 to the Power Plant entrance, a distance of 1.45 miles.

NOW THEREFORE, the Director is authorized to extend Job R50064 and proceed with surveys, design and reconstruction of Highway 69 from Highway 122 to the southeast for 6.94 miles.

2000-197

WHEREAS, IN PULASKI COUNTY, Federal-aid Transportation and Community and System Preservation grant funds have been approved for the Rivermarket/College Station Livable Communities project; and

WHEREAS, as required by 23 CFR 172.5(d), the Department is responsible for administering these Federal-aid funds; and

2000-197 - Continued

WHEREAS, Central Arkansas Transit Authority is the local sponsor for the project and is coordinating with Little Rock, North Little Rock and College Station for project development using only Federal-aid and local funds.

NOW THEREFORE, the Director is authorized to enter into agreements with Central Arkansas Transit Authority for project implementation.

2000-198

WHEREAS, IN GRANT COUNTY, recent bridge inspections on S. H. 46 have revealed significant structural deficiencies on Bridge #03536 at Log Mile 7.59; and

WHEREAS, these deficiencies have created a critical situation requiring a three-ton load posting; and

WHEREAS, it is necessary to replace the bridge superstructure to correct structural deficiencies.

NOW THEREFORE, the Director is authorized to immediately proceed with plans and construction of a project to replace the bridge superstructure on Bridge #03536 and to modify roadway approaches as required.

2000-199

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **September 27**, 2000 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110335	01	ST. FRANCIS	FORREST CITY BYPASS (S)	1
110374	01	PHILLIPS	DISTRICT 1 SIDEWALK ENHANCEMENTS (PHASE 1) (S)	VAR
R20109	02	LINCOLN	HWY. 425 WIDENING (STAR CITY) (S)	425
020302	02	VARIOUS	DISTRICT 2 SIDEWALK ENHANCEMENTS (PHASE 1) (S)	VAR
R30095	03	MILLER	FOUKE-NORTH (GR. & STRS.) (F)	71
030035	03	MILLER	STATE LINE INTERCHANGE-HWY. 71 (F)	245

2000-199 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
040326	04	VARIOUS	DISTRICT 4 SIDEWALK ENHANCEMENTS (PHASE 1) (S)	VAR
040343	04	WASHINGTON	WASHINGTON CO. AREA HDQ./R.E. OFFICE (FAYETTEVILLE) (S)	112
005963	05	INDEPENDENCE	PLEASANT PLAINS-CO. RD. 6 (S)	167
050097	05	JACKSON	NEWPORT-TUCKERMAN (RESURFACING) (S)	67
R60148	06	PRAIRIE	BAYOU DES ARC STR. & APPRS. (S)	11
060983	06	PULASKI	HWY. 10 BASE REPAIRS (S)	10
070150	07	BRADLEY	WARREN-HWY. 172 (S)	278
R80093	08	FAULKNER & VAN BUREN	FAULKNER CO. LINE-NORTH (S)	65
008826	08	YELL	EAST CITY LIMITS DANVILLE-EAST (S)	10
080133	08	POPE	I-40-DOVER (S)	7
090081	09	CARROLL	SPRING ST.-FLINT ST. (EUREKA SPRINGS) (S)	23
100302	10	MISSISSIPPI	HWY. 312-BLYTHEVILLE (S)	18
SA0425	09	BENTON	DECATUR-WEST (OVERLAY) (S)	---
FA0502	09	BOONE	BEAR CREEK STR. & APPRS. (S)	---
SA2848	10	GREENE	CO. ROAD 27-EAST & SOUTH (BASE & SURF.) (S)	---
SA3032	06	HOT SPRING	HWY. 222-HWY. 67 (OVERLAY) (S)	---
SA3438	05	JACKSON	CO. ROAD 365-NORTHEAST (BASE & SURF.) (S)	---
SA3525	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 10 (S)	---
SA3835	10	LAWRENCE	HWY. 115-CO. RD. 32 (S)	---
FA3913	01	LEE	HWY. 185-SOUTH (RECONSTRUCTION) (S)	---
SA4255	04	LOGAN	HWY. 197-SOUTH (SHAPING, STRS. & BASE) (S)	---
BR6811	01	ST. FRANCIS	CROW CREEK STR. & APPRS. (S)	---
SA7518	08	YELL	HWY. 27-HWY. 155 (RECONST.) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Vice Chairman John "M" Lipton moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Infrastructure Engineer's, Inc., of St. Cloud, Florida, to perform underwater bridge inspections on selected bridges.

MOTION Vice Chairman John "M" Lipton moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to accept the AHTD and Mississippi Department of Transportation Staff recommendations to enter into negotiations with HNTB Corporation of Kansas City, Missouri, for design services on the Great River Bridge Project linking Desha County in Arkansas with Bolivar County in Mississippi.

MOTION Commissioner J. W. Benafield moved, Vice Chairman John "M" Lipton seconded and the motion passed unanimously to accept

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 14, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 14, 2000. Members present were:

Herby Branscum, Jr., Chairman
John "M" Lipton, Vice Chairman
J. W. "Buddy" Benafield, Member
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2000-201 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., November 14, 2000.

2000-202 WHEREAS, the Purchasing Committee has awarded purchases on September 21, 2000, and October 2, 6, 13, 20 and 27 2000, in the amounts \$70,237.00, \$430,535.00, \$237,747.00, \$41,543.00, \$202,554.00, and \$1,578,054.39, respectively, totaling \$2,560,670.39, 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 in making the awards be ratified and confirmed in all particulars.

2000-203 WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the National Institute of Standards and Technology and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials; and

2000-203 - Continued

WHEREAS, this Department has received notice that its share of support of the Laboratory for Fiscal Year 2001 (October 1, 2000 to September 30, 2001) is \$11,000.00; and

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2001 AASHTO, AMRL Account, Department 5051, Washington, D. C. 20061-5051.

2000-204

WHEREAS, to provide the most economical highway bridges and culverts, detailed hydraulic field data, historical water surface elevations, analytical hydrologic procedures, and research information must be available; and

WHEREAS, the U. S. Geological Survey provides this information through its Federal-State Cooperative Water Resources Program; and

WHEREAS, there is currently a cooperative agreement between the U. S. Geological Survey and the Department for the collection of rural data from the operation and maintenance of crest-stage gauges, developing computer software, and providing technical assistance needed in the hydraulic design of bridges and culverts.

NOW THEREFORE, the Director is authorized to enter into continuation of the existing cooperative agreement with U. S. Geological Survey for the period October 1, 2000 through September 30, 2001 involving the expenditure of State funds in the amount of \$57,400. The Department will contribute State funds in the amount of \$57,400 and the U. S. Geological Survey's portion of the funding will be in the amount of \$57,400.

2000-205

WHEREAS, the manual of Standard Specifications for Highway Construction, Edition of 1996, was printed pursuant to Minute Order 95-148 and 5000 copies were obtained; and

WHEREAS, there is a need for an additional 2000 copies of this manual:

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(Continued)

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2000-205 - Continued

NOW THEREFORE, the Director is authorized to proceed with arrangements for printing an additional 2000 copies of the Standard Specifications for Highway Construction, Edition of 1996, for distribution in accordance with Department policy at an appropriate cost per copy.

2000-206

WHEREAS, the Federal Highway Administration has been promoting the use of subsurface utility engineering (SUE) as a means to save costs on highway construction projects; and

WHEREAS, subsurface utility engineering was studied by a Quality Initiative Program Team composed of personnel from the Arkansas Highway and Transportation Department, the Federal Highway Administration, and from the private construction and utility sector; and

WHEREAS, the Quality Initiative Program Team recommended a pilot project utilizing subsurface utility engineering be conducted and this recommendation was endorsed by the Joint Quality Initiative Program Committee;

NOW THEREFORE, the Director is hereby authorized to engage the services of a consultant to conduct pilot projects to evaluate the cost effectiveness and efficiency of subsurface utility engineering.

2000-207

WHEREAS, leveling and undersealing concrete pavement with high density polyurethane has proven to be an effective procedure for improving the rideability of deteriorated highways; and

WHEREAS, the condition of concrete pavements throughout the State indicates there is a continuing need for more of this work;

NOW THEREFORE, the Director is authorized to proceed with a maintenance contract to level selected sections of concrete pavement as funds become available.

2000-208 WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

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(Continued)

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2000-208 - Continued

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways;

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2001.

2000-209 WHEREAS, the Department in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the University of Arkansas/Mack Blackwell Transportation Center to conduct the following studies:

Application and Advanced Development of the Next-Generation Highway Data Vehicle,

Stormwater Pollution Prevention Best Practices for Transportation Facilities,

Designing Horizontal Curves for Low-Speed Environments, and

Development of Simplified Asphalt Concrete Stiffness/Fatigue Testing Device.

2000-210 WHEREAS, in the West Memphis metropolitan area, two interstate reconstruction projects have been let to contract and others are scheduled; and

WHEREAS, the Department has implemented a Motorist Assistance Patrol pilot program to assist motorists in the work zones that

are experiencing mechanical or other problems that delays travel thru the work zones and creates traffic congestion; and

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(Continued)

November 14, 2000

2000-210 - Continued

WHEREAS, the Motorist Assistance Patrol's services have been well received by the public and have minimized traffic delays at the incident sites; and

WHEREAS, the central Arkansas metropolitan area also experiences traffic congestion at various times during each day, which will increase as local interstate reconstruction projects are let to contract.

NOW THEREFORE, the Director is authorized to expand the Motorist Assistance Patrol program to the central Arkansas metropolitan area as funds become available.

2000-211

WHEREAS, the Department recently completed an Environmental Impact Statement and received a Record of Decision for the upgrading of U. S. Highway 71 from DeQueen to Interstate 40; and

WHEREAS, this U. S. Highway 71 corridor has been designated by Congress as a High Priority Corridor; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) provided a limited amount of High Priority Corridor funding for development of this corridor:

NOW THEREFORE, the Director is authorized to engage the services of an engineering consultant to perform design services for portions of the corridor from DeQueen to Interstate 40.

2000-212

WHEREAS, the Transportation Equity Act for the 21st Century included funds for a study to determine the feasibility of providing an Interstate quality road for a route that runs in south/west direction generally from United States Route 61 and crosses the Mississippi River in the vicinity of Memphis, Tennessee, to Highway 79 and generally follows Highway 79 to Pine Bluff, Arkansas.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm, and enter into any necessary contracts and agreements to conduct such a study.

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2000-213

WHEREAS, in 1993 the Department installed signs at all State Highway entrances into the State which welcomed travelers to the State of Arkansas and identified Arkansas as the “Home of President Bill Clinton”; and

WHEREAS, the Department of Parks and Tourism, through the “Presidential Cities” initiative, requested and the Department installed signs at selected State Highway entrances into the following cities as noted below:

“Hope Birthplace of President Bill Clinton”

“Hot Springs Boyhood Home of President Bill Clinton”

“Fayetteville First Home of Bill and Hillary Clinton”

“Little Rock First Capital President Clinton called Home”

and,

WHEREAS, these signs may have historical significance to certain public entities; and

WHEREAS, some of these entities may have an interest in acquiring one of these signs for historical purposes.

NOW THEREFORE, the Director is authorized to consult with the Department of Parks and Tourism regarding the disposition of these signs and to make these signs available to appropriate public entities, when they are replaced/removed once President Clinton’s term expires.

2000-214

WHEREAS, former Congressman Wilbur D. Mills served in the U. S. House of Representatives for 38 years; and

WHEREAS, Representative Mills was very instrumental in adding the “Eighth Street Expressway” in Little Rock, now known as Interstate 630, to the Interstate Highway System; and

WHEREAS, this Interstate designation contributed greatly to the construction of Interstate 630 by making it eligible for 90/10 federal Interstate funding.

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(Continued)

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2000-214 - Continued

NOW THEREFORE, by authority of the Arkansas Highway Commission, Interstate 630 from Interstate 430 to Interstate 30 is hereby designated as the Wilbur D. Mills Freeway.

AND FURTHER, appropriate signs showing the above stated designation shall be installed.

2000-215

WHEREAS, the Commission acquired property for Job 9626, Ark. F-028-1 (9), Oklahoma Line-Highway 59 (State Highway 68 Additional Lanes, Siloam Springs), Route 412, Section 1, in Benton County, from Lex B. Killebrew and Martha Jean Killebrew, His Wife, and Bratt-Wasson Bank, Mortgagee; and

WHEREAS, Lex B. Killebrew and Martha Jean Killebrew, His Wife, as Grantors, executed their Quitclaim Deed to and in favor of Moss Investment Company, as Grantee, a general partnership consisting of Robert Mike Moss and Michael E. Moss, thus conveying their rights to re-acquire and re-purchase this property under Arkansas Code Annotated Section 27-67-322 to Moss Investment Company; and

WHEREAS, the District Engineer has determined that the area described below is no longer needed for highway purposes, such area is more accurately described as:

Part of the Northwest Quarter of the Southeast Quarter of Section 5, Township 17 North, Range 33 West, Benton County, Arkansas, more particularly described as follows:

Beginning at the Southeast Corner of Lot 1 of Killebrew Subdivision to the City of Siloam Springs and the existing Northwesterly right of way line of State Highway 68; thence South $80^{\circ} 45' 09''$ East a distance of 124.43 feet to a point on the proposed Northwesterly right of way line of State Highway 68; thence South $31^{\circ} 12' 12''$ West along said proposed right of way line a distance of 402.98 feet to a point on the existing Northwesterly right of way line of State Highway 68; thence North $13^{\circ} 11''$ East along

said existing right of way line a distance of 358.53 feet to the point of beginning and containing 0.51 acre more or less.

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(Continued)

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2000-215 - Continued

WHEREAS, the property was appraised and valued at \$6,000.00.

NOW THEREFORE, BE IT RESOLVED that the Chairman of the Commission is authorized to execute a quitclaim deed to Moss Investment Company for the sum of \$6,000.00, and to cause a copy of same and this Minute Order to be recorded in the County Records of Benton County, Arkansas. The right of way is to be remonumented. The Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-216

WHEREAS, the Arkansas State Highway Commission owns property commonly known as the Dermott Rest Area (U. S. Highway 65) in Chicot County, Arkansas; and

WHEREAS, Job 020239, calls for the additional right of way along U. S. Highway 65 adjacent to the east side of the Dermott Rest Area, known as Tract 10, and more accurately described as:

Part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 13 South, Range 3 West, Chicot County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northwest Quarter of the Northwest Quarter of Section 26; thence South 89° 09' 27" West along the South line thereof a distance of 360.21 feet to a point on the Southwesterly existing right of way line U. S. Highway 65 for the point of beginning; thence continue South 89° 09' 27" West along the South line of the Northwest Quarter of the Northwest Quarter of Section 26 a distance of 58.68 feet to a point on the Southwesterly proposed right of way line of U. S. Highway 65; thence North 25° 04' 25" West along said proposed right of way line a distance of 775.28 feet to a point; thence North 58° 21' 40" East a distance of 53.50 feet to a point on the Southwesterly existing right of way line of U. S. Highway 65; thence South 25° 05' 58" East along said existing right

of way line a distance of 805.48 feet to the point of beginning and containing 0.97 acres more or less.

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(Continued)

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2000-216 - Continued

NOW THEREFORE, BE IT RESOLVED that the character of the above described property is changed from Area Maintenance Headquarters to right of way, a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Chicot County, and the right of way remonumented.

2000-217

WHEREAS, the Arkansas State Highway Commission acquired right of way for Job R20149, FAP No. NH-0035(26), more commonly known as the U. S. Highway 65 - South (F), Jefferson County, Route 425, Section 7, by Special Warranty Deed dated September 14, 1998, which is recorded in the Jefferson County real estate records at Book 699, Page 728; and

WHEREAS, Robert E. Roe and Charles M. Roe, successors in interest to the Trustee of the Nell Roe Trust #1 and Trustee of the Nell Roe Revocable Trust, have requested that a portion of the area conveyed be declared surplus; and

WHEREAS, the District Engineer has determined that the area described below is no longer needed for highway purposes, and recommends that said area be released for the appraised amount of \$1,700.00, and such property is more particularly described as follows:

**PART OF TRACT 66
AREA TO BE RELEASED**

Part of the West Half of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 33, Township 6 South, Range 8 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northeast Quarter of the Southwest Quarter of Section 33; thence South 89° 49' 03" East along the North line thereof a distance of 106.241 meters to a point on the proposed Easterly

right of way line of U. S. Highway 425 for the point of beginning; thence continue South 89° 49' 03" West along said North line of the Northeast Quarter of the Southwest Quarter of Section 33 and proposed right of way line a distance of 15.239 meters to a point on the existing Easterly right of way line of U. S. Highway 425; thence South 35° 08' 00" East along said

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2000-217 - Continued

existing right of way line a distance of 14.097 meters to a point thence South 41° 24' 23" East along said existing right of way line a distance of 118.781 meters to a point; thence South 40° 09' 33" East along said existing right of way line a distance of 220.004 meters to a point; thence South 40° 41' 42" East along said existing right of way line a distance of 200.070 meters to a point; thence South 39° 39' 36" East along said existing right of way line a distance of 69.571 meters to a point on the proposed Easterly right of way line of said U. S. Highway 425; thence North 54° 36' 29" East along said proposed right of way line a distance of 12.129 meters to a point; thence North 40° 07' 16" West along said proposed right of way line a distance of 70.000 meters to a point; thence North 40° 07' 16" West along said proposed right of way line a distance of 100.000 meters to a point; thence North 40° 16' 00" West along said proposed right of way line a distance of 100.020 meters to a point; thence North 40° 07' 16" West along said proposed right of way line a distance of 100.000 meters to a point; thence North 40° 16' 00" West along said proposed right of way line a distance of 100.020 meters to a point; thence North 41° 16' 00" West along said proposed right of way line a distance of 99.958 meters to a point; thence North 36° 54' 57" West along said proposed right of way line a distance of 61.442 meters to the point of beginning and containing 1.513 hectares or 15,129 square meters more or less.

NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Commission is authorized to execute a quitclaim deed of an undivided 58.704222 percent to Robert E. Roe and an undivided 41.295779 percent to Charles M. Roe for the sum of \$1,700.00, to cause a copy of same and this Minute Order to be recorded in the County Records of Jefferson County, Arkansas and to cause the right of way to be remonumented.

2000-218

WHEREAS, the Commission acquired right of way for Job 1338, more commonly known as the Story – Aly Road, FAP No. FH A-27-

F (State Highway 27), Montgomery County, Route 27, Section 7, by Montgomery County Court Order dated June 29, 1959, which is recorded in the Montgomery County Court Records at Book L, page 445; and

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2000-218 - Continued

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

JOB 1338
FAP: FH A-27-F
STORY - ALY ROAD
(STATE HIGHWAY 27)
MONTGOMERY COUNTY

ROUTE 27 SECTION 7

From Designated Survey **Centerline Station 106+00.00** to **Centerline Station 109+63.00** the originally executed Court Order for **Job 1338** dated June 29, 1959 and being recorded in the County Court Records of Montgomery County, AR, in Record Book "L" at page 445, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the herein above described Centerline shall be:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDT</u>
106+00.00	109+63.00	363.0'	66.0'	40.0'	106.0'

Note: In all other respect the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of

this Minute Order in Montgomery County; and that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds.

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November 14, 2000

2000-219

WHEREAS, the Commission acquired property for Job 10822, Harrisburg-North Relocation, Route 1, Section 1, Tracts 11 and 12, in Poinsett County, from James H. Roberts and Shirley L. Roberts, His Wife, and Bank of Truman; and

WHEREAS, Mark Roberts and Jay Roberts, the lawful heirs of James H. Roberts and Shirley L. Roberts, have assigned their right to reacquire this property under Arkansas Code Annotated Section 27-67-322 to Crocker/King, Inc.; and

WHEREAS, the District Engineer has determined that the area described below is no longer needed for highway purposes, such area is more accurately described as:

Part of the Tracts 11 and 12 as shown on the right of way plans for Arkansas Highway Commission Job 10822, Highway 1, Section 1, Harrisburg, Poinsett County, Arkansas, and as recorded in the Circuit Clerk's Office (Arkansas State Highway Commission verses James H. and Shirley L. Roberts) Case #3261, File May 19, 1975, and being a part of Heathman Addition to the City of Harrisburg, Poinsett County, Arkansas, as recorded in the Circuit Clerk's Office on October 11, 1966 being more particularly described as follows:

Commencing at a found half inch rebar being used as the Southwest Corner of said Heathman Addition; thence North 03° 27' 15" West 100.01 feet to the Southwest Corner of Lot 3 of said Heathman Addition, as surveyed by the Arkansas State Highway Commission in 1975; thence North 86° 32' 00" East along the South line of said Lot 3 78.60 feet to a point on the Westerly right of way line of Arkansas State Highway 1 and the point of beginning; thence the following courses and distances along said right of way established by AHTD Job 10822, North 02° 28' 34" West 114.20 feet; thence North 01° 49' 00" East 81.16 feet to the Southerly right of way line of a closed street as shown on the plat of said Heathman Addition; thence North 03° 28' 00" West 12.05 feet to the Centerline of said closed street; thence North 86° 32' 00" East 12.03 feet along the Centerline of said closed street; thence North 03° 28' 00" West 12.50 feet to the Northerly right of

way line of said closed street and the Southeast Corner of Lot 14 of said Heathman Addition; thence North 03° 28' 00" West 150.00 feet along the East line of Lots 14 and 18 to the Northeast Corner of said Heathman Addition and the South right of way line of Phillips Avenue; thence along the right of way line established by the release as shown on the plat prepared by AHTD, titled (Survey of AHTD Release Area Job 10786-2)

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2000-219 - Continued

dated August 22, 2000, the following courses and distances to 5/8 inch rebars with 2 inch aluminum caps stamped (AHTD BDY PLS #1201) North 86° 32' 00" East along the South line of Phillips Avenue 21.75 feet; thence South 00° 07' 00" West 175.34 feet to the South right of way line of said closed street; thence South 26° 09' 21" West 28.60 feet; thence South 00° 07' 00" West 57.99 feet; thence South 01° 17' 37" East 112.25 feet; thence South 86° 32' 00" West 10.21 feet to the point of beginning and containing 0.123 acres or 5,357.88 square feet more or less.

WHEREAS, the property was appraised and valued at \$3,200.00.

NOW THEREFORE, BE IT RESOLVED that the Chairman of the Commission is authorized to execute a quitclaim deed to Crocker/King, Inc. for the sum of \$3,200.00, and to cause a copy of same and this Minute Order to be recorded in the County Records of Poinsett County, Arkansas. The right of way is to be remonumented. The Federal-Aid funds from this disposal are to be credited to Federal funds.

2000-220

WHEREAS, on Jobs R20052 and R20053, both being grading and structures projects, the contractor, Potashnick Construction, Inc., voluntarily defaulted; and

WHEREAS, Travelers Casualty Insurance Company, surety for Potashnick Construction, Inc., assumed responsibility for completion of the projects; and

WHEREAS, the subsequent Job R20056, being a base and surfacing project, was contracted to the T. L. James Company; and

WHEREAS, Angelo Iafrate Construction, LLC, formerly doing business as T. L. James Company, has claimed that the default by

Potashnick and the completion by Travelers resulted in significant delays to their own project; and

WHEREAS, Angelo Iafrate Construction, LLC, has taken legal action against Travelers to recover the additional costs that were created on their project by the delays; and

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(Continued)

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2000-220 - Continued

WHEREAS, Angelo Iafrate Construction, LLC, has requested that the Department assign to their company any rights the Department may have for recovery of additional costs and expenses due to delays on these projects; and

WHEREAS, the Department did recover certain liquidated damages that were due on Job No. R20053 as a result of delays and no other liquidated damages have been assessed or are due; and

WHEREAS, the Department has no reason to seek additional costs for delays from Potashmick or Travelers;

NOW THEREFORE, the Chief Engineer is authorized to enter into an agreement with Angelo Iafrate Construction, LLC, whereby the Department assigns that company its rights for recovery of any other costs or expenses related to the delays.

2000-221

WHEREAS, IN INDEPENDENCE COUNTY, in the vicinity of Pleasant Plains, Job R50084 is nearing completion for the relocation of a segment of Highway 167, Section 17.

NOW THEREFORE, upon completion of Job R50084 and official notification by the Chief Engineer, it is ordered that the following changes to the State Highway System be made as shown on the attached sketch:

1. The official route of Highway 167, Section 17, shall be in accordance with the alignment as constructed by Job R50084.
2. A part of the old route of Highway 167, Section 17, shall be redesignated as part of Highway 157, Section 2.

3. That part of Highway 157, Section 3, from the old location of Highway 167 to the new location shall be redesignated as part of Highway 157, Section 2.

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(Continued)

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2000-221 - Continued

4. Two segments of the old route of Highway 167 were obliterated by Job R50084 and shall be removed from the State Highway System.
5. In accordance with the Supreme Court decision, the remaining segments of the old route shall be no longer a part of the State Highway System.

2000-222

WHEREAS, Minute Order 2000-192 adopted the Proposed Garner Interchange, Highway 67 and KOA Road, White County Study; and

WHEREAS, new information has been provided to the Department regarding industrial development in the Searcy area; and

WHEREAS, this information has been evaluated and reported in the Proposed Garner Interchange, Highway 67 and KOA Road, White County Study Update.

NOW THEREFORE, this study update is hereby adopted.

2000-223

WHEREAS, the Mayor of Monticello has requested that the Department conduct a planning study of a southern Monticello bypass; and

WHEREAS, this proposed facility could have a significant impact on travel patterns in Monticello and in much of southeast Arkansas.

NOW THEREFORE, the Director is authorized to conduct a planning study to evaluate the purpose, need and feasibility for a southern Monticello bypass.

2000-224

WHEREAS, IN GREENE COUNTY, on Highway 49, Section 2, from Paragould to Marmaduke, a distance of approximately eleven miles, traffic volumes have increased to a level such that an increase in capacity should be considered.

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(Continued)

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2000-224 - Continued

NOW THEREFORE, the Director is authorized to proceed with a study to determine the appropriate scope of improvements for Highway 49 from Paragould to Marmaduke.

2000-225

WHEREAS, the City of Cabot has designed and is reserving right-of-way for a rail grade separation on a new alignment between Highway 38 and Highway 367 in north Cabot; and

WHEREAS, the new connection has the potential to relieve traffic congestion on Highway 89 through Cabot; and

WHEREAS, the City of Cabot has asked the Department to study the extension of the new connection to Highway 67/167 with a new interchange.

NOW THEREFORE, the Director is authorized to conduct a study to determine purpose, need, and feasibility of the extension of the new connection and a new Highway 67/167 interchange north of Cabot.

2000-226

WHEREAS, IN FAULKNER COUNTY, on Interstate 40, Section 32, the traffic volumes at the Highway 65B interchange in Conway have increased to the point that the existing overpass and ramps have reached capacity during peak hours; and

WHEREAS, on the basis of on-site investigations and design review, it has been determined that capacity improvements to the interchange are needed.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to increase capacity of the interchange as funds become available.

2000-227

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing or upgrading active warning devices and a concrete surface.

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(Continued)

November 14, 2000

2000-227 - Continued

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Faulkner	Conway	Tyler and Donaghey	Union Pacific	Upgrade Flashing Signals with Gates and Concrete Surface
Greene	Paragould	Goldsmith Rd.	Union Pacific	Install Flashing Signals with Gates

2000-228

WHEREAS, IN NEVADA COUNTY, on Highway 371, Section 5, from Rosston to the Columbia County Line, a distance of approximately 11.5 miles, the need for resurfacing this section of roadway has been identified; and

WHEREAS, Federal-aid High Priority Project funding is available for this work.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing project on this route.

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

Phase I of this work is to be completed under Job 050102.

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2000-232

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 14, 2000 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020288	02	DREW	TEN MILE CREEK STR. & APPRS. (S)	278
B30100	03	HEMPSTEAD & NEVADA	HWY. 299-HWY. 371 (F)	30
030177	03	SEVIER	COSSATOT RIVER & RELIEF STRS. & APPRS. (S)	71
030229	03	LITTLE RIVER & MILLER	DISTRICT 3 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VAR
B40103	04	FRANKLIN	HWY. 219-WEST (F)	40
040027	04	WASHINGTON	ILLINOIS RIVER STR. & APPRS. (PRAIRIE GROVE) (S)	62
040229	04	SEBASTIAN	WEST CREEK STR. & APPRS. (S)	96
050088	05	VARIOUS	DISTRICT 5 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VAR
B60123	06	HOT SPRING	I-30 BRIDGE REPAIR & IMPVTS. (NEAR SOCIAL HILL) (S)	30
060927	06	LONOKE	HWY. 89/PANTHER TRAIL RD. SIGNAL (CABOT) (S)	89
060951	06	PULASKI	MANN RD. RELOCATION (LITTLE ROCK) (S)	---
060956	06	LONOKE	HWY. 89/EIGHTH ST. DRAINAGE IMPVTS. (CABOT) (S)	89
R00108	10	LAWRENCE	HWY. 63-HWY. 34 (BASE & SURF.) (F)	67
100394	10	CLAY	RECTOR-NORTH STRS. & APPRS. (S)	90
100477	10	POINSETT	HWY. 1/HWY. 14 SIG. & INTERS. IMPVTS. (HARRISBURG) (S)	1 & 14
100511	10	MISSISSIPPI	HWY. 137 & CO. RDS. 97 & 99/430 INTERS. IMPRVTS. (S)	137
100518	10	MISSISSIPPI	MISSISSIPPI COUNTY AREA HEADQUARTERS (OSCEOLA) (S)	---
BX0100	03 & 07	NEVADA & CLARK	BOUGHTON RD.-GURDON REST AREA (F)	30

SA0736	07	CALHOUN	CO. RD. 29-CO. RD. 190 (BASE & SURFACING) (S)	---
BR1106	10	CLAY	BIG SLOUGH DITCH STR. & APPRS. NO. 4 (S)	---
SA1538	08	CONWAY	HWY. 92-EAST (REHABILITATION) (S)	---

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JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
FA1906	01	CROSS	HWY. 1-EAST (RECONSTRUCTION) PHASE 2 (S)	---
FA2005	07	DALLAS	OUACHITA COUNTY LINE-HWY. 273 PHASE I (S)	---
BR2812	10	GREENE	BIG SLOUGH DITCH STR. & APPRS. NO. 2 (S)	---
SA3033	06	HOT SPRING	CO. RD. 869-HWY. 67 (OVERLAY) (S)	---
SA6236	06	SALINE	CO. RD. 9-HWY. 229 (OVERLAY) (S)	---
FA6915	05	STONE	PLEASANT HILL-EAST (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities

and/or advertise for new proposals whenever deemed to be in the best interests of the State.

- 20 -

November 14, 2000

MOTION Vice Chairman John "M" Lipton moved, Commissioner J. W. Benafield seconded and the motion passed unanimously to open the application process until May 1, 2001, for Recreational Trails Program funding for 2001.

Before continuing the meeting, Chairman Herby Branscum, Jr. stepped down as Chairman to allow the Commission to select a new Chairman prior to the upcoming legislative session.

MOTION Commissioner J. W. Benafield moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to elect Vice Chairman John "M" Lipton as Chairman of the Arkansas State Highway Commission.

MOTION Commissioner Prissy Hickerson moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to elect Commissioner J. W. Benafield as Vice Chairman of the Arkansas State Highway Commission.

2000-233 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:50 p.m., November 14, 2000.

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 November 14, 2000.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 6, 2000

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 6, 2000. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Herby Branscum, Jr., Member

2000-234 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 2:00 p.m., December 6, 2000.

2000-235 WHEREAS, \$94 million was provided in the Federal Fiscal Year 2001 U. S. Department of Transportation Appropriation Act for I-49 (U. S. Highway 71) in Arkansas.

NOW THEREFORE, IT IS ORDERED that the \$94 million be included in the Department's 2001-2003 Statewide Transportation Improvement Program (STIP) for the section of U. S. Highway 71 between Texarkana and the Louisiana line.

MOTION Commissioner Prissy Hickerson moved, Commissioner Herby Branscum, Jr. seconded and the motion passed unanimously to accept the Staff's recommendation to replace the "Welcome to Arkansas" signs at the state's borders which refer to Arkansas as the "Home of Bill Clinton" with other appropriate welcome signs.

2000-236 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:35 p.m., December 6, 2000.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 10, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 10, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Herby Branscum, Jr., Member

2001-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., January 10, 2001.

2001-002 WHEREAS, the Purchasing Committee has awarded purchases on November 17 and 22, 2000, and December 5, 18 and 21 2000, in the amounts \$26,536.00, \$180,776.05, \$51,293.60, \$157,178.00, and \$3,169,409.68, respectively, totaling \$3,585,193.33, 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 in making the awards be ratified and confirmed in all particulars.

2001-003 WHEREAS, the recent ice storm was the most devastating ice storm of its kind in recent memory; and

WHEREAS, Department employees were called upon to work long hours in keeping the highways passable; and

WHEREAS, these employees accomplished their task with great dedication to their mission:

2001-003 - Continued

NOW THEREFORE, the Commission does hereby express its appreciation and thanks to the Department employees for their exemplary service during this difficult time.

2001-004

WHEREAS, ten short years have passed since January 1991, and with their passing will cause to expire in January 2001, your term as Member and Chairman of the Arkansas State Highway Commission, we the undersigned, your friends and fellow Commissioners, those who will miss your comradeship, sound counsel, and words of encouragement, wish for your future the best of everything. We wish to recognize you for your tireless efforts and acclaim your devotion to the service of this Commission. Your personal contributions over the past ten years have promoted progress and economic growth in this Great State through sound planning and the application of business principles in the planning, construction, and maintenance of our overall State Highway System; and

WHEREAS, because of the imminent loss of the aforementioned knowledge and service to this Commission, these members acting in their best interest, do herewith, through this instrument, serve formal notice that you are hereby directed and expected to continue to serve this Commission and the State of Arkansas.

NOW THEREFORE, with high esteem, we do hereby bestow upon you, ad infinitum, the title "Commissioner Emeritus."

2001-005

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintains up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process; and

WHEREAS, the contract for printing the 2000 State Highway Map will expire in the near future.

2001-005 - Continued

NOW THEREFORE, the Director is authorized to execute the necessary contracts and agreements for printing the 2001 State Highway Map.

2001-006

WHEREAS, the recent ice storms have resulted in a significant amount of downed or damaged trees and broken limbs along many of the state highways; and

WHEREAS, removal and disposal of this debris will require significant Department personnel and monetary resources; and

WHEREAS, a Federal Disaster Declaration has been proclaimed which includes many Counties in Arkansas; and

WHEREAS, as a result of the Declaration, Federal funds are available through the Federal Emergency Management Agency (FEMA) to help in this storm cleanup; and

WHEREAS, cleanup of the storm debris from the highways is eligible for FEMA funding:

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with private sector contractors to remove and dispose of the storm debris on the highway system and request reimbursement from FEMA as appropriate.

2001-007

WHEREAS, the Multimedia-based Highway Information System (MMHIS) was developed through a cooperative agreement with the University of Arkansas; and

WHEREAS, the MMHIS is being implemented within the Department.

NOW THEREFORE, the Director is authorized to proceed with the necessary purchases required to provide for the operation and expansion of the MMHIS.

2001-008

WHEREAS, the Arkansas State Highway and Transportation Department is participating in the Long Term Pavement Performance (LTPP) Program, a nationwide highway research program to identify methods for increasing pavement life; and

WHEREAS, the Department has constructed LTPP test sites at various locations in the state; and

WHEREAS, laboratory tests are required and suitable materials testing firms are available to conduct this work.

NOW THEREFORE, the Director is authorized to enter into contracts for material testing for the LTPP program as necessary.

2001-009

WHEREAS, Minute Order 2000-020 authorizes the selection of a consultant to design the Great River Bridge over the Mississippi River; and

WHEREAS, the Federal Highway Administration requires a Value Engineering Study for projects that cost over \$25,000,000; and

WHEREAS, the cost of the Great River Bridge Project will exceed \$25,000,000.

NOW THEREFORE, the Director is hereby authorized to retain the services of a qualified engineering consultant to conduct, perform and provide a value engineering study for the concept design of the Great River Bridge.

2001-010

WHEREAS, TEA-21 includes specific conditions allowing states to use Federal transportation funds for reimbursement of expenses related to work that streamlines the environmental process; and

WHEREAS, the Department of Arkansas Heritage (DAH) through its Arkansas Historic Preservation Program, is responsible for archeological reviews of approximately 3,000 projects annually; and

WHEREAS, many of these projects are initiated by the Arkansas State Highway and Transportation Department.

2001-010 - Continued

NOW THEREFORE, the Director is authorized to enter into agreement with DAH for the purpose of expediting AHTD projects subject to the following conditions:

1. AHTD to pay salary additives and other salary-related benefits of appropriate staff position(s) to expedite DAH review of AHTD projects; and
2. DAH to provide all necessary funds and equipment to support the activities of the employee including, but not limited to, office space, office supplies, travel transportation, clerical support and training.

2001-011

WHEREAS, the Commission acquired property known as Tract 8 from Denver Bailey and Emma Jean Bailey, husband and wife, for Job No. 009947, DPS-0005(3), better known as Long Creek - U. S. Highway 65 (U. S. Highway 412 Relocation), Boone County, by Warranty Deed filed of record on June 27, 1997, in the Boone County Circuit Clerk's Office as Instrument No. 97-000169; and

WHEREAS, Tract 8 was acquired for \$30,850.00; and

WHEREAS, Denver Bailey and Emma Jean Bailey, husband and wife, have requested to repurchase part of Tract 8, excepting abutters' and access rights to U. S. Highway 412; and, the District Engineer has determined that the part of Tract 8 to be repurchased, being more particularly described as follows, is no longer needed for highway purposes:

JOB 009947

PART OF TRACT 8:

Part of the Northeast Quarter of the Northeast Quarter of Section 19 and part of the Northwest Quarter of the Northwest Quarter of Section 20, all in Township 19 North, Range 21 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Northwest Quarter of Section 20; thence South 02° 17' 48" West along the West line thereof a distance of 656.71 feet to a point on the proposed Southerly right of way line of U. S. Highway 412 Relocation for the point of beginning; thence South 87° 21' 45" East along said proposed right of way line a distance of 125.20 feet to a point; thence South 17° 13' 56" East along said proposed right of way line a distance of 94.46 feet to a point on the existing Northerly right of way line of U. S. Highway 412; thence in a Northwesterly direction along said existing right of way line on a curve to the left having a radius of 664.34 feet a distance of 183.47 feet to a point on said proposed Southerly right of way line of U. S. Highway 412 Relocation; thence South 87° 21' 45" East along said proposed right of way line a distance of 1.16 feet to the point of beginning and containing 0.11 acres more or less.

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WHEREAS, three qualified appraisers have determined that the current fair market value of the above-described part of Tract 8, excepting abutters' and access rights to the U. S. Highway 412, is \$100.00;

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting abutters' and access rights to U. S. Highway 412, is declared surplus; upon receipt of the consideration of \$100.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Denver Bailey and Emma Jean Bailey, husband and wife; a copy of the deed and this Minute Order shall be recorded in Boone County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, the Commission acquired right of way for Job 506 (005964), more commonly known as Batesville-Pleasant Plains (State Highway 11), Independence County, Route 167, Section 17, by Independence County Court Order dated October 26, 1927, which is recorded in the Independence County Court Records at Record 3, page 546; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

JOB 506 (005964)
BATESVILLE - PLEASANT PLAINS (STATE HIGHWAY 11)
INDEPENDENCE COUNTY
ROUTE 167 SECTION 17

From Designated Survey **Centerline Station 91+00.0** to **Centerline Station 96+00.0** the originally executed Court Order for **Job 506** dated October 27, 1927 and being recorded in the County Court Records of Independence County, AR, in Record "3" at page 546, said records shall hereby be revised as follows.

The width of the right of way to the left and right of the above-described Centerline shall be:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN. FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
91+00.00	96+00.00	500.0'	40'	40'	80'

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Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Independence County; and that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds.

2001-013

WHEREAS, the Commission acquired property known as Tract 35R from the Pioneer Oil Company, Arkansas Division, for Job R20149, FAP: NH-0035(26), U. S. Highway 65 – South (U. S. Highway 425), Route 425, Section 7, Jefferson County, by warranty deed filed of record on June 25, 1998, in the Circuit Clerk’s Office of Jefferson County in Book No. 694, Page 515; and

WHEREAS, Tract 35R was acquired for \$4,000.00; and

WHEREAS, Stefanie Draper Clayton has asked to repurchase Tract 35R; the Pioneer Oil Company, Arkansas Division, has assigned its rights to reacquire Tract 35R to Stefanie Draper Clayton; and, the District Engineer has determined that Tract 35R, being more particularly described as follows, is no longer needed for highway purposes:

JOB R20149
TRACT 35R

Part of the Southwest Quarter of the Southwest Quarter of Section 21, Township 6 South, Range 8 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southwest Quarter of the Southwest Quarter of Section 21; thence South 89° 48’ 13” East along the South line thereof a distance of 196.212 meters to a point on the Southwesterly existing right of way line of U. S. Highway 425; thence North 36° 56’ 29” West along said existing right of way line a distance of 140.011 meters to a point; thence South 45° 12’ 23” West a distance of 6.956 meters to a point on the Southwesterly proposed right of way line of U. S. Highway 425 for the point of beginning; thence continue South 45° 12’ 23” West a distance of 14.067 meters to a point; thence North 38° 12’ 15” West a distance of 68.190 meters to a point; thence North 44° 42’ 20” East a distance of 15.481 meters to a point on the proposed Southwesterly right of way line of U. S. Highway 425; thence South 37° 02’ 33” East along said proposed right of way line a distance of 68.501 meters to the point of beginning and containing 0.100 hectare more or less.

JW/ll
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2001-013 - Continued

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$4,000.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Stefanie Draper Clayton; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2001-014

WHEREAS, the Commission acquired right of way for Job C-60-51, more commonly known as State Highway 365 – South, FAP No. S-1280(1), Pulaski County, Route 100, Section 0, by Pulaski County Court Order dated May 23, 1973, which is recorded in the Pulaski County Court Book 70, page 67; and

WHEREAS, the District Engineer has determined that part of the lands acquired by the Pulaski County Court Order is not needed now, nor in the foreseeable future, for highway purposes, and recommends release of part of the lands, which is more particularly described as follows:

JOB C-60-51
FAP: S-1280(1)
HIGHWAY 365 - SOUTH
PULASKI COUNTY
ROUTE 100 SECTION 0

AREA TO BE RELEASED:

Part of the East Half of the Northeast Quarter of Section 21, Township 3 North, Range 13 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 21; thence North $01^{\circ} 05' 26''$ East along the East line thereof a distance of 1281.71 feet to a point on the Southerly existing right of way line of State Highway 365; thence North $76^{\circ} 27' 07''$ West along said existing right of way line a distance of 439.92 feet to a point; thence North $85^{\circ} 10' 52''$ West along said existing right of way line a distance of

223.22 feet to a point; thence South 37° 15' 27" West along said existing right of way line a distance of 55.00 feet to a point on the Westerly proposed right of way line of State Highway 365 for the point of beginning; thence North 19° 47' 10" West along said proposed right of way line a distance of 27.72 feet to a point; thence North 76° 00' 50" West along said proposed right of way line a distance of 210.87 feet to a point on the Westerly existing right of way line of State Highway 365; thence South 01° 02' 43" East along said existing right of way line a distance of 131.11 feet to a point; thence South 01° 37' 04" West along said existing right of way line a distance of 400.00 feet to a point on the Westerly proposed right of way line of State Highway 365; thence North 08° 12' 37" East along said proposed right of way line a distance of 161.35 feet to a point; thence North 29° 29' 05" East along said proposed right of way line a distance of 245.66 feet to a point; thence North 44° 29' 50" East along said proposed right of way line a distance of 112.65 feet to the point of beginning and containing 0.97 acre or 42,211 square feet more or less.

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Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED that: the above-described property is surplus and hereby released; the Right of Way Division is directed and authorized to record a copy of this Minute Order in Pulaski County; and, the right of way shall be re-monumented to reflect the new boundaries. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds.

2001-015

WHEREAS, the Commission acquired right of way for Job 138, more commonly known as Bald Knob – Augusta, State Highway 16, Woodruff County, Route 64, Section 12, by Woodruff County Court Order dated October 18, 1930, which is recorded in the Woodruff County Court Records; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

PART OF JOB 138
BALD KNOB - AUGUSTA
(STATE HIGHWAY 16)
WOODRUFF COUNTY
ROUTE 64 SECTION 12

AREA TO BE RELEASED:

From Designated Survey Centerline Station 67+00.0 to Centerline Station 70+00.0 the originally executed Court Order for Job 138 dated October 18, 1930 and being recorded in the County Court Records of Woodruff County, Arkansas.

The width of the right of way to the left and to the right of the herein above described Centerline shall be as follows.

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
67+00.0	70+00.0	300.0'	40'	40'	80'

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Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Woodruff County; and that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds.

2001-016

WHEREAS, future Interstate 69 from Sarnia, Ontario, Canada to the U. S./Mexican Border, in the lower Rio Grand Valley, will pass through Southeast Arkansas; and

WHEREAS, projects are under development throughout the corridor including the Great River Bridge located between Desha County, Arkansas and Bolivar County, Mississippi; and

2001-016 - Continued

WHEREAS, environmental studies are nearing completion for the I-69 Connector from Pine Bluff to the Corridor in the vicinity of Warren and Monticello; and

WHEREAS, the locations for the Sections of Independent Utility from U. S. 65 to El Dorado and from El Dorado to Shreveport, Louisiana need to be determined.

NOW THEREFORE, the Director is authorized to retain the services of consulting firms to perform environmental and location studies necessary for establishing the location of future I-69 from U. S. Highway 65 to El Dorado and from El Dorado to Shreveport, Louisiana. The studies from El Dorado to Shreveport shall be coordinated with the Louisiana Department of Transportation and Development.

2001-017

WHEREAS, the U. S. Highway 71 corridor has been designated by Congress as a High Priority Corridor; and

WHEREAS, the Department, in coordination with the Missouri Department of Transportation, has completed an Environmental Impact Statement and has received a Record of Decision for construction of a bypass around Bella Vista; and

WHEREAS, the 1991 Intermodal Surface Transportation Efficiency Act made available limited funds for preliminary engineering for this facility.

NOW THEREFORE, the Director is authorized to coordinate with the Missouri Department of Transportation to engage the services of an engineering consultant to perform design services for this project.

2001-018

WHEREAS, IN FAULKNER COUNTY on Highway 60, Section 0, in the City of Conway, the Department has entered into an access management agreement with the City and the Metroplan Board of Directors as the designated Metropolitan Planning Organization; and

2001-018 - Continued

WHEREAS, the Conway City Council and Metroplan have approved an amendment to the agreement to correct the inadvertent omission of a driveway platted for Lot 2, Grissom Subdivision; and

WHEREAS, the driveway meets Department standards.

NOW THEREFORE, the Director is authorized to approve the proposed amendment to the Access Management Plan for State Highway 60/Dave Ward Drive.

2001-019

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Lafayette	Stamps	Pecan Street	Union Pacific	Install Flashing Signals with Gates
Pulaski	Little Rock	36 th Street	Union Pacific	Install Flashing Signals with Gates
Lawrence	Hoxie	Compress Road	Burlington Northern Santa Fe	Install Flashing Signals with Gates

2001-020

WHEREAS, Act 123 of 1953, establishing the authority of the Highway Commission, under Amendment 42, states under Section 5, which defines the powers and duties of the Commission, paragraph (a), "To divide the State Highway System into such maintenance and construction districts as the Commission deems reasonable and proper for the performance of its duties hereunder"; and

WHEREAS, the transfer of Montgomery County between contiguous Districts is needed to more efficiently manage and operate the Highway Program.

NOW THEREFORE, the Director is authorized to officially transfer Montgomery County from District 6 to District 8 and to maintain all maps, records and accounts accordingly, as of January 10, 2001.

2001-021

WHEREAS, IN PULASKI COUNTY, on Highway 107, Section 1 through Gravel Ridge, traffic volumes continue to increase; and

WHEREAS, the Central Arkansas Regional Transportation Study has identified this section of highway as a critical segment of the Regional Arterial Network; and

WHEREAS, the Metroplan Board of Directors has approved the use of STP-Attributable funds for improvements to this route; and

WHEREAS, widening this route was included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of this project.

2001-022

WHEREAS, IN UNION COUNTY, the bridge on Highway 63, Section 18, over Highway 167 in El Dorado has limited vertical clearance; and

WHEREAS, improvements to increase the vertical clearance of the bridge are needed; and

2001-022 - Continued

WHEREAS, these improvements qualify for funding under the Federal-aid Highway Bridge Rehabilitation and Replacement Program.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to increase the vertical clearance on the subject bridge.

2001-023

WHEREAS, based on a recent study, it has been determined that a project to convert from four lanes to five lanes and provide a continuous, two-way, left turn lane on Highway 36, Section 3 in Searcy from near Pleasure Avenue to Highway 67B is warranted.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to convert this section of highway as funds become available. Furnishing of any right of way and adjustment of utilities will be in accordance with Highway Commission policy.

2001-024

WHEREAS, the Transportation Equity Act for the 21st Century authorized funds to be appropriated for safety projects on sections of highways which have high accident rates; and

WHEREAS, based on a recent study which included an accident analysis, it has been determined that a project to widen Highway 67, Section 12C in Searcy to five lanes and provide a continuous, two-way, left turn lane from Davis Street east to the existing five lane section and in the area of Hospital Drive is eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a safety project to widen this section of highway as funds become available. Furnishing of any right of way and adjustment of utilities will be in accordance with Highway Commission policy.

2001-025

WHEREAS, North Arkansas College has requested that the Department assist with the surfacing of a parking area and drives; and

WHEREAS, North Arkansas College has agreed to pay 100% of the cost of these improvements.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to surface an existing parking area and drives at the college.

This action is subject to North Arkansas College reimbursing 100% of the cost of these improvements.

2001-026

WHEREAS, the Peel Ferry office building and maintenance facilities are inadequate; and

WHEREAS, other equipment and features of the Peel Ferry are in poor condition; and

WHEREAS, the Federal Highway Administration has a Ferry Boat Discretionary Program, which provides a special funding category for the construction of ferry boats and ferry terminal facilities; and

WHEREAS, the Department has received approval of funding from the Ferry Boat Discretionary Program for the replacement of inadequate and poor condition items associated with the Peel Ferry.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to replace equipment and other features of the Peel Ferry operation that are approved for funding by the Federal Highway Administration under the Ferry Boat Discretionary Program.

2001-027

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **January 10**, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10107	01	CRITTENDEN	JERICO-LAKE DAVID (F)	55
020239	02	CHICOT & DESHA	SOUTH C.L. MCGEHEE-BLACK POND SLOUGH (S)	65

2001-027 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030251	03	LITTLE RIVER	ASHDOWN PAPER MILL-HWY. 108 (OVERLAY) (S)	71
050102	05	WHITE	HWY. 157-HWY. 167 (PH. 1) (F)	67
B60100	06	SALINE	HWY. 5 CROSSOVER (F)	30
B60105	06	PULASKI	HWY. 67-LONOKE CO. LINE (F)	40
060928	06	PULASKI	HWY.176/LANTRIP RD. INTERSECTION IMPROVEMENTS (SHERWOOD) (S)	176
060966	06	GARLAND & HOT SPRING	DISTRICT 6 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VAR
R70110	07	DALLAS	MARTIN & FREEO CRKS. STRS. & APPRS. (S)	8
B80105	08	POPE	HWY. 331-ATKINS (F)	40
080110	08	POPE	KNOXVILLE AVE./PARKWAY ST. SIGNAL (RUSSELLVILLE) (S)	---
080185	08	CONWAY, POPE & YELL	DISTRICT 8 SIDEWALK ENHANCEMENTS (PHASE I) (S)	VAR
090042	09	BENTON	HWY. 71B/HWY. 94 INTERS. IMPVTS. (ROGERS) (S)	71B & 94
090093	09	BENTON	I-540 & HWY. 264 INTERCHANGE SIGNALS (LOWELL) (S)	540 & 264
100500	10	MISSISSIPPI	BLYTHEVILLE-MISSOURI ST. LINE (OVERLAY) (S)	61
BX0102	6 & 7	HOT SPRING & CLARK	CADDO VALLEY-EAST (F)	30
BR0204	02	ASHLEY	BEARHOUSE CREEK STR. & APPRS. (S)	---
FA0311	09	BAXTER	CO. ROAD 257-FULTON CO. LINE (S)	---
SA0737	07	CALHOUN	HWY. 167-CO. RD. 236 (BASE & SURFACING) (S)	---
FA5414	01	PHILLIPS	LICK CREEK STRS. & APPRS. (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved, Vice Chairman J. W. Benafield. seconded and the motion passed unanimously to accept the AHTD Staff's recommendation to enter into negotiations with the following consultants for the specified upcoming Interstate Rehabilitation Program projects:

Florence & Hutcheson, Inc., of Paducah, Kentucky

Job B40102 Ark. Mo. RR Overpass – East on I-40

Job B40107 Highway 22 – I-40 on I-540

Crafton & Tull of Regers, Arkansas

Job B80108 Lamar – Pope County Line on I-40

Job B80109 Mill Creek – Highway 331 on I-40

Job B80110 Highway 25 – Mayflower on I-40

Louis Berger Group, Inc., of Little Rock, Arkansas

Job B60117 I-430 – I-30 on I-40

Gresham, Smith & Partners of Nashville, Tennessee

Job B60113 Pulaski County Line – Highway 31 on I-40

Job B60114 Cache River – West on I-40

Carter Burgess, Inc., of Little Rock, Arkansas

Job B10104 Highway 38 – Shearerville on I-40

Job B10105 Highway 77 – Highway 131 on I-40

Job B00101 Bardstown Rest Area – Hilton Rest Area on I-55

MOTION

Commissioner Jonathan Barnett moved, Commissioner Herby Branscum, Jr. seconded and the motion passed unanimously (4-0) to ask the AHTD Staff to explore options available to the Highway Commission to address railroad industry issues in Arkansas. (Commissioner Prissy Hickerson had left before the action was taken).

2001-028

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:45 p.m., January 10, 2001.

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 January 10, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 31, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 31, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-029 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:30 p.m., January 31, 2001.

2001-030 WHEREAS, the American Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2001, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2001 in the amount of \$27,748.00.

2001-031 WHEREAS, Minute Order 2001-006 authorized the Director to take the necessary action to remove from the highway system debris resulting from the recent ice storms and seek reimbursement from FEMA; and

WHEREAS, FEMA has advised the Department that FEMA reimbursement will not apply to Federal Aid highway routes; and

WHEREAS, the Federal Highway Administration (FHWA) has an Emergency Relief Program which will reimburse the Department for cleanup of storm debris on Federal Aid highway routes:

2001-031 - Continued

NOW THEREFORE, Minute Order 2001-006 is hereby revised to authorize the Director to enter into the necessary agreements with private sector contractors to remove and dispose of the storm debris on the highway system, to provide technical assistance to cities and counties in their cleanup efforts, and to request reimbursement for these activities from available Federal programs.

2001-032 WHEREAS, in Hot Springs, on the U. S. 270 bypass, the need has been identified for a dual left turn movement at the U. S. 70 West westbound off ramp; and

 WHEREAS, the scope of the needed work is beyond routine maintenance widening.

 NOW THEREFORE, the Director is authorized to proceed with a project to widen the westbound off ramp to provide a dual left turn movement, as funds become available.

2001-033 WHEREAS, traffic volumes in the Hope area continue to increase; and

 WHEREAS, the Department has been requested to study the feasibility of constructing a frontage road on the north side of Interstate 30 between Highways 29 and 278 in the vicinity of Hope.

 NOW THEREFORE, the Director is authorized to conduct a planning study to evaluate the purpose, need and feasibility of the proposed frontage road.

2001-034 WHEREAS, IN PULASKI COUNTY, on Interstate 430, in the vicinity of the Shackelford Road interchange, the Department has made a review of traffic operations; and

 WHEREAS, this review has indicated the need for a median barrier through the area of the reverse curves at this site:

2001-034 - Continued

NOW THEREFORE, the Director is authorized to proceed with a construction project to provide a median barrier along the main lanes of I-430 from just south of Shackleford Road to just south of Kanis Road as funds become available.

2001-035

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:55 p.m., January 31, 2001.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 21, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 21, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-036 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., February 21, 2001.

2001-037 WHEREAS, the Purchasing Committee has awarded purchases on January 22 and 26, 2001, and February 2, 2001, in the amounts \$3,682,701.04, \$668,952.50, and \$1,794,807.28, respectively, totaling \$6,146,460.82, 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 in making the awards be ratified and confirmed in all particulars.

2001-038 WHEREAS, the LogEtronics Mark IV Variable Dodging Contact Printer, used by the Photogrammetry Section of the Surveys Division, is frequently in need of repair; and

WHEREAS, LogEtronics Printer Division ceased operation making it difficult or impossible to locate replacement parts for necessary repairs; and

2001-038 - Continued

WHEREAS, some replacement parts are from salvage or must be manufactured to make repairs, resulting in extended down time, extra expense and unreliability.

NOW THEREFORE, the Director is authorized to proceed with the purchase of a new variable dodging contact printer for the Photogrammetry Section of the Surveys Division.

2001-039

WHEREAS, under the Department's current Project Oversight Plan, counties and/or cities are responsible for providing right of way, handling utility adjustments and relocating fences for projects on State highways classified as collector or local routes; and

WHEREAS, projects on state routes classified as collectors or locals now make up only a small part of the Department's overall work program; and

WHEREAS, it is desirable to maintain a policy regarding right of way, utilities and fencing which is consistent across all functional classifications:

NOW THEREFORE, on all future highway projects, the Director is authorized to acquire right of way, adjust utilities, and relocate fences in accordance with arterial standards outlined in the Department's Project Oversight Plan; and

FURTHER, the Director is authorized to revise the Project Oversight Plan to reflect this policy:

FURTHER, it is not the intention of this policy to prohibit participation in any project cost by local officials or others in order to expedite the work of the project.

2001-040

WHEREAS, Section 106 of the Historic Preservation Act requires the identification and assessment of cultural resources on any earth altering undertaking using federal monies; and

2001-040 - Continued

WHEREAS, a records check of all previously recorded archeological sites is a required part of the initial identification and assessment process; and

WHEREAS, the Arkansas Archeological Survey is the State agency charged with the management and access of all archeological site data; and

WHEREAS, the Arkansas Archeological Survey proposes to create an Internet accessible computerized image file of all archeological site records currently listed in the State site files; and

WHEREAS, development and access to this data resource would significantly streamline a large part of the records check process making it more timely and cost effective for the Department; and

WHEREAS, the costs for developing the image file are eligible for Transportation Enhancement Funds and an Archeological Survey will provide the non-federal match.

NOW THEREFORE, the Director is authorized to enter into agreements with the Arkansas Archeological Survey in order to participate in the creation of and have access to a computerized image file of all archeological site records currently listed in the State site files.

2001-041

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 established a National Scenic Byway Program and encouraged the states to develop State Scenic Byway Programs; and

WHEREAS, Arkansas Highway Commission Minute Orders 91-513, 92-009, 93-091, and 97-044 authorized the establishment of an Arkansas Scenic Byways Program and adopted the criteria by which routes can be designated as Scenic Byways; and

WHEREAS, the Arkansas Mississippi River Parkway Commission, representing residents, businesses, and individuals in each of the ten counties through which the Great River Road passes, has requested that the Great River Road, as designated by Act 392 of 1999, be designated as an Arkansas Scenic Byway; and

2001-041 - Continued

WHEREAS, this route meets the aforementioned Arkansas Highway Commission Criteria for Arkansas Scenic Byway designation.

NOW THEREFORE, the Commission hereby designates the Great River Road as an Arkansas Scenic Byway.

2001-042

WHEREAS, Highway Commissioners serve in accordance with Constitutional Amendment 42 as statewide at-large Commissioners; and

WHEREAS, the five members of the Commission have traditionally served as advocates for certain areas of the State, each member serving as an advocate for two Highway and Transportation Department districts, with the current areas of advocacy being:

<u>COMMISSIONER</u>	<u>AHTD DISTRICT</u>
John "M" Lipton	2 and 7
J. W. "Buddy" Benafield	1 and 10
Mary P. "Prissy" Hickerson	3 and 6
Jonathan Barnett	4 and 9
Carl S. Rosenbaum	5 and 8

WHEREAS, Commissioners Hickerson and Rosenbaum request the following changes in area advocacy:

<u>COMMISSIONER</u>	<u>AHTD DISTRICT</u>
John "M" Lipton	2 and 7
J. W. "Buddy" Benafield	1 and 10
Mary P. "Prissy" Hickerson	3 and 8
Jonathan Barnett	4 and 9
Carl S. Rosenbaum	5 and 6

NOW THEREFORE, the Commission does hereby adopt the requested changes in area advocacy.

2001-043

WHEREAS, the Arkansas State Highway and Transportation Department employs personnel who are called upon during periods of snow and ice to assist in the maintaining and clearing of highways, providing for the public's safety, and supporting such functions; and

WHEREAS, these employees work many hours of overtime to accomplish this goal; and

WHEREAS, revisions to the Inclement Weather policy, the Compensation/Overtime policy, and the Compensatory Time policy have been completed and recommended for adoption;

NOW THEREFORE, the attached revised policies are hereby approved and adopted.

2001-044

WHEREAS, the Commission acquired right of way for Job 1100, more commonly known as Hot Springs - Glenwood Road (U. S. Highway 70), Hot Spring County, Route 70, Section 7, by Hot Spring County Court Order dated October 1, 1927; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

JOB 1100
HOT SPRINGS - GLENWOOD ROAD
(U. S. HIGHWAY 70)
HOT SPRING COUNTY
ROUTE 70 SECTION 7

From Designated Survey **Centerline Station 1137+69.1** to **Centerline Station 1143+53.0** the originally executed Hot Spring Court Order for **Job 1100** dated October 1, 1927, said Court Order shall hereby be revised as follows.

The width of the right of way to the left and right of the above-described Centerline shall be:

2001-044 - Continued

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
1137+69.1	1143+53.0	583.9'	0'	0'	0'

DT/dh
08-22-00
Revised (dh)
10-10-00
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Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Hot Spring County; and that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited or otherwise allocated as provided by federal law.

2001-045

WHEREAS, the Commission acquired in fee property known as Tract 9 from H. B. Lambert and Sallie May Lambert, husband and wife, for Job 1450, a state project better known as Hot Spring Co. – Sugarloaf Creek, Pike Co. Line – Percy Bridges & Approaches, Route 70 Section 7 (U. S. Highway 70), Hot Spring County, by Warranty Deed filed of record on November 12, 1982, in the Circuit Clerk’s Office of Hot Spring County; and

WHEREAS, the Commission acquired in fee property known as Tract 10 from James Standridge and Ina Standridge, husband and wife, for Job 1450, a state project better known as Hot Spring Co. – Sugarloaf Creek, Pike Co. Line – Percy Bridges & Approaches, Route 70 Section 7 (U. S. Highway 70), Hot Spring County, by Warranty Deed filed of record on January 17, 1975, in the Circuit Clerk’s Office of Hot Spring County; and

WHEREAS, Tract 9 was acquired for \$4,650.00 and Tract 10 was acquired for \$1,100; and

WHEREAS, U. R. Smith and Patricia Smith, husband and wife, have asked to repurchase Part of Tract 9 and Part of Tract 10; Sallie May Lambert, the surviving spouse of H. B. Lambert, has assigned her rights to repurchase Tract 9 to U. R. Smith and Patricia Smith, husband and wife; and, James Standridge and Ina Standridge, husband and wife, have assigned their rights to repurchase Tract 10 to U. R. Smith and Patricia Smith, husband and wife;

WHEREAS, three qualified appraisers have opined that the current fair market value of the Parts of Tracts 9 and 10 requested to be conveyed is \$250.00, and the District Engineer has determined that the Parts of Tracts 9 and 10 to be conveyed, being more particularly described as follows, are no longer needed for highway purposes:

JOB 1450
STATE PROJECT
PIKE COUNTY LINE - PEARCY BRIDGES AND APPROACHES
(U. S. HIGHWAY 70)

PART OF TRACT 9:

Part of Northwest Quarter of the Southwest Quarter of Section 19, Township 4 South, Range 22 West, Hot Spring County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of Section 19; thence North $00^{\circ} 03' 00''$ West along the West line thereof a distance of 1,450.7 feet to a point on the existing Southerly right of way line of U. S. Highway 70 Relocation for the point of beginning; thence continue North $00^{\circ} 03' 00''$ West along said West line a distance of 58.9 feet to a point on the proposed Southerly right of way line of said U. S. Highway 70 Relocation; thence North $77^{\circ} 22' 00''$ East along said proposed right of way line a distance of 215.5 feet to a point; thence South $00^{\circ} 03' 00''$ East a distance of 55.7 feet to a point on said existing Southerly right of way line of U. S. Highway 70 Relocation; thence in a Westerly direction along said existing right of way line on a curve to the Right having a Radius of 1,105.92 feet a distance of 219.4 feet to the point of beginning and containing 0.32 acre or 14,054 square feet more or less.

AND ALSO,
PART OF TRACT 10:

Part of Northwest Quarter of the Southwest Quarter of Section 19, Township 4 South, Range 22 West, Hot Spring County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of Section 19; thence North 00° 03' 00" West along the West line thereof a distance of 1,450.7 feet to a point on the existing Southerly right of way line of U. S. Highway 70 Relocation; thence in a Easterly direction along said existing right of way line on a curve to the Left having a Radius of 1,105.92 feet a distance of 219.4 feet to a point for the point of beginning; thence North 00° 03' 00" West a distance of 55.7 feet to a point on the proposed Southerly right of way line of said U. S. Highway 70 Relocation; thence North 77° 22' 00" East along said proposed right of way line a distance of 193.6 feet to a point on said existing Southerly right of way line of U. S. Highway 70 Relocation; thence South 57° 51' 00" West along said existing right of way line a distance of 16.2 feet to a point; thence in a Westerly direction along said existing right of way line on a curve to the Right having a Radius of 1,105.92 feet a distance of 196.6 feet to the point of beginning and containing 0.14 acre or 6,054 square feet more or less.

DT/dh
8-22-00
Revised (dh)
10-10-00
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NOW THEREFORE, BE IT RESOLVED that contingent upon the receipt of the consideration of \$250.00: the above-described property is declared surplus; the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to U. R. Smith and Patricia Smith, husband and wife; a copy of the deed and this Minute Order shall be recorded in Hot Spring County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited or allocated as provided by federal law.

2001-046

WHEREAS, the Commission acquired property known as Tract 46 from Earle W. Phillips, son and sole devisee under the will of Earle Turner Phillips, who died on November 14, 1997, (Pro. # P-98-3) and Rebecca R. Phillips, his wife, for Job R20149, FAP: NH-0035(26), Highway 65 – South (U. S. Highway 425), Jefferson County, by warranty deed filed of record on July 21, 1998, in the Circuit Clerk's Office of Jefferson County in Book No. 695, Page 438; and

WHEREAS, Tract 46 was acquired for \$810.00; and

WHEREAS, Earle W. Phillips and Rebecca R. Phillips have asked to repurchase Part of Tract 46; three qualified appraisers have opined that the current fair market value of the Part of Tract 46 requested to be conveyed is \$200.00; and, the District Engineer has determined that the Part of Tract 46 to be conveyed, being more particularly described as follows, is no longer needed for highway purposes:

JOB R20149
PART OF TRACT 46

Part of the Southwest Quarter of the Northwest Quarter of Section 28, Township 6 South, Range 8 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Northwest Quarter of Section 28; thence South $89^{\circ} 48' 43''$ East along the North line thereof a distance of 196.212 meters to a point on the Westerly existing right of way line of U. S. Highway 425; thence South $36^{\circ} 56' 29''$ East along said existing right of way line a distance of 147.175 meters to a point; thence in a Southeasterly direction along said existing right of way line on a curve to the right having a radius of 564.936 meters a distance of 357.467 meters to a point; thence South $00^{\circ} 41' 13''$ East along said existing right of way line a distance of 243.546 meters to a point; thence North $89^{\circ} 40' 46''$ West a distance of 26.056 meters to a point on the Westerly proposed right of way line of U. S. Highway 425 for the point of beginning; thence South $00^{\circ} 39' 59''$ East along said proposed right of way line a distance of 106.696 meters to a point; thence North $89^{\circ} 40' 46''$ West a distance of 14.883 meters to a point on the Westerly existing right of way line of U. S. Highway 425; thence North $01^{\circ} 04' 35''$ West along said existing right of way line a distance of 106.712 meters to a point; thence South $89^{\circ} 40' 46''$ East a distance of 15.646 meters to the point of beginning and containing 0.163 hectare more or less.

DH/dh
11-14-00
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2001-046 - Continued

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$200.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Earle W. Phillips and Rebecca R. Phillips, husband and wife; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2001-047

WHEREAS, the Commission acquired in fee property known as Tract 42 and Tract 51, and acquired a permanent construction easement on property known as Tract 42E, from the Helen B. Phillips Trust, Simmons First National Bank, Trustee, for Job R20149, FAP: NH-0035(26), Highway 65 –South (U. S. Highway 425), Jefferson County, by Consent Judgment filed of record on November 24, 1999, in the Circuit Clerk’s Office of Jefferson County in Case No. CIV 98-611-1 (Jefferson Co. Cir. Ct. November 24, 1999); and

WHEREAS, Tracts 42, 42E, and 51 were acquired for \$15,000.00; and

WHEREAS, Martha Jane Shaw and Helen Rebecca Graeber, as tenants in common and not as joint tenants with right of survivorship, the successors in interest to the Helen B. Phillips Trust have asked to repurchase Part of Tracts 42, 42E, and 51; three qualified appraisers have opined that the current fair market value of the Part of Tracts 42, 42E, and 51 requested to be conveyed is \$2,975.00; and, the District Engineer has determined that the Part of Tracts 42, 42E, and 51 to be conveyed, being more particularly described as follows, is no longer needed for highway purposes:

JOB R20149
PART OF TRACTS 42, 42E, AND 51

PART OF TRACTS 42 AND 42E:

Part of the West Half of the Northwest Quarter of Section 28, Township 6 South, Range 8 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 28; thence South $89^{\circ} 44' 44''$ East along the South line thereof a distance of 366.149 meters to a point on the Westerly existing right of way line of U. S. Highway 425 for the point of beginning; thence continue North $01^{\circ} 25' 24''$ West along said existing right of way line a distance of 20.502 meters to a point; thence North $06^{\circ} 41' 15''$ West along said existing right of way line a distance of 38.038 meters to a point; thence North $10^{\circ} 58' 02''$ West along said existing right of way line a distance of 57.214 meters to a point; thence North $17^{\circ} 41' 58''$ West along said existing right of way line a distance of 57.335 meters to a point; thence North $24^{\circ} 38' 07''$ West along said existing right of way line a distance of 76.550 meters to a point; thence North $32^{\circ} 23' 45''$ West along said existing right of way line a distance of 78.699 meters to a point on the Westerly proposed right of way line of U. S. Highway 425; thence South $33^{\circ} 29' 50''$ East along said proposed right of way line a distance of 78.787 meters to a point; thence South $25^{\circ} 18' 49''$ East along said proposed right of way line a distance of 76.782 meters to a point; thence South $20^{\circ} 34' 28''$ East along said proposed right of way line a distance of 57.675 meters to a point; thence South $13^{\circ} 54' 56''$ East along said proposed right of way line a distance of 57.766 meters to a point; thence South $09^{\circ} 14' 22''$ East along said proposed right of way line a distance of 38.563 meters to a point; thence South $05^{\circ} 11' 30''$ East along said proposed right of way line a distance of 21.997 meters to a point on the North line of the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 28; thence continue South $05^{\circ} 11' 30''$ East along said proposed right of way line a distance of 34.774 meters to a point; thence South $01^{\circ} 01' 51''$ East along said proposed right of way line a distance of 241.714 meters to a point; thence South $03^{\circ} 10' 29''$ East along said proposed right of way line a distance of 13.712 meters to a point; thence North $89^{\circ} 40' 46''$ West along said proposed right of way line a distance of 15.646 meters to a point on the Existing Westerly right of way line of U. S. Highway 425; thence North $01^{\circ} 04' 35''$ West along said Existing right of way line a distance of 13.430 meters to a point; thence North $00^{\circ} 40' 00''$ West along said Existing right of way line a distance of 241.270 meters to a point; thence North $01^{\circ} 25' 24''$ West along said Existing right of way line a distance of 35.290 meters to the point of beginning and containing 0.551 hectare more or less.

AND ALSO,
PART OF TRACT 51:

Part of the West Half of the Northwest Quarter of Section 33 and part of the West Half of the Southwest Quarter and part of the Southwest Quarter of the Northwest Quarter of Section 28, all in Township 6 South, Range 8 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 33; thence North $00^{\circ} 42' 27''$ West along the West line thereof a distance of 94.069 meters to a point on the Westerly existing right of way line of U. S. Highway 425 for the point of beginning; thence North $19^{\circ} 44' 25''$ West along said existing right of way line a distance of 61.108 meters to a point; thence North $14^{\circ} 07' 03''$ West along said existing right of way line a distance of 63.474 meters to a point; thence North $07^{\circ} 25' 59''$ West along said existing right of way line a distance of 84.604 meters to a point; thence North $00^{\circ} 32' 57''$ East along said existing right of way line a distance of 101.808 meters to a point; thence North $00^{\circ} 05' 36''$ West along said existing right of way line a distance of 100.005 meters to a point; thence North $00^{\circ} 51' 28''$ West along said existing right of way line a distance of 300.002 meters to a point; thence North $00^{\circ} 40' 01''$ West along said existing right of way line a distance of 220.001 meters to a point; thence North $03^{\circ} 31' 45''$ West along said existing right of way line a distance of 40.050 meters to a point; thence North $00^{\circ} 40' 00''$ West along said existing right of way line a distance of 140.000 meters to a point; thence North $05^{\circ} 02' 38''$ East along said existing right of way line a distance of 20.100 meters to a point; thence North $00^{\circ} 39' 55''$ West along said existing right of way line a distance of 40.000 meters to a point; thence North $00^{\circ} 15' 29''$ West along said existing right of way line a distance of 140.004 meters to a point; thence North $00^{\circ} 40' 00''$ West along said existing right of way line a distance of 199.996 meters to a point; thence North $01^{\circ} 04' 35''$ West along said existing right of way line a distance of 19.778 meters to a point; thence South $89^{\circ} 40' 46''$ East a distance of 14.883 meters to a point on the Westerly proposed right of way line of U. S. Highway 425; thence South $02^{\circ} 27' 24''$ East along said proposed right of way line a distance of 19.531 meters to a point; thence South $00^{\circ} 45' 20''$ East along said proposed right of way line a distance of 199.997 meters to a point; thence South $00^{\circ} 35' 06''$ East along said proposed right of way line a distance of 139.999 meters to a point; thence South $06^{\circ} 25' 48''$ West

along said proposed right of way line a distance of 40.309 meters to a point; thence South 11° 59' 25" West along said proposed right of way line a distance of 20.856 meters to a point; thence South 01° 02' 21" East along said proposed right of way line a distance of 140.002 meters to a point; thence South 05° 56' 25" East along said proposed right of way line a distance of 39.821 meters to a point; thence South 01° 56' 15" East along said proposed right of way line a distance of 220.055 meters to a point; thence South 00° 36' 27" East along said proposed right of way line a distance of 300.000 meters to a point; thence South 00° 12' 15" West along said proposed right of way line a distance of 100.011 meters to a point; thence South 00° 26' 48" West along said proposed right of way line a distance of 101.463 meters to a point; thence South 05° 47' 17" East along said proposed right of way line a distance of 82.783 meters to a point; thence South 11° 18' 51" East along said proposed right of way line a distance of 62.388 meters to a point; thence South 11° 06' 15" East along said proposed right of way line a distance of 61.086 meters to a point of beginning and containing 2.097 hectare more or less.

JW/jw
11-13-00
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NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$2,975.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Martha Jane Shaw and Helen Rebecca Graeber, as tenants in common and not as joint tenants with right of survivorship; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, the Commission acquired in fee property known as Tracts 5 and 5M, and a temporary construction easement on Tract 5E, from Julia Mae McDaniel, Widow of O. O. McDaniel, Deceased, for Job 060747, FAP: BRN-0062(19), Lorange Creek Structure and Approaches (Highway 367), Saline County, by condemnation resulting in Judgment filed of record on November 8, 2000, in the Circuit Clerk's Office of Saline County in Case No. CIV 98-210-1 (Saline Co. Cir. Ct. November 9, 2000); and

WHEREAS, Julia Mae McDaniel has asked that the Commission re-convey Tract 5M in order to settle immediately all outstanding issues between the parties; Julia Mae McDaniel and the Commission have entered into a Settlement Agreement and Release resolving all issues relating to the acquisition of Tracts 5, 5M, and 5E, and requiring the Commission to re-convey Tract 5M to Julia Mae McDaniel as part of the settlement; the Federal Highway Administration and the Chief Counsel have approved and concurred in the settlement and conveyance of Tract 5M; and, the District Engineer has determined that Tract 5M, being more particularly described as follows, is no longer needed for highway purposes:

JOB 060747
TRACT 5M:

A part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 2 South, Range 12 West, Saline County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 5; thence North $01^{\circ} 37' 06''$ East along the West line thereof a distance of 34.621 meters to a point for the point of beginning; thence continue North $01^{\circ} 37' 06''$ East along said West line a distance of 165.888 meters to a point; thence South $89^{\circ} 23' 54''$ East a distance of 40.464 meters to a point on the proposed Westerly right of way line of State Highway 367; thence South $06^{\circ} 56' 11''$ East along said proposed right of way line a distance of 20.076 meters to a point; thence South $19^{\circ} 30' 37''$ East along said proposed right of way line a distance of 30.265 meters to a point; thence South $10^{\circ} 00' 24''$ East along said proposed right of way line a distance of 30.017 meters to a point; thence South $16^{\circ} 56' 32''$ East along said proposed right of way line a distance of 34.240 meters to a point; thence South $10^{\circ} 37' 24''$ East along said proposed right of way line a distance of 22.107 meters to a point; thence South $10^{\circ} 56' 56''$ West along said proposed right of way line a distance of 34.261 meters to a point; thence North $89^{\circ} 23' 54''$ West a distance of 40.464 meters to the point of beginning and containing 0.516 hectares more or less or 5,161 square meters more or less.

2001-048 - Continued

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; in consideration of the Settlement Agreement and Release, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Julia Mae McDaniel; a copy of the deed and this Minute Order shall be recorded in Saline County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2001-049

WHEREAS, the report *Ark-La-Tex Freight Transportation Study* has been prepared to assist local community leaders in gaining a better understanding of the regional freight transportation system and possible future shipping needs of the Ark-La-Tex Region; and

WHEREAS, the study presents an assessment of transportation modes serving the area and identifies the area's transportation service needs and support facilities.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2001-050

WHEREAS, the report *Golden Triangle Freight Transportation Study* has been prepared to assist local officials in gaining a better understanding of the freight transportation system and possible freight service needs in Columbia, Ouachita and Union counties; and

WHEREAS, the study presents an assessment of transportation modes serving the area and identifies the area's transportation service needs and support facilities.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2001-051

WHEREAS, IN BENTON COUNTY, Highway 112, Section 3, from Highway 71B to Highway 102 in the City of Bentonville, a distance of 1.47 miles, has been programmed for improvement under Job 009834; and

2001-051 - Continued

WHEREAS, the City of Bentonville has adopted a resolution agreeing to the following conditions:

1. The city will acquire the necessary right of way.
2. The city assumes responsibility for the relocation of all utilities.
3. The city agrees to accept this segment of Highway 112 as a city street upon completion of Job 009834.

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

FURTHERMORE, IT IS ORDERED that upon completion of Job 009834, this segment of Highway 112, Section 3, as shown on the attached sketch, will no longer be a part of the State Highway System. This change will become effective upon notification from the Chief Engineer.

2001-052

WHEREAS, IN LEE COUNTY, in the City of Moro, one block of Main Street is providing a connection between two State Highways and presently serving the function of a State Highway; and

WHEREAS, it would be in the best interests of both the City of Moro and the Department, to add this one block of Main Street to the State Highway System.

NOW THEREFORE, IT IS ORDERED that Main Street from Highway 78 to Highway 238, a distance of approximately 0.07 mile is hereby made a part of the State Highway System to be designated as Highway 78, Section 2 Spur. The change will become effective upon notification by the Chief Engineer

2001-053

WHEREAS, Arkansas continues to receive Congestion Mitigation and Air Quality (CMAQ) funds from the Transportation Efficiency Act for the 21st Century (TEA-21); and

2001-053 - Continued

WHEREAS, Environmental Protection Agency regulations may result in central Arkansas being designated a non-attainment area for certain airborne pollutants; and

WHEREAS, the Department has participated with the Clean Cities Coalition to develop an Ozone Action Days Program designed to protect the health of citizens and to minimize the impacts of a non-attainment designation.

NOW THEREFORE, the Director is authorized to continue participation with the Clean Cities Coalition and to make CMAQ funds available for air quality programs.

2001-054

WHEREAS, Crittenden County and central Arkansas are continuing to experience air quality problems and a designation of non-attainment of the National Ambient Air Quality Standards is anticipated; and

WHEREAS, the Clean Air Act of 1990 requires interagency cooperation for air quality analyses in non-attainment areas; and

WHEREAS, a cooperative planning effort among agencies and jurisdictions will provide the most efficient and effective method for the development of transportation programs.

NOW THEREFORE, the Director is authorized to enter into appropriate interagency agreements and to participate in coordination activities for air quality planning.

2001-055

WHEREAS, Section 404 of the Clean Water Act requires compensatory mitigation for adverse impacts to wetlands and waters of the United States due to highway construction, maintenance and operation activities; and

WHEREAS, the Corps of Engineers requires mitigation of unavoidable wetland impacts due to highway projects; and

2001-055 - Continued

WHEREAS, mitigation sites must be in the same wetland planning region as the area of impact; and

WHEREAS, the Department does not have a wetland mitigation banking site which encompasses the northern half of the Delta Wetland Planning Region.

NOW THEREFORE, the Director is authorized to proceed with acquisition and development of the Glaise Creek Wetland Mitigation Area subject to the following conditions:

1. Development of an acceptable management agreement; and
2. Approval by the Federal Highway Administration.

2001-056

WHEREAS, IN ASHLEY COUNTY, on Highway 133, Section 1, from Crossett to Highway 8, traffic volumes continue to increase; and

WHEREAS, the addition of passing lanes to this route could increase capacity and safety.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need and location for passing lanes and to proceed with surveys, plans, and construction of needed improvements as funds become available.

2001-057

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing or upgrading active warning devices and installing a concrete surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.

2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Cross	Wynne	Wilson	Union Pacific	Install Flashing Signals with Gates
Clay	Piggott	North	Union Pacific	Install Flashing Signals with Gates
Craighead	Jonesboro	Hwy. 63B	Burlington Northern Sante Fe	Upgrade Flashing Signals with Gates and Concrete Surface

2001-058

WHEREAS, Section 404 of the Clean Water Act requires compensatory mitigation for adverse impacts to wetlands and waters of the United States due to highway construction, maintenance and operation activities; and

WHEREAS, the Corps of Engineers will require wetland mitigation for unavoidable wetland impacts due to AHTD Job Number 100451, St. Francis River Str. & Apprs. (Hwy. 412) in Greene County which is part of a joint project with the Missouri DOT; and

WHEREAS, mitigation sites must generally be in the same drainage as the area of impact; and

WHEREAS, the Department does not have a wetland mitigation area currently available for the St. Francis River drainage; and

WHEREAS, the Missouri DOT has a wetland mitigation site under development in the St. Francis River drainage;

2001-058 - Continued

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the Missouri DOT to provide mitigation for unavoidable wetland impacts within Arkansas due to construction of the St. Francis River Str. & Apprs. (Hwy. 412) project.

2001-059 WHEREAS, on Highway 137, Section 1, from Highway 137 Spur to Hickman, a distance of approximately 2.9 miles, traffic volumes containing a high percentage of heavy trucks continue to increase due to the expansion of industry in this area; and

WHEREAS, the need for roadway improvements on this section of highway has been determined.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to reconstruct the roadway and shoulders.

2001-060 WHEREAS, traffic continues to increase on Highway 270 between Mt. Ida and Hot Springs; and

WHEREAS, passing lanes could enhance traffic operations and safety on this section of Highway 270.

NOW THEREFORE, the Director is authorized to conduct a study of Highway 270 between Mt. Ida and Hot Springs to determine if passing lanes are warranted and feasible.

2001-061 WHEREAS, IN WASHINGTON COUNTY, on Highway 873, Section 1, selected drives and parking lots of the University of Arkansas at Fayetteville are in need of resurfacing; and

WHEREAS, the University of Arkansas has agreed to pay for their portion of a resurfacing and rehabilitation project.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface and rehabilitate selected drives and parking lots.

2001-062

IN PULASKI COUNTY, on Interstate 40, Section 33, from I-30 to Highway 67/167 a distance of 1.90 miles; on Interstate 430, Section 21, from I-30 to I-40, a distance of 12.93 miles; on Interstate 440, Section 1, from I-30 to I-40, a distance of 9.96 miles; and on Interstate 630, Section 21, from I-430 to I-30 a distance of 7.40 miles, the Director is authorized to proceed with a project for concrete pavement patching as funds become available.

2001-063

WHEREAS, the heating and air conditioning temperature control system and the unit heaters for the District 3 Headquarters Complex at Hope have been in service for approximately twenty-nine years; and

WHEREAS, the temperature control system for the heating and air conditioning system has deteriorated to the extent that it is virtually inoperable; and

WHEREAS, the unit heaters have been repaired numerous time and are in poor condition, their operation in unreliable and dangerous, and parts have become impossible to obtain; and

WHEREAS, it has been determined that the most feasible means of repair is to replace the existing temperature controls with new automated Direct Digital Control System, and to replace the existing unit heaters with new unit heaters including related items and modifications;

NOW THEREFORE, the Director is authorized to complete the work required to install new Direct Digital Control System for heating and air conditioning temperature control, and to replace unit heaters, at the District 3 Headquarters Complex.

Work to be done by contract as a Building Project.

2001-064

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 21, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110375	01	VARIOUS	DISTRICT 1 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
110398	01	CRITTENDEN	SHEARERVILLE-LEHI (OVERLAY) (S)	70
020333	02	ASHLEY	SNYDER-WEST (OVERLAY) (S)	82

2001-064 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030241	03	SEVIER	HWY. 71-NINTH STREET (DEQUEEN) (RESURFACING) (S)	70B
030253	03	MILLER	HWY.67 & HWY.71 (TEXARKANA) (SEL. SECS.) (OVERLAY) (S)	67 & 71
040025	04	LOGAN	THREE MILE CREEK STR. & APPRS. (S)	22
040356	04	WASHINGTON	HWY. 71B (FAYETTEVILLE) (OVERLAY) (S)	71B
050008	05	INDEPENDENCE	RUTHERFORD CREEK STR. & APPRS. (S)	394
050105	05	CLEBURNE	BROWNSVILLE RD.-HWY. 25 (OVERLAY) (S)	92
061009	06	PULASKI	GARDNER ST.-GEYER SPRINGS RD. (OVERLAY) (S)	338
070190	07	VARIOUS	DISTRICT 7 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
070205	07	BRADLEY	BANKS-WARREN (OVERLAY) (S)	278
B80103	08	JOHNSON	HWY. 64 WEST-CO. RD. 40 (F)	40
080122	08	FAULKNER	TUCKER CREEK-U.P.R.R. OVERPASS (S)	60
080214	08	CONWAY	HWY. 213-HWY. 124 (OVERLAY) (S)	95
090090	09	VARIOUS	DISTRICT 9 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
090093	09	BENTON	I-540 & HWY. 264 INTERCHANGE SIGNALS (LOWELL) (S)	540 & 264
090108	09	BENTON	WASHINGTON CO. LINE-ROGERS (OVERLAY) (S)	71B
090113	09	BOONE	NORTH ARKANSAS COLLEGE PARKING AREA & DRIVES (S)	---
100212	10	CRAIGHEAD	JONESBORO-EAST (S)	18
100508	10	CRAIGHEAD	HWY. 49/JOHNSON & HWY. 1/HARRISBURG RD. SIGS. (JONESBORO) (S)	VAR
100527	10	MISSISSIPPI	LITTLE RIVER STR. & APPRS. (S)	158
100531	10	CRAIGHEAD	MONETTE-NORTH (OVERLAY) (S)	139
FA5305	08	PERRY	CO. RD. 322-EAST & WEST (PHASE 3) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner Carl S. Rosenbaum moved, Vice Chairman J. W. Benafield. seconded and the motion passed unanimously to accept the AHTD Staff's recommendation to enter into an agreement with Traffic Group of Baltimore, Maryland to conduct statewide turning movement surveys for the current year:

MOTION Commissioner Carl S. Rosenbaum moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to support Senate Bill 256 sponsored by Senator Tim Wooldridge regarding the possession of open alcoholic beverage containers in vehicles

2001-065

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:20 p.m., February 21, 2001.

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 February 21, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 4, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 4, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-066 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., April 4, 2001.

2001-067 WHEREAS, the Purchasing Committee has awarded purchases on February 15 and 20, 2001, and March 6, 8, 14 and 21, 2001, in the amounts \$606,308.10, \$33,750.00, \$700,694.92, \$256,353.00, \$456,831.26, and \$432,668.22, respectively, totaling \$2,486,605.50, 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 in making the awards be ratified and confirmed in all particulars.

2001-068 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefore.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2001 membership dues in the amount of \$250.00.

2001-069

WHEREAS, the Arkansas State Highway Commission has previously adopted a Utility Accommodation Policy which would permit fiber optic facilities to locate longitudinally within the access control limits of fully controlled access highways in accordance with said Policy; and

WHEREAS, the Director has been previously authorized to issue pertinent Orders, Directives and Permits, and to enter into Agreements necessary to permit fiber optic facilities to be located longitudinally within the access control limits of fully controlled access highways when approved conditions are met; and

WHEREAS, the Department as part of a shared resource agreement has received fiber optic cable along various non-controlled access highways in exchange for permitting fiber optic facilities to locate within the access control limits of fully controlled access highways; and

WHEREAS, frequent excavation along the non-controlled access highways makes it necessary to locate and mark the Department's fiber optic cable in order to avoid damage resulting in costly repairs; and

WHEREAS, the Department does not have the necessary personnel and equipment to locate, identify and mark the presence of fiber optic cable owned by the Department.

NOW THEREFORE, the Director is hereby authorized to enter into Agreements with firms necessary to provide the Department with services to locate, identify and mark the presence of the Department's underground fiber optic cable acquired as part of a shared resource agreement.

2001-070

WHEREAS, the Commission acquired property known as Tract 241R from Denver Campbell and Barbara Sue LaJoy Campbell, husband and wife, for Job R40013-2, FAP: FFIR-075-1 (24), Gregory Chapel Rd. - Mountainburg (Hwy. 71 Relocation), Crawford County, by warranty deed filed of record on January 16, 1992, in the Circuit Clerk's Office of Crawford County in Book No. 92-2, Page 321; and

WHEREAS, Tract 241R was acquired for \$2,700.00; and

WHEREAS, Duke Campbell has asked to repurchase Tract 241R, excepting any abutters' and access rights to and from Relocated U. S. Highway 71/Interstate 540; Denver Campbell, the surviving spouse of Barbara Sue LaJoy Campbell (deceased), has assigned his rights to reacquire Tract 241R to Duke Campbell; and, the District Engineer has determined that Tract 241R, being more particularly described as follows, is no longer needed for highway purposes:

JOB R40013-2
TRACT 241R

Part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 11 North, Range 30 West, Crawford County, Arkansas, more particularly described as follows:

Beginning at the Southeast Corner of the Southwest Quarter of the Northeast Quarter of Section 21; thence North $87^{\circ} 40' 23''$ West along the South line thereof a distance of 472.48 feet to a point on the Easterly proposed right of way line of U. S. Highway 71 Relocation; thence North $04^{\circ} 21' 21''$ West along said proposed right of way line a distance of 660.74 feet to a point; thence South $87^{\circ} 43' 37''$ East a distance of 562.62 feet to a point on the East line of the Southwest Quarter of the Northeast Quarter of Section 21; thence South $03^{\circ} 28' 55''$ West along said East line a distance of 656.91 feet to the point of beginning and containing 8.01 acres more or less.

R:\pm\winword\surplus\r40013-2241r

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting any abutters' and access rights to and from Relocated U. S. Highway 71/Interstate 540, is declared surplus; upon receipt of the consideration of \$2,700.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Duke Campbell; a copy of the deed and this Minute Order shall be recorded in Crawford County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2001-071

WHEREAS, the City of Twin Groves (“City”), Faulkner County, Arkansas, has requested that the Commission grant the City a permanent maintenance easement for certain lands acquired by the Commission for Job R80065, FAP No. NH-0023(23), Van Buren County Line – South, Route 65, Section 9, Faulkner County, Arkansas; and

WHEREAS, this conveyance is a relinquishment of a highway facility as described in 23 C.F.R. § 620.203(c), and must comply with the regulations set forth therein; and

WHEREAS, the Commission finds that the subject land is not needed now or in the immediate future for a federal aid project, the right of way retained is adequate under present day standards for Federal-aid highway facilities, the release will not adversely affect relocated U. S. Highway 65 or the traffic thereon, and the property interest to be relinquished will not interfere with the restoration, preservation, or improvement of the scenic beauty adjacent to the highway; and

JOB R80065
TRACTS 10E2, 12E, 13XE, & 14E
(PERMANENT EASEMENTS)

TRACT 10E2 (P.E.):

Part of the Southeast Quarter of the Southeast Quarter of Section 18, Township 8 North, Range 13 West, Faulkner County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 17; thence North 88° 09’ 41” West along the North line thereof a distance of 1339.74 feet to the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 18; thence North 88° 45’ 03” West along the North line of the Southeast Quarter of the Southeast Quarter of Section 18 a distance of 175.35 feet to a point on the Westerly proposed right of way line of Relocated U. S. Highway 65 for the point of beginning; thence South 02° 35’ 10” West along the Westerly proposed right of way line of Relocated U. S. Highway 65 a distance of 56.93 feet to a point; thence North 88° 39’ 56” West a distance of 415.03 feet to a point; thence North 02° 32’ 10” East a distance of 56.31 feet to a point on the North line of the Southeast Quarter of the Southeast Quarter of Section 18; thence South 88° 45’ 03” East along said North line a distance of 415.10 feet to the point of beginning and containing 0.54 acre more or less.

TRACT 12E (P.E.):

Part of the Southwest Quarter of the Southwest Quarter of Section 17, Township 8 North, Range 13 West, Faulkner County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 17; thence North $88^{\circ} 09' 41''$ West along the North line thereof a distance of 845.03 feet for the point of beginning; thence South $02^{\circ} 29' 10''$ West a distance of 75.12 feet to a point; thence North $89^{\circ} 12' 31''$ West a distance of 493.38 feet to a point on the Easterly proposed right of way line of Relocated U. S. Highway 65, also being the West line of the Southwest Quarter of the Southwest Quarter of Section 17; thence North $01^{\circ} 26' 59''$ East along said proposed right of way line a distance of 84.14 feet to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of Section 17; thence South $88^{\circ} 09' 41''$ East along the North line of the Southwest Quarter of the Southwest Quarter of Section 17 a distance of 494.71 feet to the point of beginning and containing 0.90 acre more or less.

TRACT 13XE (P.E.):

Part of the Northwest Quarter of the Southwest Quarter of Section 17, Township 8 North, Range 13 West, Faulkner County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northwest Quarter of the Southwest Quarter of Section 17; thence North $88^{\circ} 09' 41''$ West along the South line thereof a distance of 898.07 feet to the point of beginning; thence continue North $88^{\circ} 09' 41''$ West along the South line of the Northwest Quarter of the Southwest Quarter of Section 17 a distance of 441.67 feet to the point on the Easterly proposed right of way line of Relocated U. S. Highway 65; thence North $3^{\circ} 19' 35''$ East along said proposed right of way line a distance of 48.97 feet to a point; thence South $85^{\circ} 14' 58''$ East a distance of 441.17 feet to a point; thence South $02^{\circ} 16' 20''$ West a distance of 26.54 feet to the point of beginning and containing 0.38 acres more or less.

TRACT 14E (P.E.):

Part of the Northeast Quarter of the Southeast Quarter of Section 18, Township 8 North, Range 13 West, Faulkner County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northwest Quarter of the Southwest Quarter of Section 17; thence North $88^{\circ} 09' 41''$ West along the South line thereof a distance of 1339.74 feet to the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 18; thence North $88^{\circ} 45' 03''$ West along the South line of the Northeast Quarter of the Southeast Quarter of Section 18 a distance of 175.35 feet to a point on the Westerly proposed right of way line of Relocated U. S. Highway 65 for the point of beginning; thence continue North $88^{\circ} 45' 03''$ West along the South line of the Northeast Quarter of the Southeast Quarter of Section 18 a distance of 415.10 feet to a point; thence North $02^{\circ} 32' 10''$ East a distance of 52.59 feet to a point; thence South $87^{\circ} 39' 56''$ East a distance of 415.03 feet to a point on the Westerly proposed right of way line of Relocated U. S. Highway 65; thence South $02^{\circ} 35' 10''$ West along said proposed right of way line a distance of 44.73 feet to the point of beginning and containing 0.46 acre more or less.

DH/dh
01-18-01
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NOW THEREFORE, BE IT RESOLVED, that the Chair of the Commission is authorized to execute a permanent maintenance easement to the City of Twin Groves on the hereinabove described property for nominal consideration. The document of conveyance shall reflect the terms and conditions set forth in the federal regulations for such relinquishments.

2001-072

WHEREAS, the Commission acquired right of way for Job 316, FAP: 287-A, more commonly known as Glenwood – Kirby, U. S. Highway 70, Pike County, Route 70, Section 5, by Pike County Court Order dated October 3, 1927, which is recorded in the Pike County Court Records in Record Book Volume “H,” page 339; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described as follows:

PART OF JOB 316
 FAP: 287-A
 GLENWOOD - KIRBY
 (U. S. HIGHWAY 70)
 PIKE COUNTY
 ROUTE 70 SECTION 5

From Designated Survey Centerline Station 1669+85.6 to Centerline Station 1684+38.8 the originally executed Court Order for Job 316 dated October 03, 1927 and being recorded in the County Court Records of Pike County, AR, in Record Book Volume "H" at page 339, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the herein above described Centerline shall be:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
1669+85.6	1671+66.14	180.54'	Var.45'-0	45'	Var.90'-45'
1671+66.14	1673+52.72	186.58'	0	Var.45'-0	Var.45'-0
1673+52.72	1678+91.31	538.59'	0	0	0
1678+91.31	1682+39.61	348.30'	Var.0-45'	0	Var.0-45'
1682+39.61	1684+38.8	199.19'	45'	Var.0-45'	Var.45'-90'

Note: In all other respects the original Court Order shall remain as is.

DT/dh
 10-05-00
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2001-072 - Continued

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Pike County; and that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by federal law.

2001-073

WHEREAS, the Commission acquired right of way for Job 10306, FAP: S-99(2), more commonly known as the Marked Tree – Lepanto Road, State Highway 140, Poinsett County, Route 140, Section 1, by Poinsett County Court Order dated May 15, 1946, which is recorded in the Poinsett County Court Records at Record “M,” pages 511, 512, and 513; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described below.

JOB 10306
FAP: S-99(2)
MARKED TREE – LEPANTO ROAD
(STATE HIGHWAY 140)
POINSETT COUNTY
ROUTE 140 SECTION 1

From Designated Survey **Centerline Station 499+00.00 to Centerline Station 535+00.00** as set forth in the originally executed Court Order for **Job 10306** dated May 15, 1946, being recorded in the County Court Records of Poinsett County, AR, at Record “M,” pages 511, 512 and 513, said records shall hereby be revised.

The width of the right of way to the left and to the right of the Centerline shall be as follows:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
499+00.0	504+67.6	567.6'	65'	30'	95'
504+67.6	505+00.0	32.4'	75'	30'	105'
505+00.0	506+99.3	199.3'	75'	40'	115'
506+99.3	513+00.0	600.7'	75'	50'	125'
513+00.0	521+00.0	800.0'	75'	60'	135'
521+00.0	523+00.0	200.0'	75'	50'	125'
523+00.0	524+00.0	100.0'	75'	30'	105'
524+00.0	535+00.0	1100.0'	30'	30'	60'

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Poinsett County; and, that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by federal law.

2001-074

WHEREAS, the Commission acquired right of way for Job 4361, FAP: 287-A, more commonly known as the Mena - Cherry Hill Road (State Highway 88), Polk County, Route 88, Section 1, by Polk County Court Order dated June 20, 1951, which is recorded in the Polk County Court Records in Record Book "J," page 332; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described below.

JOB 4361
 FAP: 287-A
 MENA - CHERRY HILL ROAD
 (STATE HIGHWAY 88)
 POLK COUNTY
 ROUTE 88 SECTION 1

From Designated Survey **Centerline Station 123+00.0 to Centerline Station 132+00.0, Centerline Station 157+50.0 to Centerline Station 158+80.0, Centerline Station 168+80.0 to Centerline Station 172+00.0, Centerline Station 237+50.0 to Centerline Station 240+00.0, and Centerline Station 271+00.0 to Centerline Station 132+00.0**, the originally executed Court Order for **Job 4361** dated June 20, 1951, and being recorded in the County Court Records of Polk County, AR, in Record Book "J" at page 332, said records shall hereby be revised.

The width of the right of way to the left and to the right of the Centerline shall be as follows:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
123+00.0	132+00.0	900.0'	40'	40'	80'
157+50.0	158+80.0	130.0'	40'	40'	80'
168+80.0	172+00.0	320.0'	40'	40'	80'
237+50.0	240+00.0	250.0'	40'	40'	80'
271+00.0	272+00.0	100.0'	60'	60'	120'

Note: In all other respects the original Court Order shall remain as is.

DT/dh
 01-21-01
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NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Poinsett County; and, that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by federal law.

2001-075

WHEREAS, the Union County Water Conservation Board ("Board") has requested an Airspace Permit to use certain highway right of way owned by the Commission, located near Calion, Union County, Arkansas, to construct and maintain water district utility structures, including waterlines, temporary bridges, a retaining wall, a permanent access bridge, an extension of the existing embankment on the west side of Bridge No. 06362, and other related facilities ("Facilities"), at the location described below; and

WHEREAS, the subject property is more particularly described as follows:

JOB 7926
F-021-1(41)
Ouachita River Bridge and Approaches
(U. S. Highway 167)
Union County

LEGAL DESCRIPTION

A part of the Northeast Quarter of the Southwest Quarter of Section 10, Township 16 South, Range 14 West, Union County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northeast Quarter of the Southwest Quarter of Section 10; thence South 89° 02' 31" East along the South line thereof a distance of 480.01 feet to a point on the proposed Westerly right of way line of U. S. Highway 167; thence North 39° 10' 30" East along said proposed right of way line a distance of 317.65 feet to a point; thence North 23° 28' 10" East along said proposed right of way line a distance of 130.42 feet to a point; thence North 41° 09' 12" East along said proposed right of way line a distance of 173.16 feet to a point; thence North 34° 31' 15" East along said proposed right of way line a distance of 80.85 feet to a point on the existing Westerly right of way line of U. S. Highway 167 for the point of beginning; thence North 55° 28' 45" West along said existing right of way line a distance of 20.98 feet to a point; thence North 34° 31' 15" East along said existing right of way line a distance of 5.39 feet to a point on the proposed Westerly right of way line of U. S. Highway 167; thence North 22° 35' 57" East along said proposed right of way line a distance of 116.27 feet to a point; thence North 25° 59' 24" East along said proposed right of way line a distance of 101.12 feet to a point; thence North 34° 31' 15" East along said proposed right of way line a distance

of 50.00 feet to a point; thence North $51^{\circ} 07' 29''$ East along said proposed right of way line a distance of 136.55 feet to a point on the said existing Westerly right of way line of U. S. Highway 167; thence South $55^{\circ} 28' 45''$ East along said existing right of way line a distance of 50.98 feet to a point; thence South $34^{\circ} 31' 15''$ East a distance of 310.00 feet to a point; thence South $55^{\circ} 28' 45''$ East a distance of 38.00 feet to a point; thence South $34^{\circ} 31' 15''$ East a distance of 176.98 feet to a point; thence North $03^{\circ} 29' 54''$ West a distance of 110.40 feet to the point of beginning and containing 0.83 acre more or less.

AND ALSO:

A part of the Southwest Quarter of the Northeast Quarter of Section 10, Township 16 South, Range 14 West, Union County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section 10; thence South $89^{\circ} 02' 31''$ East along the South line thereof a distance of 102.51 feet to a point on the proposed Westerly right of way line of U. S. Highway 167; thence North $34^{\circ} 31' 15''$ East along said proposed right of way line a distance of 639.68 feet to the point of beginning; thence continue North $34^{\circ} 31' 15''$ East along said proposed right of way line a distance of 20.00 feet to a point; thence South $55^{\circ} 28' 45''$ East a distance of 20.00 feet to a point; thence South $34^{\circ} 31' 15''$ West a distance of 20.00 feet to a point; thence North $55^{\circ} 28' 45''$ West a distance of 20.00 feet to the point of beginning and containing 0.01 acre more or less.

Total area containing 0.84 acre more or less.

WHEREAS, the District Engineer has determined that the proposed use will not interfere with the use of the property for highway purposes; and

WHEREAS, an Airspace Permit has been prepared in accordance with state and federal laws governing real property management, and the Federal Highway Administration ("FHWA") will be required to approve the permit.

2001-075 - Continued

NOW THEREFORE, the Director of Highways and Transportation is authorized to execute the Airspace Permit authorizing, subject to and conditioned upon the approval and concurrence of the FHWA, the Union County Water Conservation Board to use the property described above for construction and maintenance of the proposed Facilities.

2001-076

WHEREAS, on U. S. Highway 82 at the Mississippi River crossing, commonly called the Greenville Bridge, the Department has been working cooperatively with the Mississippi Department of Transportation since 1992 to provide a new bridge; and

WHEREAS, the Mississippi Department of Transportation has been the Lead State in this effort; and

WHEREAS, the FY 2001 U. S. Department of Transportation Appropriations Act earmarked \$100 million for this project; and

WHEREAS, this \$100 million requires no state matching funds; and

WHEREAS, the Mississippi Department of Transportation has included the Greenville Bridge construction in their 2001-2003 STIP; and

WHEREAS, the Bi-State Agreement between Arkansas and Mississippi provides that each agency handle the needed right of way activities in their respective States.

NOW THEREFORE, the Director is authorized to proceed with right of way acquisition activities and cooperate with the Mississippi Department of Transportation for the construction of this project utilizing the earmarked Federal funds for the project.

FURTHER, the Director is authorized to supplement the first proposed construction project with additional Federal and/or State funds if adequate earmarked Federal funding is not available.

2001-077

WHEREAS, Minute Order 96-079 authorized the Director to conduct a study of current and future traffic service needs in the area near the intersection of Highways 64 and 25 in Conway; and

WHEREAS, interchange improvements including an additional break in access on I-40 will be necessary to meet these needs; and

WHEREAS, "Highways 25 and 64 Interchange Study - Concept Endorsement for an Additional Break in Access on Interstate 40" has been completed.

NOW THEREFORE, the above referenced study is adopted and the Director is authorized to pursue Federal Highway Administration approval for this additional break in access on the Interstate System.

FURTHER, following approval of such break in access, the Director is authorized to proceed with surveys, plans and construction of this improvement as funds become available.

2001-078

WHEREAS, IN GARLAND COUNTY, on Highway 7, at the intersection of Highway 70B, a review by Department personnel has determined that a left turn lane is desirable to improve traffic flow; and

WHEREAS, the City of Hot Springs has agreed to acquire the necessary right of way and relocate the utilities.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this intersection as funds become available.

2001-079

WHEREAS, I-30, I-430, and I-440 in the City of Little Rock, Arkansas are fully-controlled access highways with a posted speed limit greater than 55 miles per hour; and

WHEREAS, the local jurisdiction has requested the installation of Specific Information Signs (Logos) along I-30, I-430 south of the Rodney Parham Road interchange, and I-440 in the City of Little Rock, Arkansas; and

2001-079 - Continued

WHEREAS, the installation of Logo Signing along I-30, I-430 and I-440 in the City of Little Rock, Arkansas is allowed by State Highway Commission Regulations for Logo Signing;

NOW THEREFORE, the Director is authorized to install Logo Signing for eligible gas, food, lodging, and camping businesses along I-30, I-430 south of the Rodney Parham Road interchange, and I-440 in the City of Little Rock, Arkansas.

2001-080

WHEREAS, it has been determined that the hazard at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Sevier	DeQueen	Robinson Road	Kansas City Southern	Install Flashing Signals with Gates

2001-081

WHEREAS, on Highway 62, Section 1, from Highway 170 in Farmington to the west for approximately 1.1 miles, turning movements continue to increase; and

WHEREAS, a recent study conducted by the Department determined the need to widen this section to five lanes to enhance traffic operations and safety.

2001-081 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen the roadway as funds become available.

2001-082 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 4, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110399	01	LEE	HWY. 121-UNION PACIFIC OVERPASS (OVERLAY) (S)	1
020303	02	GRANT & JEFFERSON	DISTRICT 2 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
020335	02	CHICOT	HWY. 165-HWY. 65 (OVERLAY) (S)	35
030248	03	NEVADA	ROSTON-COLUMBIA CO. LINE (S)	371
030254	03	MILLER	HWY. 82-HWY. 67 (OVERLAY) (S)	245
030255	03	HEMPSTEAD	EVENING SHADE-HOPE (OVERLAY) (S)	29
030262	03	HEMPSTEAD	HWY. 29-HWY. 67 (HOPE) (RESURFACING) (S)	29B
B40105	04	CRAWFORD	DYER-FRANKLIN CO. LINE (F)	40
040157	04	FRANKLIN	BEECH GROVE-INDIAN CREEK (F)	215
040314	04	WASHINGTON	HWY. 62-CINCINNATI (RESURF. & SHOULDERS) (S)	59
040327	04	VARIOUS	DISTRICT 4 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
040357	04	CRAWFORD	HWY. 162-SOUTH (OVERLAY) (S)	59
040358	04	SCOTT	MANSFIELD-SOUTH (OVERLAY) (S)	71
040362	04	WASHINGTON	ACCESS DRIVES RECONST. (U OF A) (PHASE IX) (S)	873
050106	05	WHITE	HWY. 124-SUNNY HILL (OVERLAY) (S)	16
050109	05	WHITE	LONOKE CO. LINE-HWY. 64 (SEL. SECS.) (RESURF.) (S)	5
060397	06	LONOKE	COUNTY LINE STR. & APPRS. (S)	15
060995	06	PULASKI	ARK. RV. BR. NO. APPR. & WASHINGTON AVE. BR. PAINTING (NLR) (S)	30

2001-082 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
061010	06	GARLAND	BULL BAYOU-HWY. 70 (OVERLAY) (S)	270 & 270B
061012	06	HOT SPRING	DALLAS CO. LINE-LONO (OVERLAY) (S)	9
061020	06	PULASKI	DIST. 6 CONC. PVMT. PATCHING (SEL.SECS.) (PHASE II) (S)	VAR
070207	07	CLARK	HOLLYWOOD-WEST (OVERLAY) (S)	26
070208	07	CLEVELAND	LINCOLN CO. LINE-JEFFERSON CO. LINE (OVERLAY) (S)	54
B80104	08	POPE	JOHNSON CO. LINE-MILL CREEK (F)	40
B80107	08	CONWAY & FAULKNER	HWY. 25-WEST (F)	40
080213	08	JOHNSON	KNOXVILLE-POPE CO. LINE (OVERLAY) (S)	64
080220	08	POPE	WHIG CREEK-'G' STREET (OVERLAY) (S)	7
090109	09	MARION	YELLVILLE-EAST & WEST (OVERLAY) (S)	62
100380	10	POINSETT	DITCH NO. 1 STR. & APPRS. (S)	69
100509	10	CRAIGHEAD	CARAWAY RD. SIGNALS (JONESBORO) (S)	63
100527	10	MISSISSIPPI	LITTLE RIVER STR. & APPRS. (S)	158
100532	10	GREENE	HWY. 412-NORTH (OVERLAY) (S)	139
100533	10	LAWRENCE	STRAWBERRY-LYNN (OVERLAY) (S)	25
BX0101	1 & 10	CRITTENDEN & MISSISSIPPI	LAKE DAVID-BARDSTOWN REST AREA (F)	55
001899	6 & 8	GARLAND & MONTGOMERY	HWY. 298 SEALING (S)	298
FA3316	05	IZARD	DRY HOLLOW CREEK STR. & APPRS. (S)	---
FA6314	04	SCOTT	HWY. 248-NORTH & WEST (PHASE 2) (S)	---
BR7309	05	WHITE	STEVENS CREEK STR. & APPRS. (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

2001-082 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl S. Rosenbaum moved, Vice Chairman J. W. Benafield. seconded and the motion passed unanimously to accept the AHTD Staff's recommendation for Special Project Requests, FY 2002 USDOT Appropriations Bill to be submitted to the Congressional Delegation.

2001-083

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:25 p.m., April 4, 2001.

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 April 4, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 16, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 16, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-084 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., May 16, 2001.

2001-085 WHEREAS, the Purchasing Committee has awarded purchases on March 28, 2001, April 5, 12 and 20, 2001, and May 3, 2001, in the amounts \$519,454.00, \$229,097.28, \$25,549.60, \$129,987.00, and \$269,020.00, respectively, totaling \$1,173,107.88, 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 in making the awards be ratified and confirmed in all particulars.

2001-086 WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2001, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2001 in the amount of \$1,250.00.

2001-087

WHEREAS, the National Association of Governor's Highway Safety Representatives (NAGHSR) has billed the Arkansas State Highway and Transportation Department for the departmental membership dues in the amount of \$4,880 for the period from July 1, 2001 to June 30, 2002; and

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

NOW THEREFORE, the Director is authorized to pay NAGHSR membership dues in the amount of \$4,880 for the period from July 1, 2001 to June 30, 2002.

2001-088

WHEREAS, the mission of the Intelligent Transportation Society of America (ITS America) is to foster public/private partnerships to increase the safety and efficiency of surface transportation through the application of advanced technologies; and

WHEREAS, the successful deployment of intelligent transportation systems – comprised of a number of technologies, including information processing, communications, control, and electronics – will enable people and goods to move more safely and efficiently through a state-of-the-art, intermodal transportation system; and

WHEREAS, the Arkansas State Highway and Transportation Department benefits from its membership in ITS America through the receipt of valuable technical and management information regarding the development and deployment of intelligent transportation systems in the United States.

NOW THEREFORE, the Director is authorized to renew the Department's membership with ITS America for fiscal year 2002.

2001-089

WHEREAS, many of the Operations of the Department are accomplished using electronic data and telecommunications; and

WHEREAS, a constant effort is made to improve and expand existing automated systems and to develop new systems based on proven technology; and

2001-089 - Continued

WHEREAS, to support these Department efforts additional hardware, software, network devices, storage media, training, and other integral products and services are necessary.

NOW THEREFORE, the Director is authorized to proceed with the purchase of the necessary equipment for this project as funds become available.

2001-090

WHEREAS, the Department utilizes telecommunications to alert motorists to adverse weather related conditions on the Arkansas State Highway System; and

WHEREAS, telecommunications equipment is needed; and

WHEREAS, equipment is available to provide the features necessary to meet future needs;

NOW THEREFORE, the Director is authorized to proceed with acquiring the telecommunications equipment as funds become available.

2001-091

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, THE DIRECTOR IS ORDERED to enter into the annual licensing agreement for the products.

2001-092

WHEREAS, Department staff has conducted an inventory of the guardrail needs on the National Highway System; and

2001-092 - Continued

WHEREAS, the installation of guardrail is eligible for Federal-aid Safety funds.

NOW THEREFORE, in consideration of the continuing need to update to current standards, the Director is authorized to proceed with plans and construction of needed improvements as funds become available.

2001-093

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration, and implement the *SPR Work Program and Cost Estimate* for Fiscal Year 2002 and enter into any necessary contracts and agreements.

2001-094

WHEREAS, the Arkansas State Highway Commission approved Minute Order 2000-119 on June 28, 2000 authorizing the implementation of the Fiscal Year (FY) 2001 Arkansas Highway Safety Plan utilizing Federal-aid Title 23 United States Code Sections 402, 410, 411, 154 and 157 safety funds and State Child Passenger Protection funds; and

WHEREAS, revisions to the FY 2001 Arkansas Highway Safety Plan are needed to include two additional selective traffic enforcement projects and to include increases in the contract amount for three existing selective traffic enforcement projects as requested by the agencies; and

WHEREAS, Federal-aid safety funds are available to fund the additional projects and State Child Passenger Protection funds are available to fund the increases to the existing contracts as listed below.

2001-094 - Continued

NOW THEREFORE, the revisions to the FY 2001 Arkansas Highway Safety Plan are hereby approved and the Director is authorized to implement the revised Plan.

<u>Agency</u>	<u>Description</u>	<u>Current Contract Amount</u>	<u>Revised Contract Amount</u>
Cabot Police Dept.	Selective Traffic Enforcement	\$0	\$ 7,500
Hot Spring County Sheriff's Office	Selective Traffic Enforcement	\$0	\$ 7,500
Benton Police Dept.	Selective Traffic Enforcement	\$28,000	\$31,300
Fayetteville Police Dept.	Selective Traffic Enforcement	\$32,000	\$35,300
Van Buren Police Dept.	Selective Traffic Enforcement	\$30,800	\$34,200

2001-095

WHEREAS, the Delta Regional Authority was created under Energy and Water Development Appropriation Act of 2000 (PL 106-377); and

WHEREAS, a safe and efficient transportation infrastructure is essential to the overall development of the Delta Region; and

WHEREAS, the President is required under the Act to designate a co-chairman prior to the selection of projects and distribution of funds; and

WHEREAS, the receipt of additional funding such as those available under the Delta Regional Authority is a key element in addressing the Arkansas Delta transportation needs;

NOW THEREFORE, the Arkansas Highway Commission requests that the President appoint a co-chairman to the Delta Regional Authority as soon as possible.

2001-096

WHEREAS, there are twelve tourist information centers at key entry points around the state that are maintained by the Highway and Transportation Department and operated by the Department of Parks and Tourism; and

WHEREAS, eight (8) of these facilities have reached or exceeded their design life; and

WHEREAS, the Highway and Transportation Department and the Department of Parks and Tourism have jointly developed a plan to replace these facilities in a size and design more compatible with the missions of both agencies i.e., to provide motorists with certain services and assistance and to promote tourism; and

WHEREAS, the Governor and the Legislature by Act 345 of 2001 approved the initial phase of the plan for replacement of the facilities and established the appropriations.

NOW THEREFORE, the Director, in cooperation with the Department of Parks and Tourism, is authorized to procure the services of an architectural firm and proceed with the design and construction of these facilities as the funds are made available.

2001-097

WHEREAS, the 83rd General Assembly, through Act 776 of 2001, requires each State Agency to provide a one time bonus of \$450.00 to employees who currently participate in the State's employees insurance program,

NOW THEREFORE, the Director is authorized to process for payment an amount pursuant to the above mentioned act.

2001-098

WHEREAS, the 78th General Assembly in Regular Session passed Act 169 of 1991 authorizing State Agencies to develop a Catastrophic Leave Bank program; and

WHEREAS, the Arkansas State Highway and Transportation Commission approved and adopted the program on June 5, 1991, by Minute Order 91-220, and adopted revisions to the program on June 3, 1992, by Minute Order 92-265, on July 17, 1996, by Minute Order 96-129, on May 21, 1998, by Minute Order 98-127, on January 11, 2000 by Minute Order 2000-010, and on June 28, 2000, by Minute Order 2000-122; and

2001-098 - Continued

WHEREAS, a revision of the program has been completed and recommended for adoption;

NOW THEREFORE, the attached revised Catastrophic Leave Policy is hereby approved and adopted.

2001-099

WHEREAS, there is an urgent need for rehabilitation of the Interstate Highway System in Arkansas, as recognized in Minute Order No. 98-214 of the Arkansas State Highway Commission; and

WHEREAS, in order to facilitate such rehabilitation it is appropriate that the Commission take steps to authorize and issue, pursuant to Act No. 1027 of the Acts of Arkansas of 1999, the second series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds.

NOW THEREFORE:

A motion passed by the Commission authorizes the sale of the second series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds on July 10, 2001.

2001-100

WHEREAS, the Commission acquired property known as Tract 10 in fee, and temporary construction easements on Tracts 10E1 and 10E2, from Bennie Magness, Janie A. Magness, and the Benny Magness Oil Co., for Job R90093, DPS-0029(3), U. S. Highway 62 (West of Mountain Home), Route 62 Section 10, Baxter County, by condemnation resulting in a Consent Judgment filed of record on July 7, 2000, in the Circuit Clerk's Office of Baxter County in Case No. CIV 97-30 (Baxter Co. Cir. Ct. July 7, 2000); and

WHEREAS, the Commission agreed to re-convey part of Tract 10 in order to settle all outstanding issues between the parties; Bennie Magness, Janie A. Magness, and the Benny Magness Oil Co., and the Commission, entered into the Consent Judgment resolving all issues relating to the acquisition of Tracts 10, 10E1, and 10E2; the Federal Highway Administration and the Chief Counsel have approved and concurred in the settlement and conveyance of part of Tract 10; and, the

District Engineer has determined that the part of Tract 10 to be conveyed, being more particularly described as follows, is no longer needed for highway purposes:

JOB R90093

PART OF TRACT 10:

Part of the Northeast Quarter of the Northeast Quarter of Section 24, Township 19 North, Range 14 West, Baxter County, Arkansas, more particularly described as follows:

Starting at a stone pile in a wagon wheel rim (the locally accepted Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 24); thence North $13^{\circ} 13' 21''$ West a distance of 40.17 feet to the Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 24; thence South $88^{\circ} 33' 05''$ East along the North line thereof a distance of 826.73 feet to a point on the Northerly proposed right of way line of U. S. Highway 62; thence North $55^{\circ} 58' 23''$ East along said proposed right of way line a distance of 117.47 feet to a point; thence North $59^{\circ} 43' 43''$ East along said proposed right of way line a distance of 451.78 feet to a point; thence North $68^{\circ} 06' 53''$ East along said proposed right of way line a distance of 605.21 feet to a point; thence North $64^{\circ} 18' 49''$ East along said proposed right of way line a distance of 140.49 feet to a point on the Northerly existing right of way line of U. S. Highway 62 for the true point of beginning; thence North $64^{\circ} 18' 49''$ East along said existing right of way line a distance of 160.18 feet to a point; thence North $68^{\circ} 07' 40''$ East along said existing right of way line a distance of 53.03 feet to a point on said Northerly right of way line of U. S. Highway 62; thence South $12^{\circ} 54' 54''$ East along said proposed right of way line a distance of 14.17 feet to a point; thence South $68^{\circ} 07' 40''$ West along said proposed right of way line a distance of 50.82 feet to a point; thence South $64^{\circ} 22' 43''$ West along said proposed right of way line a distance of 163.22 feet to a point; thence North $13^{\circ} 17' 24''$ West along said proposed right of way line a distance of 14.16 feet to the point of beginning and containing 0.07 acre or 2,967 square feet more or less.

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; in consideration of the Consent Judgment and settlement of the above-referenced litigation, the Chairman

of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Bennie Magness, Janie A. Magness, and the Benny Magness Oil Co.; a copy of the deed and this Minute Order shall be recorded in Baxter County, Arkansas; and, if necessary, the right of way shall be re-monumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds or otherwise used or credited as permitted by federal law.

2001-101

WHEREAS, the City of Fort Smith has requested an Airspace Permit to use certain highway right of way, located in Sebastian County, Arkansas, and owned by the Commission, to construct and maintain parking areas, driveways, and other public facilities in connection with a riverfront park; and

WHEREAS, the right of way to be subject to the Airspace Permit is more particularly described as follows:

JOB 4584
GARRISON AVENUE BRIDGE
(U. S. Highway 64)
SEBASTIAN COUNTY

A parcel of land consisting of that portion of Commission's right of way lying below the grade of the Bridge and roadway, and lying between **Station 29+50** and **Station 40+00**, and between the bridge centerline and the north aerial easement line of Job No. 4584, located beneath the Garrison Avenue Bridge (Hwy. 64), Bridge No. 14456 in the City of Fort Smith, Arkansas.

WHEREAS, the District Engineer has determined that the proposed use will not interfere with the use of the property for highway purposes; and

WHEREAS, an Airspace Permit has been prepared in accordance with state and federal laws governing real property management and will be submitted to the Federal Highway Administration for approval and concurrence.

2001-101 - Continued

NOW THEREFORE, the Director of State Highways and Transportation is, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, authorized to execute a Airspace Permit authorizing the City of Fort Smith to use the property described above for construction and maintenance of parking areas, driveways, and other public facilities in connection with a riverfront park.

2001-102

WHEREAS, the Commission acquired right of way for Job 887, more commonly known as the Plainview - East (State Highway 10), Yell County, Route 60, Section 3, by Yell County Court Order; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described below.

JOB 887
PLAINVIEW - EAST
(STATE HIGHWAY 10)
YELL COUNTY
ROUTE 60, SECTION 3

From Designated Survey Centerline Station 4+17.0 to Centerline Station 8+00.0 the originally executed Court Order for Job 887 shall hereby be revised. The width of the proposed right of way to the left and to the right of the herein above described Centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN. FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
4+17.0	8+00.0	383.0'	30'	30'	60'

Note: In all other respects the original Court Order shall remain as is.

2001-102 - Continued

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Yell County; and, that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by federal law.

2001-103

WHEREAS, the Commission acquired property known as Tract 1R in fee from Gene Putnam and Kathy Putnam, husband and wife, for Job 8927, STP-048-2(11), Highway 27 - East (Danville) Yell County, by Warranty Deed dated January 11, 1994; and

WHEREAS, Tract 1R was acquired for \$3,500.00; and

WHEREAS, John Ed Chambers, III has asked to repurchase Tract 1R; Gene Putnam and Kathy Putnam, husband and wife, have assigned their rights to reacquire Tract 1R to John Ed Chambers, III; and, the District Engineer has determined that Tract 1R, being more particularly described as follows, is no longer needed for highway purposes:

JOB 008927

TRACT 1R:

Part of Lots 4 through 7, Block B and Lot 17, Block 50, McGargo and Wooten Addition to the City of Danville, also being a part of the South Half of the Southeast Quarter of Section 25, Township 5 North, Range 23 West, Yell County, Arkansas, more particularly described as follows:

Starting at the Northeast corner of Block 50 of McGargo and Wooten Addition; thence South 73°19'00" West along the North line thereof a distance of 405.31 feet for the point of beginning; thence South 03°38'28" West a distance of 83.24 feet to a point on the Northerly proposed right of way line of Arkansas State Highway 10; thence North 59°33'03" West along said proposed right of way line a distance of 90.12 feet to a point; thence North 23°10'04" West along said proposed right of way line a distance of 12.08 feet to a point on the North line of Lot 4, Block B of McGargo and Wooten Addition; thence North 73°19'00" East along said

2001-103 - Continued

North line a distance of 91.58 feet to the point of beginning and containing 3,897 square feet more or less.

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$3,500.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to John Ed Chambers, III; a copy of the deed and this Minute Order shall be recorded in Yell County, Arkansas; and, if necessary, the right of way shall be re-monumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds or otherwise used or credited as permitted by federal law.

2001-104

WHEREAS, in the City of Arkadelphia, the City has expressed concern for traffic operations at the intersection of Highway 67 and Highway 51:

NOW THEREFORE, the Director is authorized to conduct a study at the Highway 67/51 intersection to determine appropriate improvements to facilitate traffic operations at this site.

2001-105

WHEREAS, efforts are underway to develop the Van Buren Regional Intermodal Port Complex; and

WHEREAS, a freight transloading facility is planned that could generate large volumes of truck traffic; and

WHEREAS, the Crawford County Judge on behalf of the Bi-State Transportation Study Area has requested the Department to conduct a study of landside access to the proposed terminal and other planned facilities in order to identify traffic impacts and possible highway improvement needs.

NOW THEREFORE, the Director is authorized to conduct a landside access study for the proposed Van Buren freight transportation center.

2001-106

WHEREAS, development options are being explored for the new Searcy industrial park that include on- and off-site freight transportation services; and

WHEREAS, an industrial park which features freight transportation amenities is an important factor in attracting industrial development; and

WHEREAS, the mayor of the city of Searcy has requested a study that would examine possible rail transportation and other freight transportation services for the industrial park.

NOW THEREFORE, the Director is authorized to conduct a study of possible freight transportation enhancements for the planned industrial park.

2001-107

WHEREAS, Section 404 of the Clean Water Act requires compensatory mitigation for adverse impacts to wetlands and waters of the United States due to highway construction, maintenance and operation activities; and

WHEREAS, the Corps of Engineers requires mitigation of unavoidable wetland impacts due to highway projects; and

WHEREAS, mitigation sites must be in the same wetland planning region as the area of impact; and

WHEREAS, the Department does not have a mitigation site within Red River or Dorcheat/Bodcau Wetland Planning Areas of the Coastal Plain Wetland Planning Region nor the Upper Red River Wetland Planning Area of the Ouachita Wetland Planning Region.

NOW THEREFORE, the Director is authorized to proceed with planning to acquire sites and develop the Pond Creek Wetland Mitigation Bank subject to the following conditions:

1. The first site proposed for purchase is on the attached map.
2. If that purchase is unsuccessful, additional site(s) will be purchased.

2001-107 - Continued

3. Additional sites will be added to the bank as needs arise.
4. Development of an acceptable management agreement, and
5. Approval by the Federal Highway Administration.

2001-108

WHEREAS, on Highway 82, Sections 7 and 8, in Union and Ashley Counties, investigations have identified erosion on the south embankment of the west and east approaches to the Ouachita River Bridge; and

WHEREAS, it has been determined that an erosion control project is needed in order to prevent further deterioration.

NOW THEREFORE, the Director is authorized to proceed surveys, plans, and construction of an erosion control project on this highway as funds become available.

2001-109

WHEREAS, on Interstate 540, between Fayetteville and Rogers, it has been determined that improvements are needed to the roadway surface:

NOW THEREFORE, the Director is authorized to proceed with the necessary rehabilitation projects as funds become available.

2001-110

WHEREAS, IN CRITTENDEN COUNTY, on Interstate 40, Section 52, the Lehi Weigh Station weigh-in-motion scales and related elements have functioned to the degree that integral electronic components have reached normal life expectancy; and

WHEREAS, the continued use of these components may result in a malfunction that could produce significant delays in the proper sorting and weighing of commercial vehicles entering the Arkansas Highway Police facility; technicians recommend the parts be replaced to preserve the life span of the scales.

2001-110 - Continued

NOW THEREFORE, the Director is authorized to proceed with the purchase of these components, for installation by the sole source contractor, as funds become available.

2001-111 WHEREAS, on Interstate 530, between Little Rock and Pine Bluff, it has been determined that improvements are needed to the roadway surface:

NOW THEREFORE, the Director is authorized to proceed with the necessary rehabilitation projects as funds become available.

2001-112 WHEREAS, on Highway 151, Section 2, at the Ditch 25 crossing in Gosnell, the City has expressed concern regarding ponding of water on adjacent properties; and

WHEREAS, a review by Department staff has indicated the need to enlarge the existing drainage structure at this location:

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and a construction project to provide an adequate drainage structure the Ditch 25 crossing in conjunction with ditch improvement work undertaken by the Drainage District No. 17 of Mississippi County and/or the local government jurisdictions.

2001-113 WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing active warning devices and installing a crossing surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal device and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished free of cost to the State.

3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Monroe	Clarendon	Walker St.	Union Pacific	Install Flashing Signals with Gates and Concrete Surface
Bradley	Warren	NE Bypass	Delta Southern/ Union Pacific	Install Flashing Signals with Gates and Concrete Surface
Marion	Yellville	Hwy. 62	Missouri & Northern Arkansas	Install Concrete Surface

2001-114 WHEREAS, on Highway 21 in Newton County, near Boxley, a need has been identified for a brake check area for use by southbound trucks prior to entering the downhill grade into Boxley Valley:

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to provide the needed brake check area as funds become available.

2001-115 WHEREAS, IN INDEPENDENCE COUNTY, on Highway 167, Section 17, at approximately Log Mile 1.5 a slide area approximately two hundred feet in length is causing continued settlement of the roadway; and

 WHEREAS, the Materials Division has performed a geotechnical investigation and recommends a rock buttress to stabilize this area and to prevent continuation of the slide; and

 WHEREAS, a construction project to correct this slide would be the most economical solution to the problem;

2001-115 - Continued

NOW THEREFORE, the Director is authorized to proceed with a project to correct the slide area as funds become available.

2001-116 WHEREAS, Highway 79 in Lee County is a major truck route; and

WHEREAS, a part of Highway 79 in the City of Marianna has restricted vertical clearances due to a railroad underpass; and

WHEREAS, for many years the Department has routed overheight permitted vehicles to nearby E. R. Gaines Street (formerly Alabama Street) as a detour route around the restricted vertical clearances on Highway 79; and

WHEREAS, the continued use of E. R. Gaines Street for overheight permitted vehicles is necessary for the proper maintenance of Hwy. 79; and

WHEREAS, the deterioration in the surface of E. R. Gaines Street will require repairs in order for the Department to continue routing overheight permit vehicles through this area; and

WHEREAS, the City of Marianna has requested funding assistance from the Department to overlay and strengthen the surface of the Street.

NOW THEREFORE, pursuant to Ark. Code Ann. §27-67-207, the Director is authorized to enter into an agreement with the City of Marianna to share equally in the expense of making the noted improvements.

2001-117 WHEREAS, the existing property serving the Pike County Area Headquarters in Murfreesboro on State Highway 27 is inadequate in size; and

2001-117 - Continued

WHEREAS, an adjoining tract of land is available and is compatible with the Department's desire to increase the size of this headquarters; and

WHEREAS, this additional property would also be well suited for storage and other necessary maintenance activities;

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and make improvements including surfacing of lot, fencing and related items.

Work to be done by contract and state forces.

2001-118

WHEREAS, the Department's bridge inspection has revealed that a pier protection cell on the Main Street Arkansas River Bridge and a pier protection cell on the I-30 Arkansas River Bridge are in need of fill material as a maintenance measure; and

WHEREAS, pier protection cells are constructed to protect bridges from barge traffic collisions.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to fill these pier cells with rock as funds become available.

2001-119

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 16, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10102	01	MONROE & ST. FRANCIS	BRINKLEY-GOODWIN (F)	40
R10047	01	WOODRUFF	LITTLE DIXIE-HWY.17 (OVERLAY) (S)	38
110377	01	CRITTENDEN	HWY. 70/RICH RD. SIGNAL (WEST MEMPHIS) (S)	70
R20125	02	LINCOLN & DREW	STAR CITY-SOUTH (PASSING LANES) (S)	425

2001-119 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020305	02	JEFFERSON	HWY. 63/I-530 & RIDGEWAY RD. SIGNALS (PINE BLUFF) (S)	63B, 530, & 63
020332	02	ASHLEY & CHICOT	HWY. 52 & HWY. 160 (SEL. SECS.) (RESURF.) (S)	52 & 160
020336	02	DREW	MONTICELLO-EAST (SEL. SECS.) (OVERLAY) (S)	278
020342	02	ARKANSAS	HWY. 79 & HWY. 165 (STUTTGART) (OVERLAY) (S)	79 & 165
030230	03	HEMPSTEAD & NEVADA	DISTRICT 3 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
030256	03	HOWARD	HWY. 27B-HWY. 371 (OVERLAY) (S)	27 & 278
B40104	04	SEBASTIAN	OKLAHOMA STATE LINE-HWY. 22 (F)	540
040152	04	WASHINGTON	OWL CREEK STR. & APPRS. (FAYETTEVILLE) (S)	---
040314	04	WASHINGTON	HWY. 62-CINCINNATI (RESURF. & SHOULDERS) (S)	59
040357	04	CRAWFORD	HWY. 162-SOUTH (OVERLAY) (S)	59
040359	04	FRANKLIN	HWY. 23 EAST & WEST (OVERLAY) (S)	64
050062	05	WHITE	BALD KNOB-WHITE RIVER (PASSING LANES) (S)	64
050090	05	WHITE	HWY. 67/HWY. 64 & HWY. 167/HWY. 367 SIGS. (BALD KNOB) (S)	VAR
050107	05	STONE & INDEPENDENCE	PLEASANT GROVE-INDEPENDENCE CO. LINE (OVERLAY) (S)	14
B60103	06	PULASKI	65TH ST.-EAST (F)	30
B60106	06	LONOKE & PRAIRIE	CARLISLE-EAST (F)	40
B60108	06	SALINE	ALCOA RD. INTERCHANGE (F)	30
060967	06	SALINE & PULASKI	DISTRICT 6 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
061007	06	LONOKE	KEO-HWY. 386 (OVERLAY) (S)	165
061020	06	PULASKI	DIST. 6 CONC. PVMT. PATCHING (SEL. SECS.) (PHASE II) (S)	VAR
061022	06	SALINE	BENNET RD.-GRANT CO. LINE (OVERLAY) (S)	35

2001-119 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
061025	06	HOT SPRING	JONES MILL-STONE QUARRY CREEK (OVERLAY) (S)	270
007968	07	OUACHITA	HWY. 205 STR. & APPRS. (S)	205
070209	07	COLUMBIA	HWY. 82B-HWY. 82 WEST (MAGNOLIA) (OVERLAY) (S)	82
070210	07	CLARK	MILL CREEK-CADDO RIVER (OVERLAY) (S)	67
070211	07	OUACHITA	BRUSHY CREEK-NORTH (NORTH BOUND LANE) (OVERLAY) (S)	79
070214	07	CALHOUN	OUACHITA RIVER-HWY. 274 (SEL. SECS.) (OVERLAY) (S)	167
B80106	08	CONWAY	BLACKWELL-PLUMERVILLE (F)	40
080186	08	VARIOUS	DISTRICT 8 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
080217	08	POPE	HWY. 64-HWY. 124 (OVERLAY) (S)	326
080221	08	PERRY	NORTH HOLLIS-YELL CO. LINE (OVERLAY) (S)	7
090058	09	BENTON	LITTLE OSAGE CREEK STR. & APPRS. (S)	12
090093	09	BENTON	I-540 & HWY. 264 INTERCHANGE SIGNALS (LOWELL) (S)	540 & 264
090110	09	BAXTER	GASSVILLE-NORTH (OVERLAY) (S)	126
B00100	10	MISSISSIPPI	HWY. 158-HWY. 148 (F)	55
R00119	10	CLAY	MCDUGAL-POLLARD (PASSING LANES) (S)	62
100526	10	POINSETT & CRAIGHEAD	CROSS CO. LN-JONESBORO (PASSING LANES) (S)	1
100534	10	MISSISSIPPI	WILSON-HWY. 119 WEST (OVERLAY) (S)	61
100535	10	RANDOLPH	N. CATTLE CR.-MISSOURI ST. LINE (OVERLAY) (S)	251
001848	05 & 08	WHITE & FAULKNER	VILONIA-HWY. 67 (PASSING LANES) (S)	64
SA0634	07	BRADLEY	BRADLEY COUNTY SURFACING AND RESEAL NO. 4 (S)	---

2001-119 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA1644	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 17 (S)	---
SA1751	04	CRAWFORD	HWY. 71-GRAPHIC (OVERLAY) (S)	---
SA2024	07	DALLAS	DALLAS COUNTY RESEAL NO. 2 (S)	---
SA2644	06	GARLAND	MONTGOMERY COUNTY LINE-HWY. 227 (RESEAL) (S)	---
FA2706	02	GRANT	HURRICANE CREEK DRAINAGE STRS. & APPRS. (S)	---
FA3111	03	HOWARD	COUNTRY CLUB RD.-HWY. 371 (S)	---
SA3526	02	JEFFERSON	HWY. 54-PINE BLUFF CITY LIMITS (OVERLAY) (S)	---
SA3629	08	JOHNSON	HWY. 64-CLARKSVILLE CITY LIMITS (OVERLAY) (S)	---
SA4533	09	MARION	MARION COUNTY RESEAL NO. 6 (S)	---
SA5121	09	NEWTON	HWY. 374-SOUTH (BASE & SURFACING) (S)	---
SA6125	10	RANDOLPH	RANDOLPH COUNTY RESEAL (SEL. SEC.) (S)	---
SA6237	06	SALINE	CO. RD. 311-HWY. 5 (OVERLAY) (S)	---
SA6428	09	SEARCY	CO. RD. 41 (BASE) (S)	---
SA7123	08	VAN BUREN	STONE CO. LINE-SOUTHWEST (RECONST.) (S)	---
SA7349	05	WHITE	HWY. 258-SOUTH (BASE & SURFACING) (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

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 7, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 7, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-121 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., June 7, 2001.

2001-122 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support the National Work Zone Safety Information Clearinghouse; and

WHEREAS, the Clearinghouse was established to provide information for design and technical assistance and for operational standards to enhance work zone safety for the benefit of motorists and workers; and

WHEREAS, the Arkansas State Highway and Transportation Department utilizes information from the Clearinghouse in the design, construction and maintenance programs; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support the National Work Zone Safety Information Clearinghouse for FY 2001.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2001 in the amount of \$2,000.00.

2001-123

WHEREAS, recent legislation has enabled the Department to utilize emerging technology to be more efficient and realize greater cost savings in the procurement process; and

WHEREAS, an innovative purchasing method called a reverse auction, which utilizes new computer technology in the bidding process, is yielding dramatic savings in the purchase of selected commodities by some state governments; and

WHEREAS, the Department enters into several commodity supply contracts which have the potential to yield savings thru this purchasing method; and

WHEREAS, the Director of the Arkansas Department of Finance and Administration, Office of State Procurement, has requested Department participation in pilot testing of the reverse auction purchasing method in the State.

NOW THEREFORE, the Director is authorized to proceed with pilot testing of the reverse auction, in cooperation with the Office of State Procurement, and with implementation of the method where cost-effective.

2001-124

WHEREAS, the Arkansas State Highway and Transportation Department was authorized by Arkansas Act 192 of 1977 to administer United States Department of Transportation funds and other funds available for public transportation assistance; and

WHEREAS, the Federal Transit Administration has apportioned funds to the State of Arkansas under 49 U.S.C. Section 3037, Job Access/Reverse Commute Program, for providing a statewide program for developing new and expanded public transportation services that connect welfare recipients and other low income persons to jobs and other employment related services.

NOW THEREFORE, the Director is authorized to develop and implement a program of projects for these designated federal funds and enter into the necessary grant agreement awards and contracts to expend these funds for the support of public transportation programs.

2001-125

WHEREAS, traffic volumes on Highway 167 from Fordyce to Little Rock continue to increase; and

WHEREAS, this highway serves as an important National Highway System link serving South Central Arkansas; and

WHEREAS, that portion of Highway 167 from I-530 to Sheridan is included in the 1991 Highway Improvement Program as a four-lane facility; and

WHEREAS, local officials in South Central Arkansas have expressed interest in the four-laning of Highway 167 as a priority improvement.

NOW THEREFORE, the Director is hereby authorized to proceed with the necessary studies, plans and construction projects to widen Highway 167 to an ultimate four-lane facility from Fordyce to Sheridan as funds become available.

2001-126

WHEREAS, IN CRITTENDEN COUNTY, on Interstate 55, Section 11, the Marion Weigh Station weigh-in-motion scales and related elements have functioned to the degree that integral electronic components have reached normal life expectancy; and

WHEREAS, the continued use of these components may result in a malfunction that could produce significant delays in the proper sorting and weighing of commercial vehicles entering the Arkansas Highway Police facility; technicians recommend the parts be replaced to preserve the life span of the scales.

NOW THEREFORE, the Director is authorized to proceed with the purchase of these components, for installation by the sole source contractor, as funds become available.

2001-127

WHEREAS, at the request of local officials, the Pocahontas Bypass Feasibility Study was conducted to determine the feasibility of constructing a northern bypass to connect Highway 62 southwest of the city to Highway 67 to the northeast for the purpose of reducing congestion; and

2001-127 - Continued

WHEREAS, the study corridor has been evaluated and a determination made that a bypass would not significantly impact congestion on existing routes; and

WHEREAS, this study reaffirms the findings of previous studies.

NOW THEREFORE, the Director is authorized to proceed with appropriate improvements to Highways 62 and 67 in Pocahontas as funds become available.

MOTION

Commissioner Carl Rosenbaum moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to approve the Fiscal Year 2001-2002 Departmental Budget as recommended by the Department Staff.

2001-128

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:30 p.m., June 7, 2001.

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 June 7, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 10, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 10, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-129 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 10, 2001.

MOTION Commissioner Prissy Hickerson moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to accept the low bid of the bid group led by Morgan Stanley & Co., Inc, for the Series 2001A Bonds.

MOTION Vice Chairman J. W. Benafield moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to accept the proposal from Wells Fargo to serve as trustee for the \$185,000,000 Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2001A.

MOTION Commissioner Carl S. Rosenbaum moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to accept the bid of AIG for the investment of the proceeds of the Series 2001A Bonds, which was the best bid received.

2001-130 WHEREAS, there is an urgent need for the rehabilitation of the Interstate Highway System in Arkansas, as recognized in Minute Order No. 98-214 of the Arkansas State Highway Commission; and

WHEREAS, the Commission has, on February 16, 2000, adopted its General Resolution entitled "General Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds and Specifying Various Matters Related Thereto"; and

WHEREAS, pursuant to the General Resolution, the Minute Order pursuant to which it was adopted, and its Official Notice of Sale and Preliminary Official Statement, the Commission has offered, on competitive bid, its Bonds of Series 2001A (the "Series 2001A Bonds") and, upon receipt of bids on this July 10, 2001, it has been determined that the bid of the bid group led by Morgan Stanley & Co., Inc. (the "Purchaser") being the bid for the lowest true interest cost for the Series 2001A Bonds, is the successful bid; and

WHEREAS, it is in the interest of the State of Arkansas that the bid of the Purchaser be accepted and that the Series 2001A Bonds be sold and issued to the Purchaser; and

WHEREAS, there are attached hereto as Exhibit A, copies of the bids of all bidders on the Series 2001A Bonds; and

WHEREAS, it is appropriate that action be taken, upon counsel of the Commission's investment advisor and the receipt of competitive bids, for the selection of a trustee (and paying agent and registrar) for the Series 2001A Bonds and for the investment of the proceeds of the Series 2001A Bonds;

NOW THEREFORE:

1. The Series Resolution entitled "Series Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2001A, and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit B.

2. The issuance and sale of the Series 2001A Bonds on the terms set forth in the bid of the Purchaser are hereby authorized and confirmed.

3. The Chair and Vice Chair of the Commission, and the Director of Highways and Transportation, are authorized to execute such writings and take such action as may be appropriate to cause the Series 2001A Bonds to be issued and to cause the proceeds thereof to be deposited and applied as set forth in the General Resolution and the Series Resolution.

Without limiting the generality of the foregoing, the Chair and Vice Chair and the Director of Highways and Transportation are authorized to execute and deliver (a) such agreements as may be necessary to comply with Rule 15c2-12 of the Securities and Exchange Commission, (b) such undertakings as may be appropriate to select a trustee for the Series 2001A Bonds, and (c) such agreements and related writings as may be appropriate to cause the proceeds of the Series 2001A Bonds to be invested at a guaranteed rate or rates of interest, provided that any agreement therefor (i) shall be awarded upon competitive bids and (ii) shall be with an institution rated by Standard & Poor's Credit Markets Services not lower than AA- (in case of an investment contract) or A- (in the case of a repurchase agreement) or by Moody's Investors Service, Inc. not lower than Aa3 (in the case of an investment contract) or A3 (in the case of a repurchase agreement).

4. The Director of Highways and Transportation, and the officers of the Arkansas Highway and Transportation Department, according to their respective offices and as specified by the Director, are authorized and directed to execute writings and take any and all actions as such person, in his or her discretion, may deem to be necessary or appropriate to carry out the intent and purposes of this Minute Order or the terms of the Series Resolution.

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 4:20 p.m., July 10, 2001.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 11, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 11, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-132 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., July 11, 2001.

2001-133 WHEREAS, the Purchasing Committee has awarded purchases on May 18 and 25, 2001, and June 8, 21 and 25, 2001, in the amounts \$124,039.00, \$299,470.00, \$616,546.60, \$929,231.00, and \$30,813.00, respectively, totaling \$2,000,099.60, 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 in making the awards be ratified and confirmed in all particulars.

2001-134 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) is the National Frequency Coordinator as designated by the Federal Communications Commission (FCC) for the segments of the radio spectrum assigned to the transportation agencies; and

WHEREAS, AASHTO, as the National Frequency Coordinator, must approve the use of all frequencies requested by its member agencies in order for the FCC to grant a license; and

2001-134 - Continued

WHEREAS, AASHTO protects those agencies from interference from non-transportation agencies operating on the frequencies reserved for the transportation agencies; and

WHEREAS, the Department is dependent on these services for the clear and uninterrupted performance of its radio communications system; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for support of the AASHTO Frequency Coordination Technical Service Program.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to pay the invoice amount of \$4,500.00.

2001-135

WHEREAS, Act 1688 of 2001 of the 83rd General Assembly of the State of Arkansas provided authorization to increase in the uniform allowance for all uniformed personnel of the Arkansas Highway Police Division (Arkansas Highway Police Patrol Officer through Chief); and

WHEREAS, increased cost and maintenance of Highway Police uniforms warrant an increase in the uniform allowance.

NOW THEREFORE, the uniform allowance is increased to \$1,500.00 annually effective July 1, 2001.

2001-136

WHEREAS, a primary goal of the State of Arkansas and the Arkansas State Highway and Transportation Department is to provide rapid, efficient and accessible business services to its citizens and when possible, provide these services via the Internet; and

WHEREAS, the Department's Permit Section currently utilizes a manual system for the issuance of oversize and overweight permits; and

2001-136 - Continued

WHEREAS, oversize and overweight permitting systems are now available that analyze vehicle routing, determine vehicle effects on bridge structures, supply fiscal controls, and provide Internet access;

NOW THEREFORE, the Director is authorized to proceed with a Request for Proposals (RFP) and purchase an oversize/overweight permitting system that will best meet the needs of the Department, as funds become available.

2001-137

WHEREAS, the Highway Safety Act of 1966 established a grant program to improve highway safety in the states; and

WHEREAS, Title 23, United States Code (U.S.C.), Section 402 requires that each State have a highway safety program designed to reduce traffic crashes, fatalities and injuries and Section 402 funds are provided for implementing this program; and

WHEREAS, the Department has received additional highway safety funds under Title 23, U.S.C., Sections 410, 411, 154, 157 and 163 and Section 2003(b) of the Transportation Equity Act for the 21st Century to supplement the highway safety program; and

WHEREAS, the Department has prepared the Fiscal Year 2002 Highway Safety Plan (HSP) which identifies highway safety problems and recommends projects to effectively address these problems; and

WHEREAS, the Director of the Arkansas State Highway and Transportation Department has been designated as the Highway Safety Representative to carry out the functions of the highway safety program.

NOW THEREFORE, the Fiscal Year 2002 HSP is hereby approved and the Director is authorized to enter into the contracts to implement the plan.

2001-138

WHEREAS, the Department in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the University of Arkansas/Mack Blackwell Transportation Center to conduct the following studies:

Evaluation of Automated Work Zone Information Systems

Using Multi-Spectral Satellite Imagery to Enhance Slope Failure Prediction

Investigation of the Affect of Fines on Base Course Performance

Development of Training Course and materials for Construction and Maintenance Personnel Concerning Storm Water Runoff BMPs

2001-139

WHEREAS, IN PRAIRIE COUNTY on State Highway 33 an Original Contract dated March 17, 1999, was awarded to Stephen F. Bryant, for Job 060456, FAP No. BRN-0059(9), Branch of Jackson Bayou Str. And Apprs. (S), based on a low bid of \$380,174.06; and

WHEREAS, the Contractor has completed the project but has not remitted to the Department an overpayment in the amount of \$40,896.31; and

WHEREAS, the Contractor was notified by Certified Mail dated April 3, 2001, that unless he remitted the \$40,896.31 overpayment, the project would be placed in default in accordance with Subsection 108.08 of the Standard Specifications; and

WHEREAS, the Contractor has failed to respond to the demand that he remit the overpayment to the Department; and

2001-139 - Continued

WHEREAS, the Contractor was advised by letter from the Chief Engineer dated June 25, 2001, that the project was recommended to be placed in default.

NOW THEREFORE, IT IS ORDERED that the decision of the Chief Engineer to terminate the right of Stephen F. Bryant to proceed on Job No. 060456 is affirmed, and the Chief Engineer is authorized to arrange for the overpayment to be remitted in accordance with the terms and conditions of the contract and bond.

2001-140

WHEREAS, the Highway System in Arkansas provides for safe mobility, economic development and tourism enhancement throughout the State; and

WHEREAS, public information and education is important in providing the citizens of our State with the necessary information relative to the issues facing the Commission and Department; and

WHEREAS, the Arkansas Good Roads and Transportation Council serves as an effective group to provide this information and education.

NOW THEREFORE, IT IS ORDERED that the Director make a payment of \$20,000 to the Arkansas Good Roads and Transportation Council for its public information and education services for calendar year 2001.

2001-141

WHEREAS, Arkansas Statutes of 1947, Section 75-501 through 75-503, sets forth the following requirements:

75-501. Adoption of sign manual and uniform system of traffic-control devices. The State Highway Commission shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this act for use upon highways within this State. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American Association of State Highway Officials.

75-502. Traffic-control devices on state highway. - (a) The State Highway Commission shall place and maintain such traffic-control devices, conforming to its manual and specifications, upon all State highways as it shall deem necessary to indicate and carry out the provisions of this act or to regulate, warn, or guide traffic.

(b) No local authority shall place or maintain any traffic-control device upon any highway under the jurisdiction of the State Highway Commission except by the latter's permission.

75-503. Local traffic-control devices. - (a) Local authorities in their respective jurisdictions, shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this act or local traffic ordinances or to regulate, warn, or guide traffic. All such traffic-control devices hereafter erected shall conform to the State manual and specifications.

(b) Local authorities in exercising those functions referred to in the preceding paragraph shall be subject to the direction and control of the State Highway commission; and

WHEREAS, "Title 23, United States Code, Highways" approved August 27, 1958, includes the following requirements regarding traffic-control devices on Federal-aid projects under Section 109 (d): "On any highway project in which Federal funds hereafter participate, or on any project constructed since December 20, 1944, the location, form and character of informational, regulatory and warning signs, curb and pavement or other markings, and traffic signals installed or placed by any public authority or other agency, shall be subject to the approval of the State Highway Department with the concurrence of the Secretary (of Transportation) who is directed to concur only in such installations as will promote the safe and efficient utilization of the highways"; and

WHEREAS, a Manual on Uniform Traffic Control Devices, dated December 2000, has been prepared in cooperation with the American Association of State Highway and Transportation Officials, Institute of

Transportation Engineers, National Committee on Uniform Traffic Laws and Ordinances, National Association of Counties, National Association of Governors' Highway Safety Representatives, International Association of Chiefs of Police, Inc., National Electrical Manufacturers Association, American Road and Transportation Builders' Association, International Bridge, Tunnel and Turnpike Association; and

WHEREAS, the State Statute above-quoted requires the adoption of a uniform manual to be in accord with the requirements of the American Association of State Highway and Transportation Officials.

NOW THEREFORE, IT IS ORDERED that the Manual on Uniform Traffic Control Devices, approved by the Federal Highway Administration in cooperation with the American Association of State Highway and Transportation Officials, published in 2000, be and is hereby adopted as the Arkansas Manual on Uniform Traffic Control Devices, effective on and after this date. To implement this order, the Director is hereby authorized to take the following actions:

1. Purchase from the U. S. Government Printing Office or other private contractor sufficient copies of the Manual on Uniform Traffic Control Devices for the use of the Department.
2. Include a copy of this Minute Order with all copies of the Manual issued for use.
3. Approve, upon recommendation of the Chief Engineer, any supplement to said Manual hereafter issued for additional traffic control devices. Such supplements shall conform to the general requirements for Standardization as set forth in the Manual.
4. This Minute Order supercedes Minute Order 90-007 dated January 24, 1990.

WHEREAS, the River Rail Streetcar Project (“Project”) was initiated in 1996 as a follow-up to the development of the Alltel Arena, the River Market, the expansion of the Statehouse Convention Center and other anticipated private and public investments in the Downtowns of Little Rock and North Little Rock; and

WHEREAS, the purposes and goals of the Project are to improve downtown mobility, revive historic connection with streetcars, serve economic development and tourism and provide transportation for conventions and arena events; and

WHEREAS, the routing of the streetcar will involve crossing the Arkansas River on the Main Street Bridge (bridge number 05292); and

WHEREAS, the Arkansas Highway Commission is the owner of the Main Street Bridge and is responsible for its operation and maintenance; and

WHEREAS, the crossing of the Main Street Bridge will involve modification of the Main Street Bridge including the installation of rails and an electrical system; and

WHEREAS, Arkansas State Highway and Transportation Department (AHTD) staff is reviewing plans and specifications of the proposed Project on the Main Street Bridge to ensure that the structural and functional integrity of the bridge is not compromised; and

WHEREAS, the Central Arkansas Transit Authority (CATA) has requested an Airspace Permit to modify the Main Street Bridge to accommodate the Project; and

WHEREAS, subsequent to AHTD, Federal Highway Administration (FHWA), and United States Coast Guard (USCG) approval of the Project plan involving the Main Street Bridge, an Airspace Permit will be prepared in accordance with State and Federal laws governing real property management.

NOW THEREFORE, the Director of Highways and Transportation is authorized to execute the Airspace Permit authorizing, subject to and conditioned upon the approval and concurrence of the FHWA and USCG, the Central Arkansas Transit Authority to use the Main Street Bridge for construction and maintenance of the Project on the Main Street Bridge.

2001-143

WHEREAS, U. S. Highway Route 425 serves a major travel corridor between Pine Bluff, Arkansas and Bastrop, Louisiana; and

WHEREAS, the numbering of this route presently begins at its junction with U. S. Highway Route 65 east of Pine Bluff; and

WHEREAS, to enhance identity of the route, a logical beginning point would be Interstate Route 530 in Pine Bluff.

NOW THEREFORE, the Director is authorized to petition the AASHTO Route Numbering Committee to extend the U. S. Route 425 designation over U. S. Route 65 to the junction of I-530 in Pine Bluff as shown on the attached sketch.

2001-144

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 established a National Scenic Byway Program and encouraged the states to develop similar programs; and

WHEREAS, Minute Orders 91-513, 92-009, 93-091, and 97-044 establish the criteria by which routes can be designated as Arkansas Scenic Byways; and

WHEREAS, the Pine Bluff–Jefferson County Clean and Beautiful Commission, the Bayou Bartholomew Alliance, and the Economic Development Alliance of Jefferson County, representing residents, businesses, and individuals in Jefferson County, have requested that Interstate 530 from its intersection with Highway 256 in White Hall to its intersection with Highway 65 on the east side of Pine Bluff, be designated as an Arkansas Scenic Byway; and

WHEREAS, this route meets the aforementioned Arkansas Highway Commission Criteria for Arkansas Scenic Byway designation.

NOW THEREFORE, the Commission hereby designates this route as an Arkansas Scenic Byway.

2001-145

WHEREAS, IN MISSISSIPPI COUNTY, in the vicinity of Osceola, the County Judge has requested the exchange of a portion of State Highway for a County Road; and

2001-145 - Continued

WHEREAS, this exchange would benefit both Mississippi County and the Department.

NOW THEREFORE, upon receipt of the proper court order from the Mississippi County Judge, it is ordered that the following changes to the State Highway System be made as shown on the attached sketch:

1. That part of Highway 239, Section 0, from the junction of Highway 198 to the junction of County Road 732, a distance of approximately 2.10 miles, is hereby removed from the State Highway System.
2. Mississippi County Road 732 from the junction of Highway 325 to the junction of Highway 239 is hereby made a part of the State Highway System designated as part of Highway 239, Section 0. All action to be effective upon notification by the Chief Engineer.

2001-146

WHEREAS, Minute Order 97-198 authorized the Director to conduct a study of the feasibility of constructing an overpass at the site of the Highway 35 at-grade crossing of the Union Pacific Railroad in Benton; and

WHEREAS, the *Highway 35 Railroad Overpass Study: Benton* has been completed and recommends proceeding with environmental studies of three alternatives.

NOW THEREFORE, this study is adopted for use as a planning guide in the area, and the Director is authorized to proceed with surveys, environmental studies, plans, and construction as funds become available.

2001-147

WHEREAS, Highway 18 between Jonesboro and Blytheville is recognized as an important corridor in northeast Arkansas; and

WHEREAS, the 1991 Highway Improvement program includes the widening of Highway 18 to four lanes from Jonesboro to Lake City and from Highway 119 to Blytheville.

2001-147 - Continued

NOW THEREFORE, the Director is authorized to study the feasibility of widening the thirteen-mile section of Highway 18 between Lake City and Highway 119, and any other appropriate improvements.

2001-148

WHEREAS, it has been determined that the hazards at the Division Street and the Mulberry Street and Union Pacific Railroad crossings in the City of Humphrey warrant installing and/or upgrading active warning devices; and

WHEREAS, Act 180 of 2001 appropriated funds for the construction and maintenance of railroad guards and lights in the City of Humphrey; and

WHEREAS, the City has deemed that these funds be used for the installation of flashing lights with gates at the Mulberry Street crossing.

NOW THEREFORE, the Director is authorized to enter into necessary agreements with the City of Humphrey and the Union Pacific Railroad to proceed with these improvements subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished free of cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2001-149

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant upgrading active warning devices and upgrading a crossing surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.

2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Scott	Hon	Hwy. 28	Kansas City Southern	Upgrade Surface
Hot Spring	Butterfield	Hwy. 51	Arkansas Midland	Install Advance Flashing Signal And Add Side Flashing- Light Signals

2001-150

WHEREAS, Midwest Terminals of Toledo, Ohio, has been selected by the Fort Chafee Redevelopment Authority (FCRA) to cooperatively develop the proposed Port Chaffee; and

WHEREAS, the executive director of the FCRA has requested the Department's assistance in planning and developing the project and the supporting infrastructure.

NOW THEREFORE, the Director is authorized to assist the FCRA by providing assistance during the planning and development of the proposed port.

2001-151

WHEREAS, IN CLEBURNE COUNTY, on Highway 25, Section 3, at approximate Log Mile 0.75, and on Highway 25B, Section 3B, at approximate Log Mile 1.0 slides are causing continued settlement of the roadway; and

WHEREAS, the Materials Division has performed a geotechnical investigation and recommends rock buttresses to stabilize these areas and to prevent continuation of the slides; and

WHEREAS, a construction project to correct these slides would be the most economical solution to the problem; and

2001-151 - Continued

NOW THEREFORE, the Director is authorized to proceed with a project to correct the slide areas as funds become available.

2001-152 WHEREAS, previous underwater inspections of Bridge No. 05872 on U. S. Highway 70 over Lake Hamilton identified deterioration in the foundation seals and pier footings; and

WHEREAS, Minute Order 99-015 authorized the Director to employ a consulting engineering firm to perform an investigation to determine the extent and possible remedial action to correct these deficiencies; and

WHEREAS, the consulting engineering firm has completed the investigation and has developed a conceptual repair methodology to be applied to all intermediate pier foundations;

NOW THEREFORE, the Director is hereby authorized to proceed with construction of a project to restore the structural integrity of the foundations as funds become available.

2001-153 WHEREAS, the Department has expedited the construction program for the U. S. 71 Relocation from Texarkana to the Louisiana line; and

WHEREAS, it will be necessary to augment the Department's staff with outside engineering services to perform the construction inspection and oversight that will be required on the remaining projects of the U. S. 71 Relocation work in this area.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting engineering firm and enter into the necessary contracts for construction inspection and oversight of this work.

2001-154 WHEREAS, routine inspections of overhead sign OH-030-60-09 on the I-30 Biddle Shop overpass revealed excessive deterioration of the support columns resulting in the removal of the overhead signs for safety concerns; and

2001-154 - Continued

WHEREAS, sign OH-440-60-20 located on Three Mile Bridge on I-440 was destroyed in a truck accident; and

WHEREAS, these signs are needed to provide important information to the motoring public; and

WHEREAS, the replacement and repair of them is beyond the scope of routine maintenance.

NOW THEREFORE, the Director is authorized to proceed with a contract to replace, repair, and re-install these structures and pursue reimbursement for the cost of the structure destroyed on I-440.

2001-155

WHEREAS, the existing property serving the Scott County Area Headquarters in Waldron on Highway 71B is inadequate in size; and

WHEREAS, an adjoining tract of land with accessible frontage to Highway 71B is available and is compatible with the Department's desire to increase the size of this headquarters and other needs; and

WHEREAS, this tract of land also includes a house that could serve as a Resident Engineer's Office;

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and make improvements including necessary modifications to the house, fencing and related items.

Work to be done by contract and state forces.

2001-156

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the **July 11**, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10103	01	CRITTENDEN	SHEARERVILLE-HWY. 77 (F)	40
110397	01	CROSS	WYNNE-POINSETT CO. LN. (PASSING LANES) (S)	1

2001-156 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
R20113	02	JEFFERSON & LINCOLN	STAR CITY-NORTH (PASSING LANES) (S)	425
R20122	02	DESHA	DITCH 19 & CYPRESS CREEK STRS. & APPRS. (S)	165
020274	02	LINCOLN	SANDERS CREEK STR. & APPRS. (S)	114
030257	03	SEVIER	HWY. 41 (HORATIO) (OVERLAY) (S)	41
040303	04	WASHINGTON	HWY. 265-HWY. 71B (RESURFACING) (F)	540
040360	04	SEBASTIAN	ENTERPRISE-SOUTH (OVERLAY) (S)	45
050020	05	JACKSON	HWY. 18-NORTH (GR. & MDS) (F)	67
050045	05	WHITE	COVINGTON RD.-RACE AVE. (SEARCY) (S)	16
050062	05	WHITE	BALD KNOB-WHITE RIVER (PASSING LANES) (S)	64
050113	05	SHARP	HWY. 175 SPUR-HWY. 63 (OVERLAY) (S)	62
060848	06	LONOKE	FIRST STREET STR. & APPRS. (CABOT/LONOKE CO.) (PH. I) (S)	---
060876	06	GARLAND	HWY. 270 BYPASS SIGNING (HOT SPRINGS) (S)	270
060885	06	PULASKI	DOWNTOWN TRAFFIC SIGNAL SYSTEM UPGRADE (L.R.) (S)	---
060980	06	GARLAND	HWY. 270 RAMPS IMPROVEMENTS (HOT SPRINGS) (S)	270
061011	06	PULASKI	EAST 56TH PLACE-NORTH HILLS BLVD. (OVERLAY) (S)	107
061013	06	HOT SPRING	MAGNET COVE-HWY. 270 (OVERLAY) (S)	51
061036	06	PULASKI	I-30 & MAIN ST. PIER PROTECTION CELL REPAIR (ARK.RV.BR.) (S)	30 & 5
R70123	07	BRADLEY	HWY. 63-JOHNSVILLE (PASSING LANES) (PHASE I) (S)	8
070174	07	CLARK	I-30/HWY. 51 INTERCHANGE LIGHTING (ARKADELPHIA) (S)	30 & 51
080222	08	MONTGOMERY	OUACHITA RIVER-MOUNT IDA (OVERLAY) (S)	270
090112	09	MARION	PEEL FERRY APRONS IMPVTS. (S)	125
090114	09	MARION	PEEL FERRY FACILITIES IMPVTS. (S)	---
090119	09	CARROLL	HWY. 62 (SEL. SECS.) (OVERLAY) (S)	62

2001-156 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
100536	10	CLAY	MCDUGAL-WEST (OVERLAY) (S)	62
001909	2 & 7	ASHLEY & UNION	HWY. 82 EROSION CONTROL (NEAR OUACHITA RIVER BRIDGE) (S)	82
SA0539	09	BOONE	CO. RD. 47-SOUTH (OVERLAY) (S)	---
SA0833	09	CARROLL	GREEN FOREST CITY LIMITS-EAST (OVERLAY) (S)	---
SA0930	02	CHICOT	HWY. 160-NORTH (RESEAL) (S)	---
SA1752	04	CRAWFORD	HWY. 220-SOUTH (OVERLAY) (S)	---
FA1907	01	CROSS	HWY. 1-EAST (SURFACING) PHASE 2 (S)	---
SA2358	08	FAULKNER	FAULKNER COUNTY OVERLAY NO. 1 (S)	---
SA2438	04	FRANKLIN	FRANKLIN COUNTY SURFACING NO. 4 (SEL. SEC.) (S)	---
SA2533	05	FULTON	FULTON COUNTY SURFACING NO. 2 (S)	---
SA2645	06	GARLAND	HWY. 7-EAST (RESEAL) (S)	---
SA2646	06	GARLAND	HWY. 347-CO. RD. 64 (OVERLAY) (S)	---
SA2728	02	GRANT	GRANT CO. SURFACING AND STRIPING (SEL. SEC.) (S)	---
SA2849	10	GREENE	HWY. 141-SOUTH & EAST (OVERLAY) (S)	---
SA3249	05	INDEPENDENCE	CO. ROAD 22-SOUTH (BASE) (S)	---
SA3331	05	IZARD	LACROSS & LARKIN ROADS (OVERLAY) (S)	---
BR3407	05	JACKSON	VILLAGE CREEK STR. & APPRS. NO. 3 (S)	---
SA3836	10	LAWRENCE	HWY. 115-CO. RD. 32 (SURFACING) (S)	---
SA3837	10	LAWRENCE	CO. ROAD 87-HWY. 228 (OVERLAY) (S)	---
BR4008	02	LINCOLN	BARTHOLOMEW BAYOU STR. & APPRS. NO. 4 (S)	---
SA4534	09	MARION	CO. RDS. 14 & 22 (OVERLAY) (S)	---
SA4629	03	MILLER	MILLER COUNTY RESEAL NO. 9 (S)	---
SA4731	10	MISSISSIPPI	HWY. 158-NORTH (RECONSTRUCTION) (S)	---
SA4819	01	MONROE	BRINKLEY CITY LIMITS-SOUTHWEST (OVERLAY) (S)	---
SA5434	01	PHILLIPS	PHILLIPS COUNTY SURFACING NO. 3 (S)	---

2001-156 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
FA5512	03	PIKE	BACON AND BUSHY CREEKS STRS. & APPRS. (S)	---
SA5843	08	POPE	POPE COUNTY BASE & SURFACING NO. 4 (S)	---
SA6918	05	STONE	HWY. 14-WEST (RESEAL) (S)	---
SA7029	07	UNION	HWY. 172-HWY. 160 (OVERLAY) (S)	---
SA7255	04	WASHINGTON	CO. RD. 86-NORTH (OVERLAY) (S)	---
SA7522	08	YELL	HWY. 27-HWY. 155 (ADD'L BASE & SURF.) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl Rosenbaum moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to enter into negotiations with the firm of TBE Group, Inc., Clearwater, FL for consultant services for Subsurface Utility Engineering (SUE).

MOTION Commissioner Jonathan Barnett moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firm of Florence & Hutcheson, Inc., Paducah, KY for consultant services for Highway 71 Relocation (I-49) Design (I-40 – Highway 71).

MOTION Vice Chairman J. W. Benafield moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to enter into negotiations with the firm of Michael Baker, Jr., Inc., Jackson, Mississippi for consultant services for I-69 Environmental (El Dorado – Highway 65).

MOTION Commissioner Jonathan Barnett moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to enter into negotiations with the firm of Olympic Associates Co., Seattle Washington for consultant services for the Great River Bridge Value Engineering Study.

MOTION Commissioner Prissy Hickerson moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to enter into negotiations with the firm of Peters and Associates, Little Rock, Arkansas to conduct a seat belt usage survey.

MOTION Commissioner Carl S. Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to enter into negotiations with the firms of Buchart Horn, Inc., Memphis, TN and Parson Brinckerhoff Construction Services, Inc., Dallas, TN for engineering and design work of the Interstate Rehabilitation Program.

MOTION Vice Chairman J. W. Benafield moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to authorize the Department to advertise for applicants for projects under the Transportation Enhancement Program.

MOTION Vice Chairman J. W. Benafield moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to direct the staff to advertise for an auction service to coordinate the AHTD Equipment Auction sometime in October.

MOTION

Commissioner Carl S. Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to direct the staff to advertise and hire consultants for non-interstate projects, as needed.

2001-157

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:10 p.m., July 11, 2001.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on July 10 and 11, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 22, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 22, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-158 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., August 22, 2001.

2001-159 WHEREAS, the Purchasing Committee has awarded purchases on July 25, 2001, and August 3, 2001, in the amounts \$206,063.75, and \$97,203.20, respectively, totaling \$303,266.95, 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 in making the awards be ratified and confirmed in all particulars.

2001-160 WHEREAS, the National Partnership for Highway Quality (NPHQ) exists for the expressed purpose of introducing and sustaining strong emphasis on improving the quality of highways; and

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support the principles of the National Partnership for Highway Quality; and

2001-160 - Continued

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support the NPHQ in fiscal year 2002.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2002 in the amount of \$4,000.00.

2001-161

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2002.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2002 in the amount of \$4,500.00.

2001-162

WHEREAS, in consideration of the continuing need for maintaining the roadways and bridges of the State Highway System; and

WHEREAS, the maintenance of bridge decks, roadway surfaces, shoulders and drainage in many locations is such that routine maintenance cannot provide the desired quality of service; and

2001-162 - Continued

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2002 described as the "Roadway Improvement Program" in the amount of \$12,000,000 to cover the maintenance of bridge decks and roadway surfaces including asphalt surface treatments, leveling and special improvements.

2001-163

WHEREAS, water quality impact is an important aspect of environmental assessment of AHTD construction, maintenance and operation of transportation facilities; and

WHEREAS, empirical data are often required to accurately assess the pre-development and post-development water quality condition; and

WHEREAS, the utilization of automated water quality monitoring equipment is the most feasible and cost effective means of acquiring empirical data in remote regions of the state;

NOW THEREFORE, the Director is authorized to proceed with plans and purchase of equipment to implement a transportation enhancement project to accomplish the acquisition of water quality data that will be utilized to assess environmental impacts and the effectiveness of mitigation measures implemented during construction, maintenance and operation of transportation facilities.

2001-164

WHEREAS, older existing bridges belonging to the AHTD are known to be painted with lead based paint; and

WHEREAS, when repainting these bridges, the lead paint that is removed must be collected for proper disposal; and

WHEREAS, an average of 49,000 pounds of lead paint waste per job is collected for disposal; and

2001-164 - Continued

WHEREAS, to promote environmental stewardship the Doe Run Lead Smelter in Missouri has offered to recycle this lead paint waste at a cost that is less than other known methods for disposal; and

WHEREAS, the Doe Run facility is the only known lead smelter in the nation equipped and willing to take this lead waste.

NOW THEREFORE, the Director is authorized to enter into a contract with Doe Run Lead Smelter to have them receive and recycle lead paint waste from bridge painting contracts.

2001-165

WHEREAS, in partnership with other southeastern state transportation agencies, the Commonwealth of Puerto Rico, and the Federal Highway Administration, the Arkansas State Highway and Transportation Department assisted with the preparation of the *Latin American Trade and Transportation Study* (LATTS). This study examined existing and potential trade opportunities with Latin American countries and the demands that will be placed on transportation infrastructure; and

WHEREAS, important trade patterns for Arkansas were identified regarding key Latin American trading partners, transportation modes used for shipping, and commodities being imported and exported; and

WHEREAS, efforts are underway to expand upon initial findings by additional studies; and

WHEREAS, State Planning and Research (SPR) funds can be obligated at 100% federal participation.

NOW THEREFORE, the Director is authorized to distribute copies of the *Latin American Trade and Transportation Study* and to enter into agreements for Phase II of the LATTS project, including the obligation of SPR funds.

2001-166

WHEREAS, the Arkansas State Highway Commission is required to print and distribute rules and regulations necessary to carry out the codes governing State Highways and the use of motor vehicles; and

WHEREAS, the supply of the manual, "Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations," 1999 edition, issued jointly by the Arkansas State Highway Commission and the Department of Finance and Administration, is exhausted; and

WHEREAS, revisions to laws and regulations require this manual to be updated; and

WHEREAS, the Arkansas Code Revision Commission has indicated that a state contract exists with Lexis Law Publishing to compile and print the 2001 edition, including an Internet license agreement.

NOW THEREFORE, the Director is authorized to update the 1999 edition and to collaborate with the Department of Finance and Administration to publish seven thousand (7,000) copies of the "Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations," 2001 edition, including the Internet agreement.

2001-167

WHEREAS, the Transportation Equity Act for the 21st Century established an incentive program to encourage States to enact and enforce a .08 Blood-Alcohol Content (BAC) Law; and

WHEREAS, Act 561 of 2001 established a .08 BAC Law for Arkansas, and the Governor has certified that the law will be enforced; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) has informed the Department that the qualifications of the incentive program have been met and the State will receive incentive funds; and

WHEREAS, these funds may be used for any project eligible for assistance under Title 23, United States Code; and

WHEREAS, the Department must notify NHTSA by September 30 of how the funds will be used.

NOW THEREFORE, the Director is authorized to use the .08 BAC Law Incentive funds for the following purposes:

2001-167 - Continued

- To supplement the Department's Railroad Crossing Safety Program.
- To support the Drug and Alcohol Safety Educational Program under the Department of Health.
- For the development of a District Court State Automation System by the Administrative Office of the Courts.

2001-168

WHEREAS, Minute Order 2000-157 authorized the Director to enter into an agreement with Thoma Thoma Creative to provide media consulting services to the Commission under the terms specified in the attached Letter of Engagement; and

WHEREAS, the contract term specified in the Letter of Engagement to commence on August 15, 2000, to be effective for one year and renewable on an annual basis expired on August 15, 2001; and

WHEREAS, Thoma Thoma Creative has demonstrated their ability and skill in furthering the objectives and managing the responsibilities set forth in the Letter of Engagement;

NOW THEREFORE, the Director is authorized to enter into a continued agreement with Thoma Thoma Creative to provide media consulting services to the Commission for an additional year under the terms specified in the Letter of Engagement.

2001-169

WHEREAS, the Commission acquired property known as Tract 43 in fee for Job 009659, Baxter County, for the Highway 62 Relocation Project at Mountain Home; and

WHEREAS, the present owners of lands contiguous to Tract 43, FDC Enterprises, Inc. desire to subdivide said lands and upon said lands being surveyed it appears that there is a question regarding the location of the boundary of Tract 43; and

WHEREAS, in order to resolve any dispute or question, and to clarify and eliminate any possible overlap the Right of Way Division of the Arkansas State Highway and Transportation Department has requested that the Commission issue a Quitclaim deed to FDC Enterprises, Inc. quitclaiming any interest the Commission may have in the disputed area said lands being more particularly described as follows:

JOB 009659

TRACT 43:

Part of the Southeast Quarter of Section 35, Township 20 North, Range 13 West, Baxter County, Arkansas, described as follows:

From the quarter-section corner between Sections 35 and 36 (existing county monument), then along the section line South $01^{\circ} 04' 46''$ West a distance of 264.14 feet; leaving said section line, then South $66^{\circ} 19' 02''$ West a distance of 26.72 feet to an existing $3/8$ inch rebar in the Oakland Cemetery fence, on the West side of County Road No. 390; then along West side of said road South $01^{\circ} 22' 10''$ West a distance of 2217.72 feet to a set $1/2''$ rebar with aluminum cap; leaving said road, then along fence line North $88^{\circ} 19' 52''$ West a distance of 781.16 feet to the East title line of Instrument No 1790-85, POINT OF BEGINNING of tract being described: then along said title line with the following: North $02^{\circ} 40' 30''$ West a distance of 166.67 feet; North $01^{\circ} 36' 30''$ East a distance of 400.10 feet; North $00^{\circ} 32' 30''$ West a distance of 400.00 feet; North $00^{\circ} 03' 30''$ East a distance of 490.80 feet; North $18^{\circ} 17' 30''$ East a distance of 497.10 feet; North $42^{\circ} 02' 30''$ East a distance of 331.60 feet; North $45^{\circ} 36' 30''$ East a distance of 144.45 feet to the Oakland Cemetery fence; leaving title line, then along cemetery fence North $22^{\circ} 47' 01''$ West a distance of 9.49 feet to a point on the Easterly right of way of Relocated U. S. Highway 62; then along said highway right-of-way with the following: South $45^{\circ} 22' 40''$ West a distance of 147.34 feet to an AHTD R/W Monument; South $42^{\circ} 01' 21''$ West a distance of 331.46 feet to an AHTD R/W Monument; South $18^{\circ} 18' 08''$ West a distance of 497.41 feet to an AHTD R/W Monument; South $00^{\circ} 00' 39''$ West a distance of 490.97 feet to an AHTD R/W Monument; South $00^{\circ} 28' 14''$ East 399.88 feet to an AHTD R/W Monument; South $01^{\circ} 36' 43''$ West 400.12 feet to an AHTD R/W Monument; South $02^{\circ} 43' 22''$ East a distance of 172.54 feet to a $1/2$ inch rebar with aluminum cap and an existing fence running east; then leaving said highway right-of-way go along the fence line South $88^{\circ} 19' 52''$ East a distance of 5.03 feet to the

2001-169 - Continued

Point of Beginning. Tract contains 0.35 acres, more or less. Bearings are grid bearings of the North American Datum of 1983, Arkansas North Zone and as shown on the plat prepared by Ken Cotter, PLS ##### for FDC Enterprises, Inc., and dated August, 2001.

NOW THEREFORE, BE IT RESOLVED the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the disputed area to FDC Enterprises, Inc. in order to resolve any question concerning the Commission's interest in or ownership of said property. A copy of the Quitclaim Deed and this Minute Order shall be recorded in Baxter County, Arkansas.

2001-170

WHEREAS, the Ashley County Judge has requested an exchange of three county roads for part of a State Highway; and

WHEREAS, this proposed exchange would benefit both Ashley County and the Department by providing gap closures to the State Highway System.

NOW THEREFORE, IT IS ORDERED that upon receipt of the proper court order by the Ashley County Judge under the provision of Act 150, Section 4, of 1961, the following changes to the State Highway System are hereby authorized.

1. Highway 52, Section 1, from Ashley County Road 26 to Highway 8, a distance of 10.65 miles is hereby removed from the State Highway System.
2. Highway 8, Section 13S, from Highway 82 to County Road 73, a distance of 0.86 miles, is hereby redesignated as part of Highway 189, Section 5.
3. Ashley County Road 73, from Highway 189 to Highway 8, a distance of approximately 6.77 miles, is hereby added to the State Highway System as part of Highway 189, Section 5.

2001-170 - Continued

4. Ashley County Roads 1005 and 189, from Highway 82 to Highway 160, a distance of approximately 3.29 miles, are hereby added to the State Highway System as part of Highway 160, Section 11.

FURTHERMORE, upon completion of the above exchange, the Director is authorized to proceed with surveys, plans and reconstruction of those additions to the State Highway System as warranted and as funds become available. The furnishing of right of way and utility adjustments shall be in accordance with Commission Policy.

2001-171

WHEREAS, during the construction of Interstate 40 in Johnson County near the Highway 103 Interchange at Clarksville, part of a county road was relocated parallel to the Interstate within the south right of way; and

WHEREAS, the Department maintains this gravel surfaced road which functions as part of a city street providing access to an industrial park; and

WHEREAS, the City of Clarksville has agreed by resolution to accept maintenance responsibility if the Department first improves the road to an asphalt surface.

NOW THEREFORE, the Director is authorized to make necessary improvements to that section of Market Street, as shown on the attached sketch, to provide a durable all weather roadway.

FURTHERMORE, upon completion of such improvements, and subject to approval by the Federal Highway Administration, a permanent maintenance easement for this section of Market Street shall be granted to the City of Clarksville.

2001-172

WHEREAS, a report entitled *General Assessment and Regional Transportation Impact Study* has been prepared concerning possible freight transportation impacts of an alliance between the proposed Southeast Arkansas Intermodal Transportation Center and the Yellow Bend Slackwater Harbor; and

2001-172 - Continued

WHEREAS, emphasis was given to a rail line connection between the two complexes that would allow rail to barge transfers.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2001-173

WHEREAS, IN COLUMBIA COUNTY, on Highway 371, Sections 6 and 7, from the Nevada County Line to Magnolia, a distance of approximately 13.8 miles, the need for resurfacing selected sections of this roadway has been identified; and

WHEREAS, Federal-aid High Priority Project funding is available for this work.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing project on this route.

2001-174

WHEREAS, the U. S. 63 freeway in the City of Jonesboro, is a fully-controlled access highway with a posted speed limit greater than 55 mile per hour; and

WHEREAS, the local jurisdiction has requested the installation of Specific Information Signs (Logos) along the U. S. 63 freeway in the City of Jonesboro; and

WHEREAS, the installation of Logo Signing along the U. S. 63 freeway in the City of Jonesboro, is allowed by State Highway Commission Regulations for Logo Signing;

NOW THEREFORE, the Director is authorized to install Logo Signing for eligible gas, food, lodging, and camping businesses along the U. S. 63 Freeway in the City of Jonesboro.

2001-175

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 established a National Scenic Byway Program and encouraged the states to develop similar programs; and

2001-175 - Continued

WHEREAS, Minute Orders 91-513, 92-009, 93-091, and 97-044 establish the criteria by which routes can be designated as Arkansas Scenic Byways; and

WHEREAS, the Mississippi River Parkway Commission of Arkansas, representing each of the counties along the Great River Road in eastern Arkansas, have requested that Highway 4, from its intersection with Highway 65 in McGehee, through Arkansas City, to its intersection with Highway 1, and Highway 1 from its intersection with Highway 4 to its intersection with Highway 165 at Back Gate, be designated as an Arkansas Scenic Byway; and

WHEREAS, this route meets the aforementioned Arkansas Highway Commission Criteria for Arkansas Scenic Byway designation.

NOW THEREFORE, the Commission hereby designates this route as an Arkansas Scenic Byway.

2001-176

WHEREAS, the City of Conway has requested that a study of a new connection between Highway 64 east and Highway 65 north be conducted; and

WHEREAS, the Highway 65 interchange on Interstate 40 is highly congested; and

WHEREAS, an improved connection between Highway 64 and Highway 65 has potential for relieving traffic congestion at the I-40/Highway 65 interchange.

NOW THEREFORE, the Director is authorized to proceed with a feasibility study of an improved connection between Highway 64 east and Highway 65 north in Conway.

2001-177

WHEREAS, bridge inspection in District 3, in Miller County, has revealed severe corrosion and loss of section on the pin and hanger assemblies of the I-30 bridge over the Red River; and

2001-177 - Continued

WHEREAS, it is essential that these pin and hanger assemblies be removed and replaced; and

WHEREAS, the loads involved and the size of the structure make the repair beyond the scope of a routine Maintenance activity.

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to remove and replace the pin and hanger assemblies as funds become available.

2001-178

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 22, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110334	01	CRITTENDEN	EARLE-HWY. 147 (PASSING LANES) (S)	64
110376	01	VARIOUS	DISTRICT 1 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR
110408	01	PHILLIPS	HELENA BYPASS INTERS. MODIFICATION (S)	49
R20093	02	DESHA	HWY. 159 (NO. DUMAS)-SOUTH DUMAS (S)	65
020042	02	ASHLEY	OVERFLOW CREEK & BAYOU BARTHOLOMEW STRS. & APPRS. (S)	82
020140	02	ARKANSAS	HUMPHREY-EAST STRS. & APPRS. (S)	79
020282	02	DREW	HWY. 425-HWY.63 (PASSING LANES) (S)	35
020306	02	CHICOT	HWY. 65/LAKESIDE ST. SIGNAL (LAKE VILLAGE) (S)	65
020307	02	DREW	HWY. 425/HWY. 35 SIGNAL (MONTICELLO) (S)	425 & 35
020308	02	JEFFERSON	HWY. 190 SIGNALS (PINE BLUFF) (S)	190
R30110	03	MILLER	SULPHUR RIVER-DODDRIDGE (GR. & STRS.) (F)	71
R30111	03	MILLER	FOUKE-SOUTH (GR. & STRS.) (F)	71
R30118	03	MILLER	SULPHUR RIVER STR. & APPRS. (F)	71
030195	03	MILLER	HWY. 245-SOUTH (BS. & SURF.) (F)	71
030234	03	MILLER	FOUKE-NORTH (BS. & SURF.) (F)	71
040371	04	FRANKLIN & LOGAN	FRANKLIN COUNTY LINE-EAST & WEST (OVERLAY) (S)	22

2001-178 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
040374	04	WASHINGTON	R.E. & MAINT. HQ PARKING LOT (FAYETTEVILLE) (S)	---
050009	05	SHARP	HWY. 167-EAST STRS. & APPRS. (S)	230
050089	05	VARIOUS	DISTRICT 5 SIDEWALK ENHANCEMENTS (PHASE II) (S)	VAR
050108	05	JACKSON	HWY. 17-POINSETT CO. LINE (OVERLAY) (S)	14
050116	05	IZARD	STRAWBERRY RIVER-SHARP CO. LINE (RESURF.) (S)	56
050117	05	JACKSON	SO. TUCKERMAN-NORTH (RESURF.) (S)	67
050118	05	CLEBURNE	HWY. 25B SLIDE REPAIR (HEBER SPRINGS) (S)	25B
B60109	06	PULASKI	MABELVALE WEST INTERCHANGE (F)	30
R60121	06	LONOKE	HUMNOKE-ENGLAND (S)	165
060778	06	LONOKE	HUMNOKE-NORTH STRS. & APPRS. (S)	13
060836	06	PULASKI	MAIN ST. RAILROAD GRADE SEPARATION (JACKSONVILLE) (S)	---
060926	06	LONOKE	CABOT SIDEWALKS (PHASE I) (S)	VAR
061008	06	PULASKI, SALINE & GRANT	HWY. 167-SOUTH (S.B. LANES) (RESURFACING) (S)	530
061014	06	LONOKE	HWY. 38-WHITE CO. LINE (OVERLAY) (S)	31
061038	06	HOT SPRING	MALVERN INTERCHANGE PAVEMENT PATCHING (S)	270
070191	07	VARIOUS	DISTRICT 7 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR
R80103	08	POPE	ILLINIOS BAYOU STR. & APPRS. (S)	7
080225	08	YELL	DANVILLE-NORTH (OVERLAY) (S)	27
090082	09	BENTON	KCS RAILROAD OVERPASS (GRAVETTE) (S)	72
090111	09	MARION	YELLVILLE-SOUTH (OVERLAY) (S)	14
100536	10	CLAY	MCDUGAL-WEST (OVERLAY) (S)	62
SA0231	02	ASHLEY	HWY. 425-EAST (OVERLAY) (S)	---
SA1049	07	CLARK	GURDON CITY LIMITS-EAST (OVERLAY) (S)	---
BR2107	02	DESHA	AMOS BAYOU STR. & APPRS. (S)	---

2001-178 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA3528	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 11 (S)	---
BR3711	03	LAFAYETTE	FIELD BAYOU STR. & APPRS. (S)	---
SA3923	01	LEE	HWY. 78-NORTH & WEST (OVERLAY) (S)	---
SA4331	06	LONOKE	LONOKE CO. OVERLAY NO. 12 (S)	---
SA5018	03	NEVADA	TERRE ROUGE CREEK-NORTH AND SOUTH (RECONSTRUCTION) (S)	---
SA5122	09	NEWTON	WESTERN GROVE-WEST (BASE & SURFACING) (S)	---
FA5512	03	PIKE	BACON AND BUSHY CREEKS STRS. & APPRS. (S)	---
SA5927	06	PRAIRIE	HWY. 33-EAST (BASE) (S)	---
BR6106	10	RANDOLPH	MAIN DITCH STR. & APPRS. NO. 2 (S)	---
SA6630	03	SEVIER	SEVIER COUNTY RESEAL NO. 11 (S)	---
SA6720	05	SHARP	SIDNEY-EVENING SHADE (OVERLAY) (S)	---
SA6844	01	ST. FRANCIS	CO. RD. 3-CO. RD. 107 (SURFACING) (S)	---
SA6845	01	ST. FRANCIS	CO. RD. 63-HWY. 306 (SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner Carl Rosenbaum moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firm of Cromwell Architects Engineers for the architectural services for renovation of the old materials building.

MOTION Commissioner Prissy Hickerson moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to enter into negotiations with the firm of International Data Processing of America for data entry services for traffic crash records.

MOTION Commissioner Jonathan Barnett moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on October 30, 2001.

2001-179 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:00 p.m., August 22, 2001.

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 August 22, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 18, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Hope, Arkansas, September 18, 2001. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-180 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 8:45 a.m., September 18, 2001.

2001-181 WHEREAS, the City of Hope has requested that the Department study the feasibility of constructing an interchange at an existing county road overpass of Interstate 30 west of Hope near Log Mile 29.

NOW THEREFORE, the Director is authorized to conduct a study to determine the feasibility of constructing an interchange at this location.

2001-182 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:00 p.m., September 18, 2001.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 3, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 3, 2001. Members present were:

John "M" Lipton, Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-183 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., October 3, 2001.

2001-184 WHEREAS, the Purchasing Committee has awarded purchases on August 10 and 17, 2001, and September 5 and 20, 2001, in the amounts \$84,150.00, \$446,861.95, \$110,197.50, and \$180,194.55, respectively, totaling \$821,404.00, 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 in making the awards be ratified and confirmed in all particulars.

2001-185 WHEREAS, the Arkansas State Highway and Transportation Department has been requested to participate in a pooled fund study of national rail freight needs under the direction of the AASHTO Standing Committee on Rail Transportation; and

WHEREAS, the report will be included in the Bottom Line Reports that AASHTO is preparing in anticipation of the reauthorization of TEA-21; and

2001-185 - Continued

WHEREAS, State Planning and Research (SPR) funds can be obligated to the project.

NOW THEREFORE, the Director is authorized to commit SPR funds in the amount of \$2,000 for the study and to provide railroad data for Arkansas.

2001-186

WHEREAS, in accordance with Minute Order 97-100, the Department entered into a contract, which will expire on December 31, 2001, for the collection of traffic volume counts for the three calendar years 1999 through 2001; and

WHEREAS, work performed under this contract has proven beneficial by supplementing in-house capabilities, allowing the Department's field personnel to perform other critical tasks.

NOW THEREFORE, the Director is authorized to solicit proposals from qualified firms and enter into a contract to provide necessary traffic volume counts for the three calendar years 2002 through 2004.

2001-187

WHEREAS, the Department utilizes telecommunications to permit oversize and overweight vehicle movement on the Arkansas State Highway System; and

WHEREAS, telecommunications equipment is needed to adequately provide this service; and

WHEREAS, hardware and software is available to provide the features necessary to meet future needs;

NOW THEREFORE, the Director is authorized to proceed with acquiring the necessary telecommunications equipment.

2001-188

WHEREAS, the Transportation Equity Act for the 21st Century contained funding for the Arkansas Recreational Trails Program for the Federal Fiscal Year 2001; and

WHEREAS, these funds were made available to qualifying sponsors through a competitive application process; and

WHEREAS, the Arkansas Recreational Trails Advisory Committee and Arkansas State Highway and Transportation Department staff have reviewed the applications submitted and developed recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the attached list projects.

2001-189

WHEREAS, the Environmental Protection Agency (EPA) has issued a ruling that requires Small Municipal Separate Storm Sewer Systems (MS4s) to monitor storm water runoff for pollutants; and

WHEREAS, the Arkansas State Highway and Transportation Department and cities greater than 10,000 in population will be required to apply for MS4 permits by March 10, 2003.

NOW THEREFORE, the Director is authorized to take necessary actions to implement an effective MS4 program.

2001-190

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2002.

2001-191

WHEREAS, the U.S. Geological Survey provides detailed hydrologic data, historical water surface elevations, and develops analytical hydrologic procedures through its Federal-State Cooperative Water Resources Program; and

WHEREAS, the information collected by the U.S. Geological Survey and the procedures developed by them, are used by the Department engineers in the design of highway drainage structures such as bridges, culverts, and storm drainage system; and

WHEREAS, the continued collection of stream data is crucial to the verification and refinement of the analytical procedures used in the design of these highway drainage structures; and

WHEREAS, there is currently a cooperative agreement between the U.S. Geological Survey and the Department for the collection of stream flow data from the operation and maintenance of crest-stage gauges throughout the state.

NOW THEREFORE, the Director is authorized to enter into a continuation of the existing cooperative agreement with the U.S. Geological Survey for the period October 1, 2001 through September 30, 2002 involving the expenditure of State funds in the amount of \$57,800. The Department will contribute State funds in the amount of \$57,800 and the U.S. Geological Survey's portion of the funding will be in the amount of \$57,800.

2001-192

WHEREAS, more than 40 agencies depend on United Way funds so they can provide critical services to the public;

WHEREAS, the Arkansas State Highway and Transportation Department encourages employees to contribute to the United Way;

WHEREAS, other state agencies allow employee contributions to United Way to be automatically deducted from the employee's paycheck, at the employee's request;

NOW THEREFORE, the Department is authorized to utilize payroll deduction for employee contributions to the United Way.

2001-193

WHEREAS, the Arkansas State Highway Commission adopted a motion on August 1, 1990, to accept a recommendation from the Salary Committee to move all employees in Grades 1 through 8 with two years or more service time from Step 1 to Step 2.

WHEREAS, the Director recently requested that the Salary Committee review the turnover rate for Grades 1 through 8.

WHEREAS, the Salary Committee review determined that the turnover rate is significantly higher in these grades than in other classifications.

WHEREAS, the Director recommends moving employees in Grades 1 through 8 from Step 1 to Step 2 after one year of service.

NOW THEREFORE, the Director's recommendation to revise the procedure is hereby approved and adopted.

2001-194

WHEREAS, the Chancellor of the University of Arkansas at Pine Bluff has requested that East Watson Boulevard be designated as an Institutional Road to be maintained by the Department; and

WHEREAS, the City of Pine Bluff, by resolution, has endorsed this request; and

WHEREAS, the street qualifies for designation as an Institutional Road as established by Minute Order 4201 dated August 2, 1961.

NOW THEREFORE, it is ordered that East Watson Boulevard, as shown on the attached sketch, is hereby designated as an Institutional Road to be maintained by the Department as part of Highway 878, Section 1, effective upon official notification by the Chief Engineer.

2001-195

WHEREAS, the I-530 connector from Pine Bluff to Monticello is a Congressionally-designated High Priority Corridor in southeast Arkansas; and

WHEREAS, environmental studies are nearing completion and a request for a Federal Highway Administration Record of Decision on the location of this route will be submitted in the near future; and

2001-195 - Continued

WHEREAS, Congress has allocated approximately \$100 million for development of this important I-69 connector facility;

NOW THEREFORE, contingent upon receipt of the Record of Decision, the Director is hereby authorized to retain the services of a qualified engineering consultant to provide design services for this facility.

2001-196

WHEREAS, intersection improvements are needed at the Highway 79 and Highway 79B intersection and at the Highway 79 and County Road 4 / 19 intersection in Arkansas County.

NOW THEREFORE, the Director is authorized to perform the necessary engineering and to improve these intersections as funds become available.

2001-197

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant upgrading the active warning devices and the crossing surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal device and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished free of cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Drew	Wilmar	Hwy. 278	Delta Southern	Upgrade Flash Signals with Gates And Concrete Surface

2001-198

WHEREAS, the construction of the Pine Bluff Bypass, Interstate 530 (formerly U.S. 65), has been completed around the southern and western sides of the City of Pine Bluff; and

WHEREAS, portions of the highway embankment were constructed within regulated areas as designated on the City of Pine Bluff, Arkansas, and Jefferson County, Arkansas, Flood Insurance Rate Maps; and

WHEREAS, the Department agreed, in its Environmental Impact Statement for the project, to revise the City and County Flood Insurance Study Reports and Flood Insurance Rate Maps to account for the Bypass construction; and

WHEREAS, due to the magnitude and complexity of the required revisions, the Department lacks the resources to complete them in a timely manner;

NOW THEREFORE, the Director is authorized to retain the services of a consulting firm to perform a revision to the City of Pine Bluff and Jefferson County Flood Insurance Study Reports and Flood Insurance Rate Maps to reflect the changes to those studies and maps that have arisen due to the construction of the Bypass.

2001-199

WHEREAS, the City of Blytheville is experiencing traffic flow problems caused by the operations of the Burlington Northern and Santa Fe Railroad in the city and has requested a railroad overpass study.

NOW THEREFORE, the Director is authorized to conduct a study of the feasibility of a railroad overpass in Blytheville.

2001-200

WHEREAS, on Highway 70, Section 1, from Highway 399 to Highway 71 in DeQueen, traffic volumes continue to increase on this two-lane facility due to business growth and development; and

WHEREAS, improvements to this route are needed to enhance traffic operations and safety.

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

2001-201

WHEREAS, flooding of Highway 67B (Main Street) in Searcy occurs as a result of an inadequate sized cross-drain box culvert on highway right-of-way and a collapsed outlet structure, off of highway right-of-way, and

WHEREAS, the City of Searcy will provide the pipe culvert necessary to take the water from the existing Highway 67B cross-drain box culvert, constructed under AHTD Job No. 5312 in 1950, to a relocated cross-drain box culvert south of the existing culvert location and to acquire the necessary right-of-way for its installation.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a relocated cross-drain box culvert and to install the City furnished pipe culvert in order to connect the existing drainage inlet to the new cross-drain box culvert. This work to be coordinated with the City of Searcy's outlet structure improvements.

2001-202

WHEREAS, the District 10 Headquarters at Paragould was constructed approximately thirty-five years ago; and

WHEREAS, the Shop and Service Station electric overhead doors are of the same age, and due to their age and heavy usage these doors have deteriorated to the extent that their operation is unreliable; and

WHEREAS, existing door components are obsolete, and necessary parts for repairs are not available; and

WHEREAS, it has been determined that the most feasible means of repair is to install new overhead doors, new electric openers, and related items.

NOW THEREFORE, the Director is authorized to complete the work required to replace the overhead doors at the District 10 Headquarters Shop and Service Station.

Work to be done by contract as a Building Project.

2001-203

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 3, 2001 letting,

2001-203 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110376	01	CRITTENDEN, CROSS & WOODRUFF	DISTRICT 1 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR
110408	01	PHILLIPS	HELENA BYPASS INTERS. MODIFICATION (S)	49
040049	04	SCOTT	HON, BULL & ROCK CREEKS STRS. & APPRS. (S)	28
040330	04	SEBASTIAN	HWY. 10/MT. HARMONY RD. SIGNAL (GREENWOOD) (S)	10
040361	04	CRAWFORD	HWY. 71/COLLUM LANE SIGNAL (ALMA) (S)	71
R50064	05	INDEPENDENCE	HWY. 122-EAST (S)	69
061042	06	PULASKI	I-30 & I-440 OVERHEAD SIGNS REPLACEMENT & REPAIR (S)	30 & 440
070114	07	COLUMBIA	BEECH CREEKS STRS. & APPRS. (S)	98
080139	08	JOHNSON	SPADRA BRANCH STR. & APPRS. (S)	21
090098	09	CARROLL	MILL HOLLOW RD.-HILLSIDE AVE. (EUREKA SPRINGS) (S)	23
100454	10	CRAIGHEAD	HWY. 63-VALLEY VIEW (S)	49
GF0439	04	WASHINGTON	BEAVER LAKE ACCESS (WASHINGTON CO.) (S)	---
BR1107	10	CLAY	BIG SLOUGH DITCH STR. & APPRS. NO. 5 (S)	---
BR3711	03	LAFAYETTE	FIELD BAYOU STR. & APPRS. (S)	---
SA5018	03	NEVADA	TERRE ROUGE CREEK-NORTH AND SOUTH (RECONSTRUCTION) (S)	---
SA5242	07	OUACHITA	HWY. 24-NORTH (OVERLAY) (S)	---
SA7428	01	WOODRUFF	WOODRUFF CO. BASE (SEL. SEC.) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner Carl Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firm of Thoma Thoma for consultant services for 2002 Traffic Safety Public Information and Education Plan.

MOTION Commissioner Prissy Hickerson moved, Commissioner Carl Rosenbaum seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firm of Carter Burgess for consultant services for Highway 71 South Construction Engineering.

MOTION Commissioner Jonathan Barnett moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firm of Atkins Benham for Architect Services for Tourist Information Centers.

MOTION

Commissioner Prissy Hickerson moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation for the proposed letting dates for the calendar year 2002. Also, the Commission passed to change the November 14, 2001 letting date and commission meeting to November 15, 2001.

2001-204

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., October 3, 2001.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on September 18 and October 3, 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 15, 2001

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 15, 2001. Members present were:

John "M" Lipton, Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2001-205 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., November 15, 2001.

2001-206 WHEREAS, the Purchasing Committee has awarded purchases on September 27, 2001, October 4, 12, 18 and 25, 2001, and November 5, 2001 in the amounts \$182,263.25, \$1,486,812.04, \$1,281,967.00, \$725,782.43, \$259,326.79 and \$144,284.80, respectively, totaling \$4,080,436.31, 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 in making the awards be ratified and confirmed in all particulars.

2001-207 WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the National Institute of Standards and Technology and is authorized and approved by the Executive Committee of AASHTO; and

2001-207 Continued

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials; and

WHEREAS, this Department has received notice that its share of support of the Laboratory for Fiscal Year 2002 (October 1, 2001 to September 30, 2002) is \$11,000.00; and

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2002 AASHTO, AMRL Account, Department 5051, Washington, D.C. 20061-5051.

2001-208 WHEREAS, the Department participates in presentations, meetings, and training with other agencies, educational institutions, and business partners; and

WHEREAS, videoconferencing equipment provides an effective, efficient and economical means to communicate while reducing travel time and expense, and affords greater group participation;

NOW THEREFORE, the Director is authorized to acquire videoconferencing equipment and report to the Commission.

2001-209 WHEREAS, the Commission acquired in fee property known as Tract 47 from Katherine C. White, for Job No. 004999, FAP: STP-STPG-91-42(6), Highway 16 – Highway 45(S), Washington County, by condemnation resulting in Judgment filed of record on July 28, 2000, in the Circuit Clerk's Office of Washington County in *Arkansas State Highway Comm'n v. Katherine C. White, et al.*, Case No. CIV 99-521 (Washington Co. Cir. Ct. July 28, 2000) ("Case"); and,

WHEREAS, in order to settle some of the issues in the Case prior to trial, which were not presented to the Court because of the settlement, the Commission agreed to re-convey part of Tract 47 to Katherine C. White, the part to be conveyed being more particularly described as follows:

2001-209 Continued

JOB 004999
PART OF TRACT 47
(AREA TO BE RELEASED)

Part of Lots 1 and 4, Block 3 of Eastwood Subdivision to the City of Fayetteville, also being a part of the Northeast Quarter of the Southeast Quarter of Section 11, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of Lot 4, Block 3 of Eastwood Subdivision; thence North 85° 11' 39" East along the South line thereof a distance of 117.32 feet to a point on the Westerly existing right of way line of Arkansas State Highway 265 for the point of beginning; thence North 17° 01' 12" East along said existing right of way line a distance of 78.43 feet to a point; thence North 19° 11' 00" East along said existing right of way line a distance of 167.28 feet to a point on the Westerly proposed right of way line of Arkansas State Highway 265; thence South 17° 28' 25" West along said proposed right of way line a distance of 166.90 feet to a point; thence South 20° 39' 02" West along said proposed right of way line a distance of 78.85 feet to the point of beginning and containing 612 square feet more or less.

NOW THEREFORE, BE IT RESOLVED that in consideration of the partial settlement of certain issues in *Arkansas State Highway Comm'n v. Katherine C. White, et al.*, Case No. CIV 99-521 (Washington Co. Cir. Ct. July 28, 2000), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property, part of Tract 47, to Katherine C. White. A copy of the deed and this Minute Order shall be recorded in Washington County, Arkansas, and, if necessary, the right of way shall be re-monumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds or otherwise used or credited as permitted by federal law.

2001-210 WHEREAS, Boone County, Arkansas ("County"), has requested that the Commission grant the County a permanent maintenance easement on certain lands acquired by the Commission, which are known as Tracts 8, 11, 17, 18, 19, 27, 28, 29, 36, 37, 38, and 39 ("Tracts"), and were acquired in fee for Job 9999, Ark. DPR-0049(2), Missouri State Line – Burlington (U.S. Highway 65); and,

WHEREAS, the County has proposed to use part of the Tracts for highway purposes and to maintain public highway structures located thereon; and,

WHEREAS, the County has agreed to accept responsibility for the permanent maintenance easement located on the property described herein; and,

WHEREAS, this conveyance is a relinquishment of a highway facility as described in 23 C.F.R. § 620.203(c)(2), and must comply with the regulations set forth therein; and,

WHEREAS, the District Engineer has determined that the interest being relinquished will not be required for Federal-aid highway purposes in the foreseeable future; the right of way being retained by the Commission is adequate under present day standards; the relinquishment will not adversely affect U.S. Highway 65; and, the property interest being relinquished will not interfere with the restoration, preservation or improvement of the scenic beauty adjacent to the highway; and,

WHEREAS, the parts of the Tracts being relinquished to Boone County, Arkansas, for the permanent maintenance easement are more particularly described as:

JOB 009999

PARTS OF TRACTS 27, 28 AND 39:

Part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 20 North, Range 21 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Southeast Quarter of the Northwest Quarter of Section 8; thence North 01° 32' 15" East along the East line thereof for a distance of 197.90 feet to a point on the proposed Southerly right of way line of a County Road for the point of beginning; thence North 65° 40' 53" West along said proposed right of way line a distance of 387.11 feet to a point; thence North 58° 03' 57" West along said proposed right of way line a distance of 342.89 feet to a point; thence North 39° 21' 33" West along said proposed right of way line a distance of 104.40 feet to a point; thence North 34° 28' 42"

East a distance of 35.22 feet to a point; thence North 33° 38' 59" East a distance of 25.93 feet to a point on the proposed Northerly right of way of a County Road; thence South 58° 55' 15" East along said proposed right of way line a distance of 100.12 feet to a point; thence South 56° 03' 31" East along said proposed right of way line a distance of 100.00 feet to a point; thence South 64° 35' 24" East along said proposed right of way line a distance of 277.55 feet to a point; thence South 84° 37' 29" East along said proposed right of way line a distance of 174.68 feet to a point on the proposed Easterly right of way line of Relocated U. S. Highway 65; thence South 23° 32' 30" East along the proposed right of way line a distance of 334.88 feet to the point of beginning and containing 2.93 acres more or less.

AND ALSO,

PART OF TRACTS 11, 17, 18, 37 AND 38:

Part of the Northwest Quarter of the Northwest Quarter of Section 28 and part of the West Half of the Southwest Quarter of Section 21, both in Township 21 North, Range 21 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 28; thence South 86° 44' 23" East along the North line thereof for a distance of 408.84 feet to a point on the proposed Westerly right of way line of County Road 19 for the point of beginning; thence North 27° 56' 27" East along said proposed right of way line a distance of 157.25 feet to a point; thence North 23° 32' 01" West along said proposed right of way line a distance of 218.05 feet to a point; thence North 13° 13' 04" East along said proposed right of way line a distance of 182.48 feet to a point; thence North 04° 07' 07" West along said proposed right of way line a distance of 474.47 feet to a point; thence North 01° 32' 59" West along said proposed right of way line a distance of 703.01 feet to a point; thence South 86° 14' 19" East along said proposed right of way line a distance of 345.00 feet to a point on the proposed Westerly right of way line of Relocated U. S. Highway 65; thence South 04° 54' 03" West along said proposed right of way line a distance of 250.06 feet to a point; thence South 05° 19' 04" West along said proposed right of way line a distance of 550.21 feet to a point; thence South 00° 09' 06" East along said proposed right of

way line a distance of 733.83 feet to a point; thence South 13° 04' 55" West along said proposed right of way line a distance of 354.90 feet to a point on the proposed Southerly right of way line of County Road 19, thence South 81° 28' 46" West along said proposed right of way line a distance of 297.20 feet to a point; thence North 22° 59' 57" West a distance of 85.00 feet to a point on the proposed Westerly right of way of County Road 19; thence North 64° 08' 19" East along said proposed right of way line a distance of 100.12 feet to a point; thence North 27° 56' 27" East along said proposed right of way line a distance of 145.71 feet to the point of beginning and containing 11.44 acres more or less.

AND ALSO,

PART OF TRACTS 8 AND 36:

Part of the Northwest Quarter of the Northwest Quarter of Section 21 and part of the Southwest Quarter of the Southwest Quarter of Section 16, both in Township 21 North, Range 21 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section 21; thence North 86° 32' 40" West along the South line thereof a distance of 557.05 feet to a point on the proposed Westerly right of way line of Relocated U. S. Highway 65; thence North 11° 44' 08" East along said proposed right of way line a distance of 285.43 feet to a point on the proposed Westerly right of way line of County Road 22 for the point of beginning; thence North 82° 53' 24" West along said proposed right of way line a distance of 235.00 feet to a point; thence North 08° 56' 42" West along said proposed right of way line a distance of 199.25 feet to a point; thence North 33° 42' 21" West along said proposed right of way line a distance of 92.23 feet to a point; thence North 03° 07' 04" West along said proposed right of way line a distance of 110.96 feet to a point; thence North 14° 33' 05" West along said proposed right of way line a distance of 234.93 feet to a point; thence North 31° 03' 03" East along said proposed right of way line a distance of 235.35 feet to a point; thence North 40° 35' 01" West along said proposed right of way line a distance of 321.08 feet to a point; thence North 84° 12' 21" East along said proposed right of way line a distance of 475.72 feet to a point on the proposed Westerly right of way line of Relocated U. S. Highway 65; thence South 02° 52' 02" West

along said proposed right of way line a distance of 137.00 feet to a point; thence South 02° 04' 46" West along said proposed right of way line a distance of 150.16 feet to a point; thence South 17° 18' 35" West along said proposed right of way line a distance of 292.75 feet to a point; thence South 00° 21' 44" West along said proposed right of way line a distance of 126.55 feet to a point; thence South 04° 15' 29" East along said proposed right of way line a distance of 442.49 feet to the point of beginning and containing 6.91 acres more or less.

AND ALSO,

PART OF TRACT 8:

Part of the North Half of the Northwest Quarter of Section 21 and part of the Southeast Quarter of the Southwest Quarter of Section 16, both in Township 21 North, Range 21 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Southwest corner of the Northeast Quarter of the Northwest Quarter of Section 21; thence North 01° 38' 15" East along the West line thereof a distance of 1,176.50 feet to a point on the proposed Easterly right of way line of Relocated U. S. Highway 65; thence North 15° 14' 46" West along said proposed right of way line a distance of 98.92 feet to a point on the proposed Southerly right of way line of County Road 22 for the point of beginning; thence North 09° 27' 26" East along said proposed right of way line of Relocated U. S. Highway 65 a distance of 249.42 feet to a point on the proposed Northerly right of way line of County Road 22; thence North 85° 30' 47" East along said proposed right of way line a distance of 251.98 feet to a point; thence North 89° 46' 56" East along said proposed right of way line a distance of 254.34 feet to a point; thence North 67° 20' 51" East along said proposed right of way line a distance of 685.01 feet to a point; thence South 26° 40' 48" East a distance of 110.00 feet to a point on the proposed Southerly right of way line of County Road 22; thence South 50° 22' 02" West along said proposed right of way line a distance of 513.05 feet to a point; thence South 57° 40' 12" West along said proposed right of way line a distance of 232.97 feet to a point; thence South 61° 37' 25" West along said proposed right of way line a distance of 134.86 feet to a point; thence North 80° 22' 03" West along said proposed right of way line a distance of 134.86 feet to a point; thence North 49° 15' 07" West along said proposed right of way line a distance of 160.09 feet to a point;

thence South 77° 46' 02" West along said proposed right of way line a distance of 269.01 feet to the point of beginning and containing 7.01 acres more or less.

AND ALSO,

PART OF TRACTS 18 AND 19:

Part of the Northeast Quarter of the Southeast Quarter and part of the Southeast Quarter of the Northeast Quarter both in Section 29, Township 21 North, Range 21 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 29; thence South 01° 07' 08" West along the East line thereof for a distance of 973.42 feet to a point on the proposed Westerly right of way line of Relocated U. S. Highway 65; thence South 15° 21' 40" West along said proposed right of way line a distance of 193.35 feet to a point on the proposed Northerly right of way line of a Relocated U. S. Highway 65 Access Road; thence South 80° 41' 53" West along said proposed right of way line a distance of 87.71 feet to a point for the point of beginning; thence South 03° 59' 46" West along said proposed right of way line a distance of 221.48 feet to a point on the proposed Southerly right of way line of Relocated U. S. Highway 65 Access Road; thence North 77° 07' 03" West along said proposed right of way line a distance of 321.23 feet to a point; thence North 57° 42' 15" West along said proposed right of way line a distance of 166.88 feet to a point; thence North 37° 54' 10" East along said proposed right of way line a distance of 100.00 feet to a point on the proposed Northerly right of way line of Relocated U. S. Highway 65 Access Road; thence South 76° 08' 56" East along said proposed right of way line a distance of 214.89 feet to a point; thence North 80° 41' 53" East along said proposed right of way line a distance of 202.24 feet to the point of beginning and containing 1.57 acres more or less.

NOW THEREFORE, BE IT RESOLVED, that the Chair of the Commission is authorized to execute a permanent maintenance easement to Boone County, Arkansas, on the hereinabove described property. The document of conveyance shall reflect the terms and conditions set forth in the federal regulations for such relinquishments.

2001-211

WHEREAS, the Commission acquired right of way for Job 4550, Fap: S-405(4), better known as Sims – East (State Highway 88), Montgomery County, Route 88 Section 3, by Montgomery County Court

Order dated September 5, 1967, which is recorded in the County Court Records at Book "N," page 117; and,

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, which are more particularly described below.

JOB 4550
FAP: S-405(4)
SIMS – EAST, (STATE HIGHWAY 88)
MONTGOMERY COUNTY, ROUTE 88 SECTION 3

From Designated Survey Centerline Station 255+40.00 to Centerline Station 268+38.00 the originally executed Court Order for Job 4550 dated September 05, 1967 and being recorded in the County Court Records of Montgomery County, AR, in Record Book "N" at page 117, said records shall hereby be revised as follows.

The width of the right of way to the left and to the right of the Centerline shall be:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
255+40.00	268+38.00	1298'	66'	40'	106'
268+38.00	268+67.00	29'	40'	40'	80'

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Montgomery County; and, that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by federal law.

2001-211 WHEREAS, the Commission acquired right of way for JobNo. 481, more commonly known as the Rogers – West (U. S. Highway 71) job, Benton County, Route 71b, Section 18b, by Benton County Court Order dated

April 5, 1929, recorded at Book Y, Page 329, in the Benton County Court Records; and,

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future, for highway purposes, and recommends reduction of the right of way to reflect the new right of way limits, as more particularly described below.

JOB NO. 481
ROGERS - WEST
(U. S. HIGHWAY 71)
BENTON COUNTY
ROUTE 71B SECTION 18B

From Designated Survey Centerline Station 96+00.00 to Centerline Station 97+40.12 the originally executed Court Order for Job 481 dated April 05, 1929, and being recorded in the County Court Records of Benton County, AR, in Record Book "Y" at page 329, shall hereby be revised to reflect the right of way boundary as follows.

The width of the right of way to the left and to the right of the herein above described Centerline shall be:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
96+00.00	97+40.12	140.12'	60'	47'	107'

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Benton County; and, that the right of way shall be re-monumented to reflect the new boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as permitted or provided by federal law.

2001-213

WHEREAS, the Department's roadside motorists services signing is an effective tool for providing information to motorists, and

WHEREAS, it would be beneficial to provide additional signs directing motorists to significant public attractions.

NOW THEREFORE, the Director is authorized to develop and implement a signing program for public attractions.

2001-214

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintains up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2002 Highway Map.

2001-215

WHEREAS, in Independence County, Job R50112 is under contract for alignment improvements to Highway 69, Section 3.

NOW THEREFORE, it is ordered that upon completion of this job the following changes to the State Highway System, as shown on the attached sketch, will become effective upon official notification by the Chief Engineer.

1. The official route of Highway 69, Section 3, shall be in accordance with the alignment as constructed by Job R50112.
2. That part of old Highway 69, Section 3, from the new location to Highway 122 in Newark shall be redesignated as Highway 69, Section 3B.
3. In accordance with the Supreme Court decision, the remaining segments of the old route of Highway 69, Section 3, shall be removed from the State Highway System.

2001-216

WHEREAS, State Highway 294 in Lonoke primarily serves a residential area in that City; and

WHEREAS, the City of Lonoke has agreed to accept Highway 294 east of Highway 70 into the city street system if the

Department first improves the surface of the section known as Lincoln Street with a hot mix asphalt overlay.

NOW THEREFORE, the Director is authorized to improve that section of Highway 294 known as Lincoln Street and to remove all of Highway 294 east of Highway 70 from the State Highway System upon completion of such improvements.

2001-217 WHEREAS, in Pulaski County, in the City of Jacksonville, State Highway 161, Section 3, has utilized a segment of the frontage road along U.S. 67/167 for continuity, and

WHEREAS, Job 060590 has been completed for the realignment of this segment of State Highway 161, Section 3.

NOW THEREFORE, it is ordered that the following changes to the State Highway System, as shown on the attached sketch, are hereby made:

1. The official route of State Highway 161, Section 3 shall be in accordance with the alignment as constructed by Job 060590.
2. The old location of State Highway 161, Section 3 is hereby declared to be no longer a part of the State Highway System.

2001-218 WHEREAS, the Missouri Department of Transportation, in cooperation with the Arkansas Highway and Transportation Department, has initiated plans for major improvements to Highway 71 at the Arkansas/Missouri border; and

WHEREAS, this project necessitates the construction of a new connection to a county road from Highway 71 in Arkansas near the state line; and

WHEREAS, for the purpose of implementing this project, the connection must be a part of the State Highway System.

2001-218 Continued

NOW THEREFORE, in cooperation with the State of Missouri and Benton County, the following actions are authorized.

1. The connection shall be added to the State Highway System as Highway 71, Section 19S, as shown on Attachment 1.
2. The Director is authorized to take necessary actions for implementing this project, including procurement of right of way for the connection as shown on Attachment 2.

FURTHERMORE, upon completion of the project, Benton County will assume ownership of this connection.

2001-219 WHEREAS, the 1991 Highway Improvement Program includes the widening of Highways 65 and 82 from Pine Bluff to the Mississippi State line; and

WHEREAS, Highway 65 between Interstate 530 in Pine Bluff and the Louisiana State line is recognized as an important corridor in southeast Arkansas.

NOW THEREFORE, the Director is authorized to study the feasibility of widening the remaining twenty-mile section of Highway 65 between Highway 82 and the Louisiana State line.

2001-220 WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) authorized funds to be appropriated for safety projects on sections of highways which have high accident rates; and

WHEREAS, a recent study, which included an accident analysis, determined that widening and/or restriping Highway 67, Section 12C between North Charles Street and Cross Street in Searcy is needed to provide a continuous, two-way, left turn lane; and

WHEREAS, these improvements are eligible for Federal-aid Safety funds; and

WHEREAS, as authorized by Minute Order 97-115, Job 050044 is programmed to widen Highway 67B between Main Street and North Charles Street to three lanes.

2001-220 Continued

NOW THEREFORE, the Director is authorized to extend Job 050044 east to Cross Street and to proceed with surveys, plans and construction of a safety project as funds become available. Furnishing of

any right-of-way and adjustment of utilities will be in accordance with Highway Commission policy.

2001-221 WHEREAS, Job 061044 is programmed to improve the intersection of Sawmill Road and Highway 367 using STP-Attributable funds matched by Saline County; and

WHEREAS, Department staff has recommended extending the project southward to include the intersection of East End Road and Highway 367; and

WHEREAS, Metroplan, the Central Arkansas Regional Transportation Study (CARTS) Metropolitan Planning Organization (MPO), has approved STP-Attributable funds for the recommended extension of the project;

NOW THEREFORE, the Director is authorized to extend Job 061044 southward to include the intersection of East End Road and Highway 367 and to provide the required matching funds for this project over and above those committed by Saline County.

2001-222 WHEREAS, the Commission and the Arkansas State Highway and Transportation Department (“Department”) regularly enter into agreements regarding the use and maintenance responsibilities for parts of the State Highway System, its right of way, and other facilities tying into or otherwise related to the State Highway System; and,

WHEREAS, the agreements may be designated as maintenance agreements or airspace agreements, and in order to enter into such agreements it may be necessary or desirable for the Commission to grant or accept easements, licenses, permits, covenants, or restrictions so that the parties will be able to lawfully perform their obligations under the agreements; and,

WHEREAS, the maintenance and airspace agreements benefit the public and the parties, promote public safety, promote the economic, efficient, and beneficial use of public resources, are necessary

2001-222 Continued

and desirable to maintain and control the State Highway System, and are a routine part of the Department’s normal course of business;

NOW THEREFORE, BE IT RESOLVED that the Director of State Highways and Transportation is hereby expressly authorized, on behalf of the Commission, to: (a) execute maintenance agreements and airspace agreements regarding the designation, use, and maintenance responsibilities for any part of the State Highway System, its right of way, or other facilities tying into or otherwise related to the State Highway System; and, (b) execute any and all agreements or other documents necessary to effect and carry out such agreements, including maintenance, drainage, or access easements, licenses, permits, airspace agreements, covenants, or restrictions. All such actions that have previously been taken by the Director or the Department in entering into any maintenance, drainage, airspace, or access agreement are hereby ratified and affirmed.

2001-223

WHEREAS, in the City of Clarksville on Highway 103, Section 0, between Highway 123 and Highway 64, it has been determined that reconstruction and widening of the existing roadway and modifications to the intersection with Highway 64 are warranted.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project as funds become available. Furnishing of any right-of-way and adjustment of utilities will be in accordance with Highway Commission policy.

2001-224

WHEREAS, since the time of completion of I-540 from I-40 to Fayetteville, the usage of the Brentwood Rest Area has dropped significantly; and

WHEREAS, due to low usage, the Department has considered permanent closure of the facility; and

WHEREAS, Washington County has requested that it be allowed to utilize a portion of the Brentwood Rest Area in order to place a Washington County Sheriff's substation at the facility and in exchange for such usage, the County will maintain and service the restrooms and picnic areas that serve the general public.

2001-224 Continued

NOW THEREFORE, the Director is authorized to enter into an agreement with Washington County that will allow the County to utilize a portion of the Brentwood Rest Area for a sheriff's substation and to maintain the property, restrooms and picnic areas for public use.

IN ADDITION, if Washington County fails to maintain the improvements on the property for general public use, the property shall be returned to the Department.

2001-225

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 15, 2001 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110409	01	CROSS & CRITTENDEN	PARKIN-EARLE (PASSING LANES) (S)	64
020241	02	ASHLEY	HWY. 133-HWY. 82 (CROSSETT) (S)	133T
020304	02	VARIOUS	DISTRICT	VAR
020341	02	JEFFERSON	2 SIDEWALK ENHANCEMENTS (PHASE III) (S)	365 & 256
030205	03	LITTLE RIVER	HWY. 365/HWY. 256 SIGNAL (WHITE HALL) (S)	32
030231	03	VARIOUS	HWY. 32 WEST-HWY. 71 (GR. & STRS.) (S)	VAR
			DISTRICT 3 SIDEWALK ENHANCEMENTS (PHASE III) (S)	
004829	04	SEBASTIAN	DOCTOR'S CREEK BR. & APPRS. (S)	252
040354	04	WASHINGTON	I-540/HWY. 412 INTERCHANGE MOD. (F)	540
040363	04	CRAWFORD	HWY. 64/HWY. 162 SIGNAL (VAN BUREN) (S)	64 & 162
R50108	05	JACKSON	COW LAKE DITCH STR. & APPRS. (S)	37
050010	05	WHITE	BLACK CREEK STR. & APPRS. (KENSSETT) (S)	385
050021	05	JACKSON	HWY. 18-NORTH (STRUCTURES) (F)	67
050070	05	INDEPENDENCE & SHARP	BATESVILLE-ASH FLAT (PASSING LANES) (S)	167
050121	05	WHITE	HWY. 67B DRAINAGE IMPVTS. (SEARCY) (S)	67B
006965	06	PULASKI	UNIVERSITY AVE.-COL. GLENN RD. (L.R.) (S)	5
060952	06	PULASKI	ARENA AREA STREETScape (NLR) (S)	- - -
	06	PULASKI	WHITE OAK BAYOU PEDESTRIAN/BICYCLE BRIDGE (NLR) (S)	- - -
060954	06	VARIOUS	DISTRICT 6 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR
060968	06	VARIOUS	DISTRICT 6 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR
061021	06	HOT SPRING	HWY. 7/HWY. 84 SIGNAL (BISMARK) (S)	7 & 84
070064	07	CLARK	ALPINE-EAST (S)	8
070170	07	UNION	EL DORADO-STRONG (PASSING LANES) (S)	82
090063	09	BENTON	SPRING CREEK STR. & APPRS. (SPRINGDALE) (S)	- - -
100294	10	CRAIGHEAD	CRAIGHEAD CO. LN.-BONO (S)	63
100507	10	RANDOLPH	HWY. 67/HWY. 304 SIGNAL (POCAHONTAS) (S)	67 & 304
001847	2 & 6	GRANT & SALINE	ICO-HWY. 367 (S)	167
SA0127	02	ARKANSAS	CO. ROAD 82 RECONSTRUCTION (S)	---
SA3439	05	JACKSON	CO. ROAD 8-CO. ROAD 365 (BASE) (S)	---
FA6502	04	SEBASTIAN	VINEYARD CREEK STR. & APPRS. (S)	---
SA6536	04	SEBASTIAN	BRANCH OF JAMES FORK CREEK STR. & APPRS. (S)	---

2001-225 Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved, Commissioner J. W. "Buddy" Benafield seconded and the motion passed unanimously to hire consulting engineering firms to perform the appropriate investment grade studies and concurrently hire bond counsel to advise the Commission regarding state and federal requirements for the development of the Bella Vista Bypass as a toll facility.

2201-226

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:00 p.m., November 15, 2001.

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 (PLACE DATE HERE), 2001.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 9, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 9, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 9, 2002.

2002-002 WHEREAS, the Purchasing Committee has awarded purchases on November 9 and 26, 2001, and December 10 and 21, 2001, in the amounts \$111,250.00, \$873,702.00, \$4,486,396.20, and \$392,766.00, respectively, totaling \$5,864,114.20, 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 in making the awards be ratified and confirmed in all particulars.

2002-003 WHEREAS, the Department currently uses certain remote sensing techniques, hardware, and software to acquire information for roadway planning, environmental assessment, roadway design, and infrastructure management; and

WHEREAS, recent remote sensing technology for acquiring survey data by the use of Light Detection and Ranging (LIDAR) appears to offer cost saving opportunities.

2002-003 - Continued

NOW THEREFORE, the Director is authorized to investigate and implement LIDAR remote sensing techniques, as appropriate.

2002-004 WHEREAS, the Federal Migratory Bird Treaty Act (MBTA) requires the protection of migratory bird nesting habitat; and

WHEREAS, the Department is required to protect migratory bird nesting locations on highway bridges and culverts; and

WHEREAS, it is necessary to provide protection on bridges where construction is programmed.

NOW THEREFORE, the Director is authorized to take the necessary actions and enter into contracts that may be required to provide such protective netting in advance of bridge and culvert construction on the State Highway System.

2002-005 WHEREAS, the recruitment and retention of Civil Engineering personnel is essential to the Department; and

WHEREAS, the Mack-Blackwell Transportation Center at the University of Arkansas provides the Department with important research and training services.

NOW THEREFORE, the Director is authorized to provide appropriate transportation research assistantship positions, in accordance with the attached criteria, in the Department's research budget.

2002-006 WHEREAS, the Research Correlation Service of the Transportation Research Board, National Research Council, collects information concerning past, current and proposed research relating to transportation from all sources including the Federal government, Highway research Program, industry, other countries and educational institutions; and

2002-006 - Continued

WHEREAS, this information is reviewed, compiled, maintained and disseminated to subscribing agencies through various methods including printed reports, literature searches and abstracts; and

WHEREAS, all states participate in this program which also supports the Transportation Research Board's core activities; and

WHEREAS, the Department's participation rate has been approved by AASHTO members and the Transportation Research Board Executive Committee for a three year period; and

WHEREAS, the Federal Highway Administration has created a pooled fund study to provide a mechanism for state transportation departments to support the TRB's core program and services.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary to fulfill the Department's commitment to this important program.

2002-007

WHEREAS the Transportation Equity Act for the 21st Century authorized funding for the Recreational Trails Program; and

WHEREAS the Arkansas Highway and Transportation Department has been notified that the Federal Fiscal Year 2002 Recreational Trails Program allocation for Arkansas is available.

NOW THEREFORE the Director is authorized to solicit applications for Federal Fiscal Year 2002 Recreational Trails Program funding.

2002-008

WHEREAS, the Arkansas Highway Commission has selected locally sponsored projects for funding under the Transportation Enhancement Program from applications submitted by units of State and local government for work determined to be eligible as defined by federal regulations and guidelines.

2002-008 - Continued

NOW THEREFORE, the Director is authorized to proceed with implementation of the selected transportation enhancement projects (see attached list) as funds become available.

2002-009

WHEREAS, Environmental Technical Consultants, Inc., Marking Systems, Inc., and their affiliates have performed work on various highway construction projects including Job Numbers 080122, 050102, B60106, 030229, BR4008 and 050045; and

WHEREAS, on August 17, 2001, Environmental Technical Consultants, Inc., Marking Systems, Inc., and their affiliates were suspended from contracting with the Commission and bidding on any Commission contracts, and further that the Commission would seek debarment of said corporations for their unauthorized removal and possession of traffic control devices belonging to a competitor and to the Arkansas State Highway and Transportation Department; and

WHEREAS, a hearing was conducted in which a full administrative record was developed and at which time the above named corporations had an opportunity to be heard and submit evidence; and

WHEREAS, as a result of said hearing, Mr. Larry G. Lanes, designated hearing officer, found that the above named corporations had unlawfully possessed property belonging to a competitor and that theft of property constitutes a serious matter affecting the responsibility of contractors, and recommended debarment for three (3) years.

NOW THEREFORE, in accordance with Section IV.B.(3) and subject to the provisions of Section IV.D. and Section IV.E., Regulations for Suspension and Debarment of Contractors for Collusion or Other Unethical Behavior, the Commission accepts the hearing officer's decision and affirms a debarment of three (3) years to be effective January 3, 2002 and to continue for the term stated or until otherwise revised by the Commission.

2002-010

WHEREAS, the Arkansas State Highway Commission owns property commonly known as Tract No. 2XR of Job No. B60122 in Saline County, Arkansas; and

WHEREAS, a change in the plans for Job B60122 requires additional right of way which may be taken from Tract No. 2XR presently owned by the Commission; and

WHEREAS, the additional right of way needed for Job No. B60122 and to be taken from Tract No. 2XR shall be designated as Tract No. 2XRS and is described as follows:

Part of the Northeast Quarter of the Northeast Quarter of Section 10, Township 2 South, Range 15 West, Saline County, Arkansas, more particularly described as follows:

Starting at a ½ inch pipe being used as the Northwest Corner of Lot 7 of Crestwood Addition to the City of Benton; thence North 63° 41' 12" East along the North line thereof a distance of 127.10 feet to a point on the Southwesterly right of way line of State Highway 35 as established by AHTD Job 6611; thence along said right of way line the following courses and distances; thence North 51° 47' 29" West, 158.77 feet to a point; thence North 28° 42' 21" East, 14.20 feet to a point; thence North 57° 28' 51" West, 28.39 feet to a point; thence South 86° 17' 53" West, 262.46 feet to a point; thence North 70° 37' 45" West, 20.29 feet to a point; thence North 70° 57' 57" West, 141.41 feet for the point of beginning; thence South 51° 53' 04" West a distance of 49.21 feet to a point on the Southerly right of way line of State Highway 35 as established by AHTD Job B60122; thence along said right of way line the following courses and distances; thence North 45° 34' 22" West, 18.45 feet to a point; thence North 45° 04' 38" East, 37.21 feet to a point on the Southerly right of way line of State Highway 35 as established by AHTD Job 6611; thence along said right of way line South 70° 57' 57" East a distance of 27.03 feet to the point of beginning and containing 902 square feet as shown on plat prepared by the AHTD, referenced as Job B60122.

NOW THEREFORE, BE IT RESOLVED that the character of the above-described property is changed from non-economic remnant to right of way, a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Saline County, and the right of way remonumented.

2002-011

WHEREAS, IN JOHNSON COUNTY, Job 008937 is under contract for replacement of three bridges and approaches on Highway 359, Section 1; and

WHEREAS, the bridges and approaches will be constructed on new location, parallel to the existing roadway.

NOW THEREFORE, IT IS ORDERED that upon completion of Job 008937 the following changes to the State Highway System, as shown on the attached sketch, will become effective upon official notification by the Chief Engineer.

1. The official route of Highway 359, Section 1, shall be in accordance with the alignment as constructed by Job 008937.
2. All old locations of Highway 359, Section 1, shall be obliterated and removed from the State Highway System.

2002-012

WHEREAS, the U. S. Highway 71 corridor has been designated by Congress as a Highway Priority Corridor; and

WHEREAS, the Arkansas State Highway and Transportation Department, in coordination with the Missouri Department of Transportation, has completed an Environmental Impact Statement and has received a Federal Highway Administration Record of Decision for the location of a bypass west of Bella Vista, which terminates near Pineville, Missouri; and

WHEREAS, Arkansas' recent Innovative Finance Study indicates that the Bella Vista Bypass may be a feasible "stand-alone" toll facility; and

WHEREAS, the Missouri Department of Transportation has proposed to hire a consultant to conduct a toll feasibility study of several routes in Missouri, including the Bella Vista Bypass;

NOW THEREFORE, the Director is authorized to enter into a bi-state agreement with the Missouri Department of Transportation to engage the services of a consultant to complete an investment grade toll feasibility study for the Bella Vista Bypass.

2002-013 WHEREAS, IN BRADLEY AND ASHLEY COUNTIES, on Highway 8, Sections 12 and 13, from Johnsville to Highway 133, a review of the pavement and shoulder condition has been conducted; and

 WHEREAS, the review determined that this section is in need of improvement.

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

2002-014 WHEREAS, traffic volumes have increased at the Highway 1 / Willis McCallie Drive intersection in DeWitt; and

 WHEREAS, traffic operations need to be reviewed at this location.

 NOW THEREFORE, the Director is authorized to conduct a traffic study at the Highway 1 / Willis McCallie Drive intersection to determine appropriate improvements.

2002-015 WHEREAS, traffic volumes have increased at the Highway 165 / East Lennox Drive intersection in Stuttgart; and

 WHEREAS, traffic operations need to be reviewed at this location.

 NOW THEREFORE, the Director is authorized to conduct a traffic study at the intersection of Highway 165 / East Lennox Drive to determine appropriate improvements.

2002-016 WHEREAS, traffic volumes have increased at the Highway 425 / Highway 83 interchange in Monticello; and

 WHEREAS, traffic operations need to be reviewed at this location.

 NOW THEREFORE, the Director is authorized to conduct a traffic study at the Highway 425 / Highway 83 interchange to determine appropriate improvements.

2002-017 WHEREAS, traffic volumes have increased on Highway 89 and Highway 89 Spur between Lonoke and Furlow; and

 WHEREAS, safety and capacity can be enhanced with the construction of shoulders on the roadway,

 NOW THEREFORE, the Director is authorized to construct shoulders on Highway 89 from its intersection with Highway 31 in Lonoke to its intersection with Highway 15 / 294 in Furlow and on Highway 89 Spur in Lonoke between Highway 70 and Highway 89, as funds become available.

2002-018 WHEREAS, the City of Little Rock has requested the inclusion of the Rodney Parham Road Interchange in the I-430 Logo Signing Project; and

 WHEREAS, the inclusion of the Rodney Parham Road Interchange in the I-430 Logo Signing Project will comply with the Logo Signing Regulations:

 NOW THEREFORE, the Director is authorized to include the Rodney Parham Road Interchange in the I-430 Logo Signing Project.

2002-019 WHEREAS, the City of Dardanelle is experiencing drainage problems along Highway 7 through the downtown area; and

 WHEREAS, Department staff has recommended that the drainage along Highway 7 be improved from 5th Street to the Arkansas River;

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

2002-020 WHEREAS, the existing property serving the Arkansas County Area Headquarters in Stuttgart on State Highway 165 was purchased in 1966 and is inadequate in size; and

2002-020 - Continued

WHEREAS, an adjoining tract of land is available and is compatible with the Department's desire to increase the size of this headquarters; and

WHEREAS, this tract of land would balance the property and would also be well suited for the required maintenance activities;

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and make improvements including surfacing of lot, fencing and related items.

Work to be done by contract and state forces.

2002-021

WHEREAS the existing Carroll County Area Headquarters facility in Berryville on State Highway 62 was constructed in 1959; and

WHEREAS, at this existing location, insufficient area is owned to properly accommodate the necessary maintenance activities; and

WHEREAS, this existing headquarters is located in an area that has become increasingly congested and ingress and egress pose a traffic problem; and

WHEREAS, relocation of the Carroll County Area Headquarters has been a high priority for the Department for the past ten years; and

WHEREAS, suitable property near the intersection of Highway 62 and Highway 143 has become available, and has been appraised by the Department;

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and construct an Area Headquarters facility, including buildings, appurtenances, fencing and related items.

Work to be done by contract and state forces as a Building Project.

2002-022

WHEREAS, IN MISSISSIPPI COUNTY, a new Area Maintenance Headquarters has been constructed near Highway 119 in Osceola; and

WHEREAS, the former Area Maintenance Headquarters property is to be offered back to the Osceola Industrial Development Corporation in accordance with the provisions of Arkansas Code Annotated 27-67-322.

NOW THEREFORE, the Director is authorized to transfer ownership of the property to the Osceola Industrial Development Corporation with the following provisions:

1. The Department will remove all tanks and supplies from the property.
2. The Industrial Development Corporation will reimburse the Department at the fair market value for all improvements to the property.

2002-023

WHEREAS, IN WASHINGTON COUNTY, a new Area Maintenance Headquarters has been constructed on Highway 112 in Fayetteville; and

WHEREAS, the former Area Maintenance Headquarters properties at West Fork and at Springdale are no longer needed for Department operations or highway purposes.

NOW THEREFORE, the Director is authorized to dispose of these surplus properties in accordance with the provisions of Arkansas Code Annotated 27-67-321.

2002-024

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 9, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110348	01	CRITTENDEN	TEN MILE BAYOU STR. & APPRS. (14TH ST.- WEST MEMPHIS) (S)	---
110403	01	PHILLIPS	HWY. 242 SPUR-HWY. 1 (OVERLAY) (S)	242

2002-024 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020361	02	DREW & DESHA	MCGEHEE-WEST (OVERLAY) (S)	278
030269	03	SEVIER & LITTLE RIVER	HWY. 380-HORATIO (OVERLAY) (S)	41
040366	04	WASHINGTON	HWY. 112/DRAKE ST. SIGNAL (FAYETTEVILLE) (S)	112
040380	04	CRAWFORD	VAN BUREN-NORTH (OVERLAY) (S)	59
R50109	05	INDEPENDENCE	SPRING CREEK RELIEF STR. & APPRS. (S)	106
050007	05	JACKSON	HWY. 67-EAST STRS. & APPRS. (S)	226
050022	05	JACKSON	HWY. 37-SOUTH (GR. & STRS.) (F)	67
050122	05	IZARD	HWY. 69-BROCKWELL (OVERLAY) (S)	9
060807	06	PULASKI	BOYLE PARK PEDESTRIAN TRAIL/BIKEWAY (LITTLE ROCK) (S)	- - -
061050	06	PULASKI	WOOTEN RD.-W. MAIN ST. (JACKSONVILLE) (OVERLAY) (S)	161
070114	07	COLUMBIA	BEECH CREEKS STRS. & APPRS. (S)	98
070159	07	BRADLEY	WARREN NORTHEAST BYPASS (S)	63 & 278
070192	07	OUACHITA	HWY. 7/GOODGAME ST. SIGNAL (CAMDEN) (S)	7
070225	07	DALLAS	HWY. 9-EAST (OVERLAY)(S)	8
R80019	08	YELL	HAVANA-DANVILLE (RECONST.) (SEL. SECS.) (S)	10
080155	08	POPE	PRAIRIE CREEK STR. & APPRS. (RUSSELLVILLE) (S)	- - -
080230	08	PERRY	HWY. 314-NORTH (OVERLAY) (S)	7
009662	09	CARROLL	YOCUM CREEK BRIDGE & APPRS. (S)	311
090045	09	BAXTER & MARION	WHITE RIVER BRIDGE REPAIR (COTTER) (S)	62B
090070	09	BENTON	PUPPY CREEK STR. & APPRS. (LOWELL) (S)	- - -
090125	09	SEARCY	VAN BUREN CO. LINE-NORTH (OVERLAY) (S)	65
100126	10	CRAIGHEAD	MUD CREEK & RELIEF STRS. & APPRS. (S)	141
100541	10	CLAY	HWY. 62/HWY. 67 SIGNAL (CORNING) (S)	62 & 67
100548	10	LAWRENCE	HWY. 63-EAST (OVERLAY) (S)	412

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner Jonathan Barnett moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to recess the Commission's business meeting to attend the scheduled bid opening, then resume the business meeting following the bid opening.

MOTION Commissioner Jonathan Barnett moved, Commissioner Carl Rosenbaum seconded and the motion passed unanimously to have the AHTD staff continue to review the appropriate facts and procedures regarding the debarment of Environmental Technical Consultants, Inc., Marking Systems, Inc., and for the Commission to come together at a later date to discuss any further actions that may be necessary.

MOTION

Commissioner Prissy Hickerson moved, Vice Chairman J. W. Benafield seconded and the motion passed 4-0 to accept the staff's recommendation to enter into contract negotiations with the following consultants to provide design services on the I-530 Connector Project between Pine Bluff and the Monticello area: (Commissioner Carl Rosenbaum was absent).

Garver, Inc. Engineers
Crafton, Tull & Associates, Inc.
Carter & Burgess Inc.

Note: Vice Chairman J. W. Benafield stated for the record that he did not question the authority of Congress in providing federal funds for the I-530 Connector Project, but he questioned the wisdom of Congress for selecting that specific route over other documented, existing highway needs. Mr. Benafield offered the following comments:

- The I-530 Connector is not where the Commission needs to spend the money, but it has been mandated by Congress to do so;
- The money provided by Congress for the I-530 Connector could have been used to widen Highways 65/82 and 425 to four lanes;
- Highway 65 is the primary artery which carries the most traffic;
- Highway 65 could have been completed in a short time period if the I-530 Connector money were to be used there;
- There would have been economic benefits generated by traffic being able to use Highway 65 sooner;
- The money will be spent where Congress mandated, but the Commission has a responsibility to spend money where the most benefit can be obtained;
- The Commission is pleased that South Arkansas received the I-530 Connector funds

MOTION

Vice Chairman J. W. Benafield moved, Commissioner Jonathan Barnett seconded and the motion passed 4-0 to accept the staff's recommendation to secure the services of C. W. Belphus, Inc., to design and implement an automated vehicle routing and permitting system. (Commissioner Carl Rosenbaum was absent).

2002-025

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., January 9, 2002.

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 January 9, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 24, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 24, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member

2002-026 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., January 24, 2002.

2002-027 WHEREAS, the American Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the calendar year 2002, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2002 in the amount of \$33,180.00.

2002-028 WHEREAS, selected sections of the concrete pavements on Highway 67 and I-630 in Pulaski County have developed faulted joints and other surface imperfections which adversely effect the ride quality; and

WHEREAS, these pavements can be smoothed by a diamond grinding process to provide improved ridability until these pavements are reconstructed;

NOW THEREFORE, the Director is authorized to proceed with a project to smooth these pavements by diamond grinding, as funds become available.

2002-029

WHEREAS, IN WASHINGTON COUNTY, on Highway 873, Section 1, selected drives and parking lots of the University of Arkansas at Fayetteville are in need of resurfacing; and

WHEREAS, the University of Arkansas has agreed to pay for their portion of a resurfacing and rehabilitation project.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface and rehabilitate selected drives and parking lots.

2002-030

WHEREAS, the Arkansas State Highway Commission received bids on the following project at the **January 24**, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
BX0110	VAR	VARIOUS	NESTING CONTROL ON INTERSTATE REHAB. PROGRAM BRIDGES (S)	30 & 40

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 this important project; and

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

NOW THEREFORE, upon the Contractor's furnishing the necessary performance and payment bonds and submitting all additional information required for the above mentioned project, the Director is hereby authorized to enter into a contract and supplemental agreements for any project deemed to be in the best interests of the State. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved, Vice Chairman J. W. Benafield seconded and the motion passed 4-0 to accept the staff's recommendation to enter into an agreement with Traffic Group, Inc., to conduct statewide traffic volume counts. (Commissioner Carl Rosenbaum was absent).

MOTION

Commissioner Jonathan Barnett moved, Commissioner Prissy Hickerson seconded and the motion passed 4-0 that, based on a review of the facts and procedures used in the August 18, 2001 suspension and January 2, 2002 debarment of Environmental Technical Consultants, Inc., Marking Systems, Inc., the Commission hereby suspends the debarment of Environmental Technical Consultants, Inc., effective this date, January 24, 2002. (Commissioner Carl Rosenbaum was absent).

2002-031

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:30 a.m., January 24, 2002.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 20, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 20, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-032 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 20, 2002.

2002-033 WHEREAS, the Purchasing Committee has awarded purchases on January 10, 28 and 31, 2002, and February 5 and 8, 2002, in the amounts \$531,820.57, \$1,338,321.50, \$593,429.30, \$1,348,322.00, and \$500,652.70, respectively, totaling \$4,312,546.07, 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 in making the awards be ratified and confirmed in all particulars.

2002-034 WHEREAS, brake-related defects lead the list of equipment safety violations discovered during random commercial motor vehicle inspections; and

WHEREAS, infrared scanning technology has been developed that screens and detects commercial motor vehicle brake defects; and

2002-034 - Continued

WHEREAS, an Arkansas Highway and Transportation Department research study concluded that the use of infrared scanning technology provided the Arkansas Highway Police a more efficient means of removing a greater number of unsafe commercial motor vehicles from the state highway system; and

WHEREAS, Federal Motor Carrier Safety Assistance Program (MCSAP) funds are approved and available for infrared scanning technology.

NOW THEREFORE, the Director is authorized to proceed with the purchase of infrared scanning technology that best meets the needs of the department.

2002-035

WHEREAS, brake-related defects lead the list of equipment safety violations discovered during random commercial motor vehicle inspections; and

WHEREAS, infrared scanning technology has been developed that screens and detects commercial motor vehicle brake defects; and

WHEREAS, the Arkansas Highway Police Division plans to create two five-officer enforcement teams to support infrared scanning technology in order to remove commercial motor vehicles with defective brakes from the state highway system; and

WHEREAS, federal funds are available through the Motor Carrier Safety Assistance Program (MCSAP) of the Federal Motor Carrier Safety Administration (FMCSA) to fund equipment needs when enforcing motor carrier safety laws and regulations for commercial motor vehicles.

NOW THEREFORE, the Director is authorized to proceed with the purchase of ten (10) police vehicles and related vehicle equipment for use by the Arkansas Highway Police Division, as funds become available.

2002-036

WHEREAS, a need exists for command officers of the Arkansas Highway Police to have space available for conducting operations within their respective Districts.

NOW THEREFORE, the Director is authorized to provide office space at existing Department facilities for Arkansas Highway Police Division operations as necessary.

Work for remodeling or additions to existing buildings to be done by contract and state forces as a Building Project.

2002-037

WHEREAS, a Statewide Long-Range Intermodal Transportation Plan for Arkansas, which provided policy guidance for transportation improvements throughout the State, was published in 1995; and

WHEREAS, the Plan is currently being updated and will include a freight transportation component and state rail plan; and

WHEREAS, public input is a key component of the development process.

NOW THEREFORE, the Director is authorized to submit the draft of the Statewide Long-Range Intermodal Transportation Plan and its components for public review and comment.

2002-038

WHEREAS, the Department provides directional signage on its freeway system to airports which provide scheduled, commercial air services; and

WHEREAS, additional signage is needed for directional purposes for airports which provide charter, commercial air service.

NOW THEREFORE, the Director is authorized to install directional signage on the freeway system to airports which provide either scheduled or charter commercial air service.

WHEREAS, the Commission acquired in fee property known as Tract No. 2 from Timothy Ausley and wife, Teresa Ausley, for Job No. 061021, Highway 7-Highway 84 (Bismarck) Hot Spring County, by condemnation resulting in a Consent Judgment filed of record on January 10, 2002, in the Circuit Clerk's Office of Hot Spring County, Arkansas, in Arkansas State Highway Commission Vs. Timothy Ausley and Teresa Ausley, et al., Hot Spring County Circuit No. CIV 2001-230-1, October 25, 2001, (Case); and

WHEREAS, in order to settle the issues in the Case the Commission has agreed, in exchange for the refund of the amount it deposited in the Case, (\$2,150.00), to re-convey Tract No. 2 to Timothy Ausley and Teresa Ausley, said Tract No. 2 being more particularly described as follows:

Part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 5 North, Range 20 West, Hot Spring County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 8; thence North 88° 15' 43" West along the North line thereof a distance of 40.45 feet to a point on the Northeasterly existing right of way line of State Highway 84; thence South 50° 34' 41" West along said existing right of way line a distance of 211.23 feet to a point on the Northeasterly proposed right of way line of State Highway 7 for the point of beginning; thence South 17° 57' 03" West along said proposed right of way line a distance of 56.36 feet to a point on the Northeasterly existing right of way line of State Highway 7; thence North 17° 03' 03" West along said existing right of way line a distance of 32.86 feet to a point on the Southerly existing right of way line of State Highway 84; thence North 50° 34' 41" East along said existing right of way line a distance of 34.96 feet to the point of beginning and containing 0.01 acre or 531 square feet more or less.

NOW THEREFORE, BE IT RESOLVED that in consideration of the settlement of the issues in Arkansas State Highway Commission Vs. Timothy Ausley and Teresa Ausley, et al., Hot Spring County Circuit No. CIV 2001-230-1 October 25, 2001, the Chairman of the Commission is authorized and directed, in exchange for the refund of the Commissions deposit in the Case, (\$2,150.00), to execute a Quitclaim Deed

2002-039 - Continued

conveying the above-described property to Timothy Ausley and Teresa Ausley. A copy of the Quitclaim Deed and this Minute Order shall be recorded in Hot Spring County, Arkansas. Any Federal-Aid funds from this disposal shall be recredited to Federal funds or otherwise used or credited as permitted by federal law.

2002-040 WHEREAS, IN CRAWFORD COUNTY, in the vicinity of Mountainburg, the Department has maintained vehicular roads serving Lake Fort Smith State Park as Highway 600, Section 20; and

WHEREAS, this park was closed January 1, 2002 to permit the City of Fort Smith to perform necessary work for expanding the lake, which serves as their water supply.

NOW THEREFORE, the roads no longer function as State Park access drives and are hereby removed from the State Highway System.

2002-041 WHEREAS, IN BRADLEY COUNTY, Highway 63 is an important arterial route serving the southern part of Warren; and

WHEREAS, traffic volumes and development along Highway 63 from Highway 278 to Highway 63B have increased in recent years such that widening the route would be beneficial.

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

2002-042 WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing flashing signals with gates and a concrete surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

2002-042 - Continued

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Bradley	Warren	Hwy. 63	Warren & Saline River	Install Flashing Signals with Gates and Concrete Surface

2002-043

WHEREAS, IN CLEVELAND AND JEFFERSON COUNTIES, on Highway 79, Sections 8 and 9, from Rison to Pine Bluff, traffic volumes continue to increase; and

WHEREAS, the addition of passing lanes to this route could increase capacity and safety.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need and location for passing lanes and to proceed with surveys, plans, and construction of needed improvements as funds become available.

2002-044

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant upgrading flashing signals with gates.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.

2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Lafayette	Stamps	Hwy. 53	Union Pacific	Upgrade Signals and Add Gates

2002-045

WHEREAS, U. S. 67/167 in the City of Sherwood, Arkansas is a fully-controlled access highway with a posted speed limit greater than 55 miles per hour; and

WHEREAS, the local jurisdiction has requested the installation of Specific Information Signs (Logos) along U. S. 67/167 in the City of Sherwood, Arkansas; and

WHEREAS, the installation of Logo Signing along U. S. 67/167 in the City of Sherwood, Arkansas is allowed by State Highway Commission Regulations for Logo Signing;

NOW THEREFORE, the Director is authorized to install Logo Signing for eligible gas, food, lodging, and camping businesses along U. S. 67/167 in the City of Sherwood, Arkansas.

2002-046

WHEREAS, a radio tower location that the Commission has leased for thirty-five years is now available for sale; and

WHEREAS, the location is essential to the efficient operation of the Department's communications network; and

WHEREAS, the property is more accurately described as:

A parcel of land located at the end of the paved section of County Road #311 about 4 miles northwest of Possum Grape, Arkansas.

2002-046 - Continued

Commencing at the corner common to Sections 5, 6, 7, and 8, Township 10 North, Range 4 West; thence South 20 feet to the point of beginning; thence East 210 feet; thence South 210 feet; thence West 210 feet; thence North 210 feet to the point of beginning. This parcel, located in the Northwest Quarter of the Northwest Quarter of Section 8, Township 10 North, Range 4 West and containing 1 acre approximately.

NOW THEREFORE, the Director is authorized to take the necessary actions to complete the purchase of this site.

2002-047

WHEREAS, the District 7 Headquarters Complex at Camden is experiencing continuing roof leaks, in the Administration Building over the administrative office area, which has resulted in significant damages to the ceiling and light fixtures; and

WHEREAS, the Shop Building unit heaters have been in service for approximately thirty-four years, have been repaired numerous times, and are in poor operating condition; and

WHEREAS, it has been determined that the most feasible means of repair is to re-roof the administrative office area, replace the existing ceiling and light fixtures with new ceiling and fixtures including related items, and replace the existing unit heaters with new heaters including related items and modifications;

NOW THEREFORE, the Director is authorized to complete the work required to re-roof administrative office area, replace ceiling and light fixtures, and replace unit heaters, at the District 7 Headquarters Complex.

Work to be done by contract as a Building Project.

2002-048

WHEREAS, bridge inspections of the major river crossing bridges in Arkansas has revealed severe loss of paint on the I-30 Arkansas River bridge structure; and

WHEREAS, the bridge needs to be cleaned and painted to prevent structural loss due to rust.

2002-048 - Continued

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to clean and paint this bridge as funds become available.

COUNTY	RTE./SEC./L.M.	BRIDGE NO.	NAME
Pulaski	I-30 / 23 / 140.9	2678	Arkansas River Bridge

2002-049 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 20, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110411	01	CRITTENDEN	LANSING-HWY. 147 (SEL. SECS.) (OVERLAY) (S)	64
020363	02	ASHLEY	HWY. 82-EAST (OVERLAY) (S)	8
030270	03	LAFAYETTE	HWY. 82-PALM (OVERLAY) (S)	29
B40102	04	CRAWFORD	ARK. MO. R.R. OVERPASS-EAST (F)	40
R40106	04	SCOTT	HON-HWY. 71 (WIDEN & RESURF.) (S)	28
R40117	04	SEBASTIAN	VACHE GRASSE CREEK STR. & APPRS. (S)	255
040381	04	WASHINGTON	FAYETTEVILLE-WEST (OVERLAY) (S)	16
050050	05	WHITE	LONOKE CO. LINE-BEEBE (OVERLAY) (S)	31
B60113	06	LONOKE	PULASKI CO. LINE-HWY. 31 (F)	40
B60122	06	SALINE	SEVIER ST.-WEST OF ALCOA RD. (F)	30
060389	06	SALINE	DOG CREEK RELIEF STR. & APPRS. (S)	298
060884	06	PULASKI	HWY. 10 PASSING LANES (PHASE II) (S)	10
061051	06	PULASKI	UNIVERSITY AVE.-HWY. 365 (SEL. SECS.) (L.R.) (OVERLAY) (S)	70
B70100	07	CLARK	GURDON REST AREA-HWY. 53 (F)	30
070196	07	BRADLEY	HWY. 8-HWY. 63B (WARREN) (S)	63
070226	07	OUACHITA	UNION CO. LINE-HWY. 376 (OVERLAY) (S)	7
B80108	08	JOHNSON	LAMAR-POPE CO. LINE (F)	40
080231	08	POPE	JOHNSON CO. LINE-ILLINOIS BAYOU (OVERLAY) (S)	64
009813	09	BAXTER	HWYS. 201 & 341 STRS. & APPRS. (S)	201 & 341

2002-049 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
090101	09	MADISON & CARROLL	HWY. 412/HWY. 21S TURN LANE (S)	412 & 21
090117	09	BENTON	HWY. 112/28TH ST. SIGNAL (BENTONVILLE) (S)	112
090126	09	MADISON	FORUM-SOUTH (OVERLAY) (S)	23
B00101	10	MISSISSIPPI	BARDSTOWN REST AREA-HILTON REST AREA (F)	55
100549	10	CRAIGHEAD	HWY. 63B-FARRVILLE (OVERLAY) (S)	49
SA0738	07	CALHOUN	HWY. 278-HWY. 274 (OVERLAY) (S)	---
FA0911	02	CHICOT	BAYOU MACON STR. & APPRS. (S)	---
FA4609	03	MILLER	OLD CHANNEL MCKINNEY BAYOU STR. & APPRS. (S)	---
FA7202	04	WASHINGTON	WHITE RIVER BRIDGE & APPRS. (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner Carl Rosenbaum moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firms of Garver, Inc., CEI Engineering Associates, Inc., and Florence & Hutcheson, Inc., for consultant services for on call design services.

MOTION Commissioner Prissy Hickerson moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to enter into negotiations with the firm of Wilbur Smith Associates for consultant services for on the Pine Bluff-Memphis Feasibility Study.

MOTION Commissioner Carl Rosenbaum moved, Commissioner Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firm of ftn Associates Ltd., for consultant services for the Flood Insurance Revision Study (Pine Bluff).

MOTION Commissioner Carl Rosenbaum moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to enter into negotiations with Friday, Eldridge & Clark for the State Counsel for work on the Bella Vista Bypass.

MOTION Commissioner Jonathan Barnett moved, Commissioner Carl Rosenbaum seconded and the motion passed unanimously to enter into negotiations with Holland & Knight LLP for the National Counsel for work on the Bella Vista Bypass.

2002-050 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:30 p.m., February 20, 2002.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on January 24, 2002, and February 20, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 3, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 3, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-051 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:45 a.m., April 3, 2002.

2002-052 WHEREAS, the Purchasing Committee has awarded purchases on February 14, 22 and 28, 2002, and March 8 and 21, 2002, in the amounts \$377,263.10, \$215,116.95, \$362,995.00, \$223,629.00, and \$252,848.17, respectively, totaling \$1,431,852.22, 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 in making the awards be ratified and confirmed in all particulars.

2002-053 WHEREAS, the Arkansas State Highway Commission approved Minute Order 2001-137 on July 11, 2001 authorizing the implementation of the Fiscal Year (FY) 2002 Arkansas Highway Safety Plan utilizing Federal-aid Title 23 United States Code Sections 402, 410, 411, 154, 157 and Section 2003(b) of the Transportation Equity Act for the 21st Century safety funds; and

2002-053 - Continued

WHEREAS, revisions to the FY 2002 Arkansas Highway Safety Plan are needed to include one statewide selective traffic enforcement project and to include an increase in the contract amount for one existing selective traffic enforcement project; and

WHEREAS, Federal-aid Sections 157 and 402 funds are available to fund the additional project and the increase to the existing contract as listed below.

NOW THEREFORE, the revisions to the FY 2002 Arkansas Highway Safety Plan are hereby approved and the Director is authorized to implement the revised Plan.

<u>Agency</u>	<u>Description</u>	<u>Current Contract Amount</u>	<u>Revised Contract Amount</u>
Arkansas State Police	Statewide Traffic Enforcement	\$ 0	\$200,000
Blytheville Police Dept.	Selective Traffic Enforcement	\$ 10,000	\$ 20,000

2002-054

WHEREAS, the Commission acquired property known as Tract No. 315-R from Jack G. Vickers and Abiline Vickers, his wife, for Job 3604-3, F-037-1(12), Highway 71-82, Miller County, by warranty deed filed of record on March 10, 1993, in the Circuit Clerk's Office of Miller County in Book No. D-3611, Page 162; and

WHEREAS, Tract No. 315-R was acquired for \$600.00; and

WHEREAS, Dixie Lee Wilson, has bid the sum of \$751.00, which is the highest bid received, for said Tract No. 315-R, at a public action held on January 10, 2002, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, in Room 702. Three qualified appraisers have opined that the current fair market value of Tract No. 315-R is \$600.00; and, the District Engineer has determined that Tract No. 315-R, and being more particularly described as follows, is no longer needed for highway purposes:

2002-054 - Continued

JOB NO. 3604-3
TRACT NO. 315-R

A part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 16 South, Range 28 West, Miller County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 4; thence South 89° 14' 18" East along the South line thereof a distance of 11.85 feet to a point on the existing Easterly right of way line of Country Club Road; thence North 00° 51' 48" East along said existing right of way line a distance of 1031.05 feet to a point; thence South 88° 11' 17" East a distance of 437.91 feet to a point for the point of beginning; thence North 00° 21' 16" East a distance of 92.47 feet to a point; thence North 89° 33' 44" East a distance of 104.12 feet to a point; thence South 88° 13' 12" East a distance of 104.36 feet to a point; thence South 00° 42' 17" West a distance of 14.15 feet to a point; thence South 89° 34' 33" East a distance of 40.09 feet to a point on the proposed Westerly right of way line of U. S. Highway 245; thence South 39° 28' 07" West along said proposed right of way line a distance of 395.88 feet to a point; thence North 00° 35' 25" East a distance of 230.05 feet to the point of beginning and containing 0.95 acre more or less.

filename: r:\pm\winword\surplus\ld315r

NOW THEREFORE, BE IT RESOLVED that the above-described property, excepting any abutter's and access rights to and from Highway 71-82, is declared surplus; upon receipt of the consideration of \$751.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Dixie Lee Wilson, said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Miller County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2002-055

WHEREAS, the Commission acquired in fee property known as Tract Nos. 4-1 and 4-2 from Albert L. Fletcher, Roman Catholic Bishop of Little Rock, for Job No. 6438, I-40-3(3)156 Dark Hollow-Lonoke

County Line, Route I-40, Pulaski County, Arkansas, by condemnation, resulting in a Consent Judgment filed of record on February 20th, 1961, in the Circuit Clerk's Office of Pulaski County, Arkansas, in Arkansas Highway Commission vs. Albert L. Fletcher, Roman Catholic Bishop of Little Rock, Et al., Pulaski County Circuit CIV No. 48538 (Case); and

WHEREAS, Mid-State Truck Plaza, LLC, an Arkansas Limited Liability Company has asked to repurchase 0.72 acres of Tract No. 4-2; J. Peter Sartain, Bishop of the Roman Catholic Dioceses of Little Rock, successor in interest to Albert L. Fletcher, has assigned his rights to reacquire that portion of Tract No. 4-2 (0.72 acres) which the District Engineer for District 6 has determined is no longer needed for highway purposes, said portion of Tract No. 4-2 being more particularly described as follows:

Part of Northwest Quarter of the Northeast Quarter of Section 29, Township 2 North, Range 11 East, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 29; thence North 00° 05' East along the East line of the Northwest Quarter of the Northeast Quarter a distance of 879.9 feet to a point on the existing Southerly right of way line of a Interstate 40 Service Road for the point of beginning; thence North 89° 46' West along said existing right of way line a distance of 24.0 feet to a point; thence in a Westerly direction along said existing right of way line on a curve to the left having a radius of 110.0 feet a distance of 172.8 feet to a point; thence North 89° 46' West along said existing right of way line a distance of 155.0 feet to a point; thence South 27° 51' West along said existing right of way line a distance of 59.2 feet to a point on the proposed Easterly right of way line of State Highway 161 Bypass; thence in a Northerly direction along said proposed right of way line on a curve to the right having a radius of 748.5 feet a distance of 176.7 feet to a point on the Northerly existing right of way line of said Interstate 40 Service Road; thence South 60° 19' East along said existing right of way line a distance of 79.7 feet to a point; thence South 89° 46' East along said existing right of way line a distance of 155.0 feet to a point; thence South 00° 14' West along said existing right of way line a distance of 10.0 feet to a point; thence in a Easterly direction along said existing right of way line on a curve to the right having a radius of 180.0 feet a distance of 154.4 feet to a point on said East line of the

2002-055 - Continued

Northwest Quarter of the Northeast Quarter of Section 29; thence South 00° 05' West along said East line a distance of 118.1 feet to the point of beginning and containing 0.72 acre more or less.

WHEREAS, Tract No. 4-2 was acquired by the Commission for \$3,124.77 per acre; and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No 4-2 being offered for sale is \$7,524.00;

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$7,524.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Mid-State Truck Plaza, LLC; a copy of the deed and this Minute Order shall be recorded in Pulaski County, Arkansas; and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2002-056

WHEREAS, IN PRAIRIE COUNTY on Highway 70, a contract was awarded on November 4, 1997, to Fru-Con Construction Corporation for Job No. 060599, FAP No. DPR-0053 (1) & ACBRN-0059(8), White River Bridge Replacement (DeValls Bluff); and

WHEREAS, in accordance with the specifications it is the contractor's responsibility to furnish the cofferdam design and perform the work necessary to construct a cofferdam at river pier No. 13 to allow for the construction of a required bridge support column; and

WHEREAS, in accordance with the specifications the contractor shall assure the cofferdam construction is in accordance with its submitted design and shall be responsible for the results obtained by its cofferdam design; and

WHEREAS, Fru-Con Construction Corporation began construction on a cofferdam at this location in October, 1998; and

2002-056 - Continued

WHEREAS, Fru-Con Construction Corporation has failed to construct and complete its cofferdam in accordance with its own cofferdam design; and

WHEREAS, Fru-Con Construction Corporation has greatly exceeded the time allowed in the contract for completion of the project; and

WHEREAS, despite numerous notifications and demands, Fru-Con Construction Corporation continued to fail to develop and comply with a plan and schedule necessary to ensure the expeditious and successful completion of the project.

WHEREAS, to date and as of notification of Fru-Con Construction Corporation's continued delays in completion of this project, Fru-Con Construction Corporation failed to perform its responsibilities under the specifications necessary to assure the expeditious completion of a cofferdam at river pier No. 13 and the expeditious completion of the project; and

NOW THEREFORE, IT IS ORDERED, being well and sufficiently advised of the foregoing continued failures, and delays, the right of Fru-Con Construction Corporation to proceed on Job No. 060599 shall be terminated, effective April 4, 2002, and the Chief Engineer is authorized to arrange for the expeditious completion of the project in accordance with the plans, specifications, and terms and conditions of the contract.

2002-057

WHEREAS, IN JEFFERSON COUNTY, near Pine Bluff, construction of a highway bridge at Lock and Dam No. 4 on the Arkansas River, including construction of Highway 63, Section 13, which connects Highway 65B with Highway 79, is complete; and

WHEREAS, it has been determined that construction of an 0.8-mile road from Highway 81 to connect with Highway 63, as shown on the attached sketch, will provide access to industries and to Highways 65 and 425 southeast of Pine Bluff; and

2002-057 - Continued

WHEREAS, this project will be financed with 80% Federal funds that were earmarked for this project in the Intermodal Surface Transportation Efficiency Act of 1991 and 20% State funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a road to connect Highway 81 with Highway 63 as funds become available.

This project will be constructed as Job 020197, Hwy. 81-Hwy. 63(Connection)(S).

2002-058

WHEREAS, Logo Signing has been approved by the Commission for sections of I-440, I-430, I-40, I-30, and U.S. 67/167 in Little Rock and North Little Rock; and

WHEREAS, Federal-aid funding is available for the installation of Logo Signing.

NOW THEREFORE, the Director is authorized to proceed with the installation of the Logo Signing in Little Rock and North Little Rock by contract.

2002-059

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 3, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
R10070	01	LEE	HWY. 1 IMPROVEMENTS (MARIANNA) (S)	1
110288	01	CROSS	ST. FRANCIS RIVER STR. & APPRS. (S)	64
110413	01	CROSS	HWY. 64B-VILLAGE CREEK STATE PARK (OVERLAY) (S)	284
020340	02	GRANT	HWYS. 167/270 SIGS. COORD. (SHERIDAN) (S)	167 270
030228	03	NEVADA	HEMPSTEAD CO. LINE-I-30 (OVERLAY) (S)	371
030271	03	HEMPSTEAD	MCCASKILL-BLEVINS (OVERLAY) (S)	371
040328	04	WASHINGTON	DISTRICT 4 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR

2002-059 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
040382	04	LOGAN & SCOTT	KINGS CREEK-NORTH (OVERLAY) (S)	71
040385	04	WASHINGTON	ACCESS DRIVES RECONST. (U OF A) (PHASE X) (S)	873
050123	05	INDEPENDENCE	STONE CO. LINE-LOCUST GROVE (OVERLAY) (S)	14
050124	05	WHITE	HWY. 67B-HWY. 13 (SEL. SECS.) (OVERLAY) (S)	367
061043	06	PULASKI	NORTH BELT SIGNING (I-40-HWY. 67) (S)	440
061053	06	HOT SPRING	STONE QUARRY CREEK-I-30 (OVERLAY) (S)	270
070160	07	DALLAS	SPARKMAN-NORTH STRS. & APPRS. (S)	7
070222	07	UNION	EL DORADO-EAST (PASSING LANE) (S)	82
070227	07	UNION	HWY. 335-NORTH & SOUTH (OVERLAY) (S)	167
080155	08	POPE	PRAIRIE CREEK STR. & APPRS. (RUSSELLVILLE) (S)	---
080232	08	VAN BUREN	ARCHEY FORK CREEK-TOWN BRANCH (RESURFACING) (S)	65
080233	08	VAN BUREN	HWY. 65-EAST (OVERLAY) (S)	16
080234	08	CONWAY	ARKANSAS RIVER BR.-HWY. 287 (OVERLAY) (S)	9
090064	09	BENTON	ROGERS-AVOCA (S)	62
090091	09	VARIOUS	DISTRICT 9 SIDEWALK ENHANCEMENTS (PHASE III) (S)	VAR
090127	09	NEWTON	POPE CO. LINE-HWY. 16 (OVERLAY) (S)	7
R00118	10	CRAIGHEAD	HWY. 63B WEST INTCHNG. (JONESBORO) (F)	63
100395	10	CLAY	HWY. 141N-EAST & WEST STRS. & APPRS. (S)	90
100444	10	CRAIGHEAD	BONO BYPASS (S)	63
100550	10	POINSETT	HARRISBURG-EAST (OVERLAY) (S)	14
100551	10	GREENE	HWY. 69-HWY. 358E (OVERLAY) (S)	49
100552	10	CLAY	HWY. 135-EAST (OVERLAY) (S)	62
001742	04 & 09	WASHINGTON & BENTON	CINCINNATI-ILLINOIS RIVER (RESURF. & SHOULDERS) (S)	59
BR0302	09	BAXTER	BENNETTS RIVER STRS. & APPRS. (S)	---

2002-059 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA0739	07	CALHOUN	HWY. 278-SOUTH & WEST (SURFACING) (S)	---
SA4256	04	LOGAN	HWY. 197-SOUTH (SURFACING) (S)	---
SA4630	03	MILLER	MILLER COUNTY RESEAL NO. 10 (S)	---
SA5018	03	NEVADA	TERRE ROUGE CREEK-NORTH AND SOUTH (RECONSTRUCTION) (S)	---
FA5210	07	OUACHITA	OUACHITA RIVER SUBSTRUCTURE & APPRS. (S)	---
FA5512	03	PIKE	BACON AND BUSHY CREEKS STRS. & APPRS. (S)	---
SA6919	05	STONE	STONE COUNTY RESEAL (S)	---
SA7625	06	PULASKI & SALINE	CO. RDS. 20 & 94 (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

2002-060

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:45 p.m., April 3, 2002.

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 April 3, 2002.

Lindy H. Williams
Commission Secretary

April 3, 2002

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 22, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 22, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-061 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 22, 2002.

2002-062 WHEREAS, the Purchasing Committee has awarded purchases on April 1, 5, 12 and 29, 2002, and May 13, 2002, in the amounts \$192,118.00, \$530,444.20, \$195,178.00, \$89,312.80, and \$117,544.40, respectively, totaling \$1,124,597.40, 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 in making the awards be ratified and confirmed in all particulars.

2002-063 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) is the National Frequency Coordinator as designated by the Federal Communications Commission (FCC) for the segments of the radio spectrum assigned to the transportation agencies; and

WHEREAS, AASHTO, as the National Frequency Coordinator, must approve the use of all frequencies requested by its member agencies in order for the FCC to grant a license; and

2002-063 - Continued

WHEREAS, AASHTO protects those agencies from interference from non-transportation agencies operating on the frequencies reserved for the transportation agencies; and

WHEREAS, the Department is dependent on these services for the clear and uninterrupted performance of its radio communications system; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for support of the AASHTO Frequency Coordination Technical Service Program.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to pay the invoice amount of \$4,500.00.

2002-064

WHEREAS, the National Association of Governor's Highway Safety Representatives (NAGHSR) has billed the Arkansas State Highway and Transportation Department for the departmental membership dues for the period from July 1, 2002 to June 30, 2003; and

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

NOW THEREFORE, the Director is authorized to pay NAGHSR membership dues for the period from July 1, 2002 to June 30, 2003.

2002-065

WHEREAS, the mission of the Intelligent Transportation Society of America (ITS America) is to foster public/private partnerships to increase the safety and efficiency of surface transportation through the application of advanced technologies; and

WHEREAS, the successful deployment of intelligent transportation systems – comprised of a number of technologies, including information processing, communications, control, and electronics – will enable people and goods to move more safely and efficiently through a state-of-the-art, intermodal transportation system; and

2002-065 - Continued

WHEREAS, the Arkansas State Highway and Transportation Department benefits from its membership in ITS America through the receipt of valuable technical and management information regarding the development and deployment of intelligent transportation systems in the United States.

NOW THEREFORE, the Director is authorized to renew the Department's membership with ITS America for fiscal year 2003.

2002-066

WHEREAS, there are significant gaps in coverage in the Highway Police Radio System; and

WHEREAS, the Motorola Syntor X radios used by the Highway Department and the Highway Police units are no longer supported by the manufacturer and cannot be reprogrammed for additional repeater tones; and

WHEREAS, it has been determined that the coverage gaps can be closed by acquiring additional repeaters at existing towers sites; and

WHEREAS, it has been determined that the lack of manufacturer support and need for additional repeater tones warrants the replacement of the Motorola Syntor X radios.

NOW THEREFORE, the Director is authorized to proceed with acquisition and installation of additional repeaters and replacement of mobile radios as funds become available.

2002-067

WHEREAS, the Arkansas State Highway Commission's Standard Specifications for Highway Construction, Edition of 1996, have received a review and update by the Department's Specifications Committee; and

WHEREAS, these updated specifications must be published in manual form in order to establish the policies and procedures for administration of highway and bridge construction contracts.

2002-067 - Continued

NOW THEREFORE, the Director, upon receiving written approval of these specifications from Federal Highway Administration, is authorized to publish the Standard Specifications for Highway Construction, Edition of 2002, and to distribute these manuals in accordance with Department policy at an appropriate cost per copy.

2002-068

WHEREAS, Arkansas receives Congestion Mitigation and Air Quality (CMAQ) funds from the Transportation Equity Act for the 21st Century (TEA-21); and

WHEREAS, since 1998 a portion of these funds have been used in cooperative efforts to address air quality issues in the central Arkansas area and West Memphis; and

WHEREAS, it is in the best interest of the AHTD, partner agencies and jurisdictions to continue this work in preparation for non-attainment status.

NOW THEREFORE, the Director is authorized to enter into appropriate contracts and or agreements with Metroplan and West Memphis to make CMAQ funds available for air quality planning activities for Fiscal Year 2003.

2002-069

WHEREAS, the Arkansas Waterways Commission has requested assistance in developing a comprehensive study of public ports on Arkansas' navigable rivers; and

WHEREAS, a comprehensive port study would be a valuable tool in planning port development and would complement other freight transportation studies conducted by the Department.

NOW THEREFORE, the Director is authorized to conduct a comprehensive study of public ports on Arkansas' navigable rivers.

2002-070

WHEREAS, the Department has agreed to partner with the Department of Parks and Tourism to replace eight of the twelve Tourist Information Centers that serve motorists in the State; and

WHEREAS, the 2001 General Assembly allocated funds for the construction of four of these facilities; and

WHEREAS, the Federal Highway Administration has also approved the use of Federal-aid Transportation Enhancement funds for the construction of Tourist Information Centers.

NOW THEREFORE, the Director is authorized to supplement the State funds with Federal-aid Transportation Enhancement funds to construct the planned Tourist Information Centers.

2002-071

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration, and implement the *SPR Work Program and Cost Estimate* for Fiscal Year 2003 and enter into any necessary contracts and agreements.

2002-072

WHEREAS, a Statewide Long-Range Intermodal Transportation Plan for Arkansas, which provided policy guidance for transportation improvements throughout the State, was published in 1995; and

WHEREAS, the Plan has been updated and includes a freight transportation component and state rail plan; and

WHEREAS, there has been public review of the Plan and the comments received have been considered.

2002-072 - Continued

NOW THEREFORE, the Arkansas Highway Commission hereby adopts the Statewide Long-Range Intermodal Transportation Plan and authorizes the Director to use this document as a guide for future transportation planning.

2002-073 WHEREAS, the Tourist-Oriented Directional Sign (TODS) program regulations were approved by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council on July 6, 1995; and

 WHEREAS, by Minute Order 95-009, the Arkansas Highway Commission authorized a pilot TODS program; and

 WHEREAS, the Commission desires to promote economic development in the state by providing directional information regarding tourist-oriented businesses and activities to motorists; and

 WHEREAS, in cooperation with the Arkansas Department of Parks and Tourism, the Commission desires to expand the pilot TODS program.

 NOW THEREFORE, the Director is hereby authorized to fully implement the TODS program and initiate necessary revisions to the approved TODS Regulations.

 FURTHERMORE, any signs proposed for use in the TODS program must comply with the Manual on Uniform Traffic Control Devices and must be approved by the Director.

2002-074 WHEREAS, the Arkansas State Highway Commission approved and adopted a Utility Accommodation Policy by Minute Order 96-167 dated October 17, 1996, which would permit fiber optic facilities to locate longitudinally within the access control limits of fully controlled access highways in accordance with said Policy; and

2002-074 - Continued

WHEREAS, the Director has been previously authorized to issue pertinent Orders, Directives and Permits, and to enter into Agreements necessary to permit fiber optic facilities to be located longitudinally within the access control limits of fully controlled access highways; and

WHEREAS, the Department, as part of multiple shared resource agreements, was to receive fiber optic cable and telecommunications services from Digital Teleport, Inc. in various locations throughout the State in exchange for issuing Permits allowing Digital Teleport, Inc. to install a fiber optic cable facility longitudinally within the access control limits of fully controlled access highways; and

WHEREAS, Digital Teleport, Inc. has filed a voluntary petition under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court, Eastern District of Missouri, St. Louis Division, seeking a reorganization of its business and relief from certain debts and obligations including obligations to provide fiber optic cable and telecommunication services to the Department.

NOW THEREFORE, the Director is hereby authorized to renegotiate a shared resource agreement with Digital Teleport, Inc. that is acceptable to the Department, Digital Teleport, Inc. and the United States Bankruptcy Court in USBC, Eastern District of Missouri, St. Louis Division, Case No. 01-54369.

2002-075

WHEREAS, the Commission acquired right of way for Job No. 617 known as State Highway 70 - South, Hot Springs - Glenwood Road, State Project No. C-70-S-8, by Garland County Court Order dated September 7, 1928, which is recorded in Garland County Court Book No. 1 at Pages 425-426; and

WHEREAS, the District Engineer has determined that part of the lands acquired by the Garland County Court Order is not needed now, nor in the foreseeable future, for highway purposes, and recommends release of part of the lands, from the State Highway System which lands are more particularly described as follows:

JOB NO. 617
HOT SPRINGS - GLENWOOD ROAD
STATE PROJECT NO. C-70-S-8
GARLAND COUNTY

Part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter, both in Section 15, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Commence at the Northeast Corner of the Southeast Quarter of the Northeast Quarter of Section 15; thence South $01^{\circ} 26' 22''$ West a distance of 1,004.2 feet to a point; thence South $01^{\circ} 26' 22''$ West a distance of 29.72 feet to a point on the present AHTD R-O-W of U. S. Highway 70 and the point of beginning; thence South $01^{\circ} 26' 22''$ West a distance of 11.54 feet; thence South $44^{\circ} 06' 32''$ West a distance of 48.75 feet; thence South $46^{\circ} 15' 17''$ West a distance of 104.77 feet; thence South $48^{\circ} 56' 23''$ West a distance of 107.48 feet; thence South $54^{\circ} 47' 50''$ West a distance of 108.50 feet; thence South $61^{\circ} 07' 29''$ West a distance of 97.66 feet; thence South $64^{\circ} 06' 40''$ West a distance of 133.21 feet to the 400 foot contour line of Lake Hamilton; thence North $17^{\circ} 16' 06''$ West along said contour a distance of 35.65 feet to the end of a sea-wall; thence North $24^{\circ} 23' 27''$ East along said sea-wall a distance of 3.49 feet to a point on the Highway 70 R-O-W; thence North $64^{\circ} 06' 40''$ East along said R-O-W a distance of 125.5 feet to the P. C. of a curve having a Central Angle of $19^{\circ} 54' 25''$ and a Radius of 954.93 feet; thence continue North $64^{\circ} 06' 40''$ East a distance of 55.88 feet; thence North $64^{\circ} 54' 52''$ East a distance of 44.12 feet; thence North $57^{\circ} 51' 48''$ East a distance of 100.00 feet; thence North $51^{\circ} 06' 49''$ East a distance of 104.44 feet to the P. T. of said curve; thence North $48^{\circ} 32' 58''$ East a distance of 82.81 feet; thence North $51^{\circ} 35' 32''$ East a distance of 80.02 feet to the point of beginning and containing 0.36 acre more or less.

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the above-described property is surplus and hereby released from the State Highway System; the Right of Way Division is directed and authorized to record a

2002-075 - Continued

copy of this Minute Order in Garland County; and, the right of way shall be re-monumented to reflect the new boundaries. Federal-Aid funds, if any, from this disposal shall be credited in Federal funds.

2002-076

WHEREAS, the Commission acquired property known as Tract No. 93 from Howard R. Johnson, unmarried and, Howard R. Johnson, Jr. and wife Rucina Johnson, for Job No. R60063, NHPX-014-2 (3), Highway 192 - Highway 270 (Highway 70) Garland County, by Warranty Deed filed of record on July 17, 1992, in the Garland County Circuit Clerk's Office in Deed Book 1448 at page 636; and

WHEREAS, Tract No. 93 was acquired for \$800.00; and

WHEREAS, Howard R. Johnson, Howard R. Johnson, Jr. and wife Rucina Johnson have requested to repurchase Tract No. 93, excepting abutters' and access rights to U. S. Highway 270, and, the District Engineer has determined that Tract No. 93 being more particularly described as follows, is no longer needed for highway purposes:

JOB NO. R60063
TRACT NO. 93

Part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 15; thence North 00° 49' 15" East along the East line thereof a distance of 279.41 feet to a point on the Northwesterly existing right of way line of U. S. Highway 70 for the point of beginning; thence South 50° 05' 26" West along the Northwesterly existing right of way line of U. S. Highway 70 a distance of 58.67 feet to a point on the Northwesterly proposed right of way line of U. S. Highway 70; thence North 40° 50' 47" East along said proposed right of way line a distance of 65.08 feet to a point; thence North 48° 13' 30" East along said proposed right of way line a distance of 3.53 feet to a point on the East line of the

2002-076 - Continued

Southeast Quarter of the Northeast Quarter of Section 15; thence South 00° 49' 15" West along the East line of the Southeast Quarter of the Northeast Quarter of Section 15 a distance of 13.95 feet to the point of beginning and containing 0.01 acre more or less.

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$800.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Howard R. Johnson, unmarried, Howard R. Johnson, Jr. and his wife, Rucina Johnson; a copy of the deed and this Minute Order shall be recorded in Garland County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2002-077

WHEREAS, the City of Clarksville, Johnson County, Arkansas, ("City"), has requested that the Arkansas State Highway Commission (Commission) grant the City a permanent maintenance easement on certain lands acquired by the Commission, which are known as Tracts 316, 317 and 319 ("Tracts"), and were acquired in fee for Job No. 8462-3, I-40 (12) 57, Clarksville-Cabin Creek Route I-40, Johnson County, Arkansas; and

WHEREAS, the City has proposed to use part of the Tracts for highway purposes and to maintain public highway structures located thereon; and

WHEREAS, the City has agreed to accept responsibility for the permanent maintenance easement located on the property described herein; and

WHEREAS, this conveyance is a relinquishment of a highway facility as described in 23 C.F.R. § 620.203 (c)(2), and must comply with the regulations set forth therein; and

WHEREAS, the District Engineer has determined that the interest being relinquished will not be required for Federal-aid highway purposes in the foreseeable future; the right of way being retained by the Commission is adequate under present day standards; the relinquishment will not adversely affect Interstate 40; and, the property interest being relinquished will not interfere with the restoration, preservation or improvement of the scenic beauty adjacent to the interstate; and

WHEREAS, the parts of the tracts being relinquished to the City for the permanent maintenance easement are more particularly described as follows:

JOB NO. 8462-3
PART OF TRACT 316

Part of the Southeast Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 23 West, in the City of Clarksville, Johnson County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 8; thence North 87° 28' West along the North line thereof a distance of 700.04 feet to a point on the Southerly proposed right of way line of Interstate 40 for the point of beginning; thence continue North 87° 28' West along said North line a distance of 173.81 feet to a point on the Southerly existing right of way line of Interstate 40; thence North 71° 02' West along said existing right of way line a distance of 163.80 feet to a point on the Southerly proposed right of way line of Interstate 40; thence South 79° 45' 00" East along said proposed right of way line a distance of 320.72 feet to a point; thence South 73° 26' 00" East along said proposed right of way line a distance of 13.50 feet to the point of beginning and containing 0.09 acre feet more or less.

PART OF TRACT 317

Part of the Northeast Quarter of the Southeast Quarter of Section 8, Township 9 North, Range 23 West, in the City of Clarksville, Johnson County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Northeast Quarter of the Southeast Quarter of Section 8; thence North 87° 28' West along the North line thereof a distance of 700.04 feet to a point on the Southerly proposed right of way line of Interstate 40 for the point of beginning; thence South 73° 26' 00" East along said proposed right of way line a distance of 447.65 feet to a point; thence South 75° 16' 00" East along said proposed right of way line a distance of 266.04 feet to a point; thence South 53° 08' 00" East along said proposed right of way line a distance of 8.97 feet to a point on the East line of the Northeast Quarter of the Southeast Quarter of Section 8; thence South 01° 58' West along said East line a distance of 39.76 feet to a point on the Southerly existing right of way line of Interstate 40; thence North 76° 38' West along said existing right of way line a distance of 275.40 feet to a point; thence North 73° 50' West along said existing right of way line a distance of 407.30 feet to a point; thence North 71° 02' East along said existing right of way line a distance of 218.54 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter of Section 8; thence South 87° 28' East along said North line a distance of 173.81 feet to the point of beginning and containing 0.91 acre more or less.

PART OF TRACT 319

Part of the Northwest Quarter of the Southwest Quarter of Section 9, Township 9 North, Range 23 West, in the City of Clarksville, Johnson County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 9; thence South 01° 58' West along the West line thereof a distance of 169.84 feet to a point on the Southerly proposed right of way line of Interstate 40 for the point of beginning; thence South 53° 08' 00" East along said proposed right of way line a distance of 15.99 feet to a point; thence South 23° 46' 00" East along said proposed right of way line a distance of 40.84 feet to a point on the Southerly existing right of way line of Interstate 40; thence North 76° 38' West along said existing right of way line a distance of 31.60 feet to a point on the West line of the Northwest Quarter of the Southwest Quarter of Section 9; thence North 01° 58' East along said West line a distance of 39.76 feet to the point of beginning and containing 0.01 acre more or less.

Total area to be released being 1.02 acres more or less.

NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Commission is hereby authorized to execute a permanent maintenance easement to the City of Clarksville, Johnson County, Arkansas, on the hereinabove described property. The document of conveyance shall reflect the terms and conditions set forth in the federal regulations for such relinquishments.

2002-078

WHEREAS, the Commission acquired property known as Tract Nos. 1 and 2 in fee, and temporary construction easements on Tract Nos. 1E-1, 1E-2, 2E-1, 2E-2, 2E-3 and 2E-4, from Geeridge Farm, Inc., et al., for Job No. R60134, Big Ditch Canal - Humnoke, Highway 165, Section 8, Lonoke County, by condemnation resulting in a Consent Judgment filed of record April 6, 2001, in the Circuit Clerk's Office of Lonoke County, in Case No. CIV 95-119; (the Case); and

WHEREAS, the Commission has agreed to re-convey a portion of Tract Nos. 1 and 2 in order to settle all outstanding issues between the parties; Geeridge Farm, Inc., the Commission, et al., have heretofore entered into a Consent Judgment resolving all issues relating to the acquisition of Tract Nos. 1, 2, 1E-1, 1E-2, 2E-1, 2E-2, 2E-3 and 2E-4; the Federal Highway Administration and the Chief Counsel have approved and concurred in the settlement which requires the conveyance of part of Tract Nos. 1 and 2 back to Geeridge Farm, Inc.; and the District Engineer has determined that the parts of Tract Nos. 1 and 2, to be conveyed to Geeridge Farm, Inc., are no longer needed for highway purposes; and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322 opined that the current fair market value of that portion of Tract Nos. 1 and 2 being sold herein is \$150.00; and

WHEREAS, that portion of Tract Nos. 1 and 2 being conveyed is described as follows:

JOB NO R60134
TRACT NO. 1

Part of Lots 1 and 2 of the Northwest Quarter of Section 18,

Township 2 South, Range 6 West, Lonoke County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of Lot 2 of the Northwest Quarter of Section 18; thence North $00^{\circ} 50' 20''$ East along the East line thereof a distance of 1288.48 feet for the point of beginning, said point being on the Southerly proposed right of way line of U. S. Highway 165; thence South $77^{\circ} 31' 16''$ West along said proposed right of way line a distance of 3.51 feet to a point; thence North $74^{\circ} 24' 16''$ West along said proposed right of way line a distance of 103.08 feet to a point on the Southerly existing right of way line of U. S. Highway 165; thence South $88^{\circ} 26' 18''$ East along said existing right of way line a distance of 63.03 feet to a point; thence South $88^{\circ} 26' 34''$ East along said existing right of way line a distance of 136.98 feet to a point on the Southerly proposed right of way line of U. S. Highway 165; thence South $77^{\circ} 31' 16''$ West along said proposed right of way line a distance of 99.57 feet to the point of beginning and containing 0.05 acre more or less.

ALSO:

Part of the North Quarter of Sections 13 and 14, both in Township 2 South, Range 7 West, Lonoke County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northeast Quarter of the Northeast Quarter of Section 13; thence North $00^{\circ} 52' 13''$ East along the East line thereof a distance of 800.08 feet to a point on the Southerly existing right of way line of U. S. Highway 165; thence North $88^{\circ} 26' 18''$ West along said existing right of way line a distance of 287.78 feet to a point; thence North $01^{\circ} 33' 42''$ East along said existing right of way line a distance of 10.0 feet to a point; thence North $88^{\circ} 26' 18''$ West along said existing right of way line a distance of 328.0 feet for the point of beginning; said point being on the Southerly proposed right of way line of U. S. Highway 165; thence South $85^{\circ} 51' 04''$ West along said proposed right of way line a distance of 150.75 feet to a point; thence North $88^{\circ} 25' 51''$ West along said proposed right of way line a distance of 250.07 feet to a point; thence South $88^{\circ} 45' 35''$ West along said proposed right of way line a distance of 300.37 feet to a point; thence North $83^{\circ} 36' 52''$ West along said proposed right of way

line a distance of 301.04 feet to a point; thence North 89° 48' 36" West along said proposed right of way line a distance of 200.06 feet to a point; thence North 88° 22' 38" West along said proposed right of way line a distance of 1300.02 feet to a point; thence South 80° 19' 18" West along said proposed right of way line a distance of 101.98 feet to a point; thence North 89° 48' 02" West along said proposed right of way line a distance of 200.06 feet to a point; thence North 71° 40' 09" West along said proposed right of way line a distance of 104.40 feet to a point; thence South 85° 55' 16" West along said proposed right of way line a distance of 100.50 feet to a point; thence North 85° 30' 21" West along said proposed right of way line a distance of 100.12 feet to a point; thence North 88° 22' 06" West along said proposed right of way line a distance of 1500.0 feet to a point; thence South 80° 17' 19" West along said proposed right of way line a distance of 101.88 feet to a point; thence North 88° 26' 40" West along said proposed right of way line a distance of 50.0 feet to a point; thence North 80° 50' 59" West along said proposed right of way line a distance of 151.33 feet to a point; thence North 88° 24' 57" West along said proposed right of way line a distance of 2400.10 feet to a point; thence South 85° 56' 39" West along said proposed right of way line a distance of 100.50 feet to a point; thence South 88° 47' 33" West along said proposed right of way line a distance of 200.25 feet to a point; thence North 87° 23' 25" West along said proposed right of way line a distance of 300.04 feet to a point; thence North 88° 20' 43" West along said proposed right of way line a distance of 600.0 feet to a point; thence South 85° 56' 39" West along said proposed right of way line a distance of 100.50 feet to a point; thence North 82° 51' 28" West along said proposed right of way line a distance of 104.57 feet to a point; thence North 88° 20' 43" West along said proposed right of way line a distance of 695.91 feet to a point; thence North 87° 46' 20" West along said proposed right of way line a distance of 500.02 feet to a point; thence South 88° 47' 33" West along said proposed right of way line a distance of 131.94 feet to a point on the West line of the Northwest Quarter of the Northwest Quarter of Section 14; thence North 01° 15' 43" East along the West line a distance of 36.59 feet to a point on the Southerly existing right of way line of U. S. Highway 165; thence South 88° 20' 43" East along said existing right of way line a distance of 3419.22 feet to a point; thence South 88° 26' 40" East along said existing right of way line a distance of 1942.00 feet to a point; thence South 88° 22' 06" East along said existing right of way line a distance of 2268.15 feet to a point; thence South 88° 22' 41" East along said existing right of way line a distance of 2033.47

feet to a point; thence South 88° 26' 18" East along said existing right of way line a distance of 197.26 feet to a point; thence South 01° 33' 42" West along said existing right of way line a distance of 10.0 feet to a point; thence South 88° 26' 18" East along said existing right of way line a distance of 172.0 feet to the point of beginning and containing 5.85 acres more or less.

Total area to acquire 5.904 acres more or less.

RR/II
4/14/94

TRACT NO. 2

Part of the North Quarter of Section 13, part of the North Half of the Northeast Quarter and part of the Northeast Quarter of the Northwest Quarter of Section 14, all in Township 2 South, Range 7 West, Lonoke County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Northeast Quarter of the Northeast Quarter of Section 13; thence South 01° 10' 38" West along the East line thereof a distance of 409.99 feet to a point on the Northerly existing right of way line of U. S. Highway 165; thence North 88° 26' 18" West along said existing right of way line a distance of 286.92 feet to a point; thence South 01° 33' 42" West along said existing right of way line a distance of 15.0 feet to a point; thence North 88° 26' 18" West along said existing right of way line a distance of 428.0 feet for the point of beginning; said point being on the Northerly proposed right of way line of U. S. Highway 165; thence continue North 88° 26' 18" West along said existing right of way line a distance of 72.0 feet to a point; thence South 01° 33' 42" West along said existing right of way line a distance of 10.0 feet to a point; thence North 88° 26' 18" West along said existing right of way line a distance of 197.22 feet to a point; thence North 88° 22' 41" West along said existing right of way line a distance of 2033.42 feet to a point; thence North 88° 22' 06" West along said existing right of way line a distance of 2268.19 feet to a point; thence North 88° 26' 40" West along said existing right of way line a distance of 1941.97 feet to a point; thence North 88° 20' 43" West along said existing right of way line a distance of 2092.02 feet to a point on the West line of the Northeast Quarter of the Northwest Quarter of Section 14; thence North 01° 15' 24" East along said West line a distance of 35.0 feet to

a point on the Northerly proposed right of way line of U. S. Highway 165; thence North 88° 55' 55" East along said proposed right of way line a distance of 105.25 feet to a point; thence South 88° 20' 43" East along said proposed right of way line a distance of 1200.0 feet to a point; thence South 77° 02' 07" East along said proposed right of way line a distance of 101.98 feet to a point; thence South 88° 23' 15" East along said proposed right of way line a distance of 1199.90 feet to a point; thence North 88° 57' 14" East along said proposed right of way line a distance of 75.67 feet to a point; thence South 83° 52' 13" East along said proposed right of way line a distance of 125.40 feet to a point; thence South 88° 26' 40" East along said proposed right of way line a distance of 1000.0 feet to a point; thence North 87° 15' 59" East along said proposed right of way line a distance of 200.56 feet to a point; thence South 82° 41' 07" East along said proposed right of way line a distance of 100.59 feet to a point; thence South 85° 30' 21" East along said proposed right of way line a distance of 100.12 feet to a point; thence South 88° 22' 06" East along said proposed right of way line a distance of 1000.0 feet to a point; thence South 89° 05' 04" East along said proposed right of way line a distance of 400.03 feet to a point; thence North 87° 20' 33" East along said proposed right of way line a distance of 200.56 feet to a point; thence North 74° 55' 57" East along said proposed right of way line a distance of 104.40 feet to a point; thence South 69° 04' 42" East along said proposed right of way line a distance of 105.95 feet to a point; thence South 86° 56' 10" East along said proposed right of way line a distance of 200.06 feet to a point; thence South 82° 30' 03" East along said proposed right of way line a distance of 97.82 feet to a point; thence South 88° 22' 41" East along said proposed right of way line a distance of 702.68 feet to a point; thence South 82° 40' 03" East along said proposed right of way line a distance of 100.50 feet to a point; thence South 88° 22' 41" East along said proposed right of way line a distance of 300.0 feet to a point; thence North 85° 54' 41" East along said proposed right of way line a distance of 100.50 feet to a point; thence South 85° 30' 56" East along said proposed right of way line a distance of 200.25 feet to a point; thence South 88° 22' 41" East along said proposed right of way line a distance of 500.0 feet to a point; thence North 85° 54' 41" East along said proposed right of way line a distance of 100.50 feet to a point; thence South 82° 42' 21" East along said proposed right of way line a distance of 100.44 feet to a point; thence South 88° 26' 18" East along said proposed right of way line a distance of 100.0 feet to a point; thence North 80° 15' 06" East along said proposed right of way line a distance of 50.99 feet to a point; thence South

77° 07' 43" East along said proposed right of way line a distance of 50.99 feet to the point of beginning and containing 4.66 acre more or less.

RR/II
4/14/94
Revised
6/20/95

NOW THEREFORE, BE IT RESOLVED that the above described property is declared surplus; in consideration of the receipt of \$150.00, the Consent Judgment and the settlement of the above-referenced litigation, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Geeridge Farm, Inc.; a copy of the deed and this Minute Order shall be recorded in Lonoke County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds or otherwise used or credited as permitted by federal law.

2002-079

WHEREAS, the Commission acquired in fee property know as Tract No. 7 from the Russellville Country Club, for Job No. 008932, Route 7, Section 15 (Bakers Creek Br. & Appros.) Pope County by condemnation resulting in a Consent Judgment filed of record on January 6, 1997, in the Circuit Clerk's Office of Pope County, Arkansas, in Arkansas State Highway Commission Vs. Russellville Country Club, et al., Pope County Circuit No. CIV 95-212, July 20, 1995; and

WHEREAS, in order to settle the issues in the pending case of Arkansas State Highway Commission Vs. Russellville Country Club and Bank of America, Successor in Interest to Nations Bank of Russellville, Mortgagee, Pope County Circuit No. CIV 2000-279, July 28, 2000, the Commission has agreed, in exchange for its fair market value to convey a portion of Tract No. 7, which has been heretofore declared surplus property, to the Russellville Country Club, said property being more particularly described as follows:

Part of Tract No. 7

Part of the Southwest Quarter of the Southwest Quarter of Section 16, Township 8 North, Range 20 West, Pope County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Southwest Quarter of the Southwest Quarter of Section 16; thence South 88° 42' 25" East along the North line thereof a distance of 1227.62 feet to a point on the Westerly right of way line of State Highway 7 as established by Job 8932; thence South 20° 07' 36" West along said right of way line a distance of 107.99 feet to a point on the Westerly right of way line of State Highway 7 established by this released for the point of beginning; thence South 08° 47' 55" West along said right of way line a distance of 102.52 feet to a point on the Westerly right of way line a distance of State Highway 7 as established by Job 8932; thence North 10° 25' 26" West along said proposed right of way line a distance of 39.62 feet to a point; thence North 20° 07' 36" East along said right of way line a distance of 66.41 feet to the point of beginning and containing 0.02 acre more or less.

DH/dh
10/29/01

WHEREAS, three (3) qualified appraisers have determined that the current fair market value of the above-described part of Tract No. 7 is ONE HUNDRED AND NO/100 (\$100.00).

NOW THEREFORE, BE IT RESOLVED that in consideration of the settlement of the issues in Arkansas State Highway Commission Vs. Russellville Country Club, et al., Pope County Circuit No. CIV 2000-279, July 28, 2000, the Chairman is authorized and directed for and in exchange of its fair market value of \$100.00 to execute a Quitclaim Deed conveying the above-described property to the **Russellville Country Club**. A copy of the Quitclaim Deed and this Minute Order shall be recorded in Pope County, Arkansas. Any Federal-Aid funds from this disposal shall be reccredited to Federal Funds or otherwise used or credited as permitted by Federal Law.

2002-080

WHEREAS, the Commission acquired in fee property known as Tract No. 71 from the Russellville County Club, for Job No. 080133, I-40 - Dover (State Highway No. 7) Pope County, Arkansas, by condemnation resulting in an Order of Possession filed of record on August

4, 2000, in the Circuit Clerk's Office of Pope County, Arkansas, in Arkansas State Highway Commission vs. Russellville Country Club and Bank of America, Successor in Interest to Nations Bank of Russellville, Mortgagee, Pope County, Circuit No. CIV 2000-279, July 28, 2000, (Case); and

WHEREAS, in order to settle the issues in the Case the Commission has agreed to adjust the right of way boundaries for a portion of Job No. 080133 and to sell the following described property no longer needed for highway purpose to the Russellville Country Club in exchange for its fair market value, said property being more particularly described as follows:

Part of Tract 71

Part of the Southwest Quarter of the Southwest Quarter of Section 16, Township 8 North, Range 20 West, Pope County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Southwest Quarter of the Southwest Quarter of Section 16; thence South 88° 18' 56" East along the North line thereof a distance of 1206.26 feet to a point of intersection with the Westerly right of way line of State Highway 7 as established by Job 080133 and the Westerly right of way line of State Highway 7 as established by this release for the point of beginning; thence South 09° 26' 26" West along the right of way line established by this release a distance of 108.37 feet to a point on the Westerly right of way line of State Highway 7 as established by Job 8932; thence South 20° 46' 05" West along said right of way line a distance of 66.41 feet to a point; thence South 09° 46' 58" West along said right of way line a distance of 39.62 feet to a point on the right of way line established by this release; thence South 09° 26' 26" West along said right of way line a distance of 74.74 feet to a point on the Westerly right of way of State Highway 7 as established by Job 080133; thence North 18° 48' 07" West along said right of way line a distance of 45.85 feet to a point; thence North 14° 29' 46" East along said right of way line a distance of 246.20 feet to the point of beginning and containing 0.06 acre or 2,430 square feet more or less which includes 55 square feet more or less in Permanent Easement established by Job 8932.

DH/dh
10/29/01

WHEREAS, three (3) qualified appraisers have determined that the current fair market value of the above-described part of Tract No. 71 is THREE HUNDRED FIFTY AND NO/100 DOLLARS (\$350.00)

NOW THEREFORE, BE IT RESOLVED that in consideration of the settlement of the issues in Arkansas State Highway Commission vs. Russellville Country Club, et al., Pope County Circuit No. CIV 2000-279, July 28, 2000, the Chairman of the Commission is authorized and directed, in exchange for its fair market value of \$350.00, to execute a Quitclaim Deed conveying the above-described property to the Russellville Country Club. A copy of the Quitclaim Deed and this Minute Order shall be recorded in Pope County, Arkansas. Any Federal-Aid Funds from this disposal shall be recredited to Federal Funds or otherwise used or credited as permitted by Federal Law.

2002-081

WHEREAS, the City of Little Rock has requested an Airspace Permit to use certain highway right of way, located in Pulaski County, Arkansas, and owned by the Commission, to construct and maintain a landscaped area containing earthen berms, grassy areas, trees, sidewalks, lighting and other public facilities in connection with the Clinton Presidential Park; and

WHEREAS, the right of way to be subject to the Airspace Permit is more particularly described as follows:

JOB NO. 6590
I-30 - LITTLE ROCK - NORTH LITTLE ROCK EXPRESSWAY
I-30-2 (15) 139 I-091-2 (15)
PULASKI COUNTY TRACT 250
CLINTON PRESIDENTIAL PARK

Lots 1 through 7, Block 1, Russell's Addition to the City of Little Rock, Arkansas, less and except that portion of the tract lying within the former right-of-way of Union Pacific Railroad, seven vacant contiguous lots located east of Interstate 30, south of Arkansas River, at the east end of President Clinton Avenue, required for the installation and maintenance of

landscaping, sidewalks and pedestrian ways, and for access from abutting streets for the use and benefit of the Clinton Presidential Park.

NOW THEREFORE, the Director of State Highways and Transportation is, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, authorized to execute an Airspace Permit authorizing the City of Little Rock to use the property described above for construction and maintenance of a landscaped area containing earthen berms, grassy areas, trees, sidewalks, lighting and other related public facilities in connection with the Clinton Presidential Park.

2002-082

WHEREAS, the Arkansas State Highway Commission owns property commonly known as the Central Office Complex in Pulaski County, Arkansas; and

WHEREAS, Job B60119 calls for additional right of way along Baseline Road and Mabelvale Pike in front of the Central Office Complex in Pulaski County, known for this project as Tract No. 22, and more accurately described as:

Part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 1 North, Range 13 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at 1/2 inch rebar being used as the Northwest Corner of Lot 3, Vogelsberg Subdivision, said point also being on the Southeasterly right of way line of Mabelvale Pike as established by the plat of Vogelsberg Subdivision; thence South 42° 01' 51" West the Southeasterly right of way line of Mabelvale Pike a distance of 278.21 feet to a point on the Northerly right of way line of Baseline Road as established by AHTD Job 6612; thence North 87° 56' 53" West a distance of 77.37 feet to a point on the Northerly right of way line of Baseline Road as established by AHTD Job 6612 for the point of beginning; thence continue North 87° 56' 53" West along said right of way line a distance of 285.71 feet to a point; thence North 02° 03' 07" East along said right of way line a distance of 10.00 feet to a point on the Northerly right of way line of Baseline Road as established by AHTD Job B60119; thence North 86° 21' 05" East along said right of way line a distance of 252.93 feet to a point; thence North 49° 57' 12" East

along said right of way line a distance of 177.20 feet to a point; thence South 89° 35' 35" East along said right of way line a distance of 38.33 feet to a point on the Northwesterly right of way line of Mabelvale Pike; thence South 43° 15' 52" West along said right of way line a distance of 206.07 feet to the point of beginning and containing 0.31 acre more or less as shown on the plat prepared by the AHTD, referenced as Job B60119.

NOW THEREFORE, BE IT RESOLVED that the character of the above-described property is changed from Central Office Complex to the right of way, a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Pulaski County, and the right of way remonumented.

2002-083

WHEREAS, the Commission acquired in fee property known as Tract No. 9-1 from Woodrow Hughes and wife, Ruby Hughes, for Job No. 6438, I 40-3(3) 156, Dark Hollow-Lonoke, Route I 40, Pulaski County, Arkansas, by condemnation, resulting in a Judgment, filed of record on January 23, 1963, in the Circuit Clerk's Office of Pulaski County, Arkansas, in Arkansas State Highway Commission Vs. Woodrow Hughes and wife, Ruby I. Hughes, et al., Pulaski County Circuit Civil Case No. 48539, (Case); and

WHEREAS, Tract No. 9-1 was acquired for \$271.85; and

WHEREAS, Mid-State Truck Plaza, LLC, an Arkansas Limited Liability Company, has bid the sum of \$426.00, which is the highest bid received for said Tract No. 9-1, at a public auction held on Tuesday, May 14, 2002, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, in Room 702. Three qualified appraisers have opined that the current fair market value of Tract No. 9-1 is \$426.00; and the District Engineer has determined that Tract No. 9-1, and being more particularly described as follows, is no longer needed for highway purposes:

JOB NO. 6438
TRACT NO. 9-1

Part of Northeast Quarter of the Northeast Quarter of Section 29, Township 2 North, Range 11 East, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section 29; thence South 00° 05' West along the West line of the Northeast Quarter of the Northeast Quarter of Section 29 a distance of 323.0 feet to a point on the existing Northerly right of way line of a Interstate 40 Service Road; thence in Southerly direction along said existing right of way line on a curve to the right having a radius of 180.0 feet a distance of 119.29 feet to a point; thence North 89° 46' West along said existing right of way line a distance of 42.85 feet to a point on the West line of the Northeast Quarter of the Northeast Quarter of Section 29; thence North 00° 05' East along said West line a distance of 118.1 feet to the point of beginning and containing 0.09 acre more or less.

NOW THEREFORE, BE IT RESOLVED, that the above-described property, excepting any abutter's and access rights to and from Interstate 30, is declared surplus; upon receipt of the consideration of \$426.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Mid-State Truck Plaza, LLC, said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Pulaski County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2002-084

WHEREAS, the Commission acquired in fee property known as Tract No. 7 from Eldridge T. Willis, et ux., for Job No. 6607, I-30-2 (12) 114, Benton West, Route 67, Section 9, Saline County, Arkansas, by warranty deed dated January 15, 1958; and

WHEREAS, the Commission has declared 0.382 acres Tract No. 7 as surplus and has agreed to sell said surplus property to Gary Morehead and Margaret Morehead, subject to certain utility permits; and

WHEREAS, when Tract No. 7 was surveyed by the Arkansas State Highway and Transportation Department, it was discovered that

certain overlaps existed in the property descriptions being conveyed to Gary Morehead and Margaret Morehead which required correction; and

WHEREAS, in order to correct those errors in the property descriptions discovered by the Arkansas State Highway and Transportation Department it is necessary to deed certain lands to the Moreheads and for the Moreheads to deed certain lands to the Commission, said reciprocal deed descriptions being more particularly described as follows:

GARY MOREHEAD TO COMMISSION

A part of the southwest quarter of the southeast quarter of Section 9, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows:

Commencing at cotton picker spindle being used as the Southeast corner of said SW1/4 SE1/4; Thence N00°47'20"W, 363.30 feet to a point along the south line of a tract of land described in Saline County records Book 36 Page 450 to found axle, said axle being the southwest corner of said tract; Thence continue N88°30'01"W, 94.00 feet along the south line of a tract of land described in Saline County records Book 36 Page 457 to set ½" inch rebar with plastic cap stamped "PLS 1091"; Thence S77°57'07"W, 91.51 feet along the right of way of Interstate 30 as established by AHTD Job 6607 and also being the south line of a tract of land described in Saline County records Book 87 Page 367, to an existing concrete monument at the southwest corner of said tract and the point of beginning; Thence continue S77°57'07"W, 92.57 feet along said right of way and a tract of land described in Saline County records Book 87 Page 286 to the Southwest corner of said tract; Thence 6607, and being the point of beginning of the herein described tract; Thence continue N12°09'02"W, 11.84 feet along said right of way to a point; Thence N89°40'10"E, 9.31 to a point; Thence S30°21'25"W, 13.41 feet to the point of beginning, containing 53.71 sq. ft., more or less.

COMMISSION TO GARY MOREHEAD

Quitclaim all rights real or imagined to the following described tract of land being a part of the southwest quarter of the southeast quarter of Section 9, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows:

Commencing at cotton picker spindle being used as the Southeast corner of said SW¹/₄ SE¹/₄;

Thence N00°47'20"W, 363.30 feet to a railroad spike;

Thence N00°43'40"E, 420.40 feet to a point located in Fairfield Road;

Thence N88°30'01"W, 105.35 feet along the south line of a tract of land described in Saline County records Book 36 Page 450 to found axle, said axle being the southwest corner of said tract;

Thence continue N88°30'01"W, 94.00 feet along the south line of a tract of land described in Saline County records Book 36 Page 457 to set ½" inch rebar with plastic cap stamped "PLS 1091", and being the point of beginning of the herein described tract;

Thence S77°57'07"W, 91.51 feet along the right of way of Interstate 30 as established by AHTD Job 6607 and also being the south line of a tract of land described in Saline County records Book 87 Page 367, to an existing concrete monument at the southwest corner of said tract and the point of beginning;

Thence continue S77°57'07"W, 92.57 feet along said right of way and a tract of land described in Saline County records Book 87 Page 286 to the Southwest corner of said tract;

Thence N12°09'02"W, 14.80 feet, along the west line of said tract and the right of way as established by Job 6607, to a point

Thence N30°21'25"E, 13.41 feet along the right of way as established by a survey for Gary Morehead dated May 8, 2002 to a point;

Thence N89°40'10"E, 86.17 feet to a point, said point being on the right of way line as established by said survey;

Thence S05°39'10"E, 7.26 feet to the point of beginning, containing 0.035 acres, more or less.

NOW THEREFORE, BE IT RESOLVED, that the above described property, being 0.035 acres, more or less, be conveyed to Gary Morehead and Margaret Morehead by quitclaim deed and the Chairman of the Commission is authorized to execute and deliver said deed to Gary Morehead and Margaret Morehead; and

BE IT FURTHER RESOLVED, that the Chairman of the Commission is authorized to accept, on behalf of the Commission, a quitclaim deed from Gary Morehead and Margaret Morehead, husband and wife, conveying 53.71 square feet, more or less, to the Commission to resolve the overlaps in property descriptions discovered by the Arkansas State Highway and Transportation Department. A copy of the deeds herein authorized and this Minute Order shall be recorded in Saline County, Arkansas; and, if necessary, the right of way shall be remonumented.

2002-085

WHEREAS, the Commission acquired in fee property known as Tract No. 7 from Eldridge T. Willis and Irene Willis, his wife, for Job No. 6607, I-30-2 (12) 114, Benton-West Route 67, Section 9, Saline County, Arkansas, by Warranty Deed dated September 17, 1957, and filed for record on January 15, 1958, in Book 87, page 367 of the real estate records of the Office of the Circuit Clerk, Saline County, AR; and

WHEREAS, Gary Morehead and Margaret Morehead, husband and wife, have asked to repurchase 0.382 acres, more or less, of Tract No. 7; Irene E. Willis, a single person and widow of Eldridge T. Willis, deceased, has assigned her rights to reacquire that portion of Tract No. 7 (0.382 acres,±) which the District Engineer for District Six has determined is no longer needed for highway purposes; and

WHEREAS, the portion of Tract No. 7 to be transferred to Gary Morehead and Margaret Morehead is encumbered with a ten (10) foot utility permit for fiber optic cable and Gary Morehead and Margaret Morehead have covenanted and agreed to purchase and accept that portion of Tract No. 7 (0.382 acres,±) subject to said utility permit, said portion of Tract No. 7 being purchased and the utility permit encumbering some are more particularly described as follows:

JOB NO. 6607
TRACT NO. 7
MOREHEAD PROPERTY:

A part of the southwest quarter of the southeast quarter of Section 9, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows:

Commencing at a cotton picker spindle being used as the Southeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence N00°47'20"W, 363.30 feet to a railroad spike;
Thence N00°43'40"E, 420.40 feet to a point located in Fairfield Road;
Thence N88°30'01"W, 105.35 feet along the south line of a tract of land described in Saline County records Book 36 Page 450 to a found axle, said axle being the southwest corner of said tract;
Thence continue N88°30'01"W, 94.00 feet along the south line of a tract of land described in Saline County records Book 36 Page 457 to a set $\frac{1}{2}$ " inch rebar with plastic cap stamped "PLS 1091", and being the point of beginning of the herein described tract;
Thence S77°57'07"W, 91.51 feet along the right of way of Interstate 30 as established by AHTD Job 6607 and also being the south line of a tract of land described in Saline County records Book 87 Page 367, to an existing concrete monument at the southwest corner of said tract;
Thence N05°39'10"W, 133.31 feet along the west line of said tract and also being the right of way of Interstate 30 as established by a survey for Gary Morehead dated May 8, 2002;
Thence N50°39'39"E, along said south right of way line, 138.29 feet to a set $\frac{1}{2}$ inch rebar with plastic cap stamped "PLS 1091";
Thence S01°14'00"W, 201.27 feet along the east line of said tract and also being the right of way as established by AHTD Job 6607 to the point of beginning, containing 0.382 acres, more or less.

Subject to a 10 foot utility permit for fiber optic cable with the centerline being described as follows:

Commencing at cotton picker spindle being used as the Southeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence N00°47'20"W, 363.30 feet to a railroad spike;
Thence N00°43'40"E, 420.40 feet to a point located in Fairfield Road;
Thence N88°30'01"W, 105.35 feet along the south line of a tract of land described in Saline County records Book 36 Page 450 to a found axle, said axle being the southwest corner of said tract;
Thence continue N88°30'01"W, 94.00 feet along the south line of a tract of land described in Saline County records Book 36 Page 457 to a set $\frac{1}{2}$ " inch rebar with plastic cap stamped "PLS 1091";

Thence N01°14'00"E, 201.27 feet along the east line of a tract of land described in Saline County records Book 87 Page 367, and the right of way of Interstate 30 as established by Job 6607 to a set ½ inch rebar with plastic cap stamped "PLS 1091";

Thence S50°39'39"W, 31.83 feet along the right of way of Interstate 30 as established by the survey for Gary Morehead dated May 8, 2002 to the point of beginning of the herein described easement;

Thence S06°06'32"E, 64.49 feet to a point;

Thence S14°08'20"E, 69.20 feet to a point;

Thence S08°28'45"W, 39.76 feet to a point;

Thence S72°51'45"W, 74.02 feet to a point;

Thence N88°45'37"W, 16.92 feet to the West line of a tract of land described in Saline County records Book 87 Page 367, this being the end of said 10 foot utility easement.

WHEREAS, Tract No. 7 was acquired by the Commission for \$9,066.40.

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Annotated § 27-67-322, opined that the current fair market value of that portion of Tract No. 7 being offered for sale is \$29,500.

NOW THEREFORE, BE IT RESOLVED, that the above described property (0.382 acres) is declared surplus; upon receipt of the consideration of \$29,500. the Chairman of the Commission is authorized to execute and deliver a quitclaim deed conveying the described property, subject to the utility permit as described above, to Gary Morehead and Margaret Morehead; a copy of the deed and this Minute Order shall be recorded in Saline County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

2002-086

WHEREAS, the Commission acquired right of way by County Court Orders for Jobs 4221 (1939), 4255(1939) and 4148 (425)(1927), more commonly known as State Highway 270 in Scott County; and

WHEREAS, in 1967 the Commission constructed Job No. 4515 to widen and realign a portion of State Highway 270 in Scott County and acquired the right of way for said Job No 4515 in fee; and

WHEREAS, after construction of Job No. 4515, a section of the old right of way for State Highway 270, between Station 34 + 14.0 and Station 62 + 82.7 and acquired by County Court Order, is now completely outside the boundaries of the right of way for State Highway 270; and

WHEREAS, the District Engineer has determined that part of the lands acquired by the County Court Orders, set forth above, are not now needed, nor in the foreseeable future will be needed, for highway purposes and recommends release of the following lands from the State Highway System, which lands are more particularly described as follows:

Part of Job No. 4221, 4255 and 4118
State Highway 270
Scott County
Area To Be Released:

Lands lying in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25; and, the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, all in T1N-R28W and more particularly described as follows:

From Designated Survey Centerline Station 34 + 14.0 to Designated Survey Centerline Station 62 + 82.7 as shown on the Right of Way map for Job 4515 attached hereto and more fully described as:

Right of Way Map, State Highway 270, Montgomery County Line-West, Scott and Montgomery County, Federal Aid Project F-016-1(9)

Note: In all other respects the original County Court Orders shall remain in force and effect.

NOW THEREFORE, BE IT RESOLVED, that the old right of way for State Highway 270 between Designated Survey Centerline Station 34 + 14.0 and Designated Survey Centerline Station 62 + 82.7 as reflected on Right of Way Maps by the Arkansas State Highway Commission prepared for Job No. 4515, which are attached hereto, is

hereby released 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 accompanying map, with the Recorder of Scott County; and, that the right of way of State Highway 270 may be, if necessary, remonumented to reflect the boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal Funds.

2002-087

WHEREAS, the Commission acquired property known as Tract No. 14XR2 from Sarah L. Shipley, a single person, for Job No. 050032, STPH-0073 (20) Highway 16, Safety Improvements, Route 16, Section 13, White County, by warranty deed filed of record on April 12, 1999, in the Circuit Clerk's Office of White County as Instrument No. D3592; and

WHEREAS, Tract No. 14XR2 was acquired for \$1,000.00; and

WHEREAS, Atlas E. Ruddell and Judy I. Ruddell have asked to repurchase Tract No. 14XR2; Sarah L. Shipley has assigned her rights to acquire Tract No. 14XR2 to Atlas E. Ruddell and Judy I. Ruddell and the District Engineer has determined that Tract No. 14XR2, being more particularly described as follows, is no longer needed for highway purposes:

Part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 8 North, Range 7 West, White County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 29; thence South 89° 19' 28" East along the North line thereof a distance of 99.126 meters to a point on the existing Easterly right of way line of State Highway 16; thence South 04° 38' 25" West along said existing right of way line a distance of 97.179 meters to a point; thence North 85° 21' 35" West along said existing right of way line a distance of 6.096 meters to a point; thence South 04° 38' 25" West along said existing right of way line a distance of 10.181 meters to a point; thence in a Southeasterly direction along said existing right of way line on a curve to the left having a radius of 107.282 meters a distance of 126.027 meters to a

point; thence North 44° 53' 58" East a distance of 65.759 meters to a point; thence South 61° 54' 16" East a distance of 22.012 meters to a point for the point of beginning; thence continue South 61° 54' 16" East a distance of 41.970 meters to a point; thence South 44° 54' 09" West a distance of 18.668 meters to a point on the existing Easterly right of way line of proposed State Highway 16; thence North 44° 13' 56" West along said existing right of way line a distance of 17.167 meters to a point; thence North 29° 50' 57" West along said existing right of way line a distance of 23.852 meters to the point of beginning and containing 0.04 hectare or 426 square meters more or less.

FR/II
2/24/99

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$1,000.00, the Chairman of the commission is authorized and directed to execute a quitclaim deed conveying the described property to Atlas E. Ruddell and Judy I. Ruddell; a copy of the deed and this Minute Order shall be recorded in White County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2002-088

WHEREAS, the Commission acquired property known as Tract No. 4R from Mary Jane Elkins, an unmarried person, for Job No. 050032, White County, by warranty deed filed of record on March 22, 1999, in the Circuit Clerk's Office of White County as Instrument No. 1999-2799; and

WHEREAS, Tract No. 4R was acquired for \$2,500.00; and

WHEREAS, Jason Perry has asked to repurchase Tract No. 4R; and the District Engineer has determined that Tract No. 4R is no longer needed for Highway purposes; Mary Jane Elkins has assigned her rights to reacquire Tract No. 4R to Jason Perry, said tract being more particularly described as follows:

JOB NO. 050032
TRACT NO. 4R

Part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 8 North, Range 7 West, White County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 33; thence South 88° 41' 06" East along the North line thereof a distance of 276.268 meters to a point on the existing Westerly right of way line of State Highway 16; thence South 26° 11' 13" East along said existing right of way line a distance of 3.865 meters to a point; thence South 63° 48' 47" West along said existing right of way line a distance of 6.096 meters to a point; thence South 26° 11' 13" East along said existing right of way line a distance of 1.552 meters to a point on the existing Southerly right of way line of Foster Chapel Road; thence North 88° 41' 06" West along said existing right of way line a distance of 28.834 meters to a point on the existing Westerly right of way line of proposed State Highway 16 for the point of beginning; thence South 43° 47' 02" East along said existing right of way line a distance of 9.634 meters to a point; thence South 50° 31' 20" East along said existing right of way line a distance of 18.672 meters to a point; thence South 41° 39' 31" East along said existing right of way line a distance of 37.519 meters to a point; thence South 36° 29' 05" East along said existing right of way line a distance of 17.598 meters to a point; thence North 89° 05' 09" West a distance of 57.058 meters to a point; thence North 80° 42' 02" West a distance of 22.885 meters to a point on the existing Easterly right of way line of a street; thence North 00° 43' 09" east along said existing right of way line a distance of 56.918 meters to a point on the existing Southerly right of way line of said Foster Chapel Road; thence South 88° 41' 06" East along said existing right of way line a distance of 22.446 meters to the point of beginning and containing 0.32 hectare or 3,164 square meters more or less.

FR/II
2/25/99

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$2,500.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Jason Perry; a copy of the deed and this Minute Order shall be recorded in White County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2002-089

WHEREAS, by Minute Order 2002-012 the Director was authorized to enter into agreements with the Missouri Department of Transportation (MoDOT) to conduct an investment grade toll feasibility study for the Bella Vista Bypass; and

WHEREAS, because of restrictions in Missouri law, MoDOT will only be able to proceed with financing, constructing, maintaining and operating a toll facility under the concept of using a third party contractor; and

WHEREAS, MoDOT does not believe that securing a third party for the Missouri portion of the project, independent from the Arkansas portion, is feasible.

NOW THEREFORE, the Director is hereby authorized to proceed with the investment grade toll feasibility study in cooperation with MoDOT.

FURTHER, the Director shall determine the feasibility of financing, constructing, maintaining and operating the facility in Arkansas using a third party as proposed by MoDOT, and report to the Commission.

2002-090

WHEREAS, the City of Eudora has noted that the growth in economic activity in the region will result in increased commercial truck traffic on Highways 8, 65, and 159 within the city and will create an increased risk to the health and safety of its citizens; and

WHEREAS, the Eudora City Council has passed Resolution No. 01-09 requesting the development of a system of roadways to remove commercial truck traffic through the interior of the City of Eudora.

NOW THEREFORE, the Director is authorized to conduct a study of alternatives that would eliminate the necessity of trucks traveling within the City of Eudora. This Minute Order rescinds Minute Order 98-027.

2002-091

WHEREAS, IN CLARK COUNTY, on Highway 26, Section 4, it has been determined that improvements to the drainage structures are needed from the Pike County line east to Log Mile 5.25; and

2002-091 - Continued

WHEREAS, these improvements include the extension of existing culverts and the installation of new side drains to accommodate the future widening of this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project for improvements to the drainage structures on this section of Highway 26 as funds become available.

2002-092 WHEREAS, a need exists for highway improvements north of Nashville; and

WHEREAS, traffic service and access improvements in the east central portion of Howard County should be studied.

NOW THEREFORE, the Director is hereby authorized to proceed with a project to make necessary improvements to Highway 26 from the Highway 369/Mount Pleasant Road intersection to the Corinth Road intersection; and

FURTHER, to study the need for improved traffic service and access from Nashville north to the east central region of the county.

2002-093 WHEREAS, the Economic Development Alliance of Jefferson County and the Arkansas River Regional Intermodal Facilities Authority have requested a study of the Port of Pine Bluff; and

WHEREAS, the results of the study will be used in developing a master plan for the Harbor Industrial District and adjacent area.

NOW THEREFORE, the Director is authorized to conduct a study of the Port of Pine Bluff.

2002-094

WHEREAS, the Transportation Equity Act for the 21st Century authorized funds to be appropriated for safety projects; and

WHEREAS, a recent study, which included a crash analysis, recommended that a segment of Highway 89, Section 1 from Highway 367 to North 5th Street in Cabot be constructed on new location; and

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

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

This project will be constructed as Job 061072, Hwy. 89 Relocation (Cabot) (S).

2002-095

WHEREAS, the Texas Department of Transportation has conducted a value engineering study of the Interstate 30 Corridor in Texarkana; and

WHEREAS, the study identified operational problems at the entrance and exit ramps at the Interstate 30/U. S. 71 interchange; and

WHEREAS, TX DOT has begun design and traffic studies for addressing these problems.

NOW THEREFORE, the Director is authorized to enter into agreements with the Texas Department of Transportation to accomplish needed improvements at the Interstate 30/Highway 71 interchange in Texarkana.

2002-096

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal device performed by the Railroad Company at no cost to the State.

2002-096 - Continued

2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Location</u>	<u>Railroad</u>	<u>Recommendation</u>
Polk	Mena	Pickering Ave.	Kansas City Southern	Install Flashing Signals with Gates
Hot Spring	Gifford	Co. Rd. 311	Union Pacific	Install Flashing Signals with Gates

2002-097

WHEREAS, City of Little Rock officials have requested an access study for Highway 10 from Pleasant Valley Boulevard to Mississippi Avenue; and

WHEREAS, this section of state highway is experiencing increasing congestion due to left-turning vehicles.

NOW THEREFORE, the Director is authorized to conduct an access study of the above mentioned highway.

2002-098

WHEREAS, the Little Rock National Airport has requested that the Department conduct a study to determine possible air freight facilities, landside access improvements and existing and potential air cargo shipments that might involve additional intermodal activities; and

WHEREAS, the study would be a team approach consisting of the airport consultant firm, various City of Little Rock departments, air cargo providers and the Department.

NOW THEREFORE, the Director is authorized to participate in a study of the Little Rock National Airport.

2002-099

WHEREAS, the Fayetteville Chamber of Commerce has requested the Department's participation in a joint study for the feasibility of providing rail service to the Fayetteville South Industrial Park; and

WHEREAS, the purpose of the proposed project is to enhance economic development by bringing rail service to not only existing industries but to prospects that require rail service.

NOW THEREFORE, the Director is authorized to participate in studying rail service to the Fayetteville South Industrial Park.

2002-100

WHEREAS, IN SEVIER COUNTY on Highway 71, Section 5, and Highway 234, Section 2, several slope failures exist that will eventually damage the roadway and shoulders.

NOW THEREFORE, the Director is authorized to make necessary repairs to the embankment as needed to preserve the structural integrity of the roadway.

Work to be done by Contract.

2002-101

WHEREAS, the existing property serving the Desha County Area Headquarters and McGehee Resident Engineer's Office in McGehee on State Highway 65 is inadequate in size; and

WHEREAS, Job 020238, Highway 1 – Tillar (S) will convert Highway 65, directly in front of this property, to a multilane divided highway; and

WHEREAS, as a result of this project, the highway right of way will widen approximately to the front of our area headquarters and resident engineer's office buildings and will eliminate all of the existing parking, further reducing the useable area at this site; and

WHEREAS, enlarging this property would be compatible with the Department's desire to increase the size of this site and would accommodate the necessary parking required; and

2002-101 - Continued

WHEREAS, additional adjoining property would allow for a new Area Headquarters Building, replacing the existing building.

NOW THEREFORE, the Director is authorized to complete the work to purchase additional property and make improvements including construction of new Area Headquarters Building, re-configuration of parking, surfacing of lot, fencing and related items.

Work to be done by contract and state forces.

2002-102

WHEREAS, the District 10 Headquarters Complex at Paragould is experiencing roof leaks in the Administration Building; and

WHEREAS, this roof has deteriorated to the extent that it is in poor condition and in need of repair; and

WHEREAS, it has been determined that the most feasible means of repair is to remove the existing roof membrane and replace with new built-up roof.

NOW THEREFORE, the Director is authorized to complete the work required to replace the roof membrane on the Administration Building at the District 10 Headquarters Complex.

Work to be done by contract as a Building Project.

2002-103

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 22, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
002970	02	CHICOT	BIG BAYOU & BOEUF RIVER BRS. & APPRS. (S)	160
020351	02	ASHLEY & CHICOT	HWY. 8 & HWY. 65 (RESURFACING) (SEL. SECS.) (S)	8, 8 & 65
R30045	03	HEMPSTEAD	HWY. 355-HOPE (RECONSTRUCTION) (S)	174
030211	03	LAFAYETTE	STEEL CREEK STR. & APPRS. (S)	29
030247	03	MILLER	ADAMS CREEK STR. & APPRS. (TEXARKANA) (S)	---

2002-103 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030264	03	LITTLE RIVER	HWY. 71 & KCS R.R. STRUCTURES (ASHDOWN BYPASS) (S)	32
030272	03	LITTLE RIVER	HWY. 71-FOMBY (OVERLAY) (S)	32
030273	03	MILLER	LOUISIANA STATE LINE-DODDRIDGE (RESURFACING) (S)	71
R40118	04	SCOTT	HAW CR. & HAW CR. RELIEF STRS. & APPRS. (S)	248
040123	04	LOGAN	GUM CREEK STR. & APPRS. (S)	309
040273	04	WASHINGTON	MAPLE ST.-HWY. 112S (FAYETTEVILLE) (S)	112
040329	04	WASHINGTON	WILKERSON ST./MAIN DR. SIGNAL (JOHNSON) (S)	---
040367	04	WASHINGTON	HWY. 62/CO. RD. 62 SIG. (SO. OF FARMINGTON) (S)	62
040383	04	SEBASTIAN	MANSFIELD-NORTH (OVERLAY) (S)	71
050125	05	STONE	NEWNATA-HWY. 9 (OVERLAY) (S)	66
050132	05	IZARD	LITTLE PINEY CREEK-STRAWBERRY RIVER (OVERLAY) (S)	56
B60121	06	SALINE	WEST OF ALCOA RD.-WEST OF PULASKI CO. LINE (F)	30
060390	06	LONOKE	PETTUS-HWY. 70 STRS. & APPRS. (S)	31
060957	06	PULASKI	HWY. 161 SIDEWALKS (TRICKEY LN.-SCHOOL DR.) (JACKSONVILLE)(S)	---
061054	06	LONOKE	HWY. 321-HWY. 89 (OVERLAY) (S)	367
061061	06	GARLAND	BUENA VISTA-OUACHITA AVE. (HOT SPRINGS) (OVERLAY) (S)	7
080116	08	FAULKNER	HWY. 65-CLEBURNE CO. LINE (PASSING LANES) (S)	25
080143	08	VAN BUREN	BIG BRANCH & CHOCTAW CREEK STRS. & APPRS. (S)	65
080200	08	JOHNSON	COVE CREEK STR. & APPRS. (JOHNSON CO.) (S)	164
080245	08	JOHNSON	ARK. RIVER BRIDGE-HWY. 64 (OVERLAY) (S)	109
090128	09	BENTON	HWY. 71B-BEAVER LAKE (OVERLAY) (S)	264
100553	10	CRAIGHEAD	HWY. 148-SOUTH (OVERLAY) (S)	135
100560	10	MISSISSIPPI	HWY. 148-I-55 (OVERLAY) (S)	61
BR0611	07	BRADLEY	BRUSHY L'AIGLE CREEK AND RELIEF STRS. & APPRS. (S)	---

2002-103 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA0635	07	BRADLEY	BRADLEY COUNTY SURFACING & RESEAL NO. 5 (S)	---
SA0834	09	CARROLL	HWY. 23-WEST (OVERLAY) (S)	---
SA1138	10	CLAY	HWY. 139-HWY. 49 (OVERLAY) (S)	---
SA1234	05	CLEBURNE	HWY. 110-NORTH(OVERLAY) (S)	---
SA1539	08	CONWAY	HWY. 9-HWY. 124 (SURFACING) (S)	---
SA1645	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 18 (SEL. SEC.) (S)	---
SA1926	01	CROSS	HWY. 350-WYNNE CITY LIMITS (SURFACING) (S)	---
SA2647	06	GARLAND	GARLAND COUNTY OVERLAY NO. 8 (S)	---
SA2729	02	GRANT	CO. RD. 384-EAST (OVERLAY) (S)	---
SA2932	03	HEMPSTEAD	HWY. 73-HWY. 332 (BASE & SURFACING) (S)	---
SA3034	06	HOT SPRING	CO. RD. 21-EAST (OVERLAY) (S)	---
SA3250	05	INDEPENDENCE	CO. ROAD 22-SOUTH (SURFACING) (S)	---
SA3440	05	JACKSON	CO. RD. 8-CO. RD. 365 (SURFACING) (S)	---
FA3609	08	JOHNSON	HWY. 315-HWY.164 (SURFACING NO. 2) (S)	---
SA3630	08	JOHNSON	CLARKSVILLE CITY LIMITS-NORTH (OVERLAY) (S)	---
SA3838	10	LAWRENCE	HWY. 117-SOUTH (RESEAL) (S)	---
SA3839	10	LAWRENCE	CO. RD. 51-HWY. 67 (OVERLAY) (S)	---
BR4009	02	LINCOLN	FLAT CREEK STR. & APPRS. (S)	---
SA4631	03	MILLER	MILLER COUNTY RESEAL NO. 11 (S)	---
BR4904	08	MONTGOMERY	SOUTH FORK CADDO RIVER STR. & APPRS. (S)	---
FA5210	07	OUACHITA	OUACHITA RIVER SUBSTRUCTURE & APPRS. (S)	---
SA5534	03	PIKE	HWY. 70-WEST (SURFACING) (S)	---
SA5629	10	POINSETT	SWAN POND DITCH-EAST (REPAIR & SURFACING) (S)	---
SA5844	08	POPE	ILLINOIS BAYOU BRIDGE SCOUR REPAIR (S)	---
SA5928	06	PRAIRIE	HWY. 33-EAST (SURFACING) (S)	---
FA6213	06	SALINE	LORANCE CREEK STR. & APPRS. (S)	---
FA6610	03	SEVIER	BRIDGE CREEK RELIEF NO. 2 STR. & APPRS. (S)	---

2002-103 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA6846	01	ST. FRANCIS	CO. RD. 7 BASE & SURFACING (S)	---
SA6919	05	STONE	STONE COUNTY RESEAL (S)	---
SA7125	08	VAN BUREN	HWY. 65-WEST (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved, Vice Chairman J. W. Benafield seconded and the motion passed 4-0 to approve the Fiscal Year 2002-2003 Departmental Budget as recommended by the Department Staff. (Commissioner Carl Rosenbaum was absent during the vote.)

2002-104

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:00 p.m., May 22, 2002.

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 May 22, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 13, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 13, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-105 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 11:00 a.m., June 13, 2002.

2002-106 WHEREAS, the Department utilizes the AASHTO Load and Resistance Factor Design (LRFD) Specifications for the design of bridges; and

WHEREAS, it is important that these specifications be kept up to date to reflect the state of the art practice in bridge design; and

WHEREAS, the AASHTO Board of Directors has approved the formation of a Technical Working Group within the Highway Subcommittee on Bridges and Structures for the purpose of maintaining the LRFD Specifications:

NOW THEREFORE, the Director is authorized to participate in the financial support of this program.

2002-107 WHEREAS, bridge inspection requires the use of the Pontis Data Base developed by AASHTO through its consultants, Cambridge Systematics, Inc.; and

WHEREAS, the Arkansas Highway and Transportation Department maintains 45 more data fields than provided by the developed program; and

2002-107 - Continued

WHEREAS, AASHTO has the expertise to provide these additional data fields and associated input forms at a fee.

NOW THEREFORE, the Director is authorized to work with AASHTO to upgrade the Pontis Data Base Program to accommodate Arkansas' needs as funds become available.

2002-108

WHEREAS, the Arkansas State Highway Commission approved a General Resolution by Minute Order No. 2000-040 for the periodic sale of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds to facilitate interstate rehabilitation; and

WHEREAS, an updated finance plan was presented to the Commission by the firm of Evensen Dodge at the May 22, 2002 meeting; and

WHEREAS, the updated plan recommended that a third series of bonds, Series 2002, be sold on July 9, 2002.

NOW THEREFORE:

The Commission adopts the updated finance plan and authorizes the competitive sale of Series 2002 State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds on July 9, 2002.

2002-109

WHEREAS, IN BENTON COUNTY, on Highway 43, Section 0, from Highway 59 to west of North Mount Olive Street in Siloam Springs, a distance of approximately 2.5 miles, the need for rehabilitation of this roadway has been identified; and

WHEREAS, improvements to this route were included in the 1991 Highway Improvement Program.

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

2002-110 WHEREAS, IN BENTON COUNTY, on Highway 59, Section 1, from Highway 412 north to Gentry, a distance of approximately 6.25 miles, the need for widening of this roadway has been identified.

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

2002-111 WHEREAS, IN CALHOUN COUNTY, in the City of Hampton, the need for improving the Highway 167/Highway 278 intersection has been identified:

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

2002-112 WHEREAS, IN CARROLL COUNTY, on Highway 62, Section 5, from Berryville to Highway 412, the need for widening of this roadway has been identified.

 WHEREAS, improvements to this route were included in the 1991 Highway Improvement Program.

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

2002-113 WHEREAS, IN CLARK COUNTY, on Highways 7 & 51 in Arkadelphia, the existing bridge over the Ouachita River is a narrow truss structure classified as Functionally Obsolete; and

 WHEREAS, this route is a significant connector to south Arkansas and a part of the Highway 7 Scenic Byway;

 NOW THEREFORE, the Director is authorized to proceed with a project to replace this structure as funds become available.

2002-114

WHEREAS, the *I-540/S. H. 162 Interchange Study*; *Van Buren* recommends that an interchange be constructed at Interstate 540 and Highway 162 in Van Buren, and

WHEREAS, construction of the proposed interchange would relieve congestion problems occurring at the existing I-540 interchanges at Highway 59 and Highway 64 and would also provide additional access to the industrial park located at South 28th Street and Industrial Park Road.

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

2002-115

WHEREAS, IN CRITTENDEN COUNTY, on Highway 70, Section 20, from 14th Street to Highway 38 in West Memphis, the need exists to widen this route from four to five lanes to enhance capacity and safety.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to widen this highway as funds become available.

2002-116

WHEREAS, IN CROSS COUNTY, on Highway 64, Section 15, from the Woodruff County Line to Wynne, the need exists for passing lanes to meet increased traffic demands; and

WHEREAS, improvements to this route were included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project for passing lanes on this highway as funds become available.

2002-117

WHEREAS, IN GREENE COUNTY, on Highway 49, Section 2Y, from Highway 412 to Highway 49 in Paragould, the need exists to widen this route to four lanes to meet increased traffic demands.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project to widen this highway as funds become available.

2002-118

WHEREAS, IN JEFFERSON AND ARKANSAS COUNTIES, on Highway 79B, Section 9B and Highway 79, Sections 10 and 11 from Highway 31 to Stuttgart, the need exists for rehabilitation; and

WHEREAS, improvements to these routes were included in the 1991 Highway Improvement Program.

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

2002-119

WHEREAS, the bridge over the Mississippi River on Highway 82 near Lake Village, AR and Greenville, MS was struck on May 29, 2002 by a 30-barge tow; and

WHEREAS, one barge sank and is lodged against the upstream face of the navigation pier; and

WHEREAS, there is increased potential for scour to occur at this location due to the sunken barge; and

WHEREAS, in order to protect the long term stability and structural integrity of the bridge this sunken barge should be removed; and

WHEREAS, the Mississippi DOT is willing to participate in the removal of the sunken barge.

NOW THEREFORE, the Director is authorized, in cooperation with Mississippi DOT, to proceed with the work to remove this wreckage.

2002-120

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:15 a.m., June 13, 2002.

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 June 13, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 9, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 9, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-121 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 9, 2002.

2002-122 WHEREAS, there is an urgent need for the rehabilitation of the Interstate Highway System in Arkansas, as recognized in Minute Order No. 98-214 of the Arkansas State Highway Commission; and

WHEREAS, in order to facilitate such rehabilitation it is appropriate that the Commission take steps to authorize and issue, pursuant to Act No. 1027 of the Acts of Arkansas of 1999, the third (and final) series of State of Arkansas Federal Grant Anticipation and Tax Revenue Bonds.

NOW THEREFORE:

1. The Resolution entitled "Series Resolution and Supplemental Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2002, and Specifying Various Matters Related Thereto and to the General Resolution" is hereby adopted in the form attached hereto as Exhibit A.

2002-122 - Continued

2. The issuance and sale by competitive bid of a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2002, in an aggregate principal amount of Two Hundred Fifteen Million Dollars (the "Bonds") is hereby authorized and the Preliminary Official Statement and Official Notice of Sale pertaining to the Bonds are hereby approved in substantially the form presented to this meeting, with such changes as the officer or representative of the Commission executing such writing shall deem appropriate or necessary to accomplish the intent and purposes of this Minute Order.

3. The Director of Highways and Transportation, and the officers of the Arkansas Highway and Transportation Department, according to their respective offices and as specified by the Director, are authorized and directed to execute writings and take any and all actions as such person, in his or her discretion, may deem to be necessary or appropriate to accomplish the sale of the Bonds and to carry out the intent and purposes of this Minute Order or the terms of the Resolution.

2002-123

WHEREAS, the Arkansas State Highway Commission has, on February 16, 2000, adopted its General Resolution entitled "General Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds and Specifying Various Matters Related Thereto"; and

WHEREAS, the Commission has adopted its Series Resolution entitled "Series Resolution and Supplemental Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2002, and Specifying Various Matters Related Thereto"; and

WHEREAS, it will be necessary to engage the services of a trustee to administer principle and interest payments on the Series 2002 Bonds; and

NOW THEREFORE:

The Director is authorized to enter into a contract with U. S. Bank, St. Paul Minnesota to serve as trustee for the Series 2002 Bonds.

2002-124

WHEREAS, the Arkansas State Highway Commission has, on February 16, 2000, adopted its General Resolution entitled "General Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds and Specifying Various Matters Related Thereto"; and

WHEREAS, the Commission has adopted its Series Resolution entitled "Series Resolution and Supplemental Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2002, and Specifying Various Matters Related Thereto"; and

WHEREAS, it is appropriate that provision be made for the investment of the proceeds for the Series 2002 Bonds at a guaranteed rate of interest; and

WHEREAS, upon competitive bid, the bid of Bayerische Hypo Vereinsbank for the guaranteed investment of proceeds, being the best bid received, should be accepted.

NOW THEREFORE:

1. The Bid of Bayerische Hypo Vereinsbank for the guaranteed investment of the proceeds of the Series 2002 Bonds is hereby accepted.
2. The Director of Highways and Transportation, and the officers of the Arkansas Highway and Transportation Department, according to their respective offices and as specified by the Director are authorized to execute such writings and take such action as may be appropriate to cause the proceeds of the Series 2002 Bonds to be invested as set forth in the General Resolution and the Series Resolution and in accordance with the terms hereof.

2002-125

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., July 9, 2002.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 10, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 10, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-126 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 10, 2002.

2002-127 WHEREAS, the Purchasing Committee has awarded supply and service contracts on May 28, and June 18 and 24, 2002, 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 in making the awards be ratified and confirmed in all particulars.

2002-128 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefore.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2002 membership dues in the amount of \$250.00.

2002-129

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, THE DIRECTOR IS ORDERED to enter into the annual licensing agreement for the products.

2002-130

WHEREAS, many of the Operations of the Department are accomplished using electronic data and telecommunications; and

WHEREAS, a constant effort is made to improve and expand existing automated systems and to develop new systems based on proven technology; and

WHEREAS, to support these Department efforts additional hardware, software, network devices, storage media, training, and other integral products and services are necessary.

NOW THEREFORE, the Director is authorized to proceed with the purchase of the necessary equipment for this project as funds become available.

2002-131

WHEREAS, the Reproduction Section of the Programs and Contracts Division produces 35mm microfilm aperture cards to provide archival storage and retrieval of construction plans; and

WHEREAS, the current aperture card production system used to produce the aperture cards is inoperable, and parts needed for repair are unavailable due to the age of the system; and

WHEREAS, it is in the Department's best interest to assure that construction plans are archived in a timely manner and made available to Department staff, contractors, consultants and the public in a format that is easy to retrieve.

2002-131 - Continued

NOW THEREFORE, the Director is authorized to proceed with the purchase of a new aperture card production system for the archival storage and retrieval of construction plans.

2002-132 WHEREAS, the Department provides officers of the Arkansas Highway Police Division (AHP) with appropriate personal safety equipment; and

WHEREAS, AHP officers are currently furnished Department issued pistols which are of an age and condition that replacement in the immediate future will be prudent; and

WHEREAS, the AHP Division has tested and evaluated assorted models of pistols currently available.

NOW THEREFORE, the Director is authorized to trade-in existing Department issued pistols and to purchase semi-automatic .40 caliber Glock pistols for issuance to AHP Division officers.

2002-133 WHEREAS, a drug detection canine is being retired due to age and physical condition; and

WHEREAS, drug detection canines have been highly beneficial to the drug interdiction and enforcement efforts of the Arkansas Highway Police; and

WHEREAS, it would cause an appreciable reduction in the drug interdiction and enforcement efforts of the Arkansas Highway Police if drug detection canines were not available to conduct checks of commercial motor vehicles; and

WHEREAS, a recent emphasis has been placed on the security of commercial vehicle freight transportation, in particular, the transportation of hazardous materials; and

WHEREAS, canines are available that can detect the presence of certain hazardous materials, primarily explosives, being transported in commercial motor vehicles; and

2002-133 - Continued

WHEREAS, drug interdiction and commercial vehicle freight transportation security are a necessary part of the activities of the Arkansas Highway Police; and

WHEREAS, eighty-percent funding is available through the Federal Motor Carrier Safety Administration's Motor Carrier Safety Assistance Program for the purchase of drug and explosives detection canines.

NOW THEREFORE, the Director is authorized to proceed with the acquisition of the appropriate number of canines and provide the necessary training for Highway Police officers to serve as handlers.

2002-134

WHEREAS, the Department in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the University of Arkansas/Mack Blackwell Transportation Center to conduct the following studies:

- Development of 4.75mm Asphalt Mixes
- Development of Testing Protocols and Correlations for Resilient Modulus of Subgrade Soils
- GIS Based BMP Planning Tool for Stormwater Quality Management
- Work Zone Driving Video
- Development of a Bridge Construction Control Certification Course

2002-135

WHEREAS, since 1972, the Arkansas Highway Commission has provided a means for all employees to have access to Department management for the purpose of resolving and/or disposing of employee complaints through a formal Grievance Procedure; and

WHEREAS, the Commission adopted revisions to the Grievance Procedure by Minute Order 73-309, Minute Order 75-295, Minute Order 88-363, and Minute Order 90-450; and

WHEREAS, a revision of the Grievance Procedure has been completed and recommended for adoption;

NOW THEREFORE, the attached revised Grievance Procedure is hereby approved and adopted.

2002-136

WHEREAS, the Federal-aid Highway Safety Program (402 Program) is currently administered by the Department, with the Director appointed as the Governor's Highway Safety Representative; and

WHEREAS, the 402 Program develops safety programs primarily targeting the "human" element (driver & vehicle occupants) of highway safety; and

WHEREAS, the Arkansas State Police (ASP) has expressed an interest in being responsible for the 402 Program with the Director of the ASP being the Governor's Highway Safety Representative; and

WHEREAS, because the ASP is involved with the "human" element of safety, the 402 Program could operate effectively in that agency; and

WHEREAS, the State Highway Commission supports the transfer of the 402 Program to the ASP.

NOW THEREFORE, the Director is authorized to enter into an agreement with the ASP for the transfer of the Federal-aid 402 Highway Safety Program.

2002-137

WHEREAS, the Arkansas State Highway and Transportation Department received a request for a permanent easement and execution of an Agreement for Changes in Facilities from the United States Army Corps of Engineers in March 2002; and

WHEREAS, the U. S. Army Corps of Engineers seeks a permanent easement and execution of an agreement for purposes of flood control work on Blue Lake, Arkansas Relief Wells and Outlet Ditches, a part of the Mississippi River Levees Project in order to replace and construct culverts within portions of the Commission's rights of way of Arkansas State Highways 50 and 147 in Crittenden County, Arkansas; and

WHEREAS, the terms of the proposed permanent easement and Agreement for Changes in Facilities will not interfere with the use of the real property for highway purposes; and

NOW THEREFORE, BE IT RESOLVED, that the Director of Highways and Transportation is hereby authorized and directed to execute and deliver to the U. S. Army Corps of Engineer a permanent easement and the Agreement for Changes in Facilities.

2002-138

WHEREAS, the Arkansas State Highway Commission owns property in Desha County, Arkansas, which is part of the Desha County Maintenance Area Headquarters and Resident Engineers Office, situated contiguous to U. S. Highway 65; and

WHEREAS, Job No. 020238, HPP-0174 (4) Highway 1-Tillar, Route 65, Section 19, requires additional right of way along U. S. Highway 65 in front of the Desha County Maintenance Area Headquarters and Resident Engineers Office, said additional right of way is designated as Tract 9X for this project, and is more fully described below:

Part of the Southwest Quarter of the Northeast Quarter of Section 8, Township 12 South, Range 3 West, Desha County, Arkansas, more particularly described as follows:

Starting at the Center North 1/16 Corner of Section 8; thence South 01° 03' 33" East along the West line of the Southwest Quarter of the Northeast Quarter of Section 8 a distance of 327.25 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 2626; thence South 32° 16' 41" East along said right of way line a distance of

2002-138 - Continued

85.55 feet to the point of beginning; thence North 38° 32' 42" East a distance of 84.99 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 020238; thence South 32° 13' 43" East along said right of way line a distance of 351.40 feet to a point; thence South 25° 28' 32" West a distance of 94.55 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 2626; thence North 32° 16' 41" West along said right of way line a distance of 373.93 feet to the point of beginning and containing 0.67 acre or 29,051 square feet more or less as shown on the plat prepared by the AHTD, referenced as Job 020238. FR/II 12/18/01 Revised 2/20/02

NOW THEREFORE, BE IT RESOLVED, that the character of the above-described property is changed from Desha County Area Maintenance Headquarters and Resident Engineers Office to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Desha County and the right of way remonumented.

2002-139

WHEREAS, the Commission acquired in fee property known as Tract No. 19XR from James C. Davis and Pfanala S. Davis, his wife, for Job No. 050032, STPH-0073 (29), Highway 16, Safety Improvements, Route 16, Section 13, White County, Arkansas, by Warranty Deed dated February 26, 1999, and recorded on March 22, 1999, as Instrument No. 1999-2805, in the deed records in the office of the Circuit Clerk of White County, Arkansas; and

WHEREAS, Chris Wells and wife, Becky Wells, have asked to repurchase the 1,349 square meters, more or less, of Tract No. 19XR; James C. Davis and Pfanala Davis have assigned their right to reacquire Tract No. 19XR (1,349 sq. meters±) which the District Engineer for District 5 has determined is no longer needed for highway purposes, said Tract No. 19XR being more particularly described as follows:

Part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 8 North, Range 7 West, White County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 29; thence South 89° 19' 28" East along the South line thereof a distance of 99.126 meters to a point on the existing Easterly right of way line of State Highway 16; thence North 04° 38' 25" East along said existing right of way line a distance of 53.646 meters to a point; thence South 89° 19' 28" East a distance of 15.272 meters to a point on the existing Easterly right of way line of said State Highway 16 for the point of beginning; thence North 01° 05' 39" East along said existing right of way line a distance of 36.011 meters to a point; thence North 17° 05' 26" West along said existing right of way line a distance of 25.292 meters to a point; thence South 89° 11' 27" East a distance of 30.784 meters to a point; thence South 04° 56' 12" West a distance of 60.202 meters to a point; thence North 89° 19' 28" West a distance of 18.857 meters to the point of beginning and containing 0.14 hectare or 1,349 square meters more or less.

FR/II
2/17/99

WHEREAS, Tract No. 19XR was acquired by the Commission for Five Hundred and No/100 Dollars (\$500.00).

NOW THEREFORE, BE IT RESOLVED that Tract No. 19XR, described above, is declared surplus; upon receipt of the consideration of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 19XR to Chris Wells and wife, Becky Wells; a copy of the Deed and this Minute Order shall be recorded in White County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2002-140

WHEREAS, Minute Order 99-040 authorized the Department to conduct a study of long-term needs along Highway 412 through Siloam Springs; and

WHEREAS, the long term needs of Highway 412 have been evaluated in *Highway 412 Improvement Study, Siloam Springs, Arkansas*.

2002-140 - Continued

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction in cooperation with the Oklahoma Department of Transportation, as funds become available.

FURTHERMORE, the Director is hereby authorized to enter into agreements with the State of Oklahoma as necessary to complete the improvements.

2002-141

WHEREAS, Minute Order 2001-147 authorized a study of the feasibility of widening Highway 18 between Lake City and Highway 119; and

WHEREAS, the study titled *Feasibility Study for the Widening of Highway 18 to Four Lanes from Lake City to Highway 119* has been completed; and

WHEREAS, this study has determined that construction of a four-lane route between Lake City and Highway 119 is needed and has identified feasible alternatives to provide a four-lane route.

NOW THEREFORE, the study is adopted as a guide for appropriate future environmental studies, surveys, design, right-of-way acquisition and construction as funds become available.

2002-142

WHEREAS, compliance with the Endangered Species Act sometimes requires mitigation for impacts to endangered species or their habitat due to highway construction, maintenance and operation activities; and

WHEREAS, the Arkansas fatmucket (*Lampsilis powellii*), a Federally Threatened freshwater mussel that resides in the headwaters of the Caddo, Saline, and Ouachita rivers in Arkansas is sometimes involved in highway construction, maintenance and operation activities; and

2002-142 - Continued

WHEREAS, mitigation in the form of relocation and propagation of the Arkansas fatmucket is likely to be required for future highway activities; and

WHEREAS, the Department and other agencies do not have the technical information currently available to accomplish the required mitigation activities; and

WHEREAS, the Arkansas Game and Fish Commission, the U. S. Fish and Wildlife Service, and the U. S. Department of Agriculture Ouachita National Forest are developing a cooperative research project to obtain the necessary technical information to propagate the Arkansas fatmucket;

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the Arkansas Game and Fish Commission and provide state funds in the amount of \$12,500 as the Department's share of the cooperative research project.

2002-143

WHEREAS, Intelligent Transportation Systems (ITS) have been found to improve safety and traffic flow in and near construction work zones; and

WHEREAS, Arkansas Highway Commission, by Minute Order 2000-008, authorized ITS equipment to be incorporated into construction projects as necessary for use during the Interstate Rehabilitation Program; and

WHEREAS, the Department has used these systems on previous Interstate Rehabilitation Projects and has found them to be reliable and effective; and

WHEREAS, improving safety and traffic flow in the central Arkansas area during this phase of the Interstate Rehabilitation Program would be enhanced by application of ITS technology.

NOW THEREFORE, the Director is authorized to implement ITS in the central Arkansas Interstate work zones as necessary to maintain safe and effective travel.

2002-144

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal device performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Location</u>	<u>Railroad</u>	<u>Recommendation</u>
Benton	Decatur	3 rd Street	Kansas City Southern	Install Flashing Signals with Gates

2002-145

WHEREAS, IN FAULKNER COUNTY, in the vicinity of the Interstate 40 crossing of Palarm Creek and Faulkner County Road 663, frequent high water overtops Faulkner County Road 663 and restricts access to the local area; and

WHEREAS, Faulkner County, Pulaski County, the Arkansas Game and Fish Commission, the Arkansas Military Department and local citizens are interested in improving the Faulkner County Road 663 crossing of Palarm Creek to allow improved access during periods of high water and have agreed to work together and provide funding to accomplish the desired improvements; and

WHEREAS, during periods of high water, the only means of ingress and egress for local residents is through the control of access along Interstate 40; and

WHEREAS, periods of high water restrict access to the Game and Fish Commission's Bell Slough Wildlife Management Area; and

WHEREAS, proposals for the Game and Fish Commission to raise the normal pool elevation of Lake Conway could mean reduced

2002-145 - Continued

storage capacity in the Lake and result in the release of more water during periods of high rainfall, thereby prolonging the time that Faulkner County Road 663 is flooded; and

WHEREAS, the proposed improvements would result in fewer interruptions in access along Faulkner County Road 663 and safer vehicle operating conditions:

NOW THEREFORE, the Director is authorized to assist in this effort by providing technical advice and engineering assistance in the design, and construction oversight activities, as appropriate.

2002-146

WHEREAS, the *Paragould Bypass Study*, adopted by Commission Minute Order 98-023, recommended construction of a two-lane bypass of Paragould with provisions for future widening to four-lanes; and

WHEREAS, local officials have requested that the 1998 study be updated.

NOW THEREFORE, the Director is authorized to update the study to take into account recent development and traffic growth.

2002-147

WHEREAS, IN GREENE COUNTY, on Highway 412, Section 9, from Paragould to Big Slough Ditch, a distance of approximately 4.30 miles, the need for widening of this roadway has been identified.

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

2002-148

WHEREAS, on Highway 275, Section 1, in Union County, traffic volumes continue to increase; and

WHEREAS, improvement to this highway would be beneficial.

2002-148 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a reconstruction and minor widening project as funds become available.

2002-149 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 10, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110412	01	ST. FRANCIS	FORREST CITY-NEWCASTLE (OVERLAY) (S)	284
020323	02	ASHLEY	HWY. 52-NORTH (S)	133
020337	02	DREW	7TH & 8TH STREETS STRS. & APPRS. (WILMAR) (S)	- - -
030276	03	MILLER	TEXARKANA T. I. C. (RAMPS & DRIVES) (S)	30
040384	04	LOGAN	HWY. 398-EAST (OVERLAY) (S)	22
050111	05	WHITE	DAVIS ST.-WILLOW ST. (SEL. SECS.) (SEARCY) (S)	67B
050112	05	WHITE	HWY. 67NB OFF-RAMP/RACE ST. SIGNAL (SEARCY) (S)	67
050133	05	CLEBURNE	HWY. 356-HWY. 5 (OVERLAY) (S)	25
B60120	06	SALINE & PULASKI	WEST OF PULASKI CO. LINE-I-430 (F)	30
060953	06	PULASKI	MAIN ST./JFK (HWY. 107) SIGNAL SYSTEM UPGRADE (NLR) (S)	107
061067	06	SALINE	HWYS. 67/229 SIGNAL (HASKELL) (S)	67 & 229
061074	06	PRAIRIE	WHITE RIVER BRIDGE COMPLETION (DEVALLS BLUFF) (S)	70
070161	07	DALLAS	VILLAGE CR. & MORO CR. & RELIEF STRS. & APPRS. (S)	229
070197	07	BRADLEY	HWY. 63-JOHSVILLE (PASSING LANES) (PHASE II) (S)	8
080178	08	FAULKNER	MUSEUM/AMITY RD. WIDENING AND EXTENSION (CONWAY) (S)	- - -
080201	08	FAULKNER	I-40 RAMP MODIFICATIONS (HWY. 65) (S)	40
080246	08	CONWAY	HWY. 287-NORTH (OVERLAY) (S)	95
009942	09	BAXTER	HOSPITAL DR.-HWY. 62B (MT. HOME) (S)	5

2002-149 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
100561	10	GREENE	HWY. 168-SOUTH (OVERLAY) (S)	141
RX0027	3 & 7	LAFAYETTE & COLUMBIA	STAMPS-MAGNOLIA (PASSING LANES) (SEL. SECS.) (S)	82
SA0339	09	BAXTER	HWY. 62 - WHITEVILLE (OVERLAY) (S)	---
SA1050	07	CLARK	CO. RD. 1-CO. RD. 455 (SURFACING) (S)	---
SA1235	05	CLEBURNE	HWY. 5-WEST (SURFACING) (S)	---
SA1540	08	CONWAY	CONWAY COUNTY RESEAL NO. 1 (S)	---
SA1753	04	CRAWFORD	HWY. 60-NORTH (OVERLAY) (S)	---
BR3004	06	HOT SPRING	NINE MILE CREEK STR. & APPRS. (S)	---
SA3332	05	IZARD	IZARD CO. OVERLAY NO. 8 (SEL. SEC.) (S)	---
SA3441	05	JACKSON	HWY. 18-TUCKERMAN CITY LIMITS (BASE & SURFACING) (S)	---
SA4423	09	MADISON	HWY. 23-WEST (BASE & SURFACING) (S)	---
SA4820	01	MONROE	HWY. 1-INDIAN BAY (OVERLAY) (S)	---
SA4922	08	MONTGOMERY	MONTGOMERY COUNTY RESEAL NO. 9 (S)	---
SA5123	09	NEWTON	CO. RD. 28 (BASE & SURFACING) (S)	---
SA5435	01	PHILLIPS	PHILLIPS CO. SURFACING NO. 4 (S)	---
SA5844	08	POPE	ILLINOIS BAYOU BRIDGE SCOUR REPAIR (S)	---
SA6126	10	RANDOLPH	RANDOLPH COUNTY RESEAL NO. 2 (S)	---
SA6238	06	SALINE	HWY. 298-CO. RD. 42 (OVERLAY) (S)	---
SA6429	09	SEARCY	CO. RD. 179 - NORTH (OVERLAY) (S)	---
SA6721	05	SHARP	SHARP COUNTY RESEAL (SEL. SEC.) (S)	---
SA7256	04	WASHINGTON	CO. RD. 64-CO. RD. 62 (OVERLAY) (S)	---
SA7350	05	WHITE	HWY. 5-CO. RD. 12 (BASE) (S)	---
SA7352	05	WHITE	FLAT CREEK-NORTH (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl S. Rosenbaum moved, Vice Chairman J. W. Benafield seconded and the motion passed unanimously to authorize the staff to advertise for an auction service to coordinate the AHTD Equipment Auction sometime at the end of October.

2002-150

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:25 p.m., July 10, 2002.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on July 9 and 10, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 21, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 21, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-151 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 21, 2002.

2002-152 WHEREAS, the Purchasing Committee met on July 23 and 29, 2002, with purchases awarded on July 12 and 26, 2002, and August 9, 2002, in the amounts of \$145,750.27, \$36,846.00, and \$108,815.00, respectively, totaling \$291,411.27, 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.

2002-153 WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2002, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2002 in the amount of \$1,250.00.

2002-154

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) have continued to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2003.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2003 in the amount of \$4,500.00.

2002-155

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Arkansas Highway and Transportation Department spends over \$2 million annually to remove litter from State Highways.

NOW THEREFORE, the Director is authorized to make a contribution of \$15,000 to the Keep Arkansas Beautiful Commission for use in conducting the Great Arkansas Cleanup Campaign.

2002-156

WHEREAS, the Highway System in Arkansas provides for safe mobility, economic development and tourism enhancement throughout the State; and

August 21, 2002

2002-156 - Continued

WHEREAS, public information and education is important in providing the citizens of our State with the necessary information relative to the issues facing the Commission and Department; and

WHEREAS, the Arkansas Good Roads and Transportation Council serves as an effective group to provide this information and education.

NOW THEREFORE, IT IS ORDERED that the Director make a payment of \$20,000 to the Arkansas Good Roads and Transportation Council for its public information and education services for calendar year 2002.

2002-157

WHEREAS, compliance with the Endangered Species Act sometimes requires surveys for endangered mussel species due to highway construction, maintenance and operation activities; and

WHEREAS, surveys for these mussels often require specialized diving equipment adapted for use in deep, high velocity, riverine environments under adverse weather conditions; and

WHEREAS, endangered mussels are known to occur in some part of virtually every large river in Arkansas; and

WHEREAS, the Department does not possess the mussel survey equipment to meet current dive safety standards;

NOW THEREFORE, the Director is authorized to acquire the necessary equipment to conduct endangered mussel surveys in a safe, efficient, and timely manner so that the necessary permits and clearances are obtained to proceed with highway construction, maintenance and operation activities.

2002-158

WHEREAS, the Arkansas Highway and Transportation Department has committed to conduct a Historic Bridge Inventory every

five years and to reevaluate the historical significance of steel truss bridges from the 1987 and 1995 historic bridge inventories; and

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(Continued)

August 21, 2002

2002-158 - Continued

WHEREAS, field photography and document preparation will be required to complete the reevaluation of steel truss bridges from the 1987 and 1995 historic bridge inventories as well as the upcoming 2005 Historic Bridge Inventory; and

WHEREAS, the results of the recently concluded 2000 Historic Bridge Inventory and the 1987 and 1995 reevaluation will be published to update previous historic bridge publications; and

WHEREAS, the Department bridges on the National Register of Historic Places from the 1995 and 2000 Historic Bridge Inventories will be documented by the Historic American Engineering Record branch of the National Park Service.

NOW THEREFORE, the Director is authorized to develop a project to accomplish the required inventories and publications.

2002-159

WHEREAS, the Transportation Equity Act for the 21st Century contained funding for the Arkansas Recreational Trails Program for the Federal Fiscal Year 2002; and

WHEREAS, these funds were made available to qualifying sponsors through a competitive application process.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the attached list of projects.

2002-160

WHEREAS, Minute order 2001-168 authorized the Director to continue an agreement with Thoma Thoma Creative to provide media consulting services to the Commission under the terms specified in the attached Letter of Engagement; and

WHEREAS, the contract term specified in the Letter of Engagement to commence on August 15, 2000, to be renewable on an annual basis will expire on August 22, 2002; and

- 4 -
(Continued)

August 21, 2002

2002-160 - Continued

WHEREAS, Thoma Thoma Creative has demonstrated their ability and skill in furthering the objectives and managing the responsibilities set forth in the Letter of Engagement;

NOW THEREFORE, the Director is authorized to enter into a continued agreement with Thoma Thoma Creative to provide media consulting services to the Commission for an additional year under the terms specified in the Letter of Engagement.

2002-161

WHEREAS, the Commission acquired property known as Tract No. 15R1, a non-economic remnant consisting of 16.97 acres from Alice C. Foy-Coyle for Job No. 090004, DPR-0049 (6), Highway 65/Highway 412 Interchange, Route 65, Section 1, Boone County, by warranty deed filed of record on April 8, 2002, in the Circuit Clerk's Office of Boone County as Instrument No. 02002815; and

WHEREAS, the District Engineer for District 9 has recommended that the Arkansas State Highway Commission sell a portion of Tract No. 15R1, 14.07 acres, at Public sale and that the remaining 2.90 acres of Tract No. 15R1 be retained for additional right of way should same be needed; and

WHEREAS, Alice C. Foy-Coyle has assigned her rights to reacquire Tract No. 15R1 to the Arkansas State Highway Commission; and

WHEREAS, the District Engineer for District 9 has determined that 14.07 acres of Tract No. 15R1, being more particularly described as follows is no longer needed for highway purposes:

Job No. 090004
Tract No. 15R1

A part of the North half of the Southwest quarter (N1/2 SW1/4), Section 15, Township 19 North, Range 21 West, Boone County, Arkansas, described as follows:

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(Continued)

August 21, 2002

2002-161 - Continued

Beginning at the Northeast corner of the Northeast quarter of the Southwest quarter (NE 1/4, SW 1/4), Section 15; THENCE along the East line thereof South 03 degrees 48 minutes 52 seconds West for a distance of 673.57 feet to the center line of County Road 8; Thence along center line the following calls: THENCE North 80 degrees 15 minutes 51 seconds West for a distance of 54.23 feet; THENCE North 66 degrees 45 minutes 48 seconds West for a distance of 492.63 feet; THENCE North 58 degrees 11 minutes 40 seconds West for a distance of 265.34 feet; THENCE North 68 degrees 17 minutes 03 seconds West for a distance of 550.00 feet; THENCE North 52 degrees 35 minutes 38 seconds West for a distance of 410.01 feet to the North line of the Northwest quarter of the Southwest quarter (NW1/4, SW1/4) of Section 15; THENCE along said North line South 85 degrees 36 minutes 33 seconds East for a distance of 383.79 feet to the Northwest corner of the Northeast quarter of the Southwest quarter (NE1/4, SW1/4) of Section 15; THENCE along said north line South 85 degrees 36 minutes 33 seconds East for a distance of 1234.04 feet to the POINT OF BEGINNING, containing 14.07 acres, more or less.

G.A./ga 7\24\02

WHEREAS, that portion of Tract No. 15R1 which the District 9 Engineer recommends be sold is land locked and the purchaser at the public sale will be required to develop access to the property independently of the Arkansas State Highway Commission; the property being sold has a modern home situated upon it; and

WHEREAS, the Arkansas State Highway Commission acquired Tract No. 15R1 for \$698.25 per acre, more or less, and that portion being offered for sale (14.07 acres, more or less) was acquired for approximately \$9,825.00; and

WHEREAS, three (3) qualified appraisers have, in accordance with Ark. Code Ann. § 27-67-322, opined that the current fair

market value of that portion of Tract No. 15R1 being offered for sale is \$11,250.00;

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(Continued)

August 21, 2002

2002-161 - Continued

NOW THEREFORE, BE IT RESOLVED, that the portion of Tract No. 15R1 (approximately 14.07 acres) be, in accordance with the recommendation of the District 9 Engineer, declared surplus property and that such property be offered for sale, at public auction, to be held at 11:30 o'clock a.m. on Thursday, September 5, 2002, at 1719 Gas Loop Road, Harrison, Boone County, Arkansas, or such other location as the District 9 Engineer may determine, and that the property be sold to the highest bidder at such public auction:

RESOLVED FURTHER, that upon receipt and acceptance of the amount of consideration offered for the properties by the highest bidder at such public auction, the Chairman of the Arkansas State Highway Commission is authorized and directed to execute a quitclaim deed conveying the property described in this Minute Order to said successful bidder and the deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Boone County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2002-162

WHEREAS, the Commission acquired right of way for Job No. 10289, FAP F-455 (7), more commonly known as the Hoxie Connection Road, Lawrence County, Route 63, Section 3B, by Lawrence County Court Order dated December 1, 1947, which is recorded in the County Court records of Lawrence County, Arkansas, in Book "A-1" at page 284, which said Order was subsequently revised on December 1, 1948, and the revised Order was recorded in Book "A-1" at page 368, of the County Court records of Lawrence County, Arkansas; and

WHEREAS, the District Engineer has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that these areas of the right of way be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

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(Continued)

August 21, 2002

2002-162 - Continued

Job 10298
FAP F-455 (7)
Hoxie Connection Road
Route 63, Section 3B
Lawrence County, Arkansas

From Designated Survey Centerline Station 270+00.00 to Centerline Station 278+19.00 as set forth in the originally executed Court Order for Job 10289 dated December 1, 1947; revised December 1, 1948, being recorded in the County Court Records of Lawrence County, Arkansas at Book "A-1" at pages 284 and 368, respectively, said records shall be revised as set forth below.

The width of the right of way to be released to Lawrence County to the left and to the right of the hereinafter designated Centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN. FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
270+00.00	271+00.00	100'	Var.0'-30'	Var.20'-30'	Var.20'-60'
271+00.00	273+00.00	200'	Var.30'-40'	Var.30'-50'	Var.60'-90'
273+00.00	274+00.00	100'	Var.40'-20'	Var.50'- 61.43'	Var.90'- 81.43'
274+00.00	274+75.00	75'	Var.20'-50'	Var.61.43'- 70'	Var.81.43'- 120'
274+75.00	275+00.00	25'	Var.50'-60'	Var.70'- 66.15'	Var.120'- 126.15'
275+00.00	275+40.00	40'	Var.60'- 62.51'	Var.66.15'- 60'	Var.126.15'- 122.51'
275+40.00	276+00.00	60'	Var.62.51'- 66.27'	Var.60'-90'	Var.122.51'- 156.27'

276+00.00 278+19.00 219' Var.66.27'-80' Var.90'-100' Var.156.27'-180'

Note: The original Court Order shall remain as is. This description is to be used to reflect the area to be released to Lawrence County.

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(Continued)

August 21, 2002

2002-162 - Continued

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Lawrence County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Lawrence County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2002-163

WHEREAS, IN ASHLEY COUNTY, on Highway 160, Section 11, from Bayou Bartholomew northwest, approximately 2.4 miles, Job R20117 is programmed to reconstruct this section of highway; and

WHEREAS, it has been recommended that an additional half-mile section of this highway that is subject to flooding be reconstructed and raised; and

WHEREAS, it has also been recommended that a curve on this section of highway located approximately 1.7 miles south of Highway 82 be improved.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to upgrade this segment of Highway 160.

This work to be included in Job R20117.

2002-164

WHEREAS, IN BENTON COUNTY, on Highway 279, Section 1, the need exists to improve the intersection at Stringer Lane.

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

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August 21, 2002

2002-165

WHEREAS, IN BOONE AND NEWTON COUNTIES, on Highway 7, Sections 17, 18, and 19, from the Pope County Line to Harrison, the need exists for passing lanes to meet increased traffic demands.

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

2002-166

WHEREAS, IN CLARK COUNTY, on Highway 26, Section 4, from Hollywood to Highway 51, the need exists for roadway rehabilitation and minor widening.

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

2002-167

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant upgrading active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal device performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

WHEREAS, traffic volumes and construction costs have increased since the completion of the study; and

WHEREAS, the Arkansas Highway Commission adopted the study by Minute Order 96-201 as a guide to providing additional access to the Maumelle area.

NOW THEREFORE, the Director is authorized to conduct an update of the *Maumelle/Oak Grove I-40 Interchange Feasibility Study*.

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August 21, 2002

2002-172

WHEREAS, IN WASHINGTON COUNTY, on Highway 112, Section 0, from North of Highway 16 to Highway 180, the need exists to widen this route to enhance capacity and safety; and

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

2002-173

WHEREAS, IN WASHINGTON AND BENTON COUNTIES, Interstate 540, Sections 4 and 5, from Highway 71B to Goad Springs Road, a distance of approximately 10.30 miles, has experienced considerable surface wear and is showing signs of rutting; and

WHEREAS, it has been determined that cold-milling and resurfacing will improve the surface conditions of this highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface this highway as funds become available.

2002-174

WHEREAS, bridge inspection reveals the timber deck, floor joists, stringers, guard rail posts and railing are in poor condition on the White River Bridge at Beaver; and

WHEREAS, state maintenance forces are available to remove and replace the timber deck.

NOW THEREFORE, the Director is authorized to purchase the necessary timber and hardware to replace the timber deck on the Beaver Bridge as funds become available.

020381	02	CHICOT	BARGE REMOVAL (GREENVILLE BRIDGE) (S)	82
030211	03	LAFAYETTE	STEEL CREEK STR. & APPRS. (S)	29
030266	03	MILLER	TEXARKANA TOURIST INFORMATION CENTER (S)	30
040044	04	SEBASTIAN	MASSARD CR. STR. & APPRS. (FORT SMITH) (S)	---
040364	04	CRAWFORD	HWY. 64/7TH, 12TH & 15TH STS. SIGNALS (VAN BUREN) (S)	64, 59 & 162
050067	05	CLEBURNE & WHITE	HWY. 31-NORTH (PASSING LANES) (S)	5

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(Continued)

August 21, 2002

2002-177 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B60119	06	PULASKI	I-430-GEYER SPRINGS ROAD (F)	30
060919	06	PULASKI	I-430 & WHITE OAK BAYOU STRS. & APPRS. (S)	100 & 430
061024	06	PULASKI	CENTRAL ARKANSAS LOGO SIGNING (S)	VAR
061041	06	GARLAND	HWY. 70 BRIDGE REPAIR (LAKE HAMILTON) (S)	70
070161	07	DALLAS	VILLAGE CR. & MORO CR. & RELIEF STRS. & APPRS. (S)	229
070204	07	CLEVELAND & BRADLEY	WOODLAWN-EL DORADO (PASSING LANES) (S)	63
070206	07	UNION	HWY. 167 OVERPASS IMPVTS. (EL DORADO) (S)	63 & 167
100461	10	CRAIGHEAD	HWY. 63-CULBERHOUSE ST. (JONESBORO) (S)	63B
100565	10	POINSETT	TYRONZA RIVER-SOUTH (RESURFACING) (S)	63
RX0028	2 & 7	DALLAS, GRANT & CLEVELAND	FORDYCE-SHERIDAN (PASSING LANES) (PHASE I) (S)	167
SA0232	02	ASHLEY	HWY. 173-HWY. 8 (OVERLAY) (S)	---
SA0426	09	BENTON	HWY. 59-HWY. 279 (OVERLAY)(S)	---
SA0540	09	BOONE	HWY. 62-NORTH (OVERLAY) (S)	---
FA0709	07	CALHOUN	CHAMPAGNOLLE CREEK STR. & APPRS. (S)	---
SA0835	09	CARROLL	HWY. 221-NORTH (ROCKHOUSE RD.) (OVERLAY) (S)	---
SA1342	07	CLEVELAND	CLEVELAND COUNTY OVERLAY NO. 3 (S)	---
SA2534	05	FULTON	HEART-NORTHEAST BASE & SURFACING (S)	---
FA3504	02	JEFFERSON	HWY. 63-NORTH (HARBOR INDUSTRIAL DISTRICT) PHASE II (S)	---

SA3529	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 12 (S)	---
FA3915	01	LEE	LA GRANGE-NORTH BASE & SURF. (SEL. SEC.) (S)	---
SA5324	08	PERRY	HWY. 113-NORTHEAST (RECONST.) (S)	---
SA5929	06	PRAIRIE	HWY. 11-WEST (BASE) (S)	---
SA6328	04	SCOTT	WINFIELD-SOUTH (BASE & SURFACING) (S)	---
SA7257	04	WASHINGTON	HWY. 59-EAST (OVERLAY) (S)	---
SA7258	04	WASHINGTON	PRAIRIE GROVE CITY LIMITS-NORTH (OVERLAY) (S)	---

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(Continued)

August 21, 2002

2002-177 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA7351	05	WHITE	HWY. 5-CO. RD. 12 (SURFACING) (S)	---
SA7353	05	WHITE	HWY. 323-CO. RD. 836 (BASE) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Vice Chairman J. W. Benafield moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on October 29, 2002.

2002-178

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., August 21, 2002.

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August 21, 2002

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 August 21, 2002.

Lindy H. Williams
Commission Secretary

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August 21, 2002

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 23, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 23, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-179 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., October 23, 2002.

2002-180 WHEREAS, the Purchasing Committee has awarded purchases on August 20 and 29, 2002, September 18, 2002, and October 4 and 17, 2002, in the amounts of \$83,835.00, \$128,983.00, \$133,556.75, \$425,561.20, and \$138,406.75 respectively, totaling \$910,342.70, 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.

2002-181 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

2002-181 - Continued

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statements for the 2002 – 2003 membership dues in the amounts of \$200.00 to the Arkansas Transit Association, \$200.00 to the South West Transit Association and \$225.00 to the Community Transportation Association of America.

2002-182

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials have continued to support AASHTO Product Evaluation List (APEL) Program.

WHEREAS, evidenced by yearly survey of member departments there is a growing number who utilize APEL data to expedite information relating to new product evaluations being conducted or completed by the various state Departments of Transportation; and

WHEREAS, Arkansas State Highway and Transportation Department utilizes APEL database for finding the evaluation and testing of new and/or proprietary engineered transportation products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support APEL in fiscal year 2003.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2003 in the amount of \$1,200.00.

2002-183

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support the National Work Zone Safety Information Clearinghouse; and

WHEREAS, the Clearinghouse was established to provide information for design and technical assistance and for operational standards to enhance work zone safety for the benefit of motorists and workers; and

2002-183 - Continued

WHEREAS, the Arkansas State Highway and Transportation Department utilizes information from the Clearinghouse in the design, construction and maintenance programs; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support the National Work Zone Safety Information Clearinghouse for FY 2003.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2003 in the amount of \$2,000.00.

2002-184

WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the National Institute of Standards and Technology and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials; and

WHEREAS, this Department has received notice that its share of the Laboratory for Fiscal Year 2003 (October 1, 2002 to September 30, 2003) is \$11,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2003 AASHTO, AMRL Account, Department 5051, Washington, D.C. 20061-5051.

2002-185

WHEREAS, in consideration of the continuing need for maintaining the roadways and bridges of the State Highway System; and

WHEREAS, the maintenance of bridge decks, roadway surfaces, shoulders and drainage in many locations is such that routine maintenance cannot provide the desired quality of service; and

2002-185 - Continued

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2003 described as the "Roadway Improvement Program" in the amount of \$12,000,000 to cover the maintenance of bridge decks and roadway surfaces including asphalt surface treatments, leveling and special improvements.

2002-186

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Arkansas Highway and Transportation Department spends over \$2 million annually to remove litter from State Highways.

NOW THEREFORE, Minute Order No. 2002-155 is hereby rescinded and the Director is authorized to make a contribution of \$15,000 to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

2002-187

WHEREAS, the U. S. Geological Survey provides detailed hydrologic data, historical water surface elevations, and develops analytical hydrologic procedures through its Federal-State Cooperative Water Resources Program; and

WHEREAS, the information collected by the U. S. Geological Survey, and the procedures developed by them, are used by the Departments engineers in the design of highway drainage structures such as bridges, culverts, and storm drainage systems; and

WHEREAS, the continued collection of stream data is crucial to the verification and refinement of the analytical procedures used in the design of these highway drainage structures; and

2002-187 - Continued

WHEREAS, there is currently a cooperative agreement between the U. S. Geological Survey and the Department for the collection of stream flow data from the operation and maintenance of crest-stage gauges throughout the state.

NOW THEREFORE, the Director is authorized to enter into a continuation of the existing cooperative agreement with the U. S. Geological Survey for the period October 1, 2002 through September 30, 2003 involving the expenditure of State funds in the amount of \$59,500. The Department will contribute State funds in the amount of \$59,500 and the U. S. Geological Survey's portion of the funding will be in the amount of \$59,500.

2002-188

WHEREAS, the On-the-Job Training/Supportive Services (OJT/SS) Program provides meaningful training opportunities for minorities, women and the disadvantaged on federal-aid highway projects; and

WHEREAS, the Transportation Equity Act for the 21st Century authorizes the Department to utilize its regular federal aid for the OJT/SS Program; and

WHEREAS, continuation of the OJT/SS Program will be beneficial to the Department.

NOW THEREFORE, the Director is authorized to issue a Request for Proposals to continue the OJT/SS Program, and to implement the proposal that results in appropriate cost-effective service, utilizing federal funds.

2002-189

WHEREAS, the mission of the Arkansas State Highway and Transportation Department is to provide a safe, efficient, aesthetically pleasing and environmentally sound intermodal transportation system for the user; and

WHEREAS, the publication of a brochure would help promote and inform the public about the Department's environmental programs; and

2002-189 - Continued

WHEREAS, the publication of a brochure highlighting environmental programs is eligible for Federal Marketing funds.

NOW THEREFORE, the Director is authorized to develop and distribute a brochure promoting the Department's environmental programs.

2002-190

WHEREAS, TEA-21 includes specific conditions allowing states to use Federal-aid transportation funds for reimbursement of expenses related to work that streamlines the environmental process; and

WHEREAS, the Environmental Protection Agency (EPA) is responsible for review of projects for compliance with many environmental laws, including the Clean Water Act, Clean Air Act, National Environmental Policy Act, Civil Rights Act, Endangered Species Act, and many other; and

WHEREAS, larger and more complex projects require substantially more time from EPA staff; and

WHEREAS, the EPA, due to funding constraints, has not been able to address some Arkansas State Highway and Transportation Department (AHTD) projects in a timely manner.

NOW THEREFORE, the Director is authorized to enter into an agreement with the EPA for the purpose of expediting AHTD projects by paying expenses for EPA staff to travel to scoping meetings, coordination meetings, field trips and other events necessary for expediting environmental handling.

2002-191

WHEREAS, TEA-21 includes specific conditions allowing states to use Federal-aid transportation funds for reimbursement of expenses related to work that streamlines the environmental process; and

WHEREAS, the U. S. Fish and Wildlife Service (FWS) is responsible for reviewing highway construction, maintenance, and operation activities for impacts to endangered species through Section 7 of the Endangered Species Act and for impacts to fish and wildlife resources through the Fish and Wildlife Coordination Act; and

WHEREAS, the review of these activities includes Section 404 permits forwarded by the U. S. Army Corps of Engineers, National Environmental Policy Act (NEPA) documentation submitted by Federal Highway Administration (FHWA), and biological assessments for endangered species, also submitted by FHWA; and

WHEREAS, projects and documents submitted for review by the FWS number in the hundreds annually.

NOW THEREFORE, the Director is authorized to enter into an agreement with the FWS for the purpose of expediting Arkansas State Highway and Transportation Department (AHTD) projects subject to the following conditions:

1. FWS to supplement existing staff with one person to streamline AHTD project review and approval.
2. AHTD to pay salary, benefits, overhead, training and travel as needed to support the priority review of AHTD projects.
3. FWS to provide all necessary funds and equipment to support the activities of the employee including, but not limited to, office space, office supplies and clerical support.

WHEREAS, TEA-21 includes specific conditions allowing states to use Federal-aid transportation funds for reimbursement of expenses related to work that streamlines the environmental process; and

WHEREAS, the U. S. Army Corps of Engineers is responsible for issuing Section 404 permits for highway construction, maintenance, and operation activities involving waters of the United States, including wetlands; and

WHEREAS, jurisdiction in Arkansas is divided among three Corps of Engineers District Offices and two Division Offices; and

WHEREAS, the Corps of Engineers has agreed to consolidate permitting authority for Arkansas State Highway and Transportation Department (AHTD) projects in the Little Rock District; and

WHEREAS, the Little Rock District has agreed to assign a senior level project manager to process AHTD projects on a full-time basis; and

WHEREAS, this will significantly streamline the Section 404 Permit process.

NOW THEREFORE, the Director is authorized to enter into an agreement with the Corps of Engineers for the purpose of expediting AHTD projects subject to the following conditions:

1. Corps of Engineers to supplement existing staff with one senior level, experienced, project manager to streamline AHTD project review and approval.
2. AHTD to pay salary, benefits, overhead, training and travel as needed to support the priority review of AHTD projects.
3. Corps of Engineers to provide all necessary funds and equipment to support the activities of the employee including, but not limited to, office space, office supplies and clerical support.

WHEREAS, the Commission acquired in fee property known as Tract No. 100 from James W. Miller and Patsy Ann Miller, his wife, for Job No. 8649-1, FAP Number F-025-3(17) Interstate 40-State Highway 287 (U. S. Highway 65), Faulkner County, Arkansas, by condemnation, resulting in a Consent Judgment filed of record on June 13, 1985, in the Circuit clerk's Office of Faulkner County, Arkansas, in Arkansas State Highway Commission vs. James W. Miller and Patsy Ann Miller, his wife; Faulkner County Circuit No. 84-292 (Case); and

WHEREAS, Arkansas Federal Credit Union, a Federal Credit Union, has asked to repurchase 933 square feet, more or less (0.21 acre±) of Tract No. 100. James W. Miller and wife, Patsy Ann Miller, have assigned their right to reacquire that portion of Tract No. 100 (0.21 acre±) which the District Engineer for District 8 has determined is no longer needed for highway purposes to Arkansas Federal Credit Union; said portion of Tract No. 100 being released and sold herein being more particularly described as follows:

Part of the Northeast Quarter of the Southwest Quarter of Section 31, Township 6 North, Range 13 West, Faulkner County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Northeast Quarter of the Southwest Quarter of Section 31; thence South 02° 10' 51" East along the East line thereof a distance of 110.93 feet to a point on the Northerly right of way line of U. S. Highway 65 as established by AHTD Job 6225; thence South 82° 52' 08" West along said right of way line a distance of 297.53 feet to a point; thence South 07° 07' 52" East along said right of way line a distance of 20.00 feet to a point; thence South 82° 52' 08" West along said right of way line a distance of 486.72 feet to a point on the Northerly right of way line of U. S. Highway 65 as per this Release for the point of beginning; thence continue South 82° 52' 08" West along said right of way line of U. S. Highway 65 as established by AHTD Job 6225 a distance of 130.28 feet to a point on the Northerly right of way line of U. S. Highway 65 as established by AHTD Job 8649-1; thence North 78° 24' 06" East along said right of way line a distance of 132.46 feet to a point on the Northerly right of way line of U. S. Highway 65 as per this Release; thence South 02° 39' 01" East along said right of way line a distance of 10.47 feet to the point of beginning and containing 672 square feet more or less.

DH/dh 07/20/02 Revised (dh) 10/10/02

WHEREAS, Tract No. 100 was acquired by the Commission for (\$19,700.00); and

2002-193 - Continued

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated §27-67-322, opined that the current fair market value of that portion of Tract No. 100 being offered for sale is \$1,350.00.

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$1,350.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to the Arkansas Federal Credit Union; a copy of the deed and this Minute Order shall be recorded in Faulkner County, Arkansas; and, if necessary, the right of way shall be re-monumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2002-194

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 203R in fee from William G. White and Barbara J. White, husband and wife, for Job No. R60016-2, FAP F-016-2(26), U. S. Highway 70 – State Highway 7, Garland County, by Warranty Deed dated January 3rd, 1989; and

WHEREAS, William G. White and Barbara J. White assigned their rights to re-acquire Tract No. 203R to W. J. Smith and wife Peggy Smith on May 4th, 1990; and

WHEREAS, the Commission passed Minute Order No. 91-999 on May 27, 1991, authorizing the sale of Tract No. 203R to W. J. Smith and wife, Peggy Smith for the sum of \$1,500.00, the purchase price paid by the Commission for Tract No. 203R; and

WHEREAS, W. J. Smith and wife, Peggy Smith, failed to consummate the purchase of Tract No. 203R from the Commission and on August 29, 1991, assigned their rights to acquire said Tract No. 203R to the Commission; and

WHEREAS, subsequent to the assignment of the right to re-acquire Tract No. 203R to the Commission by W. J. and Peggy Smith, Tract No. 203R was advertised for sale (9/15 and 9/18/1991) but no bids were received and on March 31, 1993, Minute Order No. 91-99 authorizing

the sale of Tract No. 203R was rescinded by the Commission by Minute Order No. 93-95, an Tract No. 203R was returned to the status of surplus property; and

WHEREAS, Karl Stanley Smith and wife, Wendy Gail Smith have requested to purchase Tract No. 203R for \$1,500.00; and the District Engineer has heretofore determined that Tract No. 203R, being more particularly described below, is no longer needed for highway purposes, either now or in the future;

Job No. R60016-2
Tract No. 203R

Part of the Southeast Quarter of the Northwest Quarter of Section 14, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 14; thence North $83^{\circ} 09' 15''$ East along the North line thereof a distance of 379.92 feet to a point on the Southerly existing right of way line of U. S. Highway 70; thence North $56^{\circ} 26' 58''$ East along said existing right of way line a distance of 205.00 feet to a point on the Westerly existing right of way line of State Highway 88; thence South $16^{\circ} 25' 10''$ East along said existing right of way line a distance of 259.44 feet to a point; thence in a Southeasterly direction along said existing right of way line along a curve to the right having a radius of 452.46 feet a distance of 79.84 feet to a point; thence South $68^{\circ} 32' 16''$ West a distance of 28.01 feet to a point on the Southwesterly right of way line of Relocated State Highway 88 for the point of beginning; thence continue South $68^{\circ} 32' 16''$ West a distance of 41.06 feet to a point; thence North $23^{\circ} 37' 44''$ West a distance of 110.80 feet to a point on the Southwesterly right of way line of Relocated State Highway 88; thence South $59^{\circ} 08' 25''$ East along said right of way line a distance of 47.71 feet to a point; thence South $33^{\circ} 53' 51''$ East along said right of way line a distance of 74.71 feet to of beginning and containing 0.07 acres more or less.

2002-194 - Continued

NOW THEREFORE, BE IT RESOLVED, that the above described property is acknowledged as surplus property; that upon receipt of the consideration of \$1,500.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Stanley Smith and wife, Wendy Gail Smith; a copy of the deed and this Minute Order shall be recorded in Garland County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds or otherwise credited as permitted by federal law.

2002-195

WHEREAS, IN BENTON COUNTY, the City of Rogers has requested that Champions Drive/Horsebarn Road, from a point near the fire station on the south to a point north of Stoney Brook Road be reconstructed and widened; and

WHEREAS, the City has agreed to provide \$750,000 as their contribution toward construction of this improvement, to provide the right-of-way and utility relocations at no cost to the State, and to accept ownership of the road upon completion.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this roadway as funds become available.

FURTHERMORE, IT IS ORDERED that ownership and maintenance of this section of Champions Drive/Horsebarn Road will become the responsibility of the City of Rogers upon receipt of the proper resolution from the City Council of Rogers and completion of the project. This change shall become effective upon notification by the Chief Engineer.

2002-196

WHEREAS, the City of Jonesboro has expressed concern regarding increasing traffic volumes in the vicinity of the interchange of Highway 63 with Highways 49 and 18 (Southwest Drive) and has requested a study to explore possible measures to improve the traffic operations.

2002-196 - Continued

NOW THEREFORE, the Director is authorized to study the operation of this interchange to identify short term and long-range measures to improve traffic flow in the vicinity of the interchange.

2002-197

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Road/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Craighead	Jonesboro	Culberhouse Rd.	Union Pacific	Install Flashing Signals with Gates

2002-198

WHEREAS, IN CRITTENDEN COUNTY, on Interstate 40, Section 52, an inspection of Structure Number 05327 has revealed the need for repair work; and

WHEREAS, it is recommended that the structural steel superstructure and concrete deck be replaced and the integral cap be retrofitted.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to repair this structure as funds become available.

2002-199

WHEREAS, Congress has provided approximately \$109 million specifically earmarked for the development of a connector road between the I-69 Corridor in the vicinity of Monticello to Pine Bluff, \$100 million of which is 100% Federal Funds from the General Fund of the U. S. Treasury; and

WHEREAS, the Commission authorized environmental and location studies, which have been completed, and a Federal Highway Administration Record of Decision approving the location of the connector was received on October 9, 2001; and

WHEREAS, the Commission authorized the Director to retain the services of engineering consultants to complete the design plans and specifications for the project, work which is now in progress.

NOW THEREFORE, the Director is authorized to proceed with right-of-way acquisition for the entire connector road between the I-69 Corridor in the vicinity of Monticello to Pine Bluff using only 100% Federal Funds and to begin construction of this connector as funds become available.

2002-200

WHEREAS, Highway 82 serves as a critical east-west route across south Arkansas; and

WHEREAS, increasing traffic volumes and congestion on Highway 82 in the vicinity of Stamps may indicate the need for highway improvements in the area.

NOW THEREFORE, the Director is authorized to conduct a study of Highway 82 in Stamps in order to identify feasible improvements that will enhance traffic flow.

2002-201

WHEREAS, State Highway 245 in Texarkana has been designated as Future Interstate 130; and

WHEREAS, such designation requires that the facility be brought up to Interstate standards in order to be signed as Interstate 130; and

WHEREAS, State Highway 245 will be incorporated into the future Interstate 49 routing in the Texarkana area:

2002-201 - Continued

NOW THEREFORE, the Director is authorized to program the needed projects to upgrade that portion of State Highway 245 between U.S. 82 and Interstate 30 to Interstate standards as funds become available.

2002-202

WHEREAS, IN UNION COUNTY, on Highway 7B, Section 2B, from 10th Street to Broadway in Smackover, it has been determined that improvements to the drainage structures are needed to reduce the potential for flooding; and

WHEREAS, Department staff has recommended that the roadway be widened to provide a continuous left turn lane to accommodate existing traffic volumes and turning movements along this highway segment.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project for drainage and roadway improvements to this segment of highway as funds become available.

2002-203

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 23, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
R10071	01	CROSS & ST. FRANCIS	COLT-WYNNE (S)	1
R10087	01	LEE	HOG TUSK CREEK STR. & APPRS. (S)	78
020152	02	ASHLEY	BIG BRUSHY CREEK STR. & APPRS. (S)	133
020343	02	JEFFERSON	BAYOU IMBEAU STR. & APPRS. (12TH AVE.) (PINE BLUFF) (S)	---
020381	02	CHICOT	BARGE REMOVAL (GREENVILLE BRIDGE) (S)	82
030265	03	MILLER	RED RIVER BRIDGE REPAIR (I-30) (S)	30
004981	04	WASHINGTON	ILLINOIS RIVER & BRANCH STRS. & APPRS. (S)	265
040352	04	POLK	HWY. 71/HWY. 8 INTERS. IMPVTS. (MENA) (S)	71 & 8
040403	04	SEBASTIAN	HWYS. 71/45 SIGNAL (SO. OF FT. SMITH) (S)	71 & 45

2002-203 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B60124	06	PULASKI & SALINE	CENTRAL ARKANSAS AUTOMATED WORK ZONE INFORMATION SYSTEMS (F)	30 & 40
R60130	06	GARLAND	HWY. 70 EAST INTERCHANGE (GR. & STRS.) (HOT SPRINGS) (S)	70
R60161	06	PULASKI	McCAIN BLVD.-WILDWOOD AVE. (TURNAROUNDS & CROSSOVER) (F)	67
060850	06	PULASKI	HWY. 338/UNION PACIFIC RAILROAD OVERPASS (LITTLE ROCK) (S)	338
060986	06	PRAIRIE	ARKANSAS CO. LINE-HWY. 70 (PASSING LANES) (S)	63
060994	06	PULASKI	HWY. 70-I-40 (GALLOWAY) (S)	391
061041	06	GARLAND	HWY. 70 BRIDGE REPAIR (LAKE HAMILTON) (S)	70
061057	06	PULASKI	HWY. 67 & I-630 JOINT GRINDING (PULASKI CO.) (S)	67 & 630
070206	07	UNION	HWY. 167 OVERPASS IMPVTS. (EL DORADO) (S)	63 & 167
090092	09	CARROLL	FLINT ST.-MILL HOLLOW RD. (EUREKA SPRINGS) (S)	23
090158	09	NEWTON	HWYS. 7, 21, 74 & 123 SLIDE REPAIR (NEWTON CO.) (S)	VAR
100417	10	CRAIGHEAD	CULBERHOUSE ST.-HWY. 49 (JONESBORO) (S)	63B
001908	VAR	VARIOUS	GUARDRAIL MODIFICATIONS (STATEWIDE) (S)	VAR
GF0853	08	FAULKNER	PALARM CREEK STR. AND APPRS. (S)	---
BR1905	01	CROSS	PRAIRIE CREEK STR. & APPRS. (S)	---
SA3719	03	LAFAYETTE	EAST DRAINAGE DITCH STR. & APPRS. (S)	---
SA3720	03	LAFAYETTE	LAFAYETTE COUNTY PAVEMENT MARKING NO. 2 (S)	---
SA4032	02	LINCOLN	HWY. 11-HWY. 114 (BASE & SURFACING) (S)	---
SA5329	08	PERRY	HWY. 9-WEST (OVERLAY) (S)	---
SA6036	06	PULASKI	PULASKI COUNTY OVERLAY NO. 3 (S)	---

2002-203 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA7259	04	WASHINGTON	FAYETTEVILLE CITY LIMITS-CO. RD. 75 (OVERLAY) (S)	---
SA7354	05	WHITE	HWY. 323-CO. RD. 836 (SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

After receipt of bids, Commission Chairman John "M" Lipton requested that the Commission reconvene so that he could place into the record his statement concerning his ownership of a parcel of land on construction Job No. 070182, West Central Avenue – West Pine Street (Warren). This job will require the acquisition of a strip of land from his property. He stated that although he would prefer that the highway construction avoid his land, he understood that it was a necessary acquisition and would cooperate with the Department in transferring this

Chairman Lipton's Statement - Continued

property. At this point, he was unaware of the amount of the Department's offer, but he stated that he would accept the Department's offer or follow eminent domain procedures. Mr. Lipton noted that Noel Oman, of the *Arkansas Democrat Gazette*, was present and that he wished to make full disclosure of his interest in this property.

Commissioner Carl Rosenbaum also informed the Commission that he was recusing from actions taken on bids received on jobs today. He stated that Job No. 100417, Culberhouse Street – Highway 49 in Jonesboro was adjacent to the company that he owned in Jonesboro. The Department acquired right-of-way from Mr. Rosenbaum for this project and he simply wanted the Commission to understand his reason for his recusal. He stated that the project had been in progress for sometime, that it was initiated long before his involvement with the Highway Commission, but that he felt in the interest of public disclosure and to avoid any appearance of conflict of interest, that he should not sign the Minute Order affecting the award of contract for this work.

2002-204

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., October 23, 2002.

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 October 23, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 4, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 4, 2002. Members present were:

John "M" Lipton, Chairman
J. W. "Buddy" Benafield, Vice Chairman
Mary P. "Prissy" Hickerson, Member
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2002-205 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., December 4, 2002.

2002-206 WHEREAS, the Purchasing Committee has awarded purchases on October 31, 2002, and November 7, 13 and 26, 2002, in the amounts of \$31,875.00, \$1,485,650.84, \$86,350.00 and \$115,880.00 respectively, totaling \$1,719,755.84, 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.

2002-207 WHEREAS, the Department's Pavement Management System requires the use of a skid truck, trailer and instrumentation for measuring and recording the skid resistance of highways; and

WHEREAS, accurate skid resistance data is needed for assisting in analyzing materials used in mix designs, as a tool for the District Engineers to determine overlay needs, and to assist in traffic crash analysis; and

2002-207 - Continued

WHEREAS, the Department's skid unit is currently out of calibration resulting in a loss of accuracy of the data collected.

NOW THEREFORE, the Director is authorized to proceed with repairs as determined necessary for the skid unit to operate at its full and needed capacity.

2002-208

WHEREAS, Federal legislation requires the designation of metropolitan planning organizations (MPOs) to conduct transportation planning in each of the State's urbanized areas; and

WHEREAS, the 2000 Census resulted in Jonesboro and Hot Springs being designated as urbanized areas, bringing Arkansas' total to eight urbanized areas; and

WHEREAS, Federal-aid Metropolitan Planning (PL) funds must be distributed to the MPOs for transportation planning; and

WHEREAS, the amount of Federal-aid PL funds available for State Fiscal Year 2004 does not account for the addition of the two urbanized areas.

NOW THEREFORE, the Director is authorized to make available \$233,307 in Federal-aid State Planning and Research funds to the MPOs for State Fiscal Year 2004 only.

2002-209

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2003.

2002-210

WHEREAS, accurate traffic data is necessary for the Department to maintain sound location and design practices; and

WHEREAS, in accordance with Minute Order 2000-155, the Department entered into a contract for the collection of traffic turning movement data for calendar years 2001 and 2002; and

WHEREAS, work performed under this contract has proven beneficial by supplementing in-house capabilities, allowing the Department's field personnel to perform other critical tasks; and

WHEREAS, the need also exist to supplement in-house capabilities for the collection of vehicle classification data.

NOW THEREFORE, the Director is authorized to solicit proposals from qualified firms to enter into contracts to provide necessary turning movement counts and vehicle classification counts for calendar years 2003 and 2004.

2002-211

WHEREAS, National Bridge Inspection Standards require the bridges shown to be inspected below the water surface; and

WHEREAS, underwater bridge inspection requires the experienced services of qualified professional engineers and divers; and

WHEREAS, the AHTD does not have the capability of performing this type of inspection.

NOW THEREFORE, the Director is authorized to request Proposals from prospective engineering firms and proceed with the implementation of a project to inspect the underwater portion of these bridges as funds become available.

<u>BRIDGE NO.</u>	<u>RTE./SEC./L.M.</u>	<u>DISTRICT</u>	<u>LOCATION</u>
1253	79/13/8.28	1	WHITE RIVER CLARENDON
5121	165/4/10.3	2	ARK RIVER PENDLETON
A0285	70/4/10.3	3	SELF CREEK DAISY
3609	540/1/11.2	4	ARK RIVER VAN BUREN
5275	64/0/0.0	4	ARK RIVER FORT SMITH
A1210	23/6/12.0	4	ARK RIVER OZARK
3300	16/11/7.83	5	GREERS FERRY LAKE
3301	16/11/4.96	5	GREERS FERRY LAKE
5534	122/1/0.54	5	WHITE RIVER OIL TROUGH
5661	167/17/17.25	5	WHITE RIVER BATESVILLE

2002-211 - Continued

<u>BRIDGE NO.</u>	<u>RTE./SEC./L.M.</u>	<u>DISTRICT</u>	<u>LOCATION</u>
2768	30/23/140.41	6	ARK RIVER I-30
3929	38/1/18.3	6	WHITE RIVER DES ARC
5705	440/1/5.59	6	ARK RIVER I-440
5872	70/8/14.3	6	LAKE HAMILTON
6179	7/9/4.2	6	LAKE HAMILTON
A2978	70/12/8.52	6	ARK RIVER BROADWAY
5050	9/7/5.33	8	ARK RIVER MORRILTON
5064	7/13/15.3	8	ARK RIVER DARDANELLE
5600	109/3/7.85	8	ARK RIVER NEW SPADRA
5769	101/1/9.14	9	NORFORK LAKE
5770	62/11/8.76	9	NORFORK LAKE

2002-212

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2003 Highway Map.

2002-213

WHEREAS, it is considered appropriate to implement a formal policy for monumenting and signing commemorative highways and bridges; and

WHEREAS, a monument or sign may be requested by any person, group, agency, or jurisdiction, hereafter referred to as "sponsor".

NOW THEREFORE, the following policy will be utilized for the monumenting and signing of commemorative highways and bridges:

Highways and bridges may be named for persons, groups or themes provided:

- Documented support for the naming, acceptable to the Commission, is provided. This documentation may come in the form of resolutions from the governing body/s of the jurisdiction/s in which the facility is located, or in other appropriate forms.
- A monument will be allowed as follows:
 - The sponsor may furnish an appropriate metal plaque at no cost to the Department. The Department will mount the plaque, in an appropriate location, in a concrete mounting.
 - The location of the mounting will be determined by the Department in consultation with the sponsor.
- A roadside sign will be allowed as follows:
 - The sponsor may request a roadside sign permit by letter to the Director of Highways and Transportation. The request will include the appropriate supporting resolutions.
 - The sign request will require the approval of the Commission, by Minute Order, authorizing the Director to issue a sign permit.
 - The cost of the sign and installation of the sign will be the responsibility of the sponsor.
 - The sign size, color, configuration and message will be as approved in the sign permit.
 - The number of signs will generally be limited to one sign in each direction near each end of the named section of highway or approach to the named bridge.

- The sponsor will be responsible for the maintenance of the permitted signs. Failure to properly maintain the sign will be cause for revocation of the sign permit. Upon revocation of a permit, the sponsor will be given reasonable opportunity to remove the sign, and mounting posts footings. Should the sponsor fail to remove the sign, the Department will remove and dispose of the sign with no reimbursement to the sponsor.

2002-214

WHEREAS, the existing District 4 Headquarters facility in Fort Smith is inadequate and obsolete; and

WHEREAS, relocation of the District 4 Headquarters facility has been a priority concern for the Department for a considerable period of time; and

WHEREAS, suitable property for the relocation of the District 4 Headquarters facility has been made available to the Commission, at no cost, by the Fort Chaffee Redevelopment Authority (FCRA), the agency authorized to administer the Fort Chaffee Military Reservation property after the closing of Fort Chaffee by the Department of the Army; and

WHEREAS, the proposed Quitclaim Deed from the FCRA to the Commission, a copy of which is attached to this Minute Order, contains certain terms and conditions imposed by the Department of the Army and the FCRA on all Grantees of lands which were a part of the Fort Chaffee Military Reservation; and

WHEREAS, in order to convey the lands to the Commission the FCRA must obtain the Commission's agreement to accept and abide by the terms and conditions contained in the proposed Quitclaim Deed;

NOW THEREFORE, BE IT RESOLVED by the Arkansas State Highway Commission, that the terms and conditions contained in the Quitclaim Deed, dated October 14, 2002, from the FCRA to the Arkansas State Highway Commission are hereby acknowledged and accepted this 23rd day of October, 2002;

2002-214 - Continued

BE IT FURTHER RESOLVED that the Chairman of the Commission is hereby authorized to execute and deliver a copy of the Quitclaim Deed acknowledging the Commission's acceptance of the terms and conditions contained therein to the FCRA.

2002-215

WHEREAS, the application of the Arkansas State Highway and Transportation Department submitted to the United States Department of Transportation, Federal Highway Administration, requesting the transfer of 550.09 acres of land which are a part of the former Fort Chaffee Military Reservation, and which will be used for the Phase I right of way of relocated U. S. Highway No. 71 between Jenny Lind and Highway No. 22 in Sebastian County, (approximately 7.16 miles) for Job No. 040376, has been approved; and

WHEREAS, the Quitclaim Deed from the United States of America (Grantor) to the Arkansas State Highway and Transportation Department, (Grantee), a copy of which is attached to this Minute Order, contains certain terms, conditions, restrictions and covenants imposed by Grantor on Grantee, the acknowledgement and approval of which are required before the Quitclaim Deed will be recorded and the land conveyed to the Grantee;

NOW THEREFORE, BE IT RESOLVED by the Arkansas State Highway Commission that the terms, conditions, covenants and restrictions contained in the Quitclaim Deed dated October 18, 2002, from the United States of American, Grantor, to the Arkansas State Highway and Transportation Department, Grantee, conveying 550.09 acres of land in Sebastian County, Arkansas, to Grantee, are hereby acknowledged and accepted on this 4th day of December, 2002.

BE IT FURTHER RESOLVED, that the Chairman of the Commission is hereby authorized and directed to execute and deliver to the United States of America the Quitclaim Deed acknowledging the Arkansas State Highway and Transportation Department's acceptance of the terms and conditions contained therein.

2002-216

WHEREAS, to provide an improved highway system, The Arkansas Highway Commission identified selected routes in the 1991 Highway Improvement Program for the addition of lanes; and

WHEREAS, selected sections of Highway 425 in Jefferson, Lincoln, Drew, and Ashley Counties between the Louisiana State line and Pine Bluff are included in the routes recommended for widening.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of projects to widen the remaining sections of Highway 425 identified in the 1991 Highway Improvement Program as funds become available.

2002-217

WHEREAS, IN PULASKI COUNTY, on Highway 100, Section 0, in the City of Maumelle, the Union Pacific Railroad Crossing has high average daily volumes of trains and vehicles that cause delays and impede school bus and emergency vehicle services; and

WHEREAS, the City of Maumelle has agreed to provide \$250,000 for a project to construct a railroad overpass at this location.

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

2002-218

WHEREAS, Minute Order 2000-164 authorized the widening of Highway 391 in the City of North Little Rock between Interstate 40 and Highway 70; and

WHEREAS, the City of North Little Rock and the Department, with the assistance of Metroplan, have cooperatively developed an access management plan for driveway spacing along the Highway 391 corridor to protect capacity and safety.

NOW THEREFORE, the Director is authorized to sign any necessary documents to implement the access management plan.

2002-219

WHEREAS, the Northwest Arkansas Regional Transportation Study (NARTS) area in Washington and Benton Counties continues to experience above average growth in population and traffic volumes; and

WHEREAS, NARTS officials have requested the Department's participation in the development of an urban travel demand forecast model; and

WHEREAS, a model would be useful in providing estimates of future traffic volumes and determining future transportation needs in the NARTS area.

NOW THEREFORE, the Director is authorized to enter into any necessary agreements to provide Federal-aid State Planning and Research funds and match for fifty percent of the cost for developing a travel demand forecast model for the NARTS area.

2002-220

WHEREAS, providing a safe and efficient freeway system in the Northwest Arkansas Regional Transportation Study (NARTS) area in Washington and Benton Counties is important to the economic well-being of the area; and

WHEREAS, traffic congestion is being experienced along Interstate 540; and

WHEREAS, traffic volumes along Interstate 540 have grown at a rate substantially higher than the statewide average for similar facilities and continued growth is expected to lead to worsening congestion.

NOW THEREFORE, the Director is authorized to proceed with a study to determine the need for and feasibility of improvements to Interstate 540 and its interchanges within the NARTS area.

2002-221

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the December 4, 2002 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
R10088	01	LEE	SPRING & CYPRESS CRKS. STRS. & APPRS. (S)	121
030266	03	MILLER	TEXARKANA TOURIST INFORMATION CENTER (S)	30

2002-221 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
004984	04	FRANKLIN	SIX MILE CREEK STR. & APPRS. (S)	41
B60124	06	PULASKI & SALINE	CENTRAL ARKANSAS AUTOMATED WORK ZONE INFORMATION SYSTEMS (F)	30 & 40
061070	06	HOT SPRING	HWY. 270/MOLINE ST. SIGNAL (MALVERN) (S)	270
070201	07	BRADLEY	HWY. 63-JOHNSTOWN (SEL. SECS.) (S)	8
080240	08	FAULKNER	HWY. 64/HWY. 36 SIGNAL (FAULKNER CO.) (S)	64 & 36
100522	10	POINSETT	HWY. 149 INTERCHANGE (MARKED TREE) (F)	63
100543	10	MISSISSIPPI	HWY. 151 DRAINAGE STRUCTURE (GOSNELL) (S)	151
001908	VAR	VARIOUS	GUARDRAIL MODIFICATIONS (STATEWIDE) (S)	VAR
GF0853	08	FAULKNER	PALARM CREEK STR. AND APPRS. (S)	---
SA7521	08	YELL	HWY. 155-HWY. 22 (RECONST.) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved, Commissioner Carl Rosenbaum seconded and the motion passed unanimously to elect Vice Chairman J. W. "Buddy" Benafield as Chairman of the Arkansas State Highway Commission, and to elect Commissioner Prissy Hickerson as Vice Chairman of the Arkansas State Highway Commission.

2002-222

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:30 p.m., December 4, 2002.

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 December 4, 2002.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 16, 2002

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 16, 2002. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
John "M" Lipton, Member

2002-223 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:05 p.m., December 16, 2002.

2002-224 WHEREAS, IN PULASKI COUNTY, the construction of a new highway facility between I-40 east of North Little Rock and Highway 67 near Jacksonville is nearing completion.

NOW THEREFORE, IT IS ORDERED that upon completion of Job R60112, the new route, as shown on the attached sketch, is hereby made a part of the State Highway System and designated as State Highway 440, Section 2.

2002-225 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:10 p.m., December 16, 2002.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 8, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 8, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
John "M" Lipton, Member

2003-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:45 a.m., January 8, 2003.

2003-002 WHEREAS, the Purchasing Committee has awarded purchases on December 6, 2002, in the amount of \$701,612.60, 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.

2003-003 JOHN "M" LIPTON
Commissioner Emeritus

WHEREAS, ten short years have passed since January 1993, and with their passing will cause to expire in January 2003, your term as Member and Chairman of the Arkansas State Highway Commission, we the undersigned, your friends and fellow Commissioners, those who will miss your comradeship, sound counsel and words of encouragement, wish for your future the best of everything. We wish to recognize you for your tireless efforts and acclaim your devotion to the service of this Commission. Your personal contributions over the past ten years have promoted progress and economic growth in this Great State through sound

planning and the application of business principles in the planning, construction, and maintenance of our overall State Highway System; and

2003-003 - Continued

WHEREAS, because of the imminent loss of the aforementioned knowledge and service to this Commission, these members, acting in their best interest, do herewith, through this instrument, serve formal notice that you are hereby directed and expected to continue to serve this Commission and the State of Arkansas.

NOW THEREFORE, with high esteem, we do hereby bestow upon you, ad infinitum, the title "*Commissioner Emeritus*."

2003-004

WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefore.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2003 membership dues in the amount of \$250.00.

2003-005

WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2003, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2003 in the amount of \$1,250.00.

2003-006

WHEREAS, the Transportation Equity Act for the 21st Century authorized funding for the Recreational Trails Program; and

WHEREAS, the Arkansas Highway and Transportation Department has been notified that the Federal Fiscal Year 2003 Recreational Trails Program allocation for Arkansas is available.

2003-006 - Continued

NOW THEREFORE, the Director is authorized to solicit applications for Federal Fiscal Year 2003 Recreational Trails Program funding.

2003-007

WHEREAS, many requests have previously been received to formally designate the I-530 Pine Bluff Bypass as the Wiley A. Branton, Sr. Highway; and

WHEREAS, Mr. Branton served with distinction in many local, state and national leadership positions.

NOW THEREFORE, in recognition of Mr. Branton's outstanding achievements and years of service to the State of Arkansas, the Arkansas Highway Commission hereby designates the I-530 Pine Bluff Bypass as the Wiley A. Branton Sr. Highway; and

FURTHERMORE, the Director is hereby authorized to install appropriate signs denoting such designation.

2003-008

WHEREAS, the Arkansas State Highway Commission owns property commonly known as the Henderson Ferry Property in Baxter County, Arkansas; and

WHEREAS, Job 5305 calls for additional right of way along Highway 62 in front the Ferry Superintendent's residence, known for this project as the Henderson Ferry Job No. 5305, and more particularly described as:

Part of the Fractional Northwest Quarter of the Northeast Quarter of Section 26 Township 20 North, Range 12 West Baxter County, Arkansas, more particularly described as follows:

Starting at the Northeast corner of the Fractional Northwest Quarter of the Northeast Quarter of Section 26; thence South along the East line of the Fractional Northwest Quarter of the Northeast Quarter of Section 26 a distance of 270.00 feet to a point on the westerly existing right of way line of U. S. Hwy. 62; thence South 28° 00' 00" West along said right of way

line a distance of 425.00 feet for the point of beginning; thence continue South 28° 00' 00" West along said right of way line a distance of 313.50 feet to a point; thence North 84° 35' 00" West along said right of way line a distance of 10.83 feet to a point; thence continue North 84° 35' 00" West a distance of 10.83 feet to a point on the westerly proposed right of way line of U. S. Hwy. 62; thence North 28° 00' 00" East along said right of way line a distance of 321.04 feet to a point; thence South 63° 52' 00" East a distance of 20.01 feet to the point of beginning and containing 0.15 acres, or 6,344 square feet more or less.

G.A./ga 12/2/02

NOW THEREFORE, BE IT RESOLVED that the character of the above-described property is changed from a capital asset known as the Henderson Ferry property to right of way, a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Baxter County, and the right of way remonumented.

2003-009

WHEREAS, the Commission acquired in fee property known as Tract No. 6 from G. K. Smith and Delphine Smith, his wife, for Job No. 009578, Harrison Bypass (U. S. Highway 65) Route 65, Section 2, Boone County, Arkansas, by Warranty Deed dated January 21, 1971, and filed for record on January 29, 1971, in Book 109, Page 457, of the real estate records of the office of the Circuit Clerk, Boone County, Arkansas; and

WHEREAS, Donald L. Davis, Jr. and Cynthia Davis, husband and wife, asked to repurchase .07 acres, more or less, of Tract No. 6; Delphine Smith, a single person and widow of G. K. Smith, Jr., deceased, has assigned her right to reacquire that portion of Tract No. 6 (.07 acres, more or less) which the District Engineer for District Nine has determined is no longer needed for highway purposes; and

WHEREAS, the portion of Tract No. 6 to be transferred to Donald L. Davis, Jr. and Cynthia Davis, husband and wife, (.07 acres, more or less) is more particularly described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 11, Township 18 North, Range 20 West, Boone County, Arkansas, more particularly described as follows:

Starting at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 11; thence North 00° 02' West along the West line thereof a distance of 164.5 feet to a point; thence North 88° 24' East a distance of 142.9 feet to a point on the Westerly right of way line of U. S. Highway 65 as established by Job 9578 for the point of beginning; thence North 11° 48' East along said right of way line a distance of 60.1 feet to a point; thence North 28° 08' East along said right of way line a distance of 177.6 feet to a point on the right of way line of U. S. Highway 65 as established by this release; thence South 21° 29' 34" West along said right of way line a distance of 192.3 feet to a point; thence South 05° 11' 12" West along said right of way line a distance of 36.0 feet to a point; thence South 88° 24' West a distance of 22.3 feet to the point of beginning and containing 0.07 acre more or less or 2901 square feet more or less to be released.

WHEREAS, Tract No. 6 was acquired by the Commission for \$1,283.00.

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. §27-67-322, opined that the current fair market value of that portion of Tract No. 6 being offered for sale is \$425.00;

NOW THEREFORE, BE IT RESOLVED by the Arkansas State Highway Commission that the above described property (.07 acres, more or less) is declared surplus; upon receipt of the consideration of \$425.00, the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above described property to Donald L. Davis, Jr. and Cynthia Davis; a copy of the deed and this Minute Order shall be recorded in Boone County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

WHEREAS, IN BENTON COUNTY, in the City of Gravette, a segment of Highway 72, Section 1, has been relocated by Job 090082.

2003-010 - Continued

NOW THEREFORE, IT IS ORDERED that the following changes to the State Highway System, as shown on the attached sketches, are hereby made:

1. The new route, as constructed by Job 090082, shall be added to the State Highway System as part of Highway 72, Section 1.
2. The old location of Highway 72 shall be removed from the State Highway System.

These changes are to be effective upon notification by the Chief Engineer.

2003-011

WHEREAS, IN FULTON COUNTY, on Highway 62, Section 12, from Gepp to Viola the need exists for passing lanes to meet increased traffic demands; and

WHEREAS, passing lanes for this route are included in the 1991 Highway Improvement Program and locations have been identified on this section.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of passing lanes on this highway as funds become available.

2003-012

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.

2003-012 - Continued

3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Road/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Hot Spring	Near Malvern	Walco Rd.	Union Pacific	Install Flashing Signals with Gates

2003-013

WHEREAS, on Highway 67 in Jacksonville, at the James Street interchange, traffic operations are becoming more congested; and

WHEREAS, local officials have expressed their desire for improvements to this interchange to facilitate traffic flow:

NOW THEREFORE, the Director is authorized to conduct a traffic operations/needs study at this site to determine the scope of any needed improvements.

2003-014

WHEREAS, traffic operations at the northbound on-ramp of the Highway 67/167 and Vandenberg Boulevard interchange in Jacksonville necessitates review.

NOW THEREFORE, the Director is authorized to conduct a study to determine appropriate measures that will improve operations at this location.

2003-015

WHEREAS, IN WASHINGTON COUNTY, on Highway 873, Section 1, selected drives and parking lots of the University of Arkansas at Fayetteville are in need of resurfacing; and

WHEREAS, the University of Arkansas has agreed to pay for their portion of a resurfacing and rehabilitation project.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface and rehabilitate selected drives and parking lots.

2003-016

WHEREAS, radio communications in the western portion of the Arkansas Highway and Transportation Department's District Ten is limited and marginal; and

WHEREAS, the District Ten Engineer has requested improved radio communications for this region; and

WHEREAS, it has been determined the development of an additional repeater site in this area will alleviate the problem.

NOW THEREFORE, the Director is authorized to proceed the development of a new radio repeater site in District Ten as funds become available.

2003-017

WHEREAS, Federal transportation planning regulations require the development of a multi-year, financially constrained statewide transportation improvement program for all areas of the State in accordance with the provisions of 23 CFR 450; and

WHEREAS, *Arkansas' Statewide Transportation Improvement Program (STIP) Fiscal Years 2003-2005* has been prepared in accordance with the regulations and is ready for submittal to the appropriate agencies for approval.

NOW THEREFORE, the Director is authorized to submit the attached STIP to the Federal Highway Administration and the Federal Transit Administration for approval, and to publish the STIP for distribution after approval by the federal agencies.

2003-018

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 8, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110431	01	MONROE	ROE-HWY. 17 NORTH (SEL. SECS.) (OVERLAY) (S)	79
020045	02	DESHA	MCARTHUR-HWY. 4 BRS. & APPRS. (S)	1
020391	02	ASHLEY	HWY. 133T-HWY. 82 (OVERLAY) (S)	133
030206	03	LITTLE RIVER	HWY. 32 WEST-HWY. 71 (BS. & SURF.) (S)	32
030211	03	LAFAYETTE	STEEL CREEK STR. & APPRS. (S)	29

2003-018 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030242	03	SEVIER	LITTLE RIVER CO. LINE-HWY. 70 (PASSING LANES) (S)	71
030278	03	LAFAYETTE	HWY. 82/HWY. 53 FLASHING BEACON (BUCKNER) (S)	82 & 53
030291	03	LAFAYETTE & HEMPSTEAD	PALM-EVENING SHADE (OVERLAY) (S)	29
040407	04	POLK	OUACHITA RIVER-EAST (OVERLAY) (S)	88
050139	05	IZARD & SHARP	HWY. 9-HWY. 167 (SEL. SECS.) (OVERLAY) (S)	56
060771	06	LONOKE	HWY. 67-WEST STRS. & APPRS. (S)	89
061093	06	GARLAND	ROYAL-HWY. 227 (OVERLAY) (S)	270
070161	07	DALLAS	VILLAGE CR. & MORO CR. & RELIEF STRS. & APPRS. (S)	229
070213	07	OUACHITA	HWY. 7/FAIRVIEW RD. SIGNAL (CAMDEN) (S)	7
070250	07	CALHOUN	HAMPTON-WEST (OVERLAY) (S)	278
080264	08	VAN BUREN	BOTKINBURG-NORTH & SOUTH (OVERLAY) (S)	65
090129	09	BENTON	HWY. 59-HWY. 43 (OVERLAY) (S)	264
100520	10	GREENE	HWY. 49 & HWY. 412 INTERS. IMPVTS. (PARAGOULD) (S)	49 & 412
100575	10	RANDOLPH	HWY. 328-N. CATTLE CREEK (OVERLAY) (S)	251
FA6011	06	PULASKI	BRIDGE CREEK STR. & APPRS. (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation;

2003-018 - Continued

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

2003-019

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., January 8, 2003.

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 January 8, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 19, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 19, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-020 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 19, 2003.

2003-021 WHEREAS, the Purchasing Committee has awarded purchases on January 2, 8, 23 and 31, 2003, in the amounts of \$3,727,368.12, \$258,407.50, \$688,525.00 and \$457,372.50 respectively, totaling \$5,131,673.12, 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.

2003-022 WHEREAS, the American Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the calendar year 2003, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2003 in the amount of \$34,637.00

2003-023

WHEREAS, the Code of Federal Regulations requires that all sampling and testing be executed by qualified sampling and testing personnel, and that all contractor, vendor, and state testing used for acceptance decisions shall be performed by qualified laboratories; and

WHEREAS, the Mack-Blackwell National Rural Transportation Study Center (MBTC) established the Center for Training Transportation Professionals (CTTP) in July 1996 (Minute Order 96-127) to provide training and certification of Department and contractor technicians; and

WHEREAS, there is a need to continue the certification of Department and contractor technicians by the CTTP.

NOW THEREFORE, the Director is hereby authorized to enter into a three-year agreement with the MBTC to continue the training and certification courses as mutually agreed upon by the Department and the CTTP.

2003-024

WHEREAS, a Southeastern Association of State Highway and Transportation Officials (SASHTO) Scholarship has been established to support institutions of higher education in attracting and training students who can contribute to improving transportation systems; and

WHEREAS, the Arkansas State Highway and Transportation Department is a member state of SASHTO, and SASHTO awards scholarship funds to member states.

NOW THEREFORE, the Director is hereby authorized to notify SASHTO that it is recommended that scholarship funds be provided to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FURTHERMORE, the Director is authorized to enter into an agreement with the study center for the administration of the scholarship funds for research programs deemed beneficial to the Department.

2003-025

WHEREAS, the Arkansas Highway Police Division has replaced out-of-date body armor and pepper spray units; and

2003-025 - Continued

WHEREAS, the Arkansas Department of Correction has requested that the body armor and pepper spray units be transferred to them for use in the corrections system for operations and/or training.

NOW THEREFORE, the Director is authorized to transfer outdated body armor and pepper spray to the Arkansas Department of Correction.

2003-026

WHEREAS, all state bridge inspectors are required to complete a comprehensive bridge inspection training course; and

WHEREAS, the Department needs to have qualified personnel to fill bridge inspector positions; and

WHEREAS, eighty percent of the cost for the course and the expense for persons attending would be reimbursed by the Federal NBIS program;

NOW THEREFORE, the Director is authorized to proceed with plans to sponsor a two-week comprehensive bridge inspection training course (NHI Course #13055) as funds become available.

2003-027

WHEREAS, Act 462 of 1987 requires that all State agencies have a smoking policy; and

WHEREAS, the Commission established such a policy by Minute Order 93-154; and

WHEREAS, since that time most State office buildings and many other public buildings have been designated nonsmoking; and

WHEREAS, the Commission believes that certain changes in the current policy are appropriate;

NOW THEREFORE, the Director is authorized to publish and implement the attached revised Arkansas State Highway and Transportation Department smoking policy.

2003-028

WHEREAS, the Commission acquired right of way for Job No. 4356, more commonly known as Oklahoma Line – Mena Road job, Polk County Route 8, by Polk County Court Order dated June 20, 1951, and recorded in Book “J” at page 332, in the Polk County Court Records; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future will be needed, for highway purposes and recommends reduction of the right of way to reflect the new right of way limits, as more particularly described below:

JOB NO. 4356
OKLAHOMA LINE – MENA ROAD
ROUTE 8
POLK COUNTY

From Designated Construction Centerline Station 198+00.00 to Construction Centerline Station 200+00.00 of the originally executed Court Order for Job 4356, dated June 20, 1951 and being recorded in County Court Records of Polk County, Ar, in Book “J” of Page 332, shall be hereby revised to reflect the right of way boundary as follows:

The width of the right of way conveyed to the left and right of the herein above described highway centerline shall be as follows:

FROM STATION	TO STATION	<u>LIN.</u> <u>FT.</u>	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
198+00.00	200+00.00	200.0	65'	65'	130'

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Records of Polk County; and, that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-aid funds, if any, for this disposal shall be credited to Federal funds or otherwise used or credited as permitted or provided by federal law.

2003-029

WHEREAS, the Commission acquired right of way for Job No. 4393, more commonly known as Oklahoma Line – Mena Road job, Polk County, State Highway 8, by Polk County Court Order dated October 27, 1953, and recorded in Book “3” at page 83, in the Polk County Court Records; and

WHEREAS, the District Engineer has determined that the area outside the proposed revised right of way line is not needed now, nor in the foreseeable future will be needed, for highway purposes and recommends reduction of the right of way to reflect the new right of way limits, as more particularly described below:

JOB NO. 4393
OKLAHOMA LINE – MENA ROAD
STATE HIGHWAY 8
POLK COUNTY

From designated Construction Centerline Station 193+50.00 to Construction Centerline Station 196+00.00 of the originally executed Court Order for Job 4393, dated October 27, 1953, and being recorded in County Court Records of Polk County, Ar, in Book “3” of Page 83, shall be hereby revised to reflect the right of way boundary as follows:

The width of the right of way conveyed to the left and right of the herein above described highway centerline shall be as follows:

FROM STATION	TO STATION	<u>LIN.</u> <u>FT.</u>	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
193+50.00	196+00.00	250.0	65'	65'	130'

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, BE IT RESOLVED, that the right of way is reduced only to reflect the new boundaries as set forth above; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Records of Polk County; and, that the right of way shall be remonumented to reflect the new boundaries designated herein. Federal-aid funds, if any, for this disposal shall be credited to Federal funds or otherwise used or credited as permitted or provided by federal law.

2003-030

WHEREAS, in order to improve access and provide signage between Highway 7 and Lake Ouachita State Park, local officials and officials with the Department of Parks and Tourism have requested that consideration be given to adding a 5.9-mile segment of Strawberry Road, a private road in Garland County extending from Highway 7 to Highway 227, to the State Highway System; and

WHEREAS, Arkansas State Highway and Transportation Department staff have determined that Strawberry Road is in good condition and the proposed addition to the State Highway System would serve the public interest by improving access to Lake Ouachita State Park and the surrounding area.

NOW THEREFORE, the Director is authorized to work with local officials in Garland County to negotiate a swap whereby the Department would assume maintenance responsibilities for this 5.9-mile segment of Strawberry Road in exchange for a local governmental agency assuming responsibility for a similar length of the State Highway System.

2003-031

WHEREAS, IN JEFFERSON COUNTY, U. S. Route 425 serves as a major travel corridor between Pine Bluff, Arkansas and Bastrop, Louisiana; and

WHEREAS, the Director was authorized by Minute Order No. 2001-143 to petition the AASHTO Route Numbering Committee to extend the U. S. Route 425 designation over U. S. 65 to the Junction of I-530 in Pine Bluff; and

WHEREAS, the AASHTO Special Committee on Route Numbering and the Standing Committee on Highways has approved the petition.

NOW THEREFORE, IT IS ORDERED that the following change to the State Highway System, as shown on the attached sketch, be made and become effective upon notification by the Chief Engineer.

1. U. S. 425 Section 7 shall be added to the Highway System as an exception over U. S. 65 Section 15.

2003-032

WHEREAS, Minute Order 2000-169 authorized a study to determine improvement needs on Highway 128 between the Highway 270 Bypass and the Ouachita River in Garland County; and

WHEREAS, the study, *Highway 128 (Carpenter Dam Road) Improvement Study - Purpose, Need, and Findings*, has been completed and the analysis has determined that improvements are needed to enhance the safety and reduce the congestion along the section of Highway 128 between Highway 270B and the Ouachita River.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction, as funds become available.

2003-033

WHEREAS, Minute Order 2002-093 authorized a study that can be used in developing a master plan for the Port of Pine Bluff; and

WHEREAS, a study entitled *Port of Pine Bluff Initiative: Domestic and International Shipping Study* has been prepared that identified methods to enhance the Port of Pine Bluff as a regional location for domestic freight shipments and as an import/export transportation center; and

WHEREAS, the report was prepared in partnership with the Arkansas River Regional Intermodal Facilities Authority and the Economic Development Alliance of Jefferson County.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2003-034

WHEREAS, Minute Order 2000-225 authorized the Department to conduct a study of a possible new Highway 67 interchange and roadway connection to Highway 367 in Cabot; and

WHEREAS, the feasibility of the interchange and roadway connection has been investigated in the *North Cabot Interchange Study* and found to be a viable alternative for improving traffic flow in the north Cabot area.

2003-034 - Continued

NOW THEREFORE, the *North Cabot Interchange Study* is adopted for use as a guide for future project development.

2003-035 WHEREAS, Minute Order 2000-171 authorized a study of improvement needs at the Jefferson Avenue, Highway 245 and Highway 108 interchanges with Interstate 30 in Texarkana; and

WHEREAS, the study, *Interstate 30 Interchanges Analysis – Texarkana, Arkansas*, has been completed and included the evaluation of alternatives for short-term and long-term improvements to enhance safety and traffic operations at these three interchanges.

NOW THEREFORE, the study is hereby adopted for use as a planning guide for scheduling future improvements in the area and the Director is hereby authorized to proceed with environmental studies, surveys, design, right-of-way acquisition and construction as funds become available.

2003-036 WHEREAS, the Commission, by Minute Order 2000-165, authorized the Director to establish a project for development of a northern bypass of Stuttgart; and

WHEREAS, the Department has included the construction of the Highway 165 Stuttgart Bypass in its 2003-2005 Statewide Transportation Improvement Program; and

WHEREAS, the City of Stuttgart has agreed by City Council Resolution 2000-4 to accept Highway 79B (Main Street) into the City street system:

NOW THEREFORE, upon completion of the Highway 165 Bypass in Stuttgart, the Department will transfer that portion of Highway 79B from Highway 130 to U. S. 79 to the City of Stuttgart and remove this section of highway from the State Highway System

2003-037

WHEREAS, the Eastbound and Westbound rest areas on I-40 near Morrilton were constructed in 1977; and

WHEREAS, these facilities have exceeded their expected service life of 20 years and are consequently in poor condition; and

WHEREAS, there are several businesses at the nearby I-40/Hwy 9 interchange that provide similar and additional services for motorists; and

WHEREAS, the Morrilton City Council and the Conway County Quorum Court have each passed resolutions requesting the Department to consider closing the rest area facilities.

NOW THEREFORE, upon approval of the Federal Highway Administration, the Director is authorized to close these facilities by removing all accesses, parking and buildings as necessary to discontinue their use.

2003-038

WHEREAS, in the City of Fordyce, local officials are concerned that the existing transportation system is not adequate for truck traffic; and

WHEREAS, a study has been requested to determine if improvements to existing routes in Fordyce are needed.

NOW THEREFORE, the Director is hereby authorized to conduct a study of the existing transportation system in Fordyce to determine if improvements are needed to enhance traffic operations for trucks.

2003-039

WHEREAS, the Highway 71 corridor has been designated by Congress as a High Priority Corridor; and

WHEREAS, the Department has completed Environmental Impact Statements and received Records of Decision for the relocation of Highway 71 from the Louisiana State Line to DeQueen including the Texarkana Northern Loop.

2003-039 - Continued

NOW THEREFORE, the Director is authorized to engage the services of an engineering consultant or consultants to perform design services and to proceed with construction as funds become available for selected sections of the Texarkana Northern Loop and the Highway 71 corridor in Arkansas from the Louisiana State Line to DeQueen.

2003-040 WHEREAS, the U. S. 49 bridge over the Mississippi River at Helena was constructed as a two-lane bridge in 1961; and

WHEREAS, traffic volumes have increased to the level that, combined with the narrow lane conditions on the bridge, the bridge is approaching functional obsolescence; and

NOW THEREFORE, the Director is authorized to request proposals from qualified engineering firms to assess the feasibility of replacing the U. S. 49 bridge over the Mississippi River at Helena, as funds become available.

2003-041 WHEREAS, IN PULASKI COUNTY, in the City of Little Rock, a study has indicated that improvements are needed to Highway 10 (Cantrell Road); and

WHEREAS, these improvements include constructing left turn lanes on Highway 10 at River Ridge Road, Millbrook Road/Gibson Drive, Robinwood Drive, Misty Lane, and Ridgeview Drive and from Foxcroft Road to Mississippi Avenue; and

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

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

2003-042 WHEREAS, design plans for the new location of Highway 71 from Jenny Lind to Highway 22 are being developed by the consultant; and

2003-042 - Continued

WHEREAS, funding to begin construction of this section of the proposed route is included in *Arkansas' Statewide Transportation Improvement Program, Fiscal Years 2003-2005*.

NOW THEREFORE, the Director is authorized to proceed with construction of the section of Highway 71 from Jenny Lind to Highway 22 as funds become available.

2003-043

WHEREAS, the *U. S. 62 Bypass Feasibility Study, Prairie Grove* adopted by Minute Order 90-073 and the Supplemental Report published in 1991 recommend construction of a southern bypass as the long-term solution to traffic needs in the City of Prairie Grove; and

WHEREAS, the Prairie Grove Bypass is included in the 1991 Highway Improvement Program.

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

2003-044

WHEREAS, bridge inspection activities in District 3 have revealed the loss of bridge expansion joint seals on numerous bridge structures in various counties in the District; and

WHEREAS, the bridges require joint seals to prevent water from deteriorating bridge end slopes, bearings, beam ends, and concrete caps.

NOW THEREFORE, the Director is authorized to proceed with plans and implementation of a project to replace these bridge joint seals as funds become available.

2003-045

WHEREAS, potable water and sanitary sewer for the Desha County Area Headquarters and McGehee Resident Engineer's Office, in McGehee on State Highway 65, are presently provided by Department owned and operated water well and extended aeration sewage treatment plant respectively; and

2003-045 - Continued

WHEREAS, the City of McGehee intends to extend its water and sewer services to our facilities, and to other entities in that area; and

WHEREAS, to provide increased reliability and to better serve the present and future needs of the Department, it is in the Department's best interest to connect to these services; and

WHEREAS, the City of McGehee has made a proposal to allow the Department to connect to these services at a cost of \$25,000.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to enter into an agreement with the City of McGehee, the McGehee Water and Sewer Department, and the McGehee Industrial Foundation for the water and sewer extensions and connections to the City of McGehee systems to serve our area headquarters and resident engineer's office.

2003-046

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 19, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110289	01	WOODRUFF	CACHE RIVER STRS. & APPRS. (PATTERSON) (S)	64
110432	01	ST. FRANCIS	HWY. 1-NORTH (OVERLAY) (S)	284
R20111	02	DREW	MONTICELLO-HAMBURG (PASSING LANES) (S)	425
020392	02	JEFFERSON	I-530-NORTH & SOUTH (OVERLAY) (S)	79 & 79B
030206	03	LITTLE RIVER	HWY. 32 WEST-HWY. 71 (BS. & SURF.) (S)	32
030238	03	HEMPSTEAD	HWY. 32-HWY. 332 (S)	29
030292	03	LITTLE RIVER & SEVIER	WILTON-WINTERS CREEK (OVERLAY) (S)	71
040408	04	WASHINGTON	ILLINOIS RIVER-EAST (OVERLAY) (S)	16
050096	05	WHITE	PECAN ST. INTERCHANGE (BEEBE) (S)	67
050100	05	WHITE	COUNTRY CLUB RD.-WEST (SEARCY) (S)	36
050141	05	WHITE	HWY. 64-HWY. 31 (SEL. SECS.) (OVERLAY) (S)	5
B60117	06	PULASKI	I-430-I-30 (F)	40

2003-046 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
061095	06	LONOKE	HWY. 89-HWY. 319 (OVERLAY) (S)	5
070251	07	COLUMBIA	HWY. 98-MAGNOLIA (SEL. SECS.) (OVERLAY) (S)	82
080265	08	YELL	PERRY CO. LINE-OLA (OVERLAY) (S)	7
090166	09	BENTON	HWY. 62B-BEAVER LAKE (OVERLAY) (S)	12
100381	10	POINSETT	DITCH NO. 10 STR. & APPRS. (S)	14
100576	10	MISSISSIPPI	HWY. 140-HWY. 148 (OVERLAY) (S)	61
SA2439	04	FRANKLIN	HWY. 64-HWY. 23 (OVERLAY) (S)	---
SA4821	01	MONROE	CO. RD. 188-NORTHEAST (OVERLAY) (S)	---
SA5019	03	NEVADA	HWY. 67-NORTH (OVERLAY) (S)	---
SA6847	01	ST. FRANCIS	CO. RD. 338-EAST (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

2003-047

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., February 19, 2003.

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 February 19, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 9, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 9, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-048 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., April 9, 2003.

2003-049 WHEREAS, the Purchasing Committee has awarded purchases on February 12, 14 and 20, 2003, and March 12, 17 and 19 in the amounts of \$2,029,448.50, \$612,675.00, \$1,958,647.00, \$961,039.50, \$73,497.25, and \$136,975.00 respectively, totaling \$5,772,282.25, 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.

2003-050 WHEREAS, traffic congestion at major urban intersections continues to increase; and

WHEREAS, a new concept called "continuous flow intersections" has been developed to improve operations at such intersections; and

WHEREAS, this concept could have application at major intersections on the State Highway System:

2003-050 - Continued

NOW THEREFORE, the Director is authorized to proceed with the necessary activities to evaluate the applicability of this concept to major urban intersections on the Highway System.

2003-051 WHEREAS, the Department's conversion to digital technology through desktop computers allows for direct access to reprographic services; and

WHEREAS, the existing eleven year old Xerox 5090 analog printer does not communicate with the Department's digital network, has reached the end of its useful life, is obsolete and requires replacement.

NOW THEREFORE, the Director is authorized to proceed with the purchase of a new digital copier to replace the Xerox 5090.

2003-052 WHEREAS, the electronic weighing of commercial motor vehicles by the Arkansas Highway Police Division is essential to preserving the structural integrity of the State's highway system; and

WHEREAS, properly maintained and serviced electronic weighing systems must be available twenty-four hours a day, seven days a week; and

WHEREAS, technological advances in computerized static and weigh-in-motion electronic weighing systems have extended beyond the technical capabilities of Highway Police personnel.

NOW THEREFORE, the Director is authorized to enter into maintenance and service agreements for the Department's electronic weighing systems.

2003-053 WHEREAS, Section 106 of the National Historic Preservation Act of 1966 was amended in 1992 to recognize the importance of traditional religious and cultural properties and the role that Indian tribes should play in preserving those properties and related resources; and

2003-053 - Continued

WHEREAS, the Advisory Council on Historic Preservation has issued regulations implementing Section 106 that require a reasonable and good faith effort to identify any Federally recognized tribe that attaches religious and cultural significance to historic properties affected by an undertaking and to invite such tribes to become consulting parties during a project's planning stages; and

WHEREAS, the Federal Highway Administration may participate in a payment made by a State for tribal consultation and related services performed pursuant to Section 106 of the National Historic Preservation Act.

NOW THEREFORE, the Director is authorized to proceed with a program to reimburse expenses for tribal representatives of Federally recognized tribes to travel to projects for consultation.

2003-054

WHEREAS, numerous requests have been received asking that certain highways be designated Veterans Memorial Highways in honor of veterans' service to the country; and

WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice made by Veterans; and

WHEREAS, the Dwight D. Eisenhower System of Interstate and Defense Highways is recognized as being one of the greatest public works projects which serves to enhance defense of this nation.

NOW THEREFORE, in recognition of Veterans' service, the Highway Commission hereby designates Interstate 40 from the Arkansas/Oklahoma State Line to the Arkansas/Tennessee State Line as "The Veterans Memorial Highway."

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route and to install appropriate signs in Arkansas Tourist Information Centers and Rest Areas which commemorate the Eisenhower Interstate System and The Veterans Memorial Highway.

2003-054 - Continued

FURTHER, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage.

2003-055

WHEREAS, the Department has certain policies for maintaining roadside appearances and for providing visibility for adjacent development; and

WHEREAS, the Department continues to receive requests for clearing of trees and vegetation from highway right of way; and

WHEREAS, the Department has consulted with the Arkansas Forestry Commission regarding timber management possibilities on AHTD rights of way;

NOW THEREFORE, the Director is authorized to implement the following pilot timber management program:

- At the request of a property owner adjacent to the right of way, a clearing/thinning plan will be developed following best practices for timber management as approved by the Arkansas Forestry Commission.
- If AHTD staff determines that timber to be cut can be profitably marketed, AHTD will handle arrangements.
- If AHTD staff determines that timber to be cut cannot be profitably marketed, clearing/thinning will be by permit, under bond, to the requesting property owner and at the requestors expense.
- All debris resulting from a timber cutting operation will be removed from the right of way and stumps will be cut flush with the ground and the area left in a maintainable condition.
- The pilot program will be reevaluated and a report made to the Commission in approximately one year.

2003-056

WHEREAS, in addition to signs installed on state highways by the Department, there are signs which are sometimes installed by cities, counties, and other State and Federal agencies particular to their operations.

NOW THEREFORE, such signing must comply with the following:

Signs installed on AHTD City Limit Sign Assembly:

- Special designed city limit signs meeting Department criteria may be attached to AHTD city limit sign assembly by the city in lieu of standard Department city limit signs
- Signs must provide information or recognition specific to the city; advertising is prohibited
- Signs advising of prohibited activity must have a City Ordinance in force prohibiting the specific activity
- Signs cannot be of any type or size which is specifically not allowed by the Department

Signs installed on independent sign assembly:

- Signs must be specific to the program of the government agency installing the sign; advertising is prohibited
- Signs cannot be of any type or size which is specifically not allowed by the Department

2003-057

WHEREAS, the Arkansas State Highway Commission owns property in Phillips County, Arkansas, which is part of the Phillips County Area Maintenance Headquarters, situated contiguous to Highway 316-South; and

WHEREAS, Job No. 110384, State Project, Highway 316 – Walnut Corner, Route 49, Section 10, Phillips County, Arkansas, requires additional right of way along Highway 49 in front of the Phillips County Area Maintenance Headquarters, said additional right of way is designated as Tract No. 66 for this project, and is more fully described below:

Part of the Northwest Quarter of the Northeast Quarter of Section 3, Township 2 South, Range 3 East, Phillips County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the East 1/16 corner of Section 3; thence South $00^{\circ} 10' 46''$ East along the East line of the Northwest Quarter of the Northeast Quarter of Section 3 a distance of 55.96 feet to a point on the Southerly right of way line of U. S. Highway 49 as established by AHTD Job 11220; thence South $89^{\circ} 55' 20''$ West along said right of way line a distance of 106.73 feet to a point; thence in a Westerly direction along said right of way line on a curve to the left having a radius of 5669.58 feet a distance of 104.38 feet having a chord bearing of South $89^{\circ} 23' 42''$ West a distance of 104.38 feet to a point; thence continue in a Westerly direction along said right of way line along a curve to the left having a radius of 5669.58 feet a distance of 96.73 feet having a chord bearing of South $88^{\circ} 22' 43''$ West a distance of 96.72 feet to a point; thence South $87^{\circ} 53' 24''$ West along said right of way line a distance of 803.69 feet to the point of beginning; thence South $00^{\circ} 06' 25''$ East a distance of 36.48 feet to a point on the Southerly right of way line of U. S. Highway 49 as established by AHTD Job 110384; thence South $88^{\circ} 46' 40''$ West along said right of way line a distance of 208.74 feet to a point on the West line of the Northwest Quarter of the Northeast Quarter of Section 3; thence North $00^{\circ} 06' 25''$ West along said West line a distance of 37.03 feet to a point on the Southerly right of way line of U. S. Highway 49 as established by AHTD Job 11220; thence in a Easterly direction along said right of way line on a curve to the left having a radius of 2924.79 feet a distance of 148.85 feet having a chord bearing of North $89^{\circ} 20' 52''$ East a distance of 148.83 to a point; thence North $87^{\circ} 53' 24''$ East along said right of way line a distance of 59.91 feet to the point of beginning and containing 0.17 acres more or less as shown on plans prepared by the AHTD referenced as Job 110384.

JW/jw 11/20/02

NOW THEREFORE, BE IT RESOLVED, that the character of the above-described property is changed from Phillips County Area Maintenance Headquarters, a capital asset, to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Phillips County and the right of way remonumented.

2003-058

WHEREAS, the Commission acquired a permanent easement over property known as Tract No. 11E of Job No. 060850 from Union Pacific Railroad Company, et al., in Pulaski County, Arkansas, by condemnation, filed of record on July 17, 2002, in the Circuit Clerk's office of Pulaski County, Arkansas, in Arkansas State Highway Commission vs. Union Pacific Railroad Company, et al., Pulaski County Circuit Civ No. 2002-7375, Twelfth Division; and

WHEREAS, on November 15, 2002, Union Pacific Railroad Company did execute, acknowledge and deliver to the Arkansas State Highway Commission a Permanent Easement, the legal description of which is the same as that being condemned as Tract No. 11E of Job No. 060850; and

WHEREAS, with the granting of the Permanent Easement by the Union Pacific Railroad Company to the Arkansas State Highway Commission, as set forth above, the condemnation action filed by the Commission against the Union Pacific Railroad Company, et al., became moot and is no longer needed or necessary and should be withdrawn and dismissed.

NOW THEREFORE, BE IT RESOLVED, that the condemnation action filed by the Arkansas State Highway Commission, Plaintiff, against the Union Pacific Railroad Company, et al., Defendants, in the Pulaski County Circuit Court in Case No. CIV 2002-7375, be dismissed at the earliest possible time and that notice of such dismissal be sent to the Union Pacific Railroad Company and to each Defendant listed in such condemnation action.

BE IT FURTHER RESOLVED, that the Chairman of the Commission, or his designee, is authorized and directed to execute any documents and take any action necessary or convenient in implementing this Minute Order.

2003-059

WHEREAS, the Arkansas State Highway and Transportation Department was designated by Arkansas Act 192 of 1977 as the State's multimodal transportation planning agency responsible for coordinating the development of statewide transportation plans including the Arkansas State Rail Plan; and

2003-059 - Continued

WHEREAS, Minute Order 2002-072 adopted the *Arkansas State Rail Plan - Year 2002*; and

WHEREAS, rail line and railroad bridge studies are prepared for Arkansas' Class III railroads under the auspices of the State Rail Plan in order to qualify the railroads for possible federal funding assistance; and

WHEREAS, the Delta Southern Railroad requested a study be made of their railroad line and bridges and a study entitled *Delta Southern Railroad Rail Line and Railroad Bridge Study* has been prepared that analyzed current railroad operations and identified possible rail line and railroad bridge improvements.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report and to proceed with amending the State Rail Plan.

2003-060

WHEREAS, Minute Order 2000-224 authorized a study of Highway 49 from Paragould to Marmaduke to determine the appropriate scope of improvements needed on the route; and

WHEREAS, the *Highway 49 Improvement Study – Paragould to Marmaduke* has been completed and the analysis has determined that improvements are needed to increase capacity and enhance traffic operations and safety on the route.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition and construction as funds become available.

2003-061

WHEREAS, the Department has permanently closed the Eastbound and Westbound rest areas on I-40 near Morrilton; and

WHEREAS, all items and materials that can be salvaged and reused at other Department facilities have been identified and are being removed; and

2003-061 - Continued

WHEREAS, the Conway County Judge has inquired on the County's behalf for the donation of any miscellaneous items that may remain at the site.

NOW THEREFORE, the Director is authorized to donate to any local government or to other state agencies any miscellaneous items resulting from the closure of the facilities that cannot be reused by the Department and that are scheduled for disposal.

2003-062

WHEREAS, IN INDEPENDENCE COUNTY, on Highway 25, Section 4, from east of the Cleburne county line to south of Locust Grove the need exists for a climbing lane to meet increased traffic demands.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a climbing lane on this highway as funds become available.

This action supersedes Minute Order 87-526 and the work will be constructed under Job 005933.

2003-063

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2003-063 - Continued

<u>County</u>	<u>City</u>	<u>Street</u>	<u>Railroad</u>	<u>Recommendation</u>
Little River	Ashdown	Whitaker	Kansas City Southern	Install Flashing Signals with Gates
Little River	Ashdown	Front	Kansas City Southern	Install Flashing Signals with Gates
White	Near Beebe	Bowman	Union Pacific	Install Flashing Signals with Gates

2003-064

WHEREAS, the Commission has been requested to assist in constructing and improving various drives and parking areas at the Arkansas Governor's Mansion;

NOW THEREFORE, subject to the availability of funds, the Director is authorized to construct new access drives and parking areas and upon their completion to add the drives to the State Highway system as Institutional Drives and to provide future maintenance to these drives in accordance with previously established Commission policy.

2003-065

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 9, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10106	01	CRITTENDEN	MISSISSIPPI RIVER-I-40 (F)	55
110385	01	MONROE & PHILLIPS	BRINKLEY-MARVELL (PASSING LANES) (S)	49
020393	02	JEFFERSON	LADD-SOUTH (OVERLAY) (S)	425
030239	03	HOWARD	LEFEVER CREEK STR. & APPRS. (S)	355
030292	03	LITTLE RIVER & SEVIER	WILTON-WINTERS CREEK (OVERLAY) (S)	71
R40116	04	CRAWFORD	COLLUM LANE INTERCHANGE (F)	540
040246	04	LOGAN & SEBASTIAN	GREENWOOD-BOONEVILLE (PASSING LANES) (S)	10
040365	04	SEBASTIAN) HWY. 71 SIGNALS COORDINATION (FT. SMITH) (S)	71

2003-065 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
040377	04	CRAWFORD	ARKANSAS WELCOME CENTER (VAN BUREN) (S)	40
040409	04	WASHINGTON	ACCESS DRIVES RECONST. (U OF A) (PHASE XI) (S)	873
040410	04	SEBASTIAN	WITCHERVILLE NORTH & SOUTH (OVERLAY) (S)	71
050064	05	SHARP	HWY. 63 BYPASS (HARDY) (F)	63
050098	05	FULTON	SALEM-ASH FLAT (PASSING LANES) (S)	62
050119	05	CLEBURNE	HWY. 25 SLIDE REPAIR (HEBER SPRINGS) (S)	25
050143	05	JACKSON	HWY. 980-HWY. 384 (OVERLAY) (S)	18
061044	06	SALINE	HWY. 367/EAST END RD. INTERS. IMPVTS. (SALINE CO.) (S)	367
061068	06	GARLAND	HWY. 70 SIGS. COORD. (GRAND AVE.) (HOT SPRINGS) (S)	70
061099	06	PULASKI	HWY. 165-HWY. 161 (OVERLAY) (S)	70
070252	07	OUACHITA	LINCOLN DRIVE-OUACHITA RIVER (CAMDEN) (OVERLAY) (S)	79
B80110	08	FAULKNER	HWY. 25-MAYFLOWER (F)	40
B80112	08	FAULKNER	HWY. 89 SIGNALS IMPVTS. (MAYFLOWER) (S)	89 & 365
008570	08	FAULKNER	WOOSTER-BONO (S)	285
080266	08	MONTGOMERY	POLK CO. LINE-EAST (OVERLAY) (S)	88
090168	09	CARROLL	HWY. 23-EAST (OVERLAY) (S)	62
100577	10	CLAY	PIGGOTT-SOUTH (OVERLAY) (S)	49
100578	10	CRAIGHEAD	AGGIE RD.-HWY. 63B (JONESBORO) (OVERLAY) (S)	49
001948	09 & 04	BENTON & WASHINGTON	HWY. 71B-GOAD SPRINGS RD. (F)	540
SA1927	01	CROSS	HWY. 64-NORTH (OVERLAY) (S)	---
SA3251	05	INDEPENDENCE	CO. RD. 31 (BASE) (S)	---
SA3631	08	JOHNSON	CO. RDS. 51 & 164 SURFACING (S)	---
SA4257	04	LOGAN	CO. RD. 81-EAST & WEST (BASE & SURF.) (S)	---
SA4258	04	LOGAN	HWY. 22-NORTH (OVERLAY) (S)	---
SA5930	06	PRAIRIE	HWY. 11-WEST (SURFACING) (S)	---

2003-065 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
FA6410	09	SEARCY	BEGLEY CREEK STR. & APPRS. (S)	---
BR7310	05	WHITE	LITTLE BULL CREEK STR. & APPRS. (S)	---
SA7355	05	WHITE	CO. RD. 14-CO. RD. 134 (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Jonathan Barnett moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to enter into negotiations with the firms of Carter & Burgess, Inc. (LR), Parsons Transportation Group, Inc. (Memphis), Parsons Brinckerhoff Quade & Douglas, Inc. (LR) & MACTEC Engineering & Consulting, Inc. (St. Louis), for consultant services for on-call general planning studies.

2003-066

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., April 9, 2003.

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 April 9, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 21, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 21, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-067 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 21, 2003.

2003-068 WHEREAS, the Purchasing Committee has awarded purchases on April 7, 11, 21 and 24, 2003, and May 5 and 13 in the amounts of \$393,020.00, \$205,615.50, \$235,404.65, \$49,740.00, \$289,200.50, and \$133,224.00 respectively, totaling \$1,306,204.65, 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.

2003-069 WHEREAS, Minute Order 2001-208 authorized the Director to study the possible acquisition of videoconferencing equipment and report to the Commission; and

WHEREAS, the study has shown that such equipment would aid the Department in presentations, meetings, training, and planning activities with other agencies, educational institutions, and business partners; and

2003-069 - Continued

WHEREAS, videoconferencing equipment would provide an effective, efficient and economical means to communicate and would afford more group participation while reducing travel time and expense;

NOW THEREFORE, the Director is authorized to acquire appropriate videoconferencing equipment as funds become available.

2003-070

WHEREAS, many of the operations of the Department are accomplished using electronic data and telecommunications; and

WHEREAS, use of such data processing equipment greatly improves the efficiency and operation of the Department; and

WHEREAS, a constant effort is made to improve and expand existing automated systems and to develop new systems based on proven technology; and

WHEREAS, to support these Department efforts additional and replacement computer hardware, software, networking devices, electronic data storage devices, staff training and other related products and services are necessary.

NOW THEREFORE, the Director is authorized to proceed with the purchase of the necessary electronic data processing and telecommunications equipment and support services for this program as funds become available.

2003-071

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the products.

2003-072

WHEREAS, Arkansas receives Congestion Mitigation and Air Quality (CMAQ) funds from the Transportation Equity Act for the 21st Century (TEA-21); and

WHEREAS, since 1998 a portion of these funds have been used in cooperative efforts to address air quality issues in Arkansas; and

WHEREAS, it is in the best interest of the Department, partner agencies and local jurisdictions to continue this work in preparation for non-attainment status.

NOW THEREFORE, the Director is authorized to enter into appropriate interagency agreements and to participate in coordination activities for air quality planning.

2003-073

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the *SPR Work Program and Cost Estimate* for Fiscal Year 2004 and enter into any necessary contracts and agreements.

2003-074

WHEREAS, the Research Correlation Service of the Transportation Research Board (TRB), National Research Council, collects information concerning past, current and proposed research relating to transportation from all sources including the Federal government, highway research programs, industry, other countries and educational institutions; and

WHEREAS, this information is reviewed, compiled, maintained and disseminated to subscribing agencies through various methods including printed reports, literature searches and abstracts; and

2003-074 - Continued

WHEREAS, all states participate in this program, which also supports the TRB's core activities; and

WHEREAS, the Department's participation rate has been approved by American Association of State Highway and Transportation Officials members and the TRB Executive Committee for a three-year period; and

WHEREAS, the Federal Highway Administration has created a pooled fund study to provide a mechanism for state transportation departments to support the TRB's core program and services.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary to fulfill the Department's commitment to this important program.

2003-075

WHEREAS, the Department's "Safety Manual" must be periodically updated to reflect the latest developments in emergency care, traffic control, and other safety related matters; and

WHEREAS, the Training and Safety Section, in consultation with other safety oriented organizations and various Divisions within the Department has revised the Safety Manual.

NOW THEREFORE, the revised Safety Manual is hereby adopted and the Director is authorized to promulgate and issue directives as necessary to implement and revise the "Safety Manual" as well as to modify and revise it to comply with the Manual on Uniform Traffic Control Devices or other applicable federal laws, regulations or requirements, from time to time, as necessary.

2003-076

WHEREAS, the Commission acquired right of way for Job No. 678, more commonly known as the Palarm – Conway Road, Faulkner County, Route 365, W.P.G.H. 104 Part 1, by Faulkner County Court Order dated April 15, 1936, which is recorded in the County Court Records of Faulkner County, Arkansas in Book 27 at page 473; and

WHEREAS, the District Engineer has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that these areas of the right of way be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

Job No. 678
 Palarm – Conway Road
 W.P.G.H. 104 Part 1
 Route 365
 Faulkner County

From designated Construction Centerline Station 57+90.00 to Station 69+00.00 of the originally executed Court Order for Job 678, dated April 15, 1936, and being recorded in County Court Records of Faulkner County, AR, in “Book 27 at page 473” inclusive of said records shall hereby be revised as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN.</u> <u>FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
57+90.00	60+00.00	210	70	70	140
60+00.00	67+00.00	700	80	70	150
67+00.00	69+00.00	200	80	70	150

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Faulkner County, Arkansas.

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Faulkner County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Faulkner County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the

2003-076 - Continued

release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2003-077

WHEREAS, the Commission acquired in fee property known as Tract No. 545X from Charles Warren Stiles, et al. for Job R60016-5, Highway 70 East Interchange (Hot Springs); Garland County by condemnation resulting in a Consent Judgment filed of record on March 5, 2003, in the Circuit Clerk's Office of Garland County, Arkansas, in Arkansas State Highway Commission vs. Charles Warren Stiles, et al., Garland County Circuit No. CIV 2002-716-III, July 11, 2002; and

WHEREAS, in order to settle the issues in the pending case of Arkansas State Highway Commission vs. Charles Warren Stiles, et al., Garland County Circuit No. CIV 2002-716-III, July 11, 2002, the Commission has agreed, in exchange for its fair market value to convey a portion of Tract No. 545X, which has been heretofore declared surplus property, to Charles Warren Stiles, et al., said property being more particularly described as follows:

PART OF TRACT 545X:

Part of the Southeast Quarter of the Northwest Quarter of Section 6, Township 3 South, Range 18 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Fractional North Half of the Northwest Quarter of Section 6; thence South 01° 24' 53" West along the East line thereof a distance of 1245.83 feet to the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 6; thence South 01° 29' 35" West along the East line thereof a distance of 203.22 feet to a point; thence North 87° 27' 32" West a distance of 399.76 feet to a point on the Southwesterly proposed right of way line of the East-West Arterial for the point of beginning; thence South 40° 53' 03" East along said proposed right of way line a distance of 207.32 feet to a point; thence South 30° 29' 04" East along said proposed right of way line a distance of 158.11 feet to a point on the Southwesterly existing right of way line of the East-West

2003-077 - Continued

Arterial; thence North 36° 23' 11" West along said existing right of way line a distance of 363.96 feet to the point of beginning and containing 0.07 acres or 2,959 square feet more or less.

GA/II 2/6/03

NOW THEREFORE, BE IT RESOLVED that in consideration of the settlement of the issues in Arkansas State Highway Commission vs. Charles Warren Stiles, et al., Garland County Circuit No. CIV 2002-716-III, July 11, 2002, the Chairman is authorized and directed for and in exchange of its fair market value to execute a Quitclaim Deed conveying the above-described property to Charles Warren Stiles, et al. A copy of the Quitclaim Deed and this Minute Order shall be recorded in Garland County, Arkansas. Any Federal-Aid funds from this disposal shall be recredited to Federal Funds or otherwise used or credited as permitted by Federal Law.

2003-078

WHEREAS, the Commission acquired right of way by County Court Order dated November 25, 1946, for Job No. 8255, more commonly known as the Dover-North Road, in Pope County, now designated as Job No. R80103; and

WHEREAS, after construction of Job No. R80103, it was determined that a section of the original right of way for Route 7, Section 15, between Station 2+00 Lt and Station 22+75 Lt and acquired by said County Court Order, is no longer needed for highway purposes; and

WHEREAS, the District Engineer, after review, has concurred that part of the lands acquired by the County Court Order, set forth above, are not now needed, nor in the foreseeable future will be needed, for highway purposes and recommends release of the following lands from the State Highway System, which lands are more particularly described as follows:

Part of the Northwest Quarter of the Northwest of Section 28 and Part of the West Half of the Southwest Quarter of Section 21 and Part of the East Half of the Southeast Quarter of Section 20 all in Township 9 North, Range 20 West Pope County Arkansas more particularly described as follows:

Starting at a 4" x 4" x 4" stone being used as the Quarter corner Sections 21,28; thence North 87°47'50" West along the South line of the Southwest Quarter of Section 21 a distance of 1,521.63 feet to a point on the westerly right of way line of State Highway 7 as established by AHTD Job R80103 for the point of beginning; thence South 45°07'15" East along said right of way a distance of 19.85 feet to a point on the westerly right of way of State Highway 7 as established by AHTD Job 8255; thence North 57°36'06" West along said right of way a distance of 369.66 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,512.39 feet a distance of 366.41 feet having a chord bearing of North 50°39'39" West a distance of 365.52 feet to a point; thence North 46°16'47" East along said right of way a distance of 20.00 feet to a point; thence North 43°43'13" West along said right of way a distance of 593.45 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 632.96 feet a distance of 221.53 feet having a chord bearing of North 33°41'37" West a distance of 220.41 feet to a point; thence continue in a Northwesterly direction along said right of way line on a curve to the right having a radius of 632.96 feet a distance of 280.39 feet having a chord bearing of North 10°58'34" West a distance of 278.10 feet to a point; thence North 01°42'52" East along said right of way a distance of 417.36 feet to a point on the westerly right of way line of State Highway 7 as established by AHTD Job R80103; thence South 10°10'34" East along said right of way a distance of 561.88 feet to a point; thence South 32°55'39" East along said right of way a distance of 73.97 feet to a point on the westerly right of way line of State Highway 7 as established by AHTD Job 8255; thence in a Southeasterly direction along said right of way line on a curve to the left having a radius of 512.96 feet a distance of 208.56 feet having a chord bearing of South 32°04'23" East a distance of 207.13 feet to a point; thence North 46°16'47" East along said right of way a distance of 3.14 feet to a point on the westerly right of way line of State Highway 7 as established by AHTD Job R80103; thence South 32°55'39" East along said right of way a distance of 24.55 feet to a point; thence South 41°22'48" East along said right of way a distance of 570.89 feet to a point; thence South 45°07'15" East along said right of way a distance of 700.98 feet to the point of beginning and containing 4.25 acres, or 185,299 square feet more or less as shown on plans prepared by the AHTD referenced as Job R80103.

G.A./ga 4/01/03

2003-078 - Continued

Note: In all other respects the original County Court Orders shall remain in force and effect.

NOW THEREFORE, BE IT RESOLVED, that the original right of way for Route 7, Section 15 between Station 2+00 Lt and Station 22+75 Lt and described above is hereby released 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 accompanying map with the Recorder of Pope County; and, that the right of way of Route 7, at Section 15, may be, if necessary, remonumented to reflect the boundaries designated herein. Federal-Aid funds, if any, from this disposal shall be credited to Federal Funds.

2003-079

WHEREAS, Minute Order 89-225 authorized improvements to the Forest Highway connecting Highway 23 at Cass, in Franklin County, to Highway 103 near Oark, in Johnson County, and further authorized the road be added to the State Highway System upon completion; and

WHEREAS, the improvements constructed under Job 040157, Beech Grove – Indian Creek, administered by the Department and Job 040283, Indian Creek – Johnson County Line, administered by the Eastern Federal Lands Highway Division have been completed and the projects accepted by the Department.

NOW THEREFORE, IT IS ORDERED that the following change to the State Highway System, as shown on the attached sketch, is hereby made to be effective upon notification by the Chief Engineer.

1. The road constructed by Job 040157 and Job 040283 to be added as part of Highway 215, Section 3.

2003-080

WHEREAS, IN WASHINGTON COUNTY, on Highway 180, Section 2, (Gregg Avenue) from Township Road to Futrall Drive, the City of Fayetteville has requested that an improvement project be programmed; and

WHEREAS, the City of Fayetteville has adopted a resolution agreeing to the following conditions:

2003-080 - Continued

1. The City will reimburse the Department for right-of-way acquisition and relocation of all utilities.
2. The City agrees to accept the entire section of Highway 180 Section 2 from Highway 71B Section 16 to Shiloh as a city street upon completion of the improvements. This will include the portion of Highway 180 (Township Road) between Highway 71B Section 16 (College Avenue) and Gregg Avenue.

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

FURTHERMORE, IT IS ORDERED that upon completion of this project, Highway 180, Section 2, along Township Road and Gregg Avenue from Highway 71B Section 16 to Shiloh, will no longer be a part of the State Highway System. This change will become effective upon notification from the Chief Engineer.

2003-081

WHEREAS, Minute Order 99-012 authorized a study of the feasibility of constructing a Jonesboro northern bypass; and

WHEREAS, the *Feasibility Study for the Jonesboro Northern Bypass from Highway 63 Northwest of Jonesboro to Highway 63 Southeast of Jonesboro* has been completed.

NOW THEREFORE, this feasibility study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction, as funds become available.

2003-082

WHEREAS, Minute Order 2002-171 authorized the Department to conduct an update of the *Maumelle/Oak Grove I-40 Interchange Feasibility Study*, which was originally adopted by Minute Order 96-201; and

2003-082 - Continued

WHEREAS, the *Maumelle/Oak Grove I-40 Interchange Feasibility Study Update* has been completed and documents the increased need for a new interchange since publication of the original study in 1996.

NOW THEREFORE, the *Maumelle/Oak Grove I-40 Interchange Feasibility Study Update* is hereby adopted for use as a tool for future project development.

2003-083

WHEREAS, IN ASHLEY COUNTY, on Highway 82, Section 8, from Highway 133 in the City of Crossett to County Road 411, a distance of approximately 2.5 miles, the need for widening this roadway has been identified; and

WHEREAS, widening of this section of Highway 82 is included in the 1991 Highway Improvement Program.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2003-084

WHEREAS, IN BENTON COUNTY, on Highway 102, Section 3, from Highway 279 to Highway 71B, a distance of approximately 6.2 miles, current traffic volumes warrant widening to four lanes; and

WHEREAS, Northwest Arkansas continues to experience above average growth in population and traffic volumes.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2003-085

WHEREAS, IN BENTON COUNTY, Interstate 540, Section 5, from Goad Springs Road to Highway 102, a distance of approximately 8.9 miles, has experienced considerable surface wear and is showing signs of rutting; and

2003-085 - Continued

WHEREAS, it has been determined that cold-milling and resurfacing will improve the surface condition of this highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface this highway as funds become available.

2003-086

IN CRAIGHEAD COUNTY, in Jonesboro, on Highway 63, Sections 6 and 7, from Highway 91 to the Union Pacific Railroad Overpass, a distance of approximately 8.3 miles, the Director is authorized to proceed with a project for concrete pavement patching as funds become available.

2003-087

WHEREAS, IN CRAIGHEAD COUNTY, in the City of Jonesboro, on Highway 141 South, the drainage structures located approximately $\frac{3}{4}$ mile south of the Highway 141/63 intersection are experiencing structural problems; and

WHEREAS, the Department has conducted a hydraulic study at this site and determined that the structures need to be replaced with a larger structure.

NOW THEREFORE, the Director is authorized to proceed with an improvement project for the replacement of this structure as funds become available.

2003-088

WHEREAS, IN CRITTENDEN COUNTY, on Interstate 40, Section 52, Phase IV of the Mississippi River bridge seismic retrofit project is underway and additional phases are programmed to complete this project; and

WHEREAS, the Interstate 40 Mississippi River bridge seismic retrofit was the principal project in Arkansas' application for U. S. Department of Transportation pilot program funding, which was used to capitalize Arkansas' State Infrastructure Bank.

2003-088 - Continued

NOW THEREFORE, the Director is authorized to utilize funds remaining in Arkansas' State Infrastructure Bank to subsidize the Mississippi River bridge seismic retrofit and to enter into the necessary loan agreements for these funds.

2003-089 WHEREAS, in northern Crittenden County, on Interstate 55, in the vicinity of the Little Cypress Bayou crossing, flooding has occurred along and over the travel lanes of I-55; and

WHEREAS, correction of this situation is necessary.

NOW THEREFORE, the Director is authorized to proceed with an improvement project to alleviate this drainage problem as funds become available.

2003-090 WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant upgrading and installing active warning devices and crossing surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy./St.</u>	<u>Railroad</u>	<u>Recommendation</u>
Crittenden	Crawfordsville	Hwy. 50	Union Pacific	Upgrade Flashing Signals with Gates
Crittenden	Crawfordsville	Boone St.	Union Pacific	Upgrade Flashing Signals with Gates

2003-090 - Continued

<u>County</u>	<u>City</u>	<u>Hwy./St.</u>	<u>Railroad</u>	<u>Recommendation</u>
White	Near Higginson	Booth Rd.	Union Pacific	Install Flashing Signals with Gates
Pulaski	North Little Rock	Hwy. 70	AR Midland	Install Concrete Surface

2003-091 WHEREAS, Acts 926 and 188 of 1999 provided funding for the construction of an Arkansas State Police Station (Troop Headquarters) in Dumas; and

 WHEREAS, the building is now nearing completion on Highway 65 in Dumas; and

 WHEREAS, the Department can utilize space in this facility for its Highway Police enforcement staff.

 NOW THEREFORE, the Director is authorized to execute an appropriate agreement with the Arkansas State Police to provide the hot mix asphalt pavement surface for the facility in exchange for the appropriate office space and parking.

2003-092 WHEREAS, the Fort Smith Regional Airport Manager has requested the assistance of the Department in conducting a study to determine the potential for air cargo development at the airport; and

 WHEREAS, the results of this study could be valuable in future planning and economic development recruitment efforts for the area.

 NOW THEREFORE, the Director is authorized to participate in a study of existing and potential air cargo shipments that might involve additional intermodal activities at the Fort Smith Regional Airport.

2003-093

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 21, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
B10104	01	ST. FRANCIS	HWY. 38-SHEARERVILLE (F)	40
110336	01	CRITTENDEN	CUT-OFF BAYOU STR. & APPRS. (S)	79
110384	01	PHILLIPS	HWY. 316 SO.-WALNUT CORNER (S)	49
110435	01	CROSS & ST. FRANCIS	VILLAGE CREEK STATE PARK-NEWCASTLE (SEL. SECS.) (OVERLAY)(S)	284
020260	02	ASHLEY	PERKINS SLOUGH & LOYDS BAYOU STRS. & APPRS. (S)	82
020394	02	JEFFERSON	6TH AVE.-I-530 (PINE BLUFF) (OVERLAY) (S)	190
030297	03	NEVADA	I-30-WILSON CREEK (OVERLAY) (S)	19
030298	03	HEMPSTEAD	WEST CITY LIMITS-HWY. 29 BYPASS (HOPE) (OVERLAY) (S)	67
040347	04	LOGAN & FRANKLIN	HWY. 309 STRS. & APPRS. (NEAR ROSEVILLE) (S)	309
040412	04	LOGAN	CARBON CITY EAST & WEST (OVERLAY) (S)	22
050115	05	INDEPENDENCE	HWY. 167 SLIDE REPAIR (RAMSEY HILL) (S)	167
050144	05	WHITE	HWY. 367-HWY. 385 (OVERLAY) (S)	36
061060	06	PULASKI	ARKANSAS RIVER BRIDGE PAINTING (I-30) (S)	30
061105	06	HOT SPRING	HWY. 84-NORTH (OVERLAY) (S)	7
061106	06	LONOKE	SOUTH BEND-HWY. 89 (OVERLAY) (S)	294
070180	07	CLARK	HIGH SCHOOL DR.-EAST (ARKADELPHIA) (F)	8 & 51
070253	07	UNION	EL DORADO-STRONG (SEL. SECS.) (OVERLAY) (S)	82
080218	08	CONWAY & PERRY	CYPRESS CREEK-HWY. 9 (OVERLAY) (S)	113
080241	08	POPE	HWY. 7/HWYS. 7 SPUR & 7T SIGNALS (RUSSELLVILLE) (S)	7, 7S & 7T
080244	08	CONWAY	I-40 WB RAMPS/HWY. 9 SIGNAL (MORRILTON) (S)	40 & 9
080266	08	MONTGOMERY	POLK CO. LINE-EAST (OVERLAY) (S)	88
080268	08	JOHNSON	HWY. 64-PALMER DR. (CLARKSVILLE) (OVERLAY) (S)	123
080269	08	FAULKNER	SPRUCE ST.-ROBINS ST. (CONWAY) (OVERLAY) (S)	65B
090118	09	CARROLL	HWY. 21N/FREEMAN AVE. SIGNAL (BERRYVILLE) (S)	21 & 221

2003-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
090137	09	BENTON	HWY. 412/CARL ST. SIGNAL (SILOAM SPRINGS) (S)	412
090170	09	MADISON	HUNTSVILLE BYPASS-EAST (OVERLAY) (S)	412
100562	10	CRAIGHEAD	HWY. 18/RAINS ST. SIGNAL (JONESBORO) (S)	18
100580	10	POINSETT	WHITAKER-WEONA (SEL. SEC.) (OVERLAY) (S)	14
100581	10	GREENE	HWYS. 49 & 49B (SEL. SEC.) (PARAGOULD) (OVERLAY) (S)	49 & 49B
BX0103	4 & 8	FRANKLIN & JOHNSON	HWY. 219-HWY. 164 (F)	40
SA0427	09	BENTON	SILOAM SPRINGS CITY LIMITS-HWY. 59 (OVERLAY) (S)	---
SA0931	02	CHICOT	CHICOT COUNTY RESEAL NO. 3 (S)	---
SA1646	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 19 (SEL. SEC.) (S)	---
SA2648	06	GARLAND	CO. RD. 126-HWY. 298 (RESEAL) (S)	---
SA2649	06	GARLAND	GARLAND COUNTY OVERLAY NO. 9 (S)	---
SA2730	02	GRANT	GRANT COUNTY RESEAL NO. 2 (S)	---
SA2850	10	GREENE	GREENE COUNTY SURFACING NO. 7 (S)	---
SA3035	06	HOT SPRING	HOT SPRING COUNTY OVERLAY NO. 2 (S)	---
FA3112	03	HOWARD	HWY. 369-HWY. 371 (S)	---
SA3127	03	HOWARD	NASHVILLE CITY LIMITS-HWY. 26 (RESEAL) (S)	---
SA3252	05	INDEPENDENCE	HWY. 106-LIMEDALE RD. SURFACING (S)	---
SA3333	05	IZARD	ZION-NORTH (RESEAL) (S)	---
SA3334	05	IZARD	IZARD COUNTY OVERLAY NO. 9 (SEL. SECS.) (S)	---
BR4011	02	LINCOLN	BAYOU BARTHOLOMEW STR. & APPRS. NO. 5 (S)	---
SA4259	04	LOGAN	HWY. 23-EAST (RESEAL, BASE & SURF.) (S)	---
SA4332	06	LONOKE	HWY. 381-CO. RD. 32 (BASE & SURF.) (S)	---
SA4632	03	MILLER	MILLER COUNTY RESEAL NO. 12 (S)	---
FA5211	07	OUACHITA	OUACHITA RIVER SUPERSTRUCTURE & SURFACING (S)	---
SA5436	01	PHILLIPS	CO. RD. 36 OVERLAY (SEL. SEC.) (S)	---
SA5723	04	POLK	POLK COUNTY RESEAL NO. 9 (SEL. SECS.) (S)	---

2003-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA5845	08	POPE	POPE COUNTY SURFACING NO. 13 (S)	---
SA6539	04	SEBASTIAN	CO. RD. 209-GREENWOOD CITY LIMITS (OVERLAY) (S)	---
SA6631	03	SEVIER	SEVIER COUNTY RESEAL NO. 12 (SEL. SECS.) (S)	---
SA6722	05	SHARP	SHARP CO. BASE, SURF. & RESEAL (SEL. SECS.) (S)	---
SA7126	08	VAN BUREN	STONE CO. LINE-SOUTHWEST (ADD'L. BASE & SURF.) (S)	---
SA7260	04	WASHINGTON	CO. RD. 62-NORTH (OVERLAY) (S)	---
SA7356	05	WHITE	CO. RD. 69-CO. RD. 376 (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner Carl S. Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Infrastructure Engineers, Inc., of St. Cloud, Florida, to perform underwater bridge inspections on selected bridges.

MOTION Commissioner Jonathan Barnett moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Parson Transportation Group, Inc., of Memphis Tennessee, for consultant services for the Siloam Springs Bypass Environmental Study.

MOTION Vice Chairman Prissy Hickerson moved, Carl S. Rosenbaum seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Southern Traffic Services, of Gulf Breeze, Florida, for consultant services for vehicle classification counts.

MOTION Commissioner Carl S. Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Traffic Group, of Baltimore, Maryland to conduct statewide turning movement counts.

MOTION Commissioner Jonathan Barnett moved, Vice Chairman Prissy Hickerson seconded and the motion passed unanimously to approve the Fiscal Year 2003-2004 Departmental Budget as recommended by the Department Staff.

2003-094 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:00 p.m., May 21, 2003.

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 May 21, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 1, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 1, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-095 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., July 1, 2003.

2003-096 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., July 1, 2003.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 9, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 9, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-097 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 9, 2003.

2003-098 WHEREAS, the Purchasing Committee has awarded purchases on May 21, 23 and 30, 2003, and June 18, 2003, in the amounts of \$93,844.00, \$28,075.00, \$65,341.00, and \$40,500.00 respectively, totaling \$227,760.00, 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.

2003-099 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statements for the 2003-2004 membership dues in the amounts of \$200.00 to the Arkansas Transit Association, \$200.00 to the South West Transit Association and \$225.00 to the Community Transportation Association of America.

2003-100

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Arkansas Highway and Transportation Department spends over \$3 million annually to remove litter from State Highways.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

2003-101

WHEREAS, the Department was authorized by Arkansas Act 192 of 1977 to administer United States Department of Transportation funds and any other funds available for public transportation assistance; and

WHEREAS, the Federal Transit Administration apportions funds annually to the State of Arkansas for providing capital equipment and operating grants to organizations serving the transportation needs of urbanized and nonurbanized areas, elderly individuals and individuals with disabilities.

NOW THEREFORE, the Director is hereby authorized to apply for these designated Federal funds and enter into the necessary grant agreement awards and contracts to expend these and other such funds as may be appropriate to support these public transportation programs.

2003-102

WHEREAS, the Department, in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville, has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the MBTC to conduct the following studies:

- Assisted Night Vision for Motorists in Highway Construction Zones

2003-102 - Continued

- A Study of Physical and Chemical Characteristics of Superpave Binders Containing Air Blown Asphalt
- Development of an In Situ Permeability Device for Concrete Structures
- A Comprehensive Study of Field Permeability Using the Vacuum Permeameter
- Roadway Median Treatments

2003-103

WHEREAS, the Department's "Operation Wildflower" program encourages sponsors to donate wildflower seed for highway right-of-way projects; and

WHEREAS, the "Operation Wildflower" program contributes to the Department's mission to provide "aesthetically pleasing" roadsides; and

WHEREAS, the costs incurred by the Department for participating in a wildflower program are eligible for Transportation Enhancement Funds.

NOW THEREFORE, the Director is authorized to establish an Enhancement Project to fund salaries, travel, herbicides, signs, equipment, and other costs to the Department associated with the Operation Wildflower program.

2003-104

WHEREAS, the use of Intelligent Transportation Systems (ITS) has been proven to make transportation systems safer and more effective; and

WHEREAS, Commission Minute Order 99-162, adopted August 11, 1999, authorized the selection of a consulting firm to develop an ITS Strategic Plan for Arkansas; and

2003-104 - Continued

WHEREAS, PB Farradyne a division of Parsons Brinkerhoff, Quade and Douglas, Inc. has prepared the Arkansas Statewide Intelligent Transportation Systems Strategic Plan.

NOW THEREFORE, the ITS Strategic Plan is hereby adopted as a planning guide for ITS deployment in the State of Arkansas.

2003-105

WHEREAS, the Commission acquired right of way for Job No. 090057, HPP-0246(1), HPP-ACHPP-1521(1) & MGS-0004(19), Highway 12 Widening (Little Osage Creek – Morningstar Road.), Route 12, Section 2, Benton County, by Benton County Court Order dated October 20, 1999; and

WHEREAS, the District Engineer has determined that the hereinafter described property is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such property be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the area of right of way to be abandoned is more particularly described as follows:

JOB 090057
HPP-ACHPP-0246(1),
HPP-ACHPP-1521(1) &
MGS-0004(19)
HIGHWAY 12 WIDENING
(LITTLE OSAGE CREEK - MORINGSTAR ROAD)
ROUTE 12, SECTION 2
BENTON COUNTY

Part of the of Section 15, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Starting at the South 1/16 corner of Section 14 and 15; thence North 51° 11' 13" West a distance of 1,693.96 feet to a point on the Westerly right of way line of State Highway 12 as established by Job 9276 for the point of beginning; thence North 01° 55' 59" East along said right of way a distance of 89.84 feet to a point; thence in a Northeasterly direction along said right of way line on a curve to the right having a radius of 268.61 feet a distance

2003-105 - Continued

of 421.93 feet to a point; thence South 87° 43' 10" East along said right of way line a distance of 48.50 feet to a point on the Westerly right of way line of State Highway 12 as established by Job 090057; thence South 61° 01' 07" West along said right of way line a distance of 159.16 feet to a point; thence South 45° 27' 03" West along said right of way line a distance of 168.24 feet to a point; thence South 25° 11' 18" West along said right of way line a distance of 168.03 feet to the point of beginning and containing 0.58 acre more or less to be released.

DH/dh 8/14/2002

NOTE: The original Court Order shall remain as is. This description is to be used to reflect the area to be released to Benton County, Arkansas.

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Benton County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Benton County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after release of the above designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

2003-106

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 4R in fee from Potlatch Corporation for Job No. 070069 (070034) STPO-9440 (2) Warren & Saline River Railroad Overpass, Highway 8 Extension, Warren, Bradley County, Arkansas, by Warranty Deed dated March 27, 1995, recorded April 25, 1995, in Deed Record Book FN, page 139; and

WHEREAS, Potlatch Corporation assigned its rights to re-acquire Tract No. 4R to Ricky Sandine on April 22, 2003; and

WHEREAS, Ricky Sandine has asked to repurchase Tract No. 4R which the District Engineer for District 7 has determined is not now needed, nor in the foreseeable future will be needed, for highway purposes; and

WHEREAS, the Commission acquired Tract No. 4R for One Thousand Seven Hundred Fifty And No/100 Dollars (\$1,750.00), which Tract No. 4R is more particularly described as follows:

Job No. 070069 (070034)
STPO-9440(2)
Warren & Saline River Railroad Overpass
Hwy. 8 Extension (Warren)
Bradley, County, Arkansas

Part of the Northeast Quarter of the Southwest Quarter of Section 6, Township 13 South, Range 9 West, Bradley County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northeast Quarter of the Southwest Quarter of Section 6; thence North 89° 37' 11" East along the South line thereof a distance of 1333.03 feet to the Southeast Corner of the Northeast Quarter of the Southwest Quarter of Section 6; thence North 00° 32' 46" East along the East line of the Northeast Quarter of the Southwest Quarter of Section 6 a distance of 20.00 feet to a point on the Northerly existing right of way line of Park Street; thence South 89° 37' 11" West along said existing right of way line a distance of 22.83 feet to a point on the Westerly proposed right of way line of Relocated Arkansas State Highway 8 for the point of beginning; thence continue South 89° 37' 11" West along the Northerly existing right of way line of Park Street a distance of 180.81 feet to a point on the Southeasterly existing right of way line of South Martin Street; thence North 28° 09' 52" East along said existing right of way line a distance of 375.21 feet to a point on the Westerly proposed right of way line of Relocated Arkansas State Highway 8; thence South 02° 08' 33" East along said proposed right of way line a distance of 129.28 feet to a point; thence South 01° 19' 24" West along said proposed right of way line a distance of 200.40 feet to the point of beginning and containing 0.70 acre more or less.

JK/II 2/24/95

NOW THEREFORE, BE IT RESOLVED, that the above described property is acknowledged as surplus property; that upon receipt of the consideration of \$1,750.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above

2003-106 - Continued

described property to Ricky Sandine, a copy of the deed and this Minute Order shall be recorded in Bradley County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds or otherwise credited as permitted by federal law.

2003-107

WHEREAS, the Commission acquired in fee property known as Tract No. 16 from David W. Chitwood and Lynelle Chitwood, husband and wife, John R. Chitwood and Pamela D. Chitwood, husband and wife, William R. Bryant and Polly Ann Bryant, husband and wife, Robert H. Scudder and Vera W. Scudder, husband and wife, William D. Basham and Linda Gay Basham, husband and wife, Dickie N. Parsons and Kayleen C. Parsons, husband and wife, (Sellers) for Job No. 060293, Ouachita River Bridge & Approaches, (Hot Springs) Highway 7-South, Garland County, by Warranty Deed dated January 15, 1988, filed for record on March 4, 1988, in Deed Record Book No. 1253, at page 914, in the Circuit Clerk's Office of Garland County, Arkansas; and

WHEREAS, Sellers have asked to repurchase a portion of Tract No. 16, which the District Engineer for District 6 has determined is not now, nor in the foreseeable future will be, needed for highway purposes, said portion of Tract No. 16 being more particularly described as follows:

Part of Lots 17 and 18, Block D, Point Lookout Subdivision of a part of the Southeast Quarter of Southeast Quarter of Section 31, Township 2 South, Range 19 West and the Southeast Quarter of Section 36, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Northerly most corner of Block 1 of said Point Lookout Subdivision, as recorded in Plat Book 1, Page 11 of the Plat Records, Garland County, Arkansas; thence in a Southerly direction on a curve to the right having a radius of 424.44 feet a distance of 80.00 feet to a point on the proposed Southerly right of way line of new North Point Lookout Road; thence North 67° 45' 42" West along said proposed right of way line a distance of 40.00 feet to a point; thence South 86° 38' 03" West along said proposed right of way line a distance of 45.08 feet to a point on the existing

Westerly right of way line of vacated Highway 7 for the point of beginning; thence in a Southerly direction along said existing right of way line on a curve to the right having a radius of 384.44 feet a distance of 284.02 feet to a point on the proposed Westerly right of way line of State Highway 7; thence in a Northerly direction along said proposed right of way line on a curve to the left having a radius of 531.68 feet a distance of 220.55 feet to a point on the proposed Southerly right of way line of new North Point Lookout Road; thence North 86° 38' 03" East along said proposed right of way line a distance of 78.13 feet to the point of beginning and containing 0.23 acre more or less or 10,193 square feet more or less.

WHEREAS, Tract No. 16 was acquired by the Commission for Two Hundred Twenty-Two Thousand And No/100 Dollars (\$222,000.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 16 being offered for sale is SEVEN THOUSAND SIX HUNDRED FIFTY AND NO/100 (\$7,650.00).

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$7,650.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Sellers; a copy of the deed and this Minute Order shall be recorded in Garland County, Arkansas; and, if necessary, the right of way may be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

WHEREAS, the Commission acquired in fee property known as Tract No. 402 from William Earl Ware and Callie Mae Ware, husband and wife, for Job No. 6671-4,I-30-2(42)80 Friendship-Midway, Hot Spring County, Arkansas, by Warranty Deed dated May 11, 1965, filed for record on May 15, 1965, in Deed Record Book 134, at page 497, in the Circuit Clerk's office, Hot Spring County, Arkansas; and

WHEREAS, the Heirs at Law of William Earl Ware and Callie Mae Ware, deceased, have assigned their rights to re-acquire the

hereinafter described portion of Tract No. 402 to Orgene F. Davis and Virginia M. Davis, husband and wife; and

WHEREAS, the District Engineer for District 6 has determined that the hereinafter-described portion of Tract No. 402 is not needed now, nor in the foreseeable will be needed, for highway purposes, said portion of Tract No. 402 being more particularly described as follows:

Job 6671-4
FAP: I-30-2(42)80
Friendship - Midway
Hot Spring County
Route 30, Section 21
Part of Tract 402

Part of the Southwest Quarter of the Southeast Quarter of Section 10, Township 6 South, Range 19 West, Hot Spring County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Southeast Quarter of Section 10; thence North $87^{\circ} 29'$ East along the North line thereof a distance of 207.2 feet to a point; thence South $02^{\circ} 26'$ West a distance of 636.8 feet to a point on the Northerly existing right of way line of a County Road; thence North $88^{\circ} 01'$ West along said existing right of way line a distance of 44.2 feet to a point for the point of beginning; thence North $39^{\circ} 03'$ West along said existing right of way line a distance of 161.6 feet to a point on the Northerly proposed right of way line of said County Road; thence South $72^{\circ} 30' 08''$ East along said proposed right of way line a distance of 116.52 feet to a point; thence in a Southwesterly direction along said proposed right of way line on a curve to the left having a Radius of 756.20 feet a distance of 91.0 feet to the point of beginning and containing 0.12 acre or 5,112 square feet more or less.

DH/dh 10/9/00

WHEREAS, Tract No. 402 was acquired by the Commission for Two Thousand Two Hundred Fifty And No/100 (\$2,250.00); and

2003-108 - Continued

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 402 being offered for sale is Fifty And No/100 Dollars (\$50.00).

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$50.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Orgene F. Davis and Virginia M. Davis, husband and wife; a copy of the deed and this Minute Order shall be recorded in Hot Spring County, Arkansas; and, if necessary, the right of way may be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2003-109

WHEREAS, the Commission acquired property known as Tract 79R from Etter M. Reynolds, an unmarried person; Leannie Thornton and Crittenden Thornton, her husband; Willie Mae Lark, an unmarried person; Leon Reynolds and Elnora Reynolds, his wife; Robert L. Reynolds and Lisa Reynolds, his wife; and, Learlean Reynolds-Clements and Eugene E. Clements, her husband; the heirs of Pearline Reynolds, who died August 5, 1996; for Job 020257, STP-BRN-9345(10), Highway 54 – 73rd Street, Route 15, Section 7, Jefferson County, by warranty deed filed of record on May 10, 1999, in the Circuit Clerk's Office of Jefferson County in Book No. 707, Page 38; and

WHEREAS, Tract 79R was acquired for \$600.00; and

WHEREAS, Joe L. Lacy and Betty Jo Lacy, husband and wife, have asked to repurchase Tract 79R; Etter M. Reynolds, Leannie Thornton, Crittenden Thornton, Willie Mae Lark, Leon Reynolds, Elnora Reynolds, Robert L. Reynolds, Lisa Reynolds, Learlean Reynolds-Clements, and Eugene E. Clements, the heirs of Pearline Reynolds, who died August 5, 1996, have assigned their rights to reacquire Tract 79R to Joe L. Lacy and Betty Jo Lacy; and, the District Engineer has determined that Tract 79R, being more particularly described as follows, is no longer needed for highway purposes:

JOB 020257
TRACT 79R:

2003-109 - Continued

Part of the Northeast Quarter of the Northeast Quarter of Section 10, Township 7 South, Range 9 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northeast Quarter of the Northeast Quarter of Section 10; thence North 02° 35' 52" West along the East line thereof a distance of 201.230 meters for the point of beginning; thence North 89° 38' 05" West a distance of 32.360 meters to a point on the Easterly proposed right of way line of Arkansas State Highway 15; thence North 03° 47' 29" East along said proposed right of way line a distance of 21.956 meters to a point; thence South 89° 38' 05" East a distance of 29.914 meters to a point on the East line of the Northeast Quarter of the Northeast Quarter of Section 10; thence South 02° 35' 52" East a distance of 21.946 meters to the point of beginning and containing 0.068 hectare more or less.

PLH/II 3/11/99
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NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$600.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Joe L. Lacy and Betty Jo Lacy, husband and wife; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2003-110

WHEREAS, the Commission acquired right of way for Job No. 9138/009829, FAP No. NH-0064(5), Holder & Bear Creek Strs. and Apprs. (U. S. Hwy. 65), Route 65, Section 5, by Searcy County Court Order dated December 28, 1932, which is recorded in the county court records of Searcy County, Arkansas, in Record Book No. 13 at page 224; and

WHEREAS, the District Engineer has determined that the hereinafter described property is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such property be abandoned and the right of way boundaries to be remonumented to reflect

the new right of way limits; the area of right of way to be abandoned is more particularly described as follows:

JOB 009829

Area to be released acquired under AHTD Job 9138

Part of the East Half of the Northwest Quarter of Section 18 Township 15 North, Range 16 West Searcy County, Arkansas, more particularly described as follows:

Starting at the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 18; thence South $87^{\circ} 29' 22''$ East along the north line of the Southeast Quarter of the Northwest Quarter of Section 18 a distance of 174.787 meters to a point on the westerly right of way line of U. S. Highway 65 as established by AHTD Job 9138 for the point of beginning; thence in a Northwesterly direction along said right of way line on a curve to the left having a radius of 162.459 meters a distance of 33.471 meters having a chord bearing of North $08^{\circ} 21' 39''$ West a distance of 33.412 meters to a point on the westerly right of way line as established by AHTD Job 009829; thence South $28^{\circ} 49' 37''$ East along said right of way line a distance of 60.797 meters to a point on the westerly right of way line of U. S. Highway 65 as established by AHTD Job 9138; thence South $00^{\circ} 21' 03''$ West along said right of way line a distance of 82.333 meters to a point; thence in a southeasterly direction along said right of way line on a curve to the left having a radius of 424.417 meters a distance of 132.086 meters having a chord bearing of South $08^{\circ} 33' 54''$ East a distance of 131.553 meters to a point the westerly right of way line of U. S. Highway 65 as established by AHTD Job 009829; thence South $02^{\circ} 30' 18''$ East along said right of way line a distance of 18.434 meters to a point; thence South $04^{\circ} 21' 28''$ East along said right of way line a distance of 58.665 meters to a point the westerly right of way line of U. S. Highway 65 as established by AHTD Job 9138; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 448.801 meters a distance of 214.969 meters having a chord bearing of North $13^{\circ} 22' 16''$ West a distance of 212.919 meters to a point; thence North $00^{\circ} 21' 03''$ East along said right of way line a distance of 94.427 meters to a point; thence in a Northwesterly direction along said right of way line on a curve to the left having a radius of 162.459 meters a distance of 7.965 meters having a chord bearing of North $01^{\circ} 03' 14''$ West a distance of 7.965 meters to the

2003-110 - Continued

point of beginning and containing 0.16 acres, or 6,875 square meters more or less as shown on plans prepared by the AHTD referenced as Job 009829

G.A./GA 4/15/03
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NOTE: The original Court Order shall remain as is. This description is to be used to reflect the area to be released to Searcy County, Arkansas.

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Searcy County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Searcy County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after release of the above designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

2003-111

WHEREAS, Highway 139, between Highway 18 and the Missouri State Line, serves traffic traveling between southeast Missouri and the industrial areas being developed in the Jonesboro vicinity.

NOW THEREFORE, BE IT RESOLVED that the Director is authorized to conduct a study of this route to determine its ability to handle existing and forecast traffic volumes including heavy truck volumes.

2003-112

WHEREAS, the City of Alma has expressed the need for a Highway 162 bypass in Alma including an overpass of the Union Pacific Railroad; and

WHEREAS, the City of Alma has agreed to partner with the Department in the development and construction of a Highway 162 bypass.

NOW THEREFORE, the Director is authorized to conduct a study to determine the feasibility of constructing a Highway 162 bypass in Alma.

2003-113

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>Hwy./St.</u>	<u>Railroad</u>	<u>Recommendation</u>
Crawford	Hwy. 282	Arkansas & Missouri	Install Active Advance Warning Sign

2003-114

WHEREAS, IN MILLER COUNTY, on Highway 245, Section 1, from Highway 67 to Interstate 30 in Texarkana, a distance of approximately 1.9 miles, the pavement condition has deteriorated and the need exists for roadway rehabilitation.

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

2003-115

WHEREAS, IN PULASKI COUNTY, on Highway 161, Section 3, Log Mile 11.25, the need exists to improve the drainage conditions at the Arkansas Midland Railroad crossing to minimize ponding of water on the roadway.

NOW THEREFORE, the Director is authorized to take the necessary actions to provide adequate roadway drainage at this location.

2003-116

WHEREAS, it has been requested that the Department participate in conducting a joint feasibility study for additional rail service to industries located in south Fort Smith and in the Fort Chaffee area.

2003-116 - Continued

NOW THEREFORE, the Director is authorized to participate in the rail service feasibility study.

2003-117

WHEREAS, IN WASHINGTON COUNTY, on Highway 16, Section 2, from west of Interstate 540 to the west city limits of Fayetteville, a distance of approximately 1.7 miles, current traffic volumes warrant widening to five lanes; and

WHEREAS, Northwest Arkansas continues to experience above average growth in population and traffic volumes.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2003-118

WHEREAS, the Area Maintenance Headquarters in Grant County is currently serviced by a septic system; and

WHEREAS, the Department has determined that it would be beneficial to connect to the City of Sheridan sewer system, because of the possibility of future costly repairs and maintenance for the existing septic system at the Grant County Area Maintenance Headquarters; and

WHEREAS, the City of Sheridan requires that the Commission petition to have the real property upon which the Grant County Area Maintenance Headquarters is located, annexed into the city limits of the City of Sheridan, as a requirement for being connected to the City of Sheridan sewer system.

NOW THEREFORE, IT IS ORDERED that the Department is authorized to Petition the Grant County Court and the City of Sheridan, on behalf of the Commission, to have the real property upon which the Grant County Area Maintenance Headquarters is located, annexed into the city limits of the City of Sheridan, and the Director is authorized to sign all necessary documents on behalf of the Commission pursuant to this order.

2003-119

WHEREAS, the existing property serving the Phillips County Area Headquarters in Walnut Corner on State Highway 49 is marginal in size; and

WHEREAS, Job 110384, Hwy. 316 So. – Walnut Corner (S) will convert Highway 49, directly in front of this property, to a 5-lane highway; and

WHEREAS, as a result of this project, the highway right of way will widen approximately to the front of the area headquarters building and will eliminate all of the existing parking, further reducing the useable area at this site; and

WHEREAS, enlarging this property would be compatible with the Department's desire to increase the size of this site and would accommodate the necessary parking required; and

WHEREAS, additional adjoining property would also be well suited for storage and other necessary maintenance activities.

NOW THEREFORE, the Director is authorized to complete the work to purchase additional property and make improvements including re-configuration of parking, surfacing of lot, fencing and related items.

Work to be done by contract and state forces.

2003-120

WHEREAS, IN POINSETT COUNTY, Highway 63 is a four-lane divided asphalt roadway; and

WHEREAS, a portion of the roadway from Log Mile 6.90 to Log Mile 13.28 is in need of a new wearing surface; and

NOW THEREFORE, the Director is authorized to develop plans and to proceed with a project to place a new wearing course on this section of Highway 63 as funds become available.

2003-121

WHEREAS, the Interstate 440 bridge A & B 5700, between the South Terminal Interchange and the Airport has expansion joint slider plates; and

2003-121 - Continued

WHEREAS, these joints have deteriorated to the point that replacement is warranted; and

WHEREAS, the work required replacing this joint is beyond the scope of our normal maintenance forces.

NOW THEREFORE, the Director is authorized to proceed with plans and development of a project to replace the bridge joints on this bridge as funds become available.

2003-122

WHEREAS, the radio communications along I-40 through North Little Rock are unreliable due to the mountainous terrain between North Little Rock and the repeater at Shinall Mountain; and

WHEREAS, the traffic volume through that area coupled with highway construction and commercial development necessitates a need for quality communications; and

WHEREAS, it has been determined the development of an additional repeater site in this area will alleviate the problem.

NOW THEREFORE, the Director is authorized to proceed with the development of a new radio repeater site in North Little Rock as funds become available.

2003-123

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 9, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110389	01	MONROE	BIG ROBE BAYOU STR. & APPRS. (S)	70
110392	01	WOODRUFF	CANEY CREEK STR. & APPRS. (S)	33C
110436	01	WOODRUFF	HWY. 306-ST. FRANCIS CO. LINE (OVERLAY) (S)	78
R20094	02	DESHA	SOUTH DUMAS-WINCHESTER (S)	65
020395	02	DESHA	DESHA COUNTY AREA HEADQUARTERS (MCGEHEE) (S)	65
020396	02	ASHLEY	MONTROSE-SOUTH (OVERLAY) (S)	165

2003-123 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030294	03	MILLER	DODDRIDGE-SULPHUR RIVER BR. (OVERLAY) (S)	71
040417	04	CRAWFORD	HWY. 59-EAST (OVERLAY) (S)	348
050087	05	WHITE	HWY. 67-WEST (S)	64
050148	05	FULTON	BAXTER CO. LINE-BIG CREEK (SEL. SECS.) (OVERLAY) (S)	62
R60127	06	GARLAND	HWY. 270 EAST-HWY. 70 EAST (BS. & SURF.) (S)	70
061069	06	LONOKE	HWY. 321/KERR STATION RD. SIGNAL (CABOT) (S)	321
061111	06	PULASKI	FORBING RD.-HWY. 5 (SEL. SECS.) (OVERLAY) (S)	70
061112	06	PRAIRIE	HWY. 38-NORTH (OVERLAY) (S)	11
080235	08	YELL	HWY. 22-ARKANSAS RIVER DRAINAGE IMPVTS. (DARDANELLE) (S)	7
080242	08	POPE	PHOENIX AVE./W. PARKWAY SIGNAL (RUSSELLVILLE) (S)	---
080271	08	CONWAY	MCNEW RD.-VAN BUREN CO. LINE (OVERLAY) (S)	95
080272	08	YELL	OLA-NORTH (OVERLAY) (S)	7
100478	10	GREENE	ST. FRANCIS RIVER RELIEF & BIG SLOUGH STRS. & APPRS. (F)	412
100491	10	MISSISSIPPI	HWY. 980 - HWY. 312 (S)	18
100538	10	MISSISSIPPI	HWY. 137 SPUR-HICKMAN (S)	137
100586	10	LAWRENCE	INDEPENDENCE CO. LINE-STRAWBERRY (OVERLAY) (S)	25
SA0233	02	ASHLEY	HWY. 133-SOUTHWEST (OVERLAY) (S)	---
SA0340	09	BAXTER	HWY. 126-SOUTH (OVERLAY) (S)	---
SA0636	07	BRADLEY	BRADLEY COUNTY RESEAL NO. 4 (S)	---
SA0836	09	CARROLL	HWY. 311-CO. RD. 19 (OVERLAY) (S)	---
BR1109	10	CLAY	BIG SLOUGH DITCH STR. & APPRS. NO. 6 (S)	---
SA1140	10	CLAY	HWY. 90-CO. RD. 338 (OVERLAY) (S)	---
SA1343	07	CLEVELAND	CLEVELAND COUNTY OVERLAY NO. 4 (S)	---
SA1432	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 9 (S)	---
SA1541	08	CONWAY	CONWAY COUNTY RESEAL NO. 2 (S)	---

2003-123 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA1542	08	CONWAY	CO. RD. 89-WEST (OVERLAY) (S)	---
SA1827	01	CRITTENDEN	CRITTENDEN COUNTY RESEAL NO. 1 (S)	---
SA2650	06	GARLAND	BRADY MT. ROAD-HWY. 270 (RESEAL) (S)	---
SA2731	02	GRANT	TULL CITY LIMITS-HWY. 35 (RESEAL) (S)	---
SA2933	03	HEMPSTEAD	HWY. 29-CO. RD. 3 (OVERLAY) (S)	---
FA3112	03	HOWARD	HWY. 369-HWY. 371 (S)	---
SA3442	05	JACKSON	HWY. 145-HWY. 67 (BASE & SURFACING) (S)	---
FA3505	02	JEFFERSON	HWY. 63-NORTH (HARBOR INDUSTRIAL DISTRICT) PHASE III (S)	---
SA3530	02	JEFFERSON	HWY. 54-PINE BLUFF CITY LIMITS (OVERLAY) (S)	---
SA3840	10	LAWRENCE	LAWRENCE CO. REPAIR & SURFACING (SEL. SECS.) (S)	---
SA3924	01	LEE	CO. RD. 50-HWY. 1 (OVERLAY) (S)	---
SA4126	03	LITTLE RIVER	LITTLE RIVER COUNTY OVERLAY NO. 2 (S)	---
SA4424	09	MADISON	HWY. 295-SOUTH (OVERLAY) (S)	---
BR4607	03	MILLER	WEST FORK KELLY BAYOU STR. & APPRS. (S)	---
SA4923	08	MONTGOMERY	MONTGOMERY COUNTY RESEAL #10 (S)	---
BR5003	03	NEVADA	TRAMMEL CREEK STR. & APPRS. (S)	---
SA5243	07	OUACHITA	CO. RD. 67 OVERLAY (SEL. SEC.) (S)	---
SA5437	01	PHILLIPS	HWY. 1-EAST (BASE) (S)	---
SA6037	06	PULASKI	HWY. 367-I-530 (OVERLAY) (S)	---
FA6315	04	SCOTT	CO. ROAD 87-EAST RECONSTRUCTION (S)	---
FA6609	03	SEVIER	BRIDGE CREEK RELIEF NO. 1 STR. & APPRS. (S)	---
SA6848	01	ST. FRANCIS	FORREST CITY-NORTH (OVERLAY) (S)	---
FA6916	05	STONE	JACKS CREEK STR. & APPRS. (S)	---
SA6920	05	STONE	STONE CO. SURFACING & RESEAL (SEL. SECS.) (S)	---
SA7030	07	UNION	CO. RDS. 31 & 71 (OVERLAY) (S)	---
SA7261	04	WASHINGTON	CO. RD. 66-SOUTH (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., July 9, 2003.

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 July 1, 2003, and July 9, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 19, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 19, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-125 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., August 19, 2003.

2003-126 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:30 a.m., August 19, 2003.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 20, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 20, 2003. Members present were:

Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-127 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 20, 2003.

2003-128 WHEREAS, the Purchasing Committee has awarded purchases on July 10, 24 and 30, 2003, and August 8, 2003, in the amounts of \$26,894.08, \$46,042.00, \$155,315.76, and \$60,265.00 respectively, totaling \$288,516.84, 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.

2003-129 WHEREAS, Minute Order 98-122 authorized the Director to purchase the necessary equipment and services for surveying, mapping, and inventorying purposes to make use of the Arkansas High Accuracy Reference Network (Arkansas HARN) and the Department's Continuous Operating Reference Stations (AHTD CORS) established by National Geodetic Survey (NGS) Branch of the National Oceanic and Atmospheric Administration; and

WHEREAS, the Department plans to continue utilizing the Arkansas HARN and AHTD CORS for use with the Global Positioning System (GPS) to provide additional data to NGS as requested, to establish additional AHTD CORS, for design and land surveys, construction management and other uses which include, but are not limited to, collection of planning and environmental data and pavement, bridge, right-of-way, and sign inventories; and

WHEREAS, GPS data collection can increase productivity, help the Department reduce staff levels, allow more accurate and timely retrieval of historical data, and also provide the most precise data that can be used in planning, design, and operations.

NOW THEREFORE, the Director is authorized to purchase the necessary equipment and services for surveying, mapping, and inventorying purposes to make use of the Arkansas HARN and the AHTD CORS.

2003-130

WHEREAS, the Department's Mission Statement includes providing an "aesthetically pleasing and environmentally sound intermodal transportation system;" and

WHEREAS, the Federal Highway Administration has encouraged the Department to continue and document its environmental legacy.

NOW THEREFORE, the Director is authorized to establish a project to develop and distribute multimedia production including video, DVD, interactive media and other promotional materials to document the Department's legacy in environmental ethic, stewardship, and leadership.

2003-131

WHEREAS, one of the Department's goals is to reduce the number and severity of traffic crashes in the State by selecting and implementing effective highway safety strategies and projects; and

WHEREAS, studies show that the installation of continuous shoulder rumble strips reduce single vehicle, run-off-the-road crashes; and

2003-131 - Continued

WHEREAS, continuous shoulder rumble strips are desirable on Interstate highways not included in the Interstate Rehabilitation Program and on portions of Highway 63, Highway 67 and Highway 71; and

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

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a safety project for continuous shoulder rumble strips as funds become available.

2003-132

WHEREAS, the Center for Training Transportation Professionals at the Mack-Blackwell Rural Transportation Study Center at the University of Arkansas, Fayetteville provides training for the Department's technical staff; and

WHEREAS, the department is in need of expanding this technical training in certain areas; and

WHEREAS, additional classroom space is needed at the Center to enhance the changing and growing needs for transportation training and education for the Department.

NOW THEREFORE, the Director is authorized to participate in the development of the training facility at a cost not to exceed \$80,000.

2003-133

WHEREAS, the Arkansas State Highway Commission is required to print and distribute rules and regulations necessary to carry out the codes governing State Highways and the use of motor vehicles; and

WHEREAS, the supply of the manual, *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2001 Edition*, issued jointly by the Arkansas State Highway Commission and the Department of Finance and Administration, is exhausted; and

WHEREAS, revisions to laws and regulations require this manual to be updated; and

2003-133 - Continued

WHEREAS, the Arkansas Code Revision Commission has indicated that a state contract exists with Lexis Publishing to compile and print the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2003 Edition*, including an Internet license agreement.

NOW THEREFORE, the Director is authorized to update the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2001 Edition*, and to collaborate with the Department of Finance and Administration to publish 7,000 copies of the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2003 Edition*, including the Internet agreement.

2003-134

WHEREAS, the Transportation Equity Act for the 21st Century included funding for the Arkansas Recreational Trails Program for Federal Fiscal Year 2003; and

WHEREAS, unspent federal funds, with various matching ratios, are available from previous fiscal years; and

WHEREAS, making these funds available increases the number of projects that can be approved; and

WHEREAS, all funds were made available to qualifying sponsors through a competitive application process; and

WHEREAS, the Arkansas Recreational Trails Advisory Committee and Arkansas State Highway and Transportation Department staff have reviewed the applications submitted and developed recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the attached list of projects.

2003-135

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

2003-135 - Continued

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable;

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual, relating to the Arkansas Veteran's Preference Law, the Family and Medical Leave Act, and other leave policies.

2003-136

WHEREAS, Section Seven (a) of Act 397 of 1955, the Arkansas Motor Carrier Act, permits the commissioners of the Arkansas State Highway and Transportation Department, (the successor to the Arkansas Transportation Commission and Regulatory Board of the Transportation Safety Agency) to refer any matter arising in the administration of Act 397 of 1955 to an employee for hearing, written report and recommended order which a majority of the Commissioners shall then review and determine the matter on the record therefore made; and

WHEREAS, Section Seven of Act 324 of 1935, permits the commissioners of the Arkansas State Highway and Transportation Department, (the successor to the Arkansas Transportation Commission and Regulatory Board of the Transportation Safety Agency), (a) to designate an examiner to undertake or hold any investigation, inquiry, or hearing it has the power to undertake or hold; and (b) to designate an examiner to take evidence in any investigation, inquiry or hearing which may be taken by any Commissioner and every finding, opinion and order made by that examiner, when approved and confirmed by the Commission shall be the finding opinion and order of the Commission;

THEREFORE, BE IT ORDERED that David S. Long be and is hereby authorized to serve as a hearing officer/examiner to hear any matter arising under The Arkansas Code of 1987, Title 23, and to prepare a written report and recommended order of said hearing;

2003-136 - Continued

IT IS FURTHER ORDERED that Minute Orders 89-554, 94-230, and 99-165, previously entered by this Commission, are hereby repealed.

2003-137

WHEREAS, the Commission acquired right of way for Job No. 9308, more commonly known as Vaughn – Gentry, State Highway 12, Benton County, Arkansas, by Benton County Court Order dated August 7, 1953, which is recorded in the County Court Records of Benton County, Arkansas, in Book 2 at page 599; and

WHEREAS, the District Engineer for District 9 has determined that an area inside the existing right of way is not needed now, nor in the foreseeable future will be needed, for highway purposes and recommends that these areas of the right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

JOB 9308
VAUGHN - GENTRY
STATE HWY. 12
BENTON COUNTY

From designated Construction Centerline Station 161+34.00 to Station 165+00.00 of the originally executed Court Order for Job 9308, dated August 7, 1953 and being recorded in County Court Records of Benton County, Arkansas. In Book 2, Page, 599 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN.</u> <u>FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
161+34.00	165+00.00	366	60'	-	Var.

NOTE: In all other respects the original Court Order shall remain unchanged.

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Benton County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Benton County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

2003-138

WHEREAS, the Commission acquired in fee property known as Tract Nos. 9R1 and 9R2 from Arthur George Kriesel and Frances Geraldine Kriesel, husband and wife, for Job No. 009999, Ark. DPR-0042 (2) Missouri State Line – Burlington (U. S. Highway 65), Boone County, Arkansas, by Warranty Deed dated March 18, 1996, filed for Record on April 11, 1996 in Deed Record Book 296, at page 98, in the Circuit Clerk's office of Boone County, Arkansas; and

WHEREAS, Frances Geraldine Kriesel, surviving widow of Arthur George Kriesel, has assigned her rights to reacquire the hereinafter described Tract Nos. 9R1 and 9R2, to Dean Curbow and wife, Shirley Curbow; and

WHEREAS, the District Engineer for District 9 has determined that Tract Nos. 9R1 and 9R2, Job No. 009999, are not needed now, nor in the foreseeable future will be needed, for highway purposes, said Tract Nos. 9R1 and 9R2 being more particularly described as follows:

Job No. 009999
Ark. DPR-0042 (2) Missouri State Line – Burlington
(U.S. Highway 65)
Boone County, Arkansas

Tract 9R1

Part of the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 21, Township 21 North, Range 21 West, Boone County, Arkansas, described as follows:

Beginning at the Southwest corner of said Southwest Quarter of the Northwest Quarter; thence North 72° 28' 41" East along the center line of County Road 20 for a distance of 792.05 feet to the proposed Westerly Right of Way of Hwy. 65; thence South 03° 45' 19" West along the proposed Westerly Right of Way of Hwy. 65 for a distance of 280.98 feet to the South line of said Southwest Quarter of the Northwest Quarter; thence North 86° 44' 42" West along said South line for a distance of 738.09 feet to the point of beginning, containing 2.94 acres, more or less.

AND

Tract 9R2

Part of the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 21, Township 21 North, Range 21 West, Boone County, Arkansas, described as follows:

Starting at the Southwest corner of said Southwest Quarter of the Northwest Quarter, thence South 86° 44' 42" East along the South line thereof for a distance of 994.77 feet to the point of beginning; thence North 03° 25' 21" East along the proposed Easterly Right of Way of Hwy. 65 for a distance of 233.75 feet to the center of County Road 20; thence South 77° 55' 06" East for a distance of 117.00 feet along the center line of said County Road 20; thence South 56° 51' 38" East for a distance of 150.00 feet along the center line of said County Road 20; thence South 52° 45' 43" East along the center line of said County Road 20 for a distance of 91.42 feet to the East line of said Southwest Quarter of the Northwest Quarter; thence South 01° 38' 15" West along the said East line for a distance of 90.00 feet to the Southeast corner of the said Southwest Quarter of the Northwest Quarter; thence North 86° 44' 42" West along said South line for a distance of 324.70 feet to the point of beginning, containing 1.33 acres, more or less.

WHEREAS, Tract Nos. 9R1 and 9R2 were acquired by the Commission for \$2,125.00;

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; that upon receipt of the consideration of \$2,125.00, the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the

2003-138 - Continued

described property to Dean Curbow and Shirley Curbow, husband and wife; a copy of the deed and this Minute Order shall be recorded in Boone County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

2003-139

WHEREAS, the Commission acquired right of way under Act 148 of the Acts of the Arkansas General Assembly of 1957, (Milam Act) pursuant to the Clark County Court Order dated June 16, 1958, known as the Griffithville – Trinity Road, State Highway 53, which Court Order is recorded in the county court records of Clark County, Arkansas, in Book “B”, pages 33, 34 and 35 inclusive; and

WHEREAS, the District Engineer for District 7 has determined that the following described right of way acquired under said County Court Order is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that the right of way described below be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the right of way to be abandoned is more particularly described as follows:

**STATE HIGHWAY 53, SECTION 0
GRIFFITHVILLE – TRINITY ROAD**

Secured under Milam Act County Court Order of Clark County, Arkansas, dated June 16, 1958, filed for record in Book “B” at pages 33, 34 and 35, inclusive, of the county court records of Clark County, Arkansas:

From designated Centerline Station 239+00 to Station 293+92.4 of the originally executed County Court Order for Clark County, under the Milam Act of 1957, said right of way being annexed to the State Highway System pursuant to Commission Minute Order No. 2172 of 1957 and said County Court Order being dated June 16, 1958, and recorded in the county court records of Clark County, Arkansas, shall be abandoned and released from the State Highway System.

Note: In all other respects the original Court Order shall remain as entered. The above description is to be used to reflect the right of way area to be released to Clark County.

2003-139 - Continued

NOW THEREFORE, BE IT RESOLVED, that the above right of way is hereby released and abandoned to Clark County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Clark County; and, that the right of way, if necessary, may be remonumented to reflect the new boundaries after release of the above designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2003-140

WHEREAS, the Commission acquired a permanent construction easement, designated as Tract No. 17E1 for Job No. 8439, State Project Morrilton North – South, Route 9, Section 8, by Conway County Court Order dated September 25, 1974, which is recorded in the County Court records of Conway County, Arkansas, in Record Book 12 at page 229; and

WHEREAS, the District Engineer has determined that a portion of said permanent easement as hereinafter described is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such property be abandoned and the boundaries of the easement be, if necessary, remonumented to reflect the new limits of the easement; the area of the easement to be abandoned is more particularly described as follows:

Job No. 8439
State Project
Morrilton North & South
Route 9, Section 8
Conway County
Part of Tract 17E1 (Branch Street)

Part of the Northeast Quarter of the Northeast Quarter (PT. NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 20, T-6-N, R-16-W, Conway County, Arkansas being more particularly described as follows:

Commencing at the Northeast Corner (NE Cor.) of said Section 20 and run thence N 88° 06' 00" W along the North Line thereof for 579.70' feet to a point on the Northwesterly Right of Way Line of Arkansas State Highway

#9 as established by AHTD Job 8439; Thence run S 22° 42' 00" W along said Right of Way Line as established by AHTD Job 8439 for 57.50' feet to a ½" Rebar with cap stamped "PLS 674" and being the Point of Beginning (P.O.B.); Thence continue running S 22° 42' 00" W along said Right of Way Line as established by AHTD Job 8439 for 39.90' feet to a ½" Rebar with cap stamped "PLS 674"; Thence run N 60° 31' 00" W for 105.90' feet along the Permanent Construction Easement Line as established by said AHTD Job 8439 to a ½" Rebar with cap stamped "PLS 674"; Thence run N 22° 26' 58" E (AHTD Plat N 22° 30' 42" E) along said Easement Line for 10.26' feet to a ½" Rebar with cap stamped "PLS 674" set on the Right of Way Line as established by this description and as shown on the Plat prepared by L & D Surveys for Gerry Pinter Recorded in Conway County Circuit Clerks Office in Book 15, at Page 12, said Right of Way Line being 40' feet South of the Centerline of "Branch Street"; Thence run along the said Right of Way Line as established 40' feet South of the Centerline of "Branch Street" the following Bearings and Distances: S 86° 45' 05" E for 6.85' feet to a ½" Rebar with cap stamped "PLS 674"; Thence S 76° 32' 50" E for 99.86' feet to the Point of Beginning (P.O.B.), containing 0.06 acres.

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Note: The original Court Order shall remain as entered with the above-described property excepted therefrom to reflect the area to be released to Conway County, Arkansas.

NOW THEREFORE, BE IT RESOLVED, that the above described portion of Tract No. 17E1, a permanent construction easement, is hereby released to Conway County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Conway County; and that the boundaries of such permanent construction easement, after release of the above described tract be, if necessary, remonumented to reflect the new boundaries. Federal Aid Funds, if any, from this release and disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

WHEREAS, the Commission acquired property known as Tract No. 4 from V. F. Stewart and Gladys B. Stewart, husband and wife, for Job No. 10603, I-55-1 (19) 62, Lake David - Missouri State Line, I-55, Mississippi County, on September 23, 1958, by Warranty Deed filed for record in the Circuit Clerk's office of Mississippi County, Arkansas, in Deed Record Book 163 at page 235; and

WHEREAS, Tract No. 4 was acquired by the Commission for \$3,600.00; and

WHEREAS, the City of Blytheville has asked to repurchase, contingent upon approval and concurrence of the Federal Highway Administration, part of Tract No. 4, including an easement for ingress and egress; and

WHEREAS, Gladys B. Stewart, surviving widow of V. F. Stewart, deceased, by her Attorney in Fact, Dale Stewart, has assigned her rights to reacquire Tract No. 4 to the City of Blytheville; and, the District Engineer for District 10 has determined that the part of Tract No. 4 to be repurchased, is not now, nor in the foreseeable future will be, needed for Highway purposes; said portion of Tract No. 4 to be repurchased is more particularly described below:

Job No. 10603
I-55-1 (19) 62
Lake David – Missouri State Line
I-55
Mississippi County

Part of Tract No. 4

Part of the Northwest Quarter of the Northwest Quarter Section 33, Township 15 North, Range 11 West, Mississippi County, Arkansas, being more particularly described as follows:

Commencing at a point being used as the NW 1/16 Corner of said Section 33; thence North 00° 45' 30" West along the East line of the Northwest Quarter of the Northwest Quarter of said Section 33 a distance of 25.00 feet to a found Small Gauge Railroad Rail; thence the following courses and distances to set 5/8" rebar's West 2" aluminum caps stamped AHTD/BDY PLS 1201" on the Easterly right of way as established by a survey by the Arkansas Highway and Transportation Department, referenced as Job 10603, Tract 4 dated June 30, 2003: North 89° 15' 44" West along the North side of Barker Lane a distance of 158.63 feet to the point of beginning; thence North 89° 15' 44" West along said right of way line a distance of 35.20 feet; thence continue North 89° 15' 44" West along said

right of way line a distance of 115.70 feet; thence northeasterly along a curve with a radius of 5579.65 feet to the right 202.46 feet having a chord bearing of North 37° 39' 50" East and a chord distance of 202.45 feet and also being 150 feet southeast of and parallel to the centerline of Interstate 55; thence South 51° 17' 48" East a distance of 85.00 feet to the said Easterly right of way line of Interstate 55 as established by ATHD Job 10603; thence southwesterly along said right of line and along said right of way line a curve to the left with a radius of 5494.65 feet a distance of 41.50 feet having a chord bearing of South 38° 28' 49" West and a chord distance of 41.49 feet said curve also being 235 feet southeast of and parallel to the centerline of said Interstate 55 to a set 5/8 inch rebar w/aluminum cap stamped "AHTD PLS 1201" that bears South 69° 19' 25" West 1.80 feet from a found 5" x 5" Concrete right of way marker; thence South 15° 29' 16" East along said right of way line a distance of 48.32 feet to a set 5/8" rebar w/aluminum cap stamped "AHTD PLS 1201" that bears North 83° 35' 36" West 1.70 feet from a found 5" x 5" concrete right of way marker; thence South 41° 09' 31" West, along said right of way line a distance of 39.85 feet to the point of beginning, said tract of land containing 0.391 acres (17,024.11 Sq. Ft.) more or less.

And also:

An Easement for Ingress and Egress being more particularly described as follows:

A part of the West Half of the Northwest Quarter Section 33, Township 15 North, Range 11 East, Mississippi County, Arkansas being more particularly described as follows:

Commencing at a point being used as the NW 1/16 Corner of said Section 33;

Thence North 00° 45' 30" West, along the East line of the Northwest Quarter of the Northwest Quarter of said Section 33 a distance of 25.00 feet to a found Small Gauge Railroad Rail;

Thence North 89° 15' 44" West, along the North side of Barker Lane a distance of 158.63 feet to a set 5/8" rebar with/aluminum cap stamped "AHTD/BDY PLS 1201" on the existing Easterly Right of Way line of

2003-141 - Continued

Interstate 55 as established by AHTD Job 10603, Section 5, for the Point of Beginning; Thence continue North 89° 15' 44" West along said line a distance of 35.20 feet to a set 5/8" rebar w/ aluminum cap stamped "AHTD/BDY PLS 1201" on the Right of Way line of Interstate 55 as established by a survey by The Arkansas Highway and Transportation Department, referenced as Job 10603, Section 5, Tract 4, dated June 30, 2003:

Thence South 00° 45' 30" West 41.35 feet to a found 5" x 5" concrete R/W Marker on the Easterly Right of Way line of Interstate 55 as established by said AHTD Job 10603, Section 5;

Thence North 41° 09' 31" East along said Easterly Right of Way line of Interstate 55 said line a distance of 54.31 feet to the Point of Beginning.

GA/ras 07/14/03

WHEREAS, Three (3) qualified appraisers have determined that the current fair market value of the above-described portion of Tract No. 4 is \$2,500.00.

NOW THEREFORE, BE IT RESOLVED, that upon the approval and concurrence of the Federal Highway Administration, the above-described property is declared surplus; the Chairman of the Commission is authorized to execute a Quitclaim Deed conveying the described property, along with an easement for ingress and egress, excepting the control of access to and from I-55, to the City of Blytheville upon receipt of the consideration of \$2,500.00; a copy of the deed and this Minute Order shall be recorded in the County Records of Mississippi County, Arkansas, and if necessary, the right of way shall be re-monumented. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

2003-142

WHEREAS, IN BENTON COUNTY, on Highway 72, Section 3 (Central Avenue) from Highway 112 to Highway 71, a distance of 1.7 miles, the City of Bentonville has requested this section be widened and has identified this project as their number one priority; and

WHEREAS, current traffic volumes on this section of Highway 72 warrant additional lanes; and

WHEREAS, on Highway 112, Section 3 ("J" Street) at the intersection of 8th Street, in the City of Bentonville, a traffic study has determined that this intersection warrants modification; and

WHEREAS, the City of Bentonville has agreed to the following conditions:

1. The City will reimburse the Department for 50 percent of the cost for preliminary engineering, right-of-way, utilities, construction and construction engineering for both projects.
2. The City agrees to accept the entire section of Highway 112, Section 3 and Highway 72, Section 3 from Highway 102 to Highway 71 as a city street upon completion of these improvements.

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

FURTHERMORE, IT IS ORDERED that upon completion of this project, Highway 112, Section 3 and Highway 72, Section 3, from Highway 102 to Highway 71, will no longer be a part of the State Highway System. This change will become effective upon notification from the Chief Engineer.

WHEREAS, Minute Order 92-499 authorized the construction of a Warren Northeast Bypass connecting U. S. Highway 63 with U. S. Highway 278, in Bradley County; and

WHEREAS, the construction of a new highway under Job 070159, Warren Northeast Bypass, has been completed.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the new highway, as constructed by Job 070159 shall be added to the State Highway System as State Highway 189, Section 3, as shown on the attached sketch.

2003-144

WHEREAS, Minute Order 2003-014 authorized the Department to conduct a study of traffic operations at the northbound entrance ramp for the Highway 67/Vandenberg Boulevard interchange in Jacksonville; and

WHEREAS, traffic operations in the vicinity of the entrance ramp have been studied in the *Highway 67/Vandenberg Boulevard Interchange Northbound Entrance Ramp Study*; and

WHEREAS, roadway improvements to enhance traffic flow have been identified.

NOW THEREFORE, the *Highway 67/Vandenberg Boulevard Interchange Northbound Entrance Ramp Study* is adopted as a guide for future project development and the Director is authorized to proceed with surveys, environmental studies, and plan development as funds become available.

2003-145

WHEREAS, IN BENTON COUNTY, on Highway 102, Section 3 (SW 14th Street) from Greenhouse Road to Highway 71B, a distance of approximately 2.2 miles, the City of Bentonville has requested this section be widened and has identified this project as their number two priority; and

WHEREAS, current traffic volumes on this section of Highway 102 warrant additional lanes; and

WHEREAS, the City of Bentonville has agreed to reimburse the Department for 50 percent of the cost for preliminary engineering, right-of-way, utilities, construction and construction engineering for this project.

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

2003-146

WHEREAS, the Department has been requested to conduct a study at the Northwest Arkansas Regional Airport to determine the requirements for providing rail service to the airport, along with a study of the landside access at the airport for current and future air cargo shipments; and

WHEREAS, the results of this study will be valuable to the long-term development of the airport and the region.

NOW THEREFORE, the Director is authorized to conduct a study of existing and potential air cargo shipments that might involve additional intermodal activities and a rail and highway landside access assessment for the Northwest Arkansas Regional Airport.

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant upgrading and installing active warning devices and crossing surfaces.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy./St.</u>	<u>Railroad</u>	<u>Recommendation</u>
Crittenden	Gilmore	New Location	Burlington Northern Santa Fe	Install Flashing Signals with Gates and Concrete Surface
Ashley	Crossett	Hwy. 82	Ashley Drew & Northern	Upgrade Flashing Signals on Cantilevers and Concrete Surface
Sevier	DeQueen	Hwy. 70B	Kansas City Southern	Install Concrete Surface

2003-148

WHEREAS, Highway 64 and Highway 359 in eastern Johnson County are experiencing increasing traffic volumes; and

WHEREAS, construction of ramps at the existing Highway 359 underpass would provide access to Interstate 40; and

WHEREAS, construction of an interchange at Interstate 40 and Highway 359 could improve traffic operations.

NOW THEREFORE, the Director is authorized to conduct a study to determine the feasibility of an interchange at Interstate 40 and Highway 359 in Johnson County.

2003-149

WHEREAS, the River Valley Regional Intermodal Facilities Authority has requested a study of the Dardanelle and Russellville Railroad; and

WHEREAS, the results of the study will be used to determine possible rail operating standards and intermodal requirements that could support rail transportation to the proposed Russellville/River Valley Regional Intermodal Transportation Complex.

NOW THEREFORE, the Director is authorized to conduct a study of the Dardanelle and Russellville Railroad.

2003-150

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 20, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110438	01	CRITTENDEN	I-55 DRAINAGE IMPVTS. (BNSF RR OVERPASS) (S)	55
020250	02	DREW	HWY. 425-WEST (S)	278
020321	02	ASHLEY & CHICOT	SNYDER-LAKE VILLAGE (PASSING LANES & RECONST.) (S)	82
040353	04	POLK	HWY. 272-HWY. 71 (RESURF. & SHLDRS.) (S)	270
040377	04	CRAWFORD	ARKANSAS WELCOME CENTER (VAN BUREN) (S)	40
050138	05	STONE	ALLISON-SOUTH (OVERLAY) (S)	9
060984	06	GARLAND	MAZARN CREEK STR. & APPRS. (S)	227

2003-150 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
070182	07	BRADLEY	W. CENTRAL AVE.-W. PINE ST. (WARREN) (S)	63
070220	07	UNION	ARKANSAS WELCOME CENTER (EL DORADO) (S)	167
080105	08	FAULKNER	DONAGHEY AVE./TYLER ST. SIGNAL (CONWAY) (S)	---
080187	08	FAULKNER	HWY. 64/MUSEUM RD. SIGNAL (CONWAY) (S)	64
080243	08	POPE	HWY. 331/E. PARKWAY SIGNAL (RUSSELLVILLE) (S)	331
080266	08	MONTGOMERY	POLK CO. LINE-EAST (OVERLAY) (S)	88
090176	09	MARION	HWY. 206-SOUTHWEST (OVERLAY) (S)	14
100544	10	CLAY	ARKANSAS WELCOME CENTER (CORNING) (S)	67
100587	10	CRAIGHEAD	CARAWAY-NORTH (OVERLAY) (S)	135
100591	10	POINSETT	SOUTH OF TRUMANN-PAYNEWAY (RESURFACING) (S)	63
BR0106	02	ARKANSAS	LAGRUE BAYOU & RELIEF STRS. & APPRS. (S)	---
SA0428	09	BENTON	VENTRIS RD.-WEST (POSEY MTN. DR.) (BASE & SURFACING) (S)	---
FA0615	07	BRADLEY	HWY. 63-EAST (RECONSTRUCTION) (S)	---
SA2025	07	DALLAS	HWY. 128-EAST (BASE & SURFACING) (S)	---
SA2125	02	DESHA	LINCOLN COUNTY LINE-PICKENS (OVERLAY) (S)	---
SA2229	02	DREW	HWY. 83-CO. RD. 119 (BASE & SURFACING) (S)	---
FA3112	03	HOWARD	HWY. 369-HWY. 371 (S)	---
SA3253	05	INDEPENDENCE	CO. RD. 31(SURFACING) (S)	---
SA3925	01	LEE	CO. RD. 6-HWY. 79 (BASE & SURFACING) (S)	---
SA4822	01	MONROE	MONROE COUNTY SURFACING NO. 2 (S)	---
SA5535	03	PIKE	HWY. 379-HWY. 26 (SURFACING & PAVEMENT MARKING) (S)	---
SA5630	10	POINSETT	HWY. 463-EAST (REPAIR & OVERLAY) (S)	---
SA7262	04	WASHINGTON	CO. RD. 291-CO. RD. 284 (OVERLAY) (S)	---
FA7417	01	WOODRUFF	CO. RD. 19-NORTH (RECONST.) NO. 2 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION Commissioner R. Madison Murphy moved, Commissioner Carl S. Rosenbaum seconded and the motion passed 4-0 to authorize the staff to advertise for an auction service to coordinate the AHTD Equipment Auction sometime at the end of October.

MOTION Commissioner Jonathan Barnett moved, Commissioner Carl S. Rosenbaum seconded and the motion passed 4-0 to accept the staff's recommendation to enter into negotiations with Florence & Hutcheson, Inc., of Paducah, Kentucky, for consultant services for U. S. Highway 71 Relocation Design in the Texarkana vicinity.

2003-151

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m., August 20, 2003.

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 August 19 and 20, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 8, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 8, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-152 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., October 8, 2003.

2003-153 WHEREAS, the Purchasing Committee has awarded purchases on August 18, 2003, and September 29, 2003, in the amounts of \$39,550.00, and \$71,450.00 respectively, totaling \$111,000.00, 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.

2003-154 WHEREAS, the Department's conversion to digital technology through desktop computers allows for direct access to reprographic services and for the establishment of a digital records management system by which plan documents can be accessed; and

WHEREAS, the existing fourteen year-old wide format analog printer, the Xerox 3080, does not communicate with the Department's digital network, is obsolete and requires replacement; and

WHEREAS, this printer has reached the end of its service life and will no longer be maintained by Xerox;

2003-154 - Continued

NOW THEREFORE, the Director is authorized to proceed with the purchase of a new digital wide format printing system to replace the Xerox 3080.

2003-155

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) have continued to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2004.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2004 in the amount of \$4,500.00.

2003-156

WHEREAS, the U. S. Geological Survey provides detailed hydrologic data, historical water surface elevations, and develops analytical hydrologic procedures through its Federal-State Cooperative Water Resources Program; and

WHEREAS, the information collected by the U. S. Geological Survey, and the procedures developed by them, are used by the Departments engineers in the design of highway drainage structures such as bridges, culverts, and storm drainage systems; and

2003-156 - Continued

WHEREAS, the continued collection of stream data is crucial to the verification and refinement of the analytical procedures used in the design of these highway drainage structures; and

WHEREAS, there is currently a cooperative agreement between the U. S. Geological Survey and the Department for the collection of stream flow data from the operation and maintenance of crest-stage gauges throughout the state.

NOW THEREFORE, the Director is authorized to enter into a continuation of the existing cooperative agreement with the U. S. Geological Survey for the period October 1, 2003 through September 30, 2004 involving the expenditure of State funds in the amount of \$61,200. The Department will contribute State funds in the amount of \$61,200 and the U. S. Geological Survey's portion of the funding will be in the amount of \$61,200.

2003-157

WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2004 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 for hot mix leveling and asphalt surface treatments.

2003-158

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2004.

2003-159

WHEREAS, a Southeastern Association of State Highway and Transportation Officials (SASHTO) Scholarship has been established to support institutions of higher education in attracting and training students who can contribute to improving transportation systems; and

WHEREAS, the Arkansas State Highway and Transportation Department is a member state of SASHTO, and SASHTO awards funds to member states.

NOW THEREFORE, the Director is hereby authorized to notify SASHTO that it is recommended that scholarship funds be provided to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FURTHERMORE, the Director is authorized to enter into an agreement with the study center for the administration of the scholarship funds for research programs deemed beneficial to the Department.

2003-160

WHEREAS, the Arkansas Highway Commission desires to promote economic development in the State by expanding the Specific Service Signs (Logo) program to include attractions; and

WHEREAS, in cooperation with the Arkansas Department of Parks and Tourism, the Policy for Erection of Specific Service Signs (Logos) has been revised to include attractions and to define the role of the Department of Parks and Tourism in deciding which attractions will be approved; and

WHEREAS, the Policy for Erection of Specific Service Signs (Logos) has been revised to conform to the latest edition of the Manual on Uniform Traffic Control Devices.

NOW THEREFORE, the Director is authorized to submit the attached Policy for Erection of Specific Service Signs (Logos) for approval by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council and to erect attraction Logo signs statewide.

2003-161

WHEREAS, the Commission acquired in fee property known as Tract No. 117 from Altha Colum Hill, Willie A. Colum, Joe Colum, a single person and Charley Colum, a single person, for Job No. 8517-1, I-40-3 (49) 99, Menifee-Conway, Faulkner County Line, Conway County,

Arkansas, by Warranty Deed, dated May 2, 1966, filed for record in the Circuit Clerks Office of Conway County, Arkansas; and

WHEREAS, Tract No. 117 was acquired for \$125.00; and

WHEREAS, Mike Jetton has bid the sum of \$50.00, which is the highest bid received for said Tract No. 117, at a public auction held on Tuesday, September 10, 2003, at 10:30 a.m., at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, Room 702. Three qualified appraisers have opined that the current fair market value of Tract No. 117 is \$25.00; and the District Engineer has determined that Tract No. 117, and being more particularly described as follows, is no longer needed for highway purposes:

Job No. 8517-1
I-40-3(49)99
Menifee - Conway/Faulkner County Line
(Interstate 40)
Conway County

Part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 6 North, Range 14 West, Conway County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 19; thence South 88° 07' 10" West along the South line thereof a distance of 557.4 feet to a point on the existing Northerly right of way line of Interstate 40 for the point of beginning; thence North 33° 11' 30" East along said existing right of way line a distance of 60.8 feet to a point; thence South 56° 48' 30" East along said existing right of way line a distance of 100.0 feet to a point on the proposed Northerly right of way line of Interstate 40 and the South line of said Northwest Quarter of the Northwest Quarter; thence North 88° 07' 10" West along said South line a distance of 117.0 feet to the point of beginning and containing 0.07 acre more or less, which includes 0.01 acre more or less being used as a County Road.

DT\dh 3-30-00

NOW THEREFORE, BE IT RESOLVED, that the above property, excepting any abutter's and access rights to and from Interstate 40, is declared surplus; upon receipt of the consideration of FIFTY AND NO/100 DOLLARS (\$50.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Mike Jetton; said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Conway County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to the Federal Funds.

2003-162

WHEREAS, the Commission acquired in fee property known as Tract No. 118 from Alma Rodgers Broyles; Thelma Davis; Lewis L. Rodgers and Aileen Rodgers, husband and wife; Thaddeus Rodgers and Nellie B. Rodgers, husband and wife and Mabel A. Colum, for Job No. 8517-1, I-40-3 (49) 99, Menifee-Conway, Faulkner County Line, Conway County, Arkansas, by Warranty Deed, dated April 26, 1966, filed for record in the Circuit Clerks Office of Conway County, Arkansas; and

WHEREAS, Tract No. 118 was acquired for \$1,500.00; and

WHEREAS, Mike Jetton has bid the sum of \$200.00, which is the highest bid received for said Tract No. 118, at a public auction held on Tuesday, September 10, 2003, at 10:30 a.m., at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, Room 702. Three qualified appraisers have opined that the current fair market value of Tract No. 118 is \$100.00; and the District Engineer has determined that Tract No. 118, and being more particularly described as follows, is no longer needed for highway purposes:

Job No. 8517-1
I-40-3(49)99
Menifee - Conway/Faulkner County Line
(Interstate 40)
Conway County

2003-162 - Continued

Part of the Southwest Quarter of the Northwest Quarter of Section 19, Township 6 North, Range 14 West, Conway County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Southwest Quarter of the Northwest Quarter of Section 19; thence South 88° 07' 10" West along the North line thereof a distance of 309.7 feet to a point on the existing Northerly right of way line of Interstate 40 for the point of beginning; thence continue South 88° 07' 10" East along said existing right of way line and said North line thereof a distance of 247.7 feet to a point on the proposed Northerly right of way line of Interstate 40; thence South 39° 47' 39" West along said proposed right of way line a distance of 130.45 feet to a point; thence North 56° 33' 03" West along said proposed right of way line a distance of 196.68 feet to the point of beginning and containing 0.29 acre more or less.

DT\dh 3-30-00

NOW THEREFORE, BE IT RESOLVED, that the above property, excepting any abutter's and access rights to and from Interstate 40, is declared surplus; upon receipt of the consideration of TWO HUNDRED AND NO/100 DOLLARS (\$200.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Mike Jetton; said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Conway County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to the Federal Funds.

2003-163

WHEREAS, the Arkansas State Highway Commission acquired property known as Tract No. 4R in fee from Ed Warmack and Jane Warmack, husband and wife, for Job No. 040068, HES-5385, Highway 255 & South I Street Intersection improvements, Sebastian County, Arkansas, by Warranty Deed dated July 16, 1997, filed for record on September 2, 1997, in Deed Record Book No. 644 at page 542 in the Deed records of Sebastian County, Arkansas; and

WHEREAS, Ed Warmack and Jane Warmack assigned their rights to re-acquire Tract No. 4R to Fort Smith Railroad Co. on July 25th, 2003; and

WHEREAS, Fort Smith Railroad Co. has asked to repurchase Tract No. 4R which the District Engineer for District 4 has determined is not now needed, nor in the foreseeable future will be needed, for highway purposes; and

WHEREAS, the Commission acquired Tract No. 4R for SIX THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$6,300.00), which Tract No. 4R is more particularly described as follows:

Part of Lots 1, 2, 3, and 4, Block 603 of Reserve Addition to the City of Fort Smith and a part of the Southeast Quarter of Section 17, Township 8 North, Range 32 West, Sebastian County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of Lot 4, Block 603, Reserve Addition, said point also being a point on the Easterly existing right of way line of State Highway 255; thence North 03° 09' 28" East along said existing right of way line a distance of 6.311 meters to a point on the Easterly proposed right of way line of State Highway 255 for the point of beginning; thence North 09° 34' 36" East along said proposed right of way line a distance of 26.489 meters, to a point; thence North 03° 07' 50" East along said proposed right of way line a distance of 13.303 meters, to a point; thence North 50° 49' 50" East along said proposed right of way line a distance of 14.866 meters, to a point; thence North 85° 51' 29" East along said proposed right of way line a distance of 15.853 meters, to a point on the Westerly Existing Right of Way Line of the Union Pacific Railroad Tract No. 16; thence South 13° 06' 28" West along said existing right of way line a distance of 34.351 meters, to a point; thence South 27° 00' 28" West along said existing right of way line a distance of 20.726 meters, to a point; thence North 86° 46' 31" West a distance of 15.551 meters to the point of beginning and containing 0.10 hectares or 1044 square meters more or less.

JW/pw 6/18/97

NOW THEREFORE, BE IT RESOLVED, that the above-described property, is declared surplus; upon receipt of the consideration of \$6,300.00, the Chairman of the Commission is authorized and directed to

execute a quitclaim deed conveying the above-described property to Fort Smith Railroad Co., said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Sebastian County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2003-164

WHEREAS, IN OUACHITA COUNTY, in the City of Stephens, a railroad overpass has been constructed on new location by Job 070046, Hwy. 57 R.R. Overpass and Apprs. (Stephens); and

WHEREAS, improvements to Sawmill Road were also completed under Job 070046; and

WHEREAS, the Mayor has requested that Highway 57 be rerouted over Sawmill Road.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are made to the State Highway System as shown on the attached sketch.

1. The new route, as constructed by Job 070046, shall be added to the State Highway System as part of State Highway 57, Section 1.
2. Sawmill Road, from State Highway 57 to U. S. Highway 79, shall be added to the State Highway System as part of State Highway 57, Section 1.
3. From Sawmill Road to Chert Street, part of State Highway 57, Section 1 shall be routed as an exception over U. S. Highway 79.
4. The old location of State Highway 57, from Sawmill Road to Onyx Street, shall be removed from the State Highway System.

2003-165

WHEREAS, IN SALINE COUNTY, in the vicinity of the City of Benton, a new crossover of Interstate 30 has been completed under Job B60100, Hwy. 5 Crossover, to facilitate access between the frontage roads on either side of the Interstate; and

WHEREAS, a portion of State Highway 5, Section 8 has been obliterated under Job B60100.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes shall be made to the State Highway System as shown on the attached sketch.

1. The part of State Highway 5, Section 8 that was obliterated under Job B60100 shall be deleted from the State Highway System.
2. The crossover as constructed by Job B60100 shall be added to the State Highway System as a part of State Highway 5, Section 8.

2003-166

WHEREAS, IN STONE COUNTY, public access to State Highway 382, Section 1 Spur is restricted by a gate; and

WHEREAS, the Department is no longer responsible for maintenance of the roadway beyond the gate.

NOW THEREFORE, IT IS ORDERED that State Highway 382, Section 1 Spur, from the junction of State Highway 382, Section 1 to its terminus, as shown on the attached sketch, is no longer a part of the State Highway System upon official notification by the Chief Engineer.

2003-167

WHEREAS, IN WASHINGTON COUNTY, expansion and growth at the University of Arkansas Fayetteville have led the University to request the addition of drives to the Institutional Drive System maintained by the Department; and

WHEREAS, these drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961; and

2003-167 - Continued

WHEREAS, a thorough review of the existing drives at this State Institution showed that some drives are no longer needed as part of the Institutional Drive System.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, drives totaling approximately 1.56 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 873, Section 3.

FURTHERMORE, IT IS ORDERED that drives totaling approximately 5.30 miles, as shown on the attached sketch, are hereby deleted from the Institutional Drive System maintained by the Department.

2003-168

WHEREAS, Minute Order 2002-092 authorized the Department to conduct a study of the need for improved traffic service and access from Nashville north to the east central region of Howard County and authorized a project to improve Highway 26 from the Highway 369/Mount Pleasant Road intersection to the Corinth Road intersection; and

WHEREAS, traffic operations and safety on Highway 26, Highway 980, Mount Pleasant Road and Corinth Road have been evaluated in the *Highway 26 and Nashville North Access Improvement Study*; and

WHEREAS, roadway improvements to enhance traffic flow and safety have been identified.

NOW THEREFORE, the *Highway 26 and Nashville North Access Improvement Study* is hereby adopted as a guide for future project development.

2003-169

WHEREAS, Minute Order 2002-099 authorized the Department to participate in a study of rail service to the Fayetteville South Industrial Park; and

WHEREAS, the *Fayetteville South Industrial Park Railroad Access Study* examined two alternative routes for a rail line connection

2003-169 - Continued

between the Arkansas and Missouri Railroad mainline track and the Fayetteville South Industrial Park; and

WHEREAS, the report was prepared in partnership with the Fayetteville Chamber of Commerce, the City of Fayetteville and the Arkansas and Missouri Railroad.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2003-170

WHEREAS, the Highway Commission by Minute Order 2003-145 agreed to participate in the widening of Highway 102 from Greenhouse Road to Highway 71B; and

WHEREAS, this project includes Job 090138 Highway 102/Southwest "I" Street Signal and Intersection Improvements; and

WHEREAS, it is determined to be in the best interest of the State to modify the participation agreement for this intersection work;

NOW THEREFORE, the Director is hereby authorized to enter into agreements as appropriate for participation on Job 090138.

2003-171

WHEREAS, Job 040130, I-540/Hwy. 162 Interchange (Van Buren), which was authorized by Minute Order 2002-114, has been programmed for the construction of ramps to provide a full interchange; and

WHEREAS, the City of Van Buren requested that the Department consider constructing an interchange at 28th Street rather than at Highway 162; and

WHEREAS, due to interchange spacing and other constructability issues, the construction of an interchange at either Highway 162 or 28th Street is not feasible; and

2003-171 - Continued

WHEREAS, in lieu of a new interchange, the City has requested that the Department consider alterations to the Highway 59 interchange and providing a frontage road system on both sides of Interstate 540; and

WHEREAS, the Department has studied the City's proposal as an addendum to the *I-540/S. H. 162 Interchange Study: Van Buren*, which was adopted by Minute Order 92-018, and found the interchange improvements and a frontage road system to meet the intent of an interchange at Highway 162 and to be feasible to construct.

NOW THEREFORE, the addendum to the *I-540/S. H. 162 Interchange Study: Van Buren* is hereby adopted and the Director is hereby authorized to proceed with surveys, the development of plans and construction of the Highway 59 interchange improvements and a frontage road system in accordance with the addendum as funds become available.

2003-172

WHEREAS, IN FAULKNER COUNTY, on Highway 65B, Section 9B, from Highway 266 to Bruce Street in the City of Conway, a distance of approximately 1.3 miles, an investigation of traffic volumes and safety conditions has been conducted and the need for widening this roadway has been identified.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2003-173

WHEREAS, Commission Minute Order 2003-104 adopted the Arkansas Statewide Intelligent Transportation Systems (ITS) Strategic Plan as a planning guide for ITS deployments in the State of Arkansas; and

WHEREAS, the Strategic Plan recommends that a Freeway Management Deployment Plan be developed to provide for a rational and cost effective program to utilize intelligent transportation system technology to reduce traffic delays in the Central Arkansas area; and

2003-173 - Continued

WHEREAS, funds have been made available by the Federal Highway Administration for the development of a Freeway Management Deployment Plan; and

WHEREAS, the Deployment Plan is necessary before ITS projects can be programmed and designed.

NOW THEREFORE, the Director is authorized to engage the services of a consultant to develop a Freeway Management Deployment Plan for the Central Arkansas area.

FURTHERMORE, the Director is authorized to enter into agreements with other agencies and local governments as necessary to develop this deployment plan.

2003-174

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 8, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110391	01	MONROE	HWY. 146 STRS. & APPRS. (S)	146
110437	01	CROSS	HWY. 1/ADDISON DR. SIGNAL (WYNNE) (S)	1
030261	03	MILLER	FOUKE-DODDRIDGE (BS. & SURF.) (F)	71
030296	03	VARIOUS	DISTRICT 3 BRIDGE JOINT REPLACEMENT (S)	VAR
040290	04	CRAWFORD	RENA RD.-OLD UNIONTOWN RD. (VAN BUREN) (S)	59
040299	04	WASHINGTON	HWY. 71B-MUD CREEK (GREGG AVE.-FAYETTEVILLE) (S)	---
061045	06	PULASKI	MATERIALS ANNEX REHABILITATION (S)	338
080113	08	CONWAY	HWY. 95-HWY. 9B (MORRILTON) (S)	132
R90072	09	BENTON	I-540-WEST (S)	71B
100295	10	GREENE & LAWRENCE	HWY. 63 RELOCATION (HOXIE)-CRAIGHEAD CO. LN. (S)	63
100544	10	CLAY	ARKANSAS WELCOME CENTER (CORNING) (S)	67
100588	10	CRAIGHEAD	HWY. 91-UNION PACIFIC R.R. OVERPASS (CONC. PAV. PATCHING) (S)	63

2003-174 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA0429	09	BENTON	CO. RD. 68-NORTH (SURFACING) (S)	---
SA1051	07	CLARK	HWY. 26-SOUTHEAST (OVERLAY) (S)	---
BR1205	05	CLEBURNE	BIG CREEK STR. & APPRS. NO. 2 (S)	---
SA1236	05	CLEBURNE	HWY. 110-EAST (OVERLAY) (S)	---
FA1709	04	CRAWFORD	VAN BUREN CITY LIMITS-NORTH (RECONST.) (S)	---
FA1908	01	CROSS	CO. RD. 71-EAST (RECONST.) PHASE 1 (S)	---
SA2233	02	DREW	HWY. 172-CO. RD. 14 (BASE & SURFACING) (S)	---
SA3531	02	JEFFERSON	HWY. 63-CO. RD. 36 (OVERLAY) (S)	---
BR4109	03	LITTLE RIVER	HUDSON CREEK STR. & APPRS. (S)	---
SA5931	06	PRAIRIE	DES ARC CITY LIMITS-SOUTH & WEST (BASE) (S)	---
SA6239	06	SALINE	CO. RD. 239-NORTH (OVERLAY) (S)	---
SA6849	01	ST. FRANCIS	CO. RD. 52 (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 19, 2003

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 19, 2003. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2003-176 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., November 19, 2003.

2003-177 WHEREAS, the Purchasing Committee has awarded purchases on October 9, 17 and 29, 2003, and November 12, 2003, in the amounts of \$27,900.00, \$1,546,277.81, \$693,083.70, and \$145,924.00 respectively, totaling \$2,413,185.51, 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.

2003-178 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, the Director is hereby authorized to process for payment the invoice for Year 2004 membership dues in the amount of \$250.00.

2003-179

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials have continued to support AASHTO Product Evaluation List (APEL) Program.

WHEREAS, evidenced by yearly survey of member departments there is a growing number who utilize APEL data to expedite information relating to new product evaluations being conducted or completed by the various state Departments of Transportation.

WHEREAS, Arkansas State Highway and Transportation Department utilizes APEL database for finding the evaluation and testing of new and/or proprietary engineered transportation products.

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support APEL in fiscal year 2004.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2004 in the amount of \$1,200.00.

2003-180

WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the National Institute of Standards and Technology and is authorized and approved by the Executive Committee of AASHTO.

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials.

WHEREAS, this Department has received notice that its share of support of the Laboratory for Fiscal Year 2004 (October 1, 2003 to September 30, 2004) is \$13,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2004 AASHTO, AMRL Account, Department 5051, Washington, D.C. 20061-5051.

2003-181

WHEREAS, the Telecommunications Act of 1996 requires radio frequencies below 800 MHz to migrate to a narrow band format; and

2003-181 - Continued

WHEREAS, this Act has been amended to accelerate this transition; and

WHEREAS, the radio frequencies used by the AHTD are directly affected by this Act; and

WHEREAS, it has been determined that replacement of existing non-compliant radio equipment will be necessary.

NOW THEREFORE, the Director is authorized to proceed with the replacement of all non-compliant equipment as funds become available.

2003-182

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2004 Highway Map.

2003-183

WHEREAS, the Disadvantaged Business Enterprise (DBE) Supportive Services (SS) Program is to seek, enhance and increase minority-owned and female-owned firms for participation in the highway construction industry in Arkansas; and

WHEREAS, this is done by identifying, assisting, and promoting DBEs capable of performing work on federal-aid highway construction projects as contractors, subcontractors, and suppliers; and

WHEREAS, the Transportation Equity Act for the 21st Century allocated \$106,300 for the Department's DBE/SS Program; and

2003-183 - Continued

WHEREAS, continuation of the DBE/SS Program will be beneficial to the Department.

NOW THEREFORE, the Director is authorized to issue a Request for Proposals to retain the services of a qualified consultant to continue the DBE/SS Program.

2003-184

WHEREAS, the Commission acquired in fee property known as Tract No. 436R from Garland R. Kimbro, a single man, for Job No. 6861-4, I-430-2 (74) 130, Interstate 30, Colonel Glenn Road, Route 430, Section 2, Pulaski County, by Warranty Deed dated August 18, 1972, filed for record on August 21, 1972, in Pulaski County Deed Record Book No. 1208 at page 519; and

WHEREAS, Tract No. 436R was acquired for \$750.00; and

WHEREAS, Andrew D. Bunten and Leigh Bunten, d/b/a The Learning Center, has bid the sum of \$1,000.00, which is the highest bid received for said Tract No. 436R, at a public auction held on Wednesday, August 6, 2003, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, in Room 702. Three qualified appraisers have opined that the current fair market value of Tract No. 436R is \$750.00 and the District Engineer has determined that Tract No. 436R is not now needed, nor in the foreseeable future will be needed, for highway purposes; said Tract No. 436R being more particularly described as follows:

JOB 6861-4
I-430-2(74)130
INTERSTATE 30 - COLONEL GLENN ROAD
(INTERSTATE 430)
ROUTE 430, SECTION 2
PULASKI COUNTY

Part of the East Half of the Northwest Quarter of Section 33, Township 1 North, Range 13 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 33; thence South 02° 37' West along the East line thereof a distance of 417.20 feet to a point on the Easterly right of way line of Interstate 430 as established by Job 6861-4 for the point of beginning; thence South 02° 40' West a distance of 616.2 feet to a point; thence South 02° 15' West a distance of 180.2 feet to a point; thence South 02° 36' West a distance of 350.0 feet to a point on the Northerly right of way line of State Highway 5 as established by Job 6861-4; thence South 37° 05' West along said right of way line a distance of 41.6 feet to a point on the Easterly right of way line of Interstate 430 as established by Job 6861-4; thence North 44° 21' West along said right of way line a distance of 145.3 feet to a point; thence North 02° 02' East along said right of way line a distance of 201.0 feet to a point; thence North 07° 44' 57" East along said right of way line a distance of 830.0 feet to a point; thence North 50° 03' East along said right of way line a distance of 79.6 feet to the point of beginning and containing 2.71 acres more or less.

Subject to Permanent Drainage Easement:

Part of the Northeast Quarter of the Northwest Quarter of Section 33 Township 1 North, Range 13 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 33; thence South 02° 37' West along the East line thereof a distance of 417.20 feet to a point on the Easterly right of way line of Interstate 430 as established by Job 6861-4; thence South 50°03' West along said right of way a distance of 79.6 feet to a point; thence South 7°44'57" West along said right of way a distance of 440.0 feet to the point of beginning; thence South 82°15'03" East a distance of 60.0 feet to a point; thence South 7°44'57" West a distance of 80.0 feet to a point; thence North 82°15'03" West a distance of 60.0 feet to a point on the Easterly right of way line of Interstate 430 as established by Job 6861-4; thence North 07° 44' 57" East along said right of way a distance of 80.0 feet to the point of beginning and containing 0.11 acres more or less.

DH/dh Rev. GA 10/17/03

NOW THEREFORE, BE IT RESOLVED, that the above described property, excepting any abutter's and access rights to and from

2003-184 - Continued

Interstate 30, is declared surplus; upon receipt of the consideration of \$1,000 the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Andrew D. Bunten and Leigh Bunten, d/b/a The Learning Center, said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Pulaski County, Arkansas; and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2003-185

WHEREAS, the Arkansas State Highway and Transportation Department was designated by Arkansas Act 192 of 1977 as the State's multimodal transportation planning agency responsible for coordinating the development of statewide transportation plans including the Arkansas State Rail Plan; and

WHEREAS, Minute Order 2002-072 adopted the *Arkansas State Rail Plan - Year 2002* and rail studies are prepared for Arkansas' Class III railroads under the auspices of the State Rail Plan in order to qualify the railroads for possible federal funding assistance; and

WHEREAS, the Little Rock Port Authority requested a study be made of their railroad line and the *Little Rock Port Authority Railroad Rail Line and Railroad Bridge Study* analyzed current railroad operations and identified possible rail line and railroad bridge improvements.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report and to proceed with amending the State Rail Plan.

2003-186

WHEREAS, the Highway Commission by Minute Order 2003-145 agreed to participate in the widening of Highway 102 from Greenhouse Road to Highway 71B in Bentonville; and

WHEREAS, it is determined to be in the best interest of the State to modify the participation agreement for this work;

2003-186 - Continued

NOW THEREFORE, the Director is hereby authorized to enter into agreements as appropriate for participation on Job 090179.

2003-187

WHEREAS, the Highway Commission by Minute Order 2003-142 agreed to participate in the widening of Highway 72 from Highway 112 to Highway 71 and the improvements of the Highway 112/8th Street intersection in the City of Bentonville; and

WHEREAS, it is determined to be in the best interest of the State to modify the participation agreement for this work;

NOW THEREFORE, the Director is hereby authorized to enter into agreements as appropriate for participation on Job 090178.

2003-188

WHEREAS, IN CLARK COUNTY, on Highway 67, Section 6, in Arkadelphia, it has been determined that improvement to the drainage structure at Log Mile 2.16 is needed to reduce the potential for flooding; and

WHEREAS, Department staff has recommended that a larger box culvert be constructed or that an additional box culvert be constructed adjacent to the existing structure to improve drainage at this location.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project for drainage improvements at this location as funds become available.

2003-189

WHEREAS, Minute Order 94-296 adopted the *I-30/Country Club Drive Interchange Study* which determined that a proposed interchange at the Country Club Drive overpass in Arkadelphia was not economically feasible and did not recommend its construction at that time; and

WHEREAS, the Mayor of Arkadelphia has requested an update to this 1994 study.

2003-189 - Continued

NOW THEREFORE, the Director is hereby authorized to restudy the need for and feasibility of an interchange at the Country Club Drive overpass of Interstate 30.

2003-190 WHEREAS, IN CLEBURNE COUNTY, the Mayor of Heber Springs has expressed concern over increasing traffic volumes on Highway 25B and has requested a study to explore possible measures to improve traffic operations in the area.

NOW THEREFORE, the Director is authorized to conduct a study of traffic operations along Highway 25B in Heber Springs to determine the need for and feasibility of improvements in the area.

2003-191 WHEREAS, the U. S. Department of Transportation Appropriations Act for Fiscal Year 2003 includes funding for an Osceola, Arkansas to Millington, Tennessee toll turnpike feasibility study; and

WHEREAS, the Department is responsible for administration of these federal funds and reimbursement to the local sponsoring agency; and

WHEREAS, the Great River Economic Development Foundation is the local sponsor and will provide the local matching share of costs for the study from non-AHTD sources.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements to implement this study.

2003-192 WHEREAS, on Highway 69 in Trumann there is a low clearance underpass with the Burlington Northern Santa Fe Railway; and

WHEREAS, the Burlington Northern Santa Fe Railway has requested that the Department construct a new overpass at the Highway 69 location and close the nearby Main Street at-grade crossing.

2003-192 - Continued

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of constructing an overpass of the Burlington Northern Santa Fe Railway in the vicinity of the existing Highway 69 underpass in Trumann.

2003-193

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant upgrading active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Sebastian	Fort Smith	Hwy. 71B	Fort Smith	Upgrade Flashing Signals

2003-194

WHEREAS, the Arkansas Department of Parks and Tourism has begun a major construction project at Mt. Magazine State Park requiring many heavy loads of material to be delivered to the project over Highway 309, Section 2; and

WHEREAS, this section of Highway 309 is presently posted at a lower weight limit due to its weakened condition and complying with the posted weight limit would extend the construction time of the project; and

WHEREAS, the Arkansas Department of Parks and Tourism wishes to expedite the project and has therefore offered to pay for damages, up to a maximum of \$750,000.00, to Highway 309 from the forest boundary to the lodge turnoff in order to haul heavier loads; and

2003-194 - Continued

WHEREAS, the Department has determined this is desirable, provided the vehicles comply with the requirements of A.C.A. 27-35-203 and the Federal Weight Law formula, and will maintain and repair the Highway during and after the heavy hauling is completed.

NOW THEREFORE, the Director is authorized to enter into an agreement with the Arkansas Department of Parks and Tourism as described above.

2003-195

WHEREAS, U. S. Highways 82 and 49 are presently routed over Mississippi River bridges that are the only bridges between the states of Mississippi and Arkansas; and

WHEREAS, these bridges are maintained jointly by the Mississippi Department of Transportation and the Arkansas State Highway and Transportation Department; and

WHEREAS, the Mississippi Department of Transportation and the Arkansas State Highway and Transportation Department desire to enter into an agreement to have video camera surveillance systems installed for the security of the bridges; and

WHEREAS, the Mississippi Department of Transportation and the Arkansas State Highway and Transportation Department have agreed to share equally (50/50) in the cost of installation and maintenance of the surveillance systems.

NOW THEREFORE, the Director is authorized to enter into the agreement and to proceed with plans and development of a project to install video camera surveillance systems on the U. S. 82 and 49 bridges.

2003-196

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 19, 2003 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110387	01	LEE	WALNUT LAKE & BIG CYPRESS CR. STRS. & APPRS. (S)	79

2003-196 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030212	03	LAFAYETTE	HWY. 82 RR OVERPASS REMOVAL (STAMPS) (S)	82
030299	03	HEMPSTEAD	HWY. 278/HWY. 278B SIGNAL (HOPE) (S)	278 & 278B
030308	03	MILLER	I-30/HWY. 245 W.B. OFF RAMP SIGNAL (TEXARKANA) (S)	30 & 245
040348	04	CRAWFORD	LEE CREEK RD. STR. & APPRS. (S)	40
005913	05	SHARP	MILL CREEK STR. & APPRS. (S)	58
050142	05	FULTON	GEPP-VIOLA (PASSING LANES) (S)	62
060875	06	SALINE	GRANT CO. LINE-NORTH (S)	190
060882	06	SALINE	SHANNON HILLS DR. PED. FACILITY (SHANNON HILLS) (S)	- - -
060900	06	HOT SPRING	HWY. 67-I-30 (MALVERN BYPASS) (S)	270
060989	06	GARLAND	WESTINGHOUSE DR. INTCHNG. (HOT SPRINGS) (S)	70
061117	06	PULASKI	HWY. 161/ARK. MIDLAND R.R. CROSSING DRAINAGE IMPVTS. (S)	161
080224	08	JOHNSON	HWY. 123-HWY. 64 (CLARKSVILLE) (S)	103
080252	08	POPE	BRANCH CREEK STR. & APPRS. (S)	164
080253	08	VAN BUREN	BEE BRANCH-WEST STR. & APPRS. (S)	92
100496	10	GREENE	HWY. 141-PARAGOULD (F)	412

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation;

(Continued)
2003-196 - Continued

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

MOTION

Commissioner Carl S. Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firms of Garver Engineers, LLC; Florence & Hutcheson, Inc.; and Crafton Tull & Associates, Inc. for consultant services for on-call design services.

2003-197

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., November 19, 2003.

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 November 19, 2003.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 21, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 21, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2004-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 21, 2004.

2004-002 WHEREAS, the Purchasing Committee has awarded purchases on November 21, 2003, and December 8 and 15, 2003, in the amounts of \$470,698.40, \$259,383.00, and \$3,175,602.54 respectively, totaling \$3,905,683.94, 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.

2004-003 WHEREAS, the Department maintains a 35 millimeter microfilm aperture card archive which provides storage and retrieval of right or way and construction plans dated from the 1930s to the present; and

WHEREAS, it is in the Department's best interest to convert these aperture cards into a digital form that can be incorporated into a file management system for the convenience of Department staff, contractors, consultants and the public.

2004-003 - Continued

NOW THEREFORE, the Director is authorized to proceed with the purchase of an aperture card scanner to create digital files from the aperture card files.

2004-004 WHEREAS, the American Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the calendar year 2004, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, the Director is hereby authorized to process for payment the statement for membership dues for the year 2004 in the amount of \$34,637.00.

2004-005 WHEREAS, a written history of the Highway Commission and Highway and Transportation Department, entitled *Historical Review: Arkansas State Highway Commission and Arkansas State Highway and Transportation Department—1913-1992*, was published and distributed by the Department in late 1992; and

WHEREAS, that book has been an excellent source of historical information for students, the news media, elected officials, other state and federal employees, Department personnel, and the general public; and

WHEREAS, it would be beneficial to update that book to document events that have taken place since 1992.

NOW THEREFORE, the Director is authorized to proceed with publishing and distributing an updated version of the *Historical Review* covering the years 1913-2003.

2004-006 WHEREAS, the Surface Transportation Assistance Act of 1982 authorized the installation of vending machines in Interstate Rest Areas; and

2004-006 - Continued

WHEREAS, the Act requires that states give authority to vending machines operated by state agencies for the blind, pursuant to the Randolph-Shepherd Act; and

WHEREAS, the Arkansas Department of Human Services, Division of Services for the Blind, has successfully provided vending machine service in Interstate Tourist Information Centers and Rest Areas in Arkansas under service agreements with the Department since 1986; and

WHEREAS, the current agreement with the Division of Services for the Blind expires in 2004.

NOW THEREFORE, the Director is authorized to renew the agreement with the Division of Services for the Blind to provide vending machine services at all Interstate Tourist Information Centers and Rest Areas within the State as may be practical.

2004-007

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable;

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2004-008

WHEREAS, Minute Order No. 81-273 provided that the Director shall designate a hearing officer to conduct and preside at administrative hearings concerning outdoor advertising devices and to conduct a hearing in accordance with the Arkansas Administrative Procedure Act;

WHEREAS, a question has arisen concerning the authority of the designated Hearing Officer to render decisions related to applications for outdoor advertising devices;

WHEREAS, in the interest of clarifying the authority of the designated Hearing Officer as set forth in Minute Order No. 81-273, the Commission affirms the following:

- (1) That Minute Order No. 81-273 directed the Director or designee to conduct a hearing and decide for the agency all issues related to administrative hearings concerning outdoor advertising devices and render final orders;
- (2) That appeals relating to outdoor advertising matters can be decided in a more timely and expeditious manner through the use of a designated official rather than being presented to the full Commission; and
- (3) That the Director's designee is equipped through specialization and insight through experience with the ability to determine and analyze the underlying legal issues.

THEREFORE, Minute Order No. 81-273 provides and this Minute Order affirms that the designated Hearing Officer is authorized to conduct and preside at administration hearings and to make final decisions related to outdoor advertising devices.

WHEREAS, the Commission acquired property known as Tract No. 48R from Paul Ray Mackey, an unmarried person, for Job No. 080133, STP-0058(25) I-40 Dover, Route 7, Section 15, by Warranty Deed filed of record on March 29, 2000, in the Circuit Clerk's Office of Pope County in Deed Record Book No. 29-V, at page 133; and

WHEREAS, Tract No. 48R was acquired for \$2,000.00; and

WHEREAS, Dale W. Warren and Debra K. Warren, husband and wife, have asked to repurchase Tract No. 48R and Paul Ray Mackey has assigned his rights to reacquire Tract No. 48R to Dale W. Warren and Debra K. Warren; and the District Engineer for District 8 has determined that Tract No. 48R, being more particularly described below, is not needed now, nor in the foreseeable future will be needed, for highway purposes:

JOB NO. 080133
STP-0058 (25)
I-40 – DOVER
ROUTE 7, SECTION 15
POPE COUNTY
TRACT NO. 48XR

Part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 9 North, Range 20 West, Pope County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 34; thence South $02^{\circ} 18' 08''$ West along the East line thereof a distance of 1,018.17 feet to a point; thence North $88^{\circ} 16' 56''$ West a distance of 34.70 feet to a point on the Westerly proposed right of way line of State Highway 7 for the point of beginning; thence South $23^{\circ} 04' 16''$ West along said proposed right of way line a distance of 227.58 feet to a point; thence South $05^{\circ} 16' 16''$ East along said proposed right of way line a distance of 89.89 feet to a point on the South line of said Southwest Quarter of the Southwest Quarter of Section 34; thence North $88^{\circ} 16' 31''$ West along said South line a distance of 193.38 feet to a point; thence North $02^{\circ} 48' 34''$ East a distance of 301.20 feet to a point; thence South $88^{\circ} 16' 56''$ East a distance of 259.57 feet to the point of beginning and containing 1.46 acres more or less.

DM/dh 2-16-00

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of \$2,000.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed with appropriate restrictive covenants, conveying the described property to Dale W. Warren and Debra K. Warren, husband

2004-009 - Continued

and wife; a copy of the deed and this Minute Order shall be recorded in Pope County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2004-010

WHEREAS, the Arkansas State Highway Commission executed a Quitclaim Deed to St. Mary's Regional Medical Center (Grantee) dated January 31, 1996, recorded in Yell County records in Book 304 at page 10, on February 21, 1996, for the property herein described, pursuant to Minute Order No. 96-011 dated January 31, 1996; and

WHEREAS, the description appearing on said Quitclaim Deed contained a scrivener's error which has recently be discovered by the Grantee; and

WHEREAS, in order to correct the scrivener's error a correction Quitclaim Deed is required to be executed by the Chairman of the Commission; and

WHEREAS, the correct legal description of the lands intended to be conveyed by the Commission to the Grantee is as follows:

Part of the Northwest Quarter of the Southwest Quarter of Section 30, Township 7 North, Range 20 West, Yell County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Northwest Quarter of the Southwest Quarter of Section 30; thence South $00^{\circ} 49' 46''$ East along the East line of the Northwest Quarter of the Southwest Quarter of Section 30 a distance of 205.28 feet to a point; thence South $60^{\circ} 43' 46''$ West a distance of 487.26 feet to a point on the Easterly existing right of way line of State Highway 22 for the point of beginning; thence along said existing right of way line along the arc of a curve to the right, having a central angle of $2^{\circ} 59' 37''$, and a radius of 5809.60 feet a length of 303.51 feet, which has a chord bearing of South $26^{\circ} 13' 38''$ East a distance of 168.76 feet to a point; thence leaving said existing right of way line South $64^{\circ} 56' 26''$ West a distance of 40.00 feet to a point on the Easterly proposed right of way line of State Highway 22; thence along said proposed right of way line along

2004-010 - Continued

the arc of a curve to the left, having a central angle of 2° 59' 37", and a radius of 5769.60 feet a length of 301.45 feet, which has a chord bearing of North 26° 33' 22" West a distance of 301.42 feet to a point; thence leaving said proposed right of way line North 61° 56' 49" East a distance of 40.00 feet to the point of beginning and containing 0.28 acre more or less.

GA/II Revised (dh) 12/19/03

NOW THEREFORE, BE IT RESOLVED that a Correction Quitclaim Deed be issued to the Grantee and that the Chairman of the Commission is hereby authorized and directed to execute and deliver to said Grantee such Correction Quitclaim Deed for an on behalf of this Commission.

2004-011

WHEREAS, Highway 65 between Interstate 530 in Pine Bluff and the Louisiana State line is recognized as an important corridor in southeast Arkansas and the 1991 Highway Improvement Program includes the widening of Highway 65 to four lanes from Pine Bluff to its intersection with Highway 82 in Fairview; and

WHEREAS, Minute Order 2001-219 authorized a study of the feasibility of widening the remaining twenty-mile section of Highway 65 from Highway 82 in Fairview to the Louisiana State line; and

WHEREAS, the *Highway 65 Widening Study* has been completed and the analysis has determined that there is insufficient justification to widen Highway 65 from Fairview to the Louisiana State line at this time.

NOW THEREFORE, this study is hereby adopted and the Director is authorized to continue to monitor traffic volumes in the area for changes in the growth rate that would alter the findings of this study.

2004-012

WHEREAS, Minute Order 2001-176 authorized the Department to conduct a feasibility study of an improved connection between Highway 64 east and Highway 65 north in Conway; and

2004-012 - Continued

WHEREAS, the *Highway 64/Highway 65 Connection (Conway) Study* has been completed and documents the feasibility and increasing need for new roadway connections between Highway 64 east and Highway 65 north.

NOW THEREFORE, the *Highway 64/Highway 65 Connection (Conway) Study* is hereby adopted for use as a guide for future project development.

2004-013

WHEREAS, Minute Order 99-206 authorized a study to determine the feasibility of constructing an interchange at the Grigsby Ford Road overpass to serve the medium security state prison located adjacent to Grigsby Ford Road and the City of Malvern; and

WHEREAS, the *I-30/Grigsby Ford Road Interchange Study* has been completed and determined that an interchange is not feasible at this location; and

WHEREAS, an alternative proposal to improve Highway 84 and Grigsby Ford Road was determined to be feasible.

NOW THEREFORE, this study is hereby adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition and construction as funds become available.

2004-014

WHEREAS, Minute Order 2002-170 authorized a study to determine the feasibility of replacing two low-water crossings in Cherokee Village, one on Highway 175 and one on Highway 175 Spur, that flood during periods of heavy rain; and

WHEREAS, the *Cherokee Village Low-Water Crossing Improvement Study* has been completed and determined that replacing the low-water crossings is a feasible option to reduce the occurrence of water overtopping the roadway.

2004-014 - Continued

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition and construction as funds become available.

2004-015

WHEREAS, the Transportation Equity Act for the 21st Century included funds for a study to determine the feasibility of providing an Interstate quality road for a route that runs in south/west direction generally from United States Route 61 and crosses the Mississippi River in the vicinity of Memphis, Tennessee, to Highway 79 and generally follows Highway 79 to Pine Bluff, Arkansas; and

WHEREAS, Minute Order 2000-212 authorized the conduct of such a study, and the *Highway 79 and Mississippi River Crossing Study* has been completed and determined that an Interstate quality road is not feasible between Memphis and Pine Bluff; and

WHEREAS, the study does show the need for an additional Mississippi River crossing in the vicinity of Memphis.

NOW THEREFORE, this study is hereby adopted as a guide for scheduling future improvements in the area.

2004-016

WHEREAS, the U. S. Department of Transportation Appropriations Act for Fiscal Year 2003 includes funding for the initial development of a proposed interchange at Interstate 540 and Perry Road with the City of Rogers as the local sponsor; and

WHEREAS, the Department is responsible for administration of these federal funds and reimbursement to the local sponsoring agency.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements for the development of this interchange subject to the following conditions:

1. Break in access approval by the Federal Highway Administration.
2. Neither the Commission nor the Department will have any responsibility for project costs.
3. Ownership and maintenance of the portion of the project within the I-540 control of access limits will be the responsibility of the Department upon completion of the project.
4. Ownership and maintenance of the portion of the project outside of the I-540 control of access limits will be the responsibility of the City of Rogers upon completion of the project.

2004-017

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant upgrading a crossing surface.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the surface is performed by the railroad company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Calhoun	Near East Camden	Hwy. 274	East Camden & Highland	Upgrade Surface

2004-018

WHEREAS, IN CRAIGHEAD COUNTY, on Highway 49 (Stadium Boulevard) the need to improve traffic flow at the intersection of Aggie Road -- the main entrance into the Jonesboro Campus of Arkansas State University -- has been identified in a University study; and

WHEREAS, the University has requested that the Department remove a portion of the existing median curb island and construct dual left turn lanes for northbound traffic on Highway 49.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this intersection as funds become available and subject to the following conditions:

1. Work to be done by State Forces, and
2. City of Jonesboro responsible for modification of existing traffic signal.

2004-019

WHEREAS, IN CRAWFORD COUNTY, on Highway 64, Section 2, from Interstate 540 to Highway 64B, a distance of approximately 5.4 miles, a study has indicated that improvements are needed; and

WHEREAS, these improvements include constructing deceleration lanes, extending drainage structures and establishing authorized median turn-arounds.

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

2004-020

WHEREAS, IN SEVIER COUNTY, on Highway 27, Section 1, a slope failure has been identified and the necessary repair is beyond the normal routine maintenance responsibilities of the District; and

WHEREAS, work to repair slope failures at various locations on Highways 71 and 234 was authorized under Minute Order No. 2002-100 and Job 030286 was established for this work.

2004-020 - Continued

NOW THEREFORE, the Director is authorized to make necessary repairs to the Highway 27 embankment to preserve the structural integrity of the roadway.

Work to be done by contract as part of Job 030286.

2004-021 WHEREAS, the City of Kensett is experiencing traffic flow problems caused by railroad operations in the City and a local official has requested a railroad overpass study.

NOW THEREFORE, the Director is authorized to conduct a study of the feasibility of a railroad overpass in Kensett.

2004-022 WHEREAS, IN WHITE COUNTY, it has been requested that a study be conducted to provide information on extending Highway 13 from Highway 267 to the intersection of Highway 36 and Highway 320 (Morris School Road) west of Searcy.

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of a new location connection between Highway 267 and the intersection of Highway 36 and Highway 320 (Morris School Road).

2004-023 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 21, 2004 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110448	01	PHILLIPS	HWY. 49 & HWY. 49B (SEL. SECS.) (OVERLAY) (S)	49 & 49B
020382	02	CHICOT	HILL BAYOU STR. & APPRS. (S)	159
020408	02	ASHLEY	PARKDALE-NORTH & SOUTH (OVERLAY) (S)	165
030207	03	LITTLE RIVER	HWY. 71-HWY. 32 EAST (S)	32
030303	03	HOWARD & PIKE	HWY. 278-NEWHOPE (OVERLAY) (S)	70
040427	04	WASHINGTON	GOSHEN-EAST & WEST (OVERLAY) (S)	45

2004-023 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
050151	05	JACKSON	TUCKERMAN-HWY. 226 (OVERLAY) (S)	67
061083	06	PRAIRIE	HURRICANE CREEK STR. & APPRS. (S)	249
061109	06	GARLAND	HWY. 7/LAKELAND DR./FILES RD. SIGNAL (HOT SPRINGS) (S)	7
061131	06	GARLAND	HWY. 70-WESTINGHOUSE RD. (OVERLAY) (S)	270 & 270B
007810	07	DALLAS	HWY. 79-WEST (S)	273
070257	07	CLARK	GURDON-ARKADELPHIA & 25TH ST.-OUACHITA RV. (OVERLAY) (S)	51 & 67
080276	08	FAULKNER	HWY. 65-HWY. 107 (SEL. SECS.) (OVERLAY) (S)	25
009861	09	MADISON	HOLMAN CREEK STRS. & APPRS. (S)	412B
009985	09	BENTON	HWY. 71B-I-540 (WIDENING) (ROGERS) (S)	94
090059	09	BENTON	LITTLE OSAGE CREEK-WEST (S)	12
090188	09	BENTON	BANZ RD.-DIXIELAND RD. (OVERLAY) (S)	71B
100584	10	CRAIGHEAD	HWY. 18/HWY. 351 SIGNAL (JONESBORO) (S)	18 & 351
100598	10	POINSETT	HWY. 69-CRITTENDEN CO. LN. (SEL. SECS.) (OVERLAY) (S)	63
SA1754	04	CRAWFORD	CO. RD. 157-NORTH (OVERLAY) (S)	---
SA1755	04	CRAWFORD	CO. RD. 336-SOUTH (BASE & SURFACING) (S)	---
FA3112	03	HOWARD	HWY. 369-HWY. 371 (S)	---
BR3306	05	IZARD	BRANCH OF KNOB CREEK STR. & APPRS. (S)	---
SA6430	09	SEARCY	SEARCY CO. OVERLAY NO. 7 (S)	---
FA7417	01	WOODRUFF	CO. RD. 19-NORTH (RECONST.) NO. 2 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl S. Rosenbaum moved, Commissioner Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firm of Spears, Inc., of West Fork, AR for consultant services for Phase III Archeological Services on Job 001849, Marked Tree-I-55 (Hwy. 63).

2004-024

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., January 21, 2004.

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 January 21, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 3, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 3, 2004. Members present were:

Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
R. Madison Murphy, Member

2004-025 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., March 3, 2004.

2004-026 WHEREAS, the Purchasing Committee has awarded purchases on January 20, 2004, February 2, 2004, February 9, 2004 and February 18, 2004 in the amounts \$694,690.50, \$2,807,818.50, \$1,284,129.71 and \$925,695.09 respectively, totaling \$5,712,333.80 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.

2004-027 WHEREAS, the Department maintains microfilm records which provide storage and retrieval of historical data dated from the 1930's to the present; and

WHEREAS, the existing microfilm reader/printer is in a state of disrepair and parts are no longer available due to the age of the equipment; and

WHEREAS, it is in the Department's best interest to retrieve microfilm and scan it into a digital format so that it can be sent

2004-027 – Continued

electronically and incorporated into a file management system for the convenience of Department staff and other users.

NOW THEREFORE, the Director is authorized to proceed with the purchase of a digital microfilm reader/printer to create digital files from the existing microfilm in storage.

2004-028 WHEREAS, the Tourist-Oriented Directional Sign (TODS) program regulations have been approved by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council; and

WHEREAS, the Commission desires to promote economic development in the State by providing directional information regarding tourist-oriented businesses and activities to motorists.

NOW THEREFORE, Part F. of the General Requirements of the Commission's TODS Regulations is changed in its entirety to read:

F. An activity or site will not qualify for TODS if the activity or site is identified by a Department directional sign that is within the right-of-way, if the activity or site is advertised by an off-premise sign that is illegal as defined by the Arkansas Highway Beautification Act, or if the activity or site is advertised by an off-premise sign that is visible from the location of the proposed TODS.

FURTHER, the Director is authorized to take all steps necessary to implement this amendment in accordance with the Arkansas Administrative Procedure Act.

2004-029 WHEREAS, the Department has a substantial investment in the fully access-controlled freeways in Arkansas and these freeways are an integral part of the State Highway System; and

2004-029 - Continued

WHEREAS, any access modifications can potentially affect the ability of the freeway system to effectively and safely accommodate existing and forecast travel; and

WHEREAS, a Quality Initiative Program Team composed of representatives of the Department and the Arkansas Division Office of the Federal

Highway Administration has developed procedures for the analysis and handling of requests for freeway access modifications in accordance with federal guidelines.

NOW THEREFORE, the Director is authorized to adopt the *Procedures for New or Revised Freeway Access in Arkansas* and to publish and distribute copies of these procedures.

2004-030

WHEREAS, litter along the roadsides continues to be a growing problem for the State of Arkansas; and,

WHEREAS, a Task Force was formed in 2003 of State and Federal Agencies, Associations and Local Governments to seek new strategies to combat the growing litter problem; and,

WHEREAS, the Arkansas State Highway and Transportation Department had a leading role in the formation of the Task Force and its activities; and,

WHEREAS, the Task Force has submitted a report outlining actors that contribute to the growing litter problem and has included recommendations for Action Teams to pursue various activities designed to reduce litter and bring public awareness to the problem.

NOW THEREFORE, the Director is authorized to endorse the report and to implement and support the recommendations of the Task Force.

2004-031

WHEREAS, Minute Order 95-210 authorized the study of the freight modes serving southeast Arkansas and the identification of possible freight transportation enhancements; and

WHEREAS, Minute Order 2001-172 approved the Phase I study of the Yellow Bend Slackwater Harbor; and

2004-31 – Continued

WHEREAS, the *Yellow Bend Slackwater Harbor Study Phase II* examined methods for increasing usage of the harbor by local shippers and receivers and suggested ways that the harbor may better serve the region by attracting new economic activities; and

WHEREAS, the report was prepared in cooperation with the Chicot-Desha Metropolitan Port Authority.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2004-032

WHEREAS, the Arkansas State Highway Commission owns property in Crittenden County, Arkansas, which is part of a residual tract of land acquired by the Commission in conjunction with Job No. 1333 on November 22, 1957, and which property is now contiguous to Interstate 55 and said property has been heretofore designated as Tract No. 1, for identification purposes in connection with Job No. 1333; and

WHEREAS, Job No. 110401, NCPD-0018(36) I-55/Hwy 63, Interchange Improvements, Crittenden County, requires additional right of way along the front and contiguous to Tract No. 1, of Job No. 1333, said additional right of way is designated as Tract 11 for Job No. 110401 and is more fully described below:

Part of the Southwest Quarter of the Southwest Quarter of Section 17, Township 9 North, Range 8 East, Crittenden County, Arkansas, more particularly described as follows:

Beginning at a 1 ½ inch iron pipe being used as the common corner of Sections 17, 18, 19 & 20; thence North 00° 16' 21" West along the West line of the Southwest Quarter of the Southwest Quarter of Section 17 a distance of 90.45 feet to a point on the Northerly right of way line of Interstate 55 as established by AHTD Job 110401; thence North 80° 38' 04" East along said right of way line a distance of 177.70 feet to a point; thence North 64° 14' 38" East along said right of way line a distance of 359.78 feet to a point on the Northerly right of way line of Interstate 55 as established by AHTD Job 110401; thence South 56° 54' 59" West along said right of way line a distance of 504.50 feet to a point on

2004-032 – Continued

the South line of the Southwest Quarter of the Southwest Quarter of Section 17; thence South 89° 45' 23" West along said

South line a distance of 76.23 feet to the point of beginning and containing 0.55 acres more or less as shown on plans prepared by the AHTD referenced as Job 110401.

JW/ras 06/25/03

NOW THEREFORE, BE IT RESOLVED, that the character of the above-described property is changed from a residual tract, a capital asset owned by the Commission, to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Crittenden County and, if necessary, the right of way remonumented.

2004-033 WHEREAS, the Commission acquired in fee property known as Tract Nos. 63 and 64 from Earl Hardin and Hazel Hardin, husband and wife, (Sellers) for Job No. R50053, NH-027-1 (27), South Denmark - South Pleasant Plains Route 167, Section 17, Independence/White Counties by Warranty Deeds, dated June 10, 1994, filed for record on August 10, 1994, in Deed Record Book No. 537 at Pages 18 and 20, respectively, in the Circuit Clerk's office of White County, Arkansas; and

WHEREAS, Sellers have asked to repurchase Tract Nos. 63 and 64 which the District Engineer for District 5 has determined are not now, nor in the foreseeable future will be, needed for highway purposes, said tracts being more particularly described as follows:

Job No. R50053
NH-027-1 (27)
South Denmark – South Pleasant Plains
Route 167, Section 17
Independence/White Counties

Tract No. 63

Part of the Northeast Quarter of the Northwest Quarter of Section 2, Township 10 North, Range 6 West, White County, Arkansas, more particularly described as follows:

2004-033 – Continued

Starting at the Southeast Corner of the Northeast Quarter of the Northwest Quarter of Section 2; thence South 88° 18' 18" West along the South line thereof a distance of 215.85 feet to a point on the Northeasterly existing right of way line of U.S. Highway 167; thence North 38° 21' 07" West along said existing right of way line a distance of 923.62 feet for the point of beginning; thence continue North 38° 21' 07" West along the Northeasterly existing right of way line of U.S. Highway 167 a distance of 425.13 feet to a point; thence North 89° 44' 46" East a distance of 66.43 feet to a point on the Northeasterly proposed right of way line of U.S. Highway 167; thence South 35° 32' 24" East along said proposed right of way line a distance of 250.28 feet to a point; thence South 38° 21' 07" East along said proposed right of way line a distance of 163.79 feet to a point; thence South 88° 10'

40" West a distance of 49.78 feet to the point of beginning and containing 0.43 acre more or less.
LS/ll 12/15/93

Tract No. 64

Part of the Northeast Quarter of the Northwest Quarter of Section 2, Township 10 North, Range 6 West, White County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Northeast Quarter of the Northwest Quarter of Section 2; thence South 88° 18' 18" West along the South line thereof a distance of 215.85 feet to a point on the Northeasterly existing right of way line of U.S. Highway 167; thence North 38° 21' 07" West along said existing right of way line a distance of 1348.75 feet for the point of beginning; thence continue North 38° 21' 07" West along the Northeasterly existing right of way line of U.S. Highway 167 a distance of 116.11 feet to a point; thence North 38° 35' 54" West along said existing right of way line a distance of 412.44 feet to a point on the North line of the Northeast Quarter of the Northwest Quarter of Section 2; thence North 89° 44' 46" East along the North line of the Northeast Quarter of the Northwest Quarter of Section 2 a distance of 89.80 feet to a point on the Northeasterly proposed right of way line of U.S. Highway 167; thence South 17° 30' 55" East along said proposed right of way line a distance of 67.02 feet to a point; thence South 45° 01' 38" East along said proposed right of way line a distance of 100.50 feet to a point; thence South 39° 18' 49" East along said proposed right of way line a distance of 194.48 feet to a point; thence South 35° 32' 24" East along said proposed right of way line a distance of 157.42 feet to a point; thence South 89° 44' 46" West a distance of 66.43 feet to the point of beginning and containing 0.69 acre more or less.

2004-033 – Continued

LS/ll 12/15/93

WHEREAS, Tract Nos. 63 and 64 were acquired by the Commission for TWO THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$2,950.00) each, for a total consideration for both tracts of FIVE THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$5,900.00); and

NOW THEREFORE, Be It Resolved, that the above described property is declared surplus; upon receipt of the consideration of \$5,900.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Sellers; a copy of the deed and this Minute Order shall be recorded in White County, Arkansas; and, if necessary, the right of way may be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2004-034 WHEREAS, IN ARKANSAS COUNTY, in the vicinity of DeWitt, Minute Order 73-123 added Highway 130, Section 6 Alternate, in accordance with provisions of Act 9 of 1973; and

 WHEREAS, a job for the construction of this new location route has not been programmed; and

 WHEREAS, the removal of Highway 130, Section 6 Alternate from the State Highway System has no adverse effect to the motoring public.

 NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, Highway 130, Section 6 Alternate is removed from the State Highway System, as shown on the attached sketch.

2004-035 WHEREAS, IN MILLER COUNTY, a freeway on new location is under construction between Doddridge and Texarkana; and

 WHEREAS, signing the new location route as U.S. Highway 71 will facilitate the travel of the motoring public.

2004-035 – Continued

 NOW THEREFORE, IT IS ORDERED that upon completion of the new location and official notification by the Chief Engineer, the following changes are made to the State Highway System as shown on the attached sketch.

1. The existing portion of U.S. Highway 71, Section 1 shall be redesignated as State Highway 471, Section 1.
2. The existing portion of U.S. Highway 71, Section 2 shall be redesignated as State Highway 471, Section 2.
3. The new route, from the junction of State Highway 471 to the junction of State Highway 245 shall be added to the State Highway System as U.S. Highway 71, Section 1.

2004-036 WHEREAS, IN INDEPENDENCE COUNTY, in the vicinity of Oil Trough, the Arkansas Game and Fish Commission has established a new access to the White River; and

WHEREAS, the State Game and Fish Commission has declared that Highway 932, Section 1 is no longer required; and

WHEREAS, the Independence County Judge has agreed to assume rights and maintenance of the right-of-way of Highway 932.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, Highway 932, Section 1 be removed from the Highway System, as shown on the attached sketch.

2004-037 WHEREAS, the Garland County Judge has requested an exchange of a county road and a State Highway; and

WHEREAS, this proposed exchange would benefit both Garland County and the Department by providing improved access to Lake Ouachita State Park and the surrounding area.

2004-037 – Continued

NOW THEREFORE, IT IS ORDERED that upon receipt of the proper court order by the Garland County Judge and the official notification by the Chief Engineer, the following changes to the State Highway System, as shown on the attached sketch, are hereby made:

1. State Highway 192, Section 2, from the junction of State Highway 7 to the junction of Garland County Road 64, a distance of 4.79 miles, is hereby removed from the State Highway System.
2. Garland County Roads 148, 145 and 458 known as Strawberry Road Cutoff, from the junction of State Highway 227 to State Highway 7, a distance of approximately 5.90 miles, are hereby added to the State Highway System as State Highway 192, Section 2.

2004-038 WHEREAS, Minute Order 2001-216 authorized the improvement of a section of Highway 294 known as Lincoln Street in the City of Lonoke; and

WHEREAS, the improvement to that section of Highway 294 has been completed; and

WHEREAS, the City of Lonoke has agreed to accept all of Highway 294 east of Highway 70 into the city street system upon completion of the improvement; and

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, that Highway 294, Section 3 be removed from the Highway System, as shown on the attached sketch.

2004-039 WHEREAS, IN BENTON COUNTY, in the City of Centerton, the City has requested that Highway 904, Section 1, Fish Hatchery Road, be removed from the State Highway System; and

WHEREAS, the Arkansas Game and Fish Commission has agreed with the City's request; and

WHEREAS, the Mayor of the City of Centerton has agreed to assume rights and maintenance of the right-of-way of Highway 904, Section 1.

2004-039 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, Highway 904, Section 1 be removed from the Highway System, as shown on the attached sketch.

2004-040 WHEREAS, IN INDEPENDENCE COUNTY, in the vicinity of Batesville, the Highway 14 Spur connection to Highway 167 was realigned under Job 005964, Hwy. 14S-Hwy. 25; and

WHEREAS, this realignment of the Highway 14 Spur/Highway 167 connection will provide improved vehicle movement and safety; and

WHEREAS, the County Judge has agreed to assume rights and maintenance of the old right-of-way of Highway 14 Spur.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes to the State Highway System, as shown on the attached sketch, are hereby made:

1. The new route as constructed by Job 005964 shall be added to the State Highway System as part of Highway 14, Section 9 Spur.
2. The old location of Highway 14, Section 9 Spur, as replaced by the new construction, shall be removed from the State Highway System.

2004-041

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant upgrading and installing active warning devices due to the addition of train traffic on the Union Pacific Railroad line through West Memphis, and

WHEREAS, the Union Pacific Railroad has agreed to fund 80% of the cost of the improvements with the remainder funded with Federal-aid safety funds.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

2004-041 – Continued

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Crittenden	West Memphis	I-40 N. Frontage Rd.	Union Pacific	Upgrade Flashing Signals with Gates
Crittenden	West Memphis	I-40 S. Frontage Rd.	Union Pacific	Upgrade Flashing Signals with Gates
Crittenden	West Memphis	Glen Bailey Dr.	Union Pacific	Install Flashing Signals with Gates
Crittenden	West Memphis	Thompson Ave.	Union Pacific	Install Flashing Signals with Gates
Crittenden	West Memphis	Hwy. 70	Union Pacific	Upgrade Flashing Signals with Gates
Crittenden	West Memphis	Cooper Ave.	Union Pacific	Install Flashing Signals with Gates
Crittenden	West Memphis	Jackson Ave.	Union Pacific	Install Flashing Signals with Gates
Crittenden	West Memphis	Jefferson Ave.	Union Pacific	Install Flashing Signals with Gates
Crittenden	West Memphis	Afco Rd.	Union Pacific	Install Flashing Signals with Gates

2004-042

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the March 3, 2004 letting,

JOB NO. / DISTRICT	COUNTY	JOB NAME	ROUTE
110383 01	PHILLIPS	MARVELL-HWY. 316 SO. (S)	49
10434 01	CRITTENDEN	GILMORE INTERCHANGE (F)	63
110449 01	CROSS	HICKORY RIDGE-FAIR OAKS (OVERLAY) (S)	49

020138	02	DESHA	TILLAR-WINCHESTER (S)	65
020410	02	DESHA	CANAL NO. 43-ARKANSAS CITY (OVERLAY) (S)	4
030286	03	SEVIER	HWY. 71, HWY. 234 & HWY. 27 SLOPE REPAIR (S)	71, 234 & 27
030316	03	LITTLE RIVER & SEVIER	LITTLE RIVER-NORTH (OVERLAY) (S)	71
040429	04	CRAWFORD & SEBASTIAN	HWY. 22-NORTH (OVERLAY) (S)	59
050138	05	STONE	ALLISON-SOUTH (OVERLAY) (S)	9
060716	06	PULASKI	ASHER AVE.-GUM SPRINGS RD. (PULASKI CO.) (S)	---
060942	06	GARLAND	HWY. 270/HIGDON FERRY RD. & HWY. 7 INTCHNGS. (HOT SPRINGS) (S)	270 & 7
061019	06	PULASKI	I-430 MEDIAN BARRIER (SHACKLEFORD RD.-KANIS RD.) (S)	430
061103	06	PULASKI	HWY. 10 SAFETY IMPROVEMENTS (LITTLE ROCK) (S)	10
061132	06	HOT SPRING	I-30-HWY. 67 (OVERLAY) (S)	270
070198	07	CALHOUN	BEAVER POND CREEK STR. & APPRS. (S)	205
070215	07	CLARK	HWY. 53-WEST (S)	8
070221	07	COLUMBIA	NEVADA CO. LINE-HWY. 82 (SEL. SECS.) (S)	371
070262	07	CALHOUN	HWY. 274-NORTH (OVERLAY) (S)	167
080256	08	PERRY	MILL CREEK STR. & APPRS. (S)	60
080277	08	PERRY	PULASKI CO. LN.-FOURCHE LA FAVE RIVER (OVERLAY) (S)	113
090138	09	BENTON	HWY. 102/SW "I" ST. SIG. & INTERS. IMPVTS. (BENTONVILLE)(S)	102
090175	09	BENTON	GOAD SPRINGS RD.-HWY. 102 (F)	540
090189	09	SEARCY	MARSHALL-SOUTH (OVERLAY) (S)	65
100568	10	GREENE	LIGHTHOUSE CREEK STR. & APPRS. (S)	69
100583	10	GREENE	HWY. 49/PRUETT'S CHAPEL RD. SIGNAL (PARAGOULD) (S)	49
100591	10	POINSETT	SOUTH OF TRUMANN-PAYNEWAY (RESURFACING) (S)	63
100600	10	POINSETT & CRAIGHEAD	POINSETT/CRAIGHEAD CO. LN. NORTH & SOUTH (OVERLAY) (S)	1
SA0740	07	CALHOUN	CO. RD. 108-NORTH (BASE & SURFACING) (S)	---
SA2359	08	FAULKNER	FAULKNER COUNTY OVERLAY NO.2 (S)	---
SA5124	09	NEWTON	HWY. 123-CO. RD. 54 SURFACING (S)	---
SA5631	10	POINSETT	HWY. 14-SOUTH (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the

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

MOTION

Commissioner Jonathan Barnett moved, Commissioner R. Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into a contract with Arkansas DBE Contractors Association of Little Rock for consultant services for DBE supportive services.

2004-43

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., March 3, 2004.

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 3, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 14, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 14, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2004-044 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., April 14, 2004.

2004-045 WHEREAS, the Purchasing Committee has awarded purchases on March 2, 8, 15, 23 and 29, 2004, and April 5, 2004, in the amounts of \$1,604,095.08, \$189,380.24, \$81,359.00, \$434,055.00, \$176,066.00, and \$148,049.00 respectively, totaling \$2,633,004.32, 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.

2004-046 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statements for the 2004-2005 membership dues in the amounts of \$200 to the Arkansas Transit

Association, \$200 to the South West Transit Association and \$225 to the Community Transportation Association of America.

2004-047

WHEREAS, the collection of accurate traffic information is necessary for planning, designing and maintaining highways; and

WHEREAS, in accordance with M.O. 2001-186, the Department entered into a contract to provide necessary traffic volume counts for calendar years 2002, 2003 and 2004; and

WHEREAS, in accordance with M.O. 2002-210, the Department entered into contracts to provide necessary turning movements and vehicle classification counts for calendar years 2003 and 2004; and

WHEREAS, work performed under these contracts has proven beneficial by supplementing in-house capabilities, allowing the Department's field personnel to perform other critical tasks.

NOW THEREFORE, the Director is authorized to solicit proposals from qualified firms and enter into contracts to provide necessary traffic volume counts, vehicle classifications counts and turning movement counts for the three calendar years 2005 through 2007.

2004-048

WHEREAS, Ark. Code Ann. §27-52-104 requires the Commission to adopt a manual and specifications for a uniform system of traffic control devices; and

WHEREAS, said statute further requires the uniform system to correlate with and where possible, conform to, the system as approved from time to time by the American Association of State Highway and Transportation Officials (AASHTO); and

WHEREAS, the Manual on Uniform Traffic Control Devices (MUTCD) is incorporated by reference in Title 23 Code of Federal Regulations (CFR), Part 655, Subpart F and is recognized as the national standard for all traffic control devices and the U. S. Secretary of Transportation, under authority granted by the Highway Safety Act of 1966, decreed that the traffic control devices on all streets and highways open to public travel in accordance with 23U.S.C. 109(d) and 402(a) in each State shall be in substantial conformance with the Standards issued or endorsed by FHWA; and

WHEREAS, the Federal Highway Administration, in cooperation with AASHTO and others, has administered the MUTCD since 1971.

2004-048 - Continued

NOW THEREFORE, BE IT RESOLVED that the latest edition of the Manual on Uniform Traffic Control Devices and all current and future updates, revisions or new editions thereof, approved by the Federal Highway Administration, is hereby approved and adopted as Commission policy.

2004-049 WHEREAS, Arkansas has the 12th largest highway system in the nation with 16,369 miles; and

WHEREAS, 80% of the total vehicle miles traveled and 96% of the heavy truck travel in Arkansas are on state highways; and

WHEREAS, Arkansas currently ranks 47th in the nation in the amount of revenue per mile received for highway improvements; and

WHEREAS, the Arkansas Primary Highway Network has been developed as a grid system that provides for interstate and regional movement, for linkages to population centers, for critical service, and for other high traffic routes; and

WHEREAS, the Arkansas Highway Commission has conducted regional public involvement sessions that included the presentation of the Arkansas Primary Highway Network; and

WHEREAS, the Arkansas Primary Highway Network accounts for approximately 50% of the state highway mileage and carries approximately 92% of all travel on the highway system.

NOW THEREFORE, the Arkansas Primary Highway Network is hereby adopted.

FURTHERMORE, the Arkansas Primary Highway Network should be revised periodically to address changing conditions.

2004-050 WHEREAS, IN POPE COUNTY on Hwy. 7 between I-40 and Dover, an Original Contract dated November 3, 2000, was awarded to Curtis Enterprises, Inc. for Job No. 080133, FAP No. STP-MGS-0058 (25), I-40-Dover (S), based on a low bid of \$12,951,722.42; and

2004-050 - Continued

WHEREAS, the Contractor and the Surety have agreed to a voluntary default of the Contract; and

WHEREAS, the Surety has stated its intent to pursue the completion of the remaining work in an expeditious manner; and

WHEREAS, it is in the best interest of the public and the Department to expedite the completion of the work:

NOW THEREFORE, IT IS ORDERED that the rights of Curtis Enterprises, Inc. to proceed on Job No. 080133 are hereby terminated, effective Wednesday, April 14, 2004, pursuant to the agreement entered into by and between Curtis Enterprises, Inc. and the Surety on the project. The Chief Engineer is authorized to arrange for completion of the Contract by the Surety in accordance with the plans and specifications and in compliance with the terms and conditions of the contract and bond. No Contract time will be assessed during the 60-day suspension period notwithstanding the prosecution of work.

2004-051

WHEREAS, the Lafayette County Judge has requested an exchange of a county road and a State Highway; and

WHEREAS, this proposed exchange would benefit both Lafayette County and the Department by improving vehicle traffic movement between Bradley and Doddridge.

NOW THEREFORE, IT IS ORDERED that upon receipt of the proper court order by the Lafayette County Judge and the official notification by the Chief Engineer, the following changes to the State Highway System are made as shown on the attached sketch.

1. State Highway 160, Section 1, from the junction of State Highway 360 to the junction of Lafayette County Road 50, a distance of 5.30 miles, is hereby removed from the State Highway System.

2004-051 - Continued

2. Lafayette County Road 50, from the junction of State Highway 160 to State Highway 360, a distance of approximately 5.10 miles, is hereby added to the State Highway System as a part of State Highway 160, Section 1.
3. State Highway 160, Section 1, from the junction of State Highway 360 to State Highway 160 in Gin City, a distance of approximately 1.90 miles, is hereby redesignated as a part of State Highway 360, Section 0.

2004-052

WHEREAS, IN MILLER COUNTY, in the City of Texarkana, the State Highway 245 extension between U. S. Highway 71 and Texas Highway 151 Loop is completed and open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following change is made to the State Highway System as shown on the attached sketch.

1. The new route as constructed shall be added to the State Highway System as part of Highway 245, Section 1.

2004-053

WHEREAS, IN ST. FRANCIS COUNTY, in the vicinity of Forrest City, the Highway 1 Bypass connecting to Highway 70 under Job 110335, Forrest City Bypass, is completed and open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes to the State Highway System, are hereby made, as shown on the attached sketch.

1. The new route as constructed by Job 110335 shall be added to the State Highway System as part of Highway 1, Section 11.
2. The old location of Highway 1, Section 11, as replaced by new construction, shall be redesignated Highway 1, Section 11 Business.

WHEREAS, IN WASHINGTON AND BENTON COUNTIES, the Mayor of Springdale has requested an exchange of two city streets and a State Highway; and

WHEREAS, the City of Springdale has adopted a resolution agreeing to the following conditions:

1. The City agrees to accept the entire section of State Highway 265, Section 2 Spur from U. S. Highway 412 to State Highway 265 as a city street.
2. The City will transfer to the Department the existing right-of-way for Old Missouri Road from State Highway 265 to Old Wire Road, and the existing right-of-way for Old Wire Road from Old Missouri Road to State Highway 264.
3. The City will provide the necessary easements and utility relocations required when the Department upgrades Old Wire Road and Old Missouri Road from State Highway 265 Spur to State Highway 264.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. State Highway 265, Section 2 Spur, from U. S. Highway 412 to State Highway 265, a distance of 2.33 miles, is hereby removed from the State Highway System.
2. Old Missouri Road from State Highway 265 to Old Wire Road, a distance of approximately 1.38 miles, and Old Wire Road from Old Missouri Road to the Washington County line, a distance of approximately 0.51 mile, are hereby added to the State Highway System as State Highway 265, Section 2.
3. Old Wire Road from the Washington County line to State Highway 264, a distance of approximately 1.04 miles, is hereby added to the State Highway System as State Highway 265, Section 3.

2004-054 - Continued

FURTHERMORE, if the northern alternative alignment of the Springdale Bypass is selected, then the State Highway 265 designation shall be extended north to the bypass if an interchange is constructed on Old Wire Road.

2004-055 WHEREAS, IN CLARK COUNTY, on Highway 53, Section 0, from Hollywood to Gurdon, a distance of approximately 12 miles, the need exists for minor widening, paved shoulders, and resurfacing.

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

2004-056 WHEREAS, the Policy Committee of the Jonesboro Area Transportation Study, the Metropolitan Planning Organization for the area, has passed a resolution in support of a feasibility study for the construction of a rail spur and team track transloading facility for the Jonesboro area; and

WHEREAS, the results of this study will be valuable for the development of rail service for local industries.

NOW THEREFORE, the Director is authorized to conduct the study in cooperation with the Jonesboro Area Transportation Study.

2004-057 WHEREAS, IN CRAWFORD COUNTY, at the intersection of Highway 64 and Highway 59, in the City of Van Buren, a feasibility study by the Department has determined that construction of left turn lanes and signalization of the intersection are warranted; and

WHEREAS, the City of Van Buren adopted Resolution Number 4-7-2003 agreeing to operate and maintain the signal and to assume maintenance of the portion of Highway 59 that follows 3rd, 4th, Webster, and Drennen Streets upon completion of such improvements.

2004-057 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this intersection as funds become available.

FURTHERMORE, IT IS ORDERED that ownership and maintenance of the portion of Highway 59 that follows 3rd, 4th, Webster, and Drennen Streets will become the responsibility of the City of Van Buren upon completion of the project. This change shall become effective upon notification by the Chief Engineer.

2004-058

IN MISSISSIPPI COUNTY, on Interstate 55, Section 12, from Highway 148 to the Missouri State Line, a distance of approximately 14.2 miles, the Director is authorized to proceed with a project for concrete pavement grinding and patching as funds become available.

2004-059

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Monroe	Brinkley	Pine St.	Union Pacific	Install Flashing Signals with Gates

2004-060

WHEREAS, IN MONTGOMERY COUNTY, on Highway 8, Section 2, the right descending bank of the Caddo River, just upstream of Bridge No. 1855, has begun to erode; and

2004-060 - Continued

WHEREAS, it has been determined that improvements are needed to avoid damage to the bridge and roadway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a stream restoration project at this location as funds become available.

2004-061 WHEREAS, IN PULASKI COUNTY, the City of North Little Rock has purchased the Union Pacific Railroad right-of-way from Washington Avenue to the north side of Highway 70 (Broadway) and plans to remove the railroad overpass at Highway 70; and

WHEREAS, the City has requested that, upon removal of the overpass, the Department raise the grade of Highway 70 in this vicinity to conform to the elevation of the surrounding area.

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

2004-062 WHEREAS, IN PULASKI COUNTY, studies of existing and projected traffic patterns through the Interstate 430/Interstate 630 interchange have indicated the need for operational improvements; and

WHEREAS, Congress has designated special funding for the development of improvements to the interchange.

NOW THEREFORE, the Director is authorized to solicit proposals and enter into any necessary agreements for consultants to provide any additional studies and conceptual design alternatives to improve traffic operations through the Interstate 430/Interstate 630 interchange.

2004-063 WHEREAS, Minute Order 2002-219 authorized the Department to share funding responsibilities with the Northwest Arkansas Regional Transportation Study at a 50/50 split to procure services for a travel demand model in the region; and

2004-063 - Continued

WHEREAS, a consultant team has been selected for the modeling activities and contract negotiations have begun; and

WHEREAS, the Northwest Arkansas Regional Planning Commission, the Metropolitan Planning Organization (MPO) for the area, does not have adequate funding for their portion of the contract; and

WHEREAS, Congestion Mitigation/Air Quality (CMAQ) funds have been provided to other MPOs for the development of travel demand models; and

WHEREAS, the addition of CMAQ funds will fully fund the MPO's portion of the travel demand model.

NOW THEREFORE, the Director is authorized to provide CMAQ funds to the MPO in an amount not to exceed \$80,000 and to be matched at an 80/20 ratio by the MPO for travel demand modeling activities.

2004-064

WHEREAS, Interstate Highway 40 and Interstate Highway 55 are presently routed over the Mississippi River bridges and are the only bridges between the States of Tennessee and Arkansas; and

WHEREAS, the Tennessee Department of Transportation and the Arkansas State Highway and Transportation Department maintain these bridges independently to their respective state lines.

NOW THEREFORE, the Director is authorized to proceed with plans and development of a project to install a video camera surveillance system to the state line on the Interstate Highway 40 and Interstate Highway 55 Mississippi River bridges.

2004-065

WHEREAS, bridge inspection in District 4 has revealed severe loss of paint on the bridge structure as shown below; and

WHEREAS, this bridge needs to be cleaned and painted to prevent structural loss due to rust.

2004-065 - Continued

NOW THEREFORE, the Director is authorized to proceed with plans and the implementation of a project to clean and paint this bridge as funds become available.

<u>COUNTY</u>	<u>RTE./SEC./L.M.</u>	<u>BRIDGE NO.</u>	<u>NAME</u>
FRANKLIN	23/6/12.04	A1210	ARKANSAS RIVER

2004-066 WHEREAS, the Equipment and Procurement Division at present has no on site area to conduct public bid openings, conferences with vendors, training, etc.; and

WHEREAS, conducting these work activities at varying locations is inconvenient to the general public and Division employees, as well as creating a potential security problem by granting unescorted groups of people access to the entire Central Headquarters Building; and

WHEREAS, it is in the Department's best interest to have an area within the Equipment and Procurement Division for bid opening, conferences, training, etc.

NOW THEREFORE, the Director is authorized to proceed with construction of such a facility as a building project as funds become available.

2004-067 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 14, 2004 letting,

<u>JOB NO.</u>	<u>DISTRICT</u>	<u>COUNTY</u>	<u>JOB NAME</u>	<u>ROUTE</u>
R10010	01	ST. FRANCIS & CRITTENDEN	HUGHES-HWY. 147 (OVERLAY) (S)	38
020047	02	JEFFERSON	WABBASEKA BAYOU BR. & APPRS. (S)	31
020359	02	DREW	HWY. 35-HWY. 278 (F)	---
020380	02	ARKANSAS & JEFFERSON	HWY. 31-STUTTGART (REHAB.) (SEL. SECS.) (S)	79B & 79
020409	02	CHICOT	FAIRVIEW-HWY. 160 (SEL. SECS.) (OVERLAY) (S)	65
030300	03	LAFAYETTE	HWY. 82/HWY. 29 SIGNAL (LEWISVILLE) (S)	82 & 29

2004-067 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030317	03	MILLER	HWY. 71 & HWY. 82 (TEXARKANA) (SEL. SECS.) (OVERLAY) (S)	71 & 82
040413	04	SEBASTIAN	HWY. 71/HWY. 45 NORTH SIGNAL (FORT SMITH) (S)	71 & 45
040432	04	POLK	HATFIELD-MENA (OVERLAY) (S)	71
050152	05	FULTON	MISSOURI ST. LINE-SHARP CO. LINE (SEL. SECS.) (OVERLAY) (S)	63
060938	06	HOT SPRING	OUACHITA RIVER STR. & APPRS. (MALVERN) (S)	---
061139	06	LONOKE	HWY. 70-I-40 (OVERLAY) (S)	15
061140	06	PRAIRIE	BAYOU DES ARC-NORTH (OVERLAY) (S)	11
070243	07	UNION	BEAR CREEK STR. & APPRS. (S)	160
080254	08	POPE	MATHIS HOLLOW CREEK STR. & APPRS. (S)	27
080279	08	POPE	WEST CITY LIMITS ATKINS-CONWAY CO. LINE (OVERLAY) (S)	64
R90096	09	MARION	HWY. 178-EAST & WEST (FLIPPIN) (F)	62
090191	09	BOONE	HWY. 65B SOUTH-HWY. 65B NORTH (OVERLAY) (S)	65
100208	10	CRAIGHEAD	HWY. 163 STR. & APPRS. (APT) (S)	163
100564	10	GREENE	HWY. 412-HWY. 49 (S)	49Y
100603	10	MISSISSIPPI	HWY. 18-NORTH (OVERLAY) (S)	151 & 181
FA2416	04	FRANKLIN	PHILPOT RD.-HWY. 352 (RECONST.) (S)	---
SA2440	04	FRANKLIN	HWY. 217-NORTH (BASE & SURFACING) (S)	---
BR3005	06	HOT SPRING	BRUSHY CREEK STRS. & APPRS. (S)	---
SA3254	05	INDEPENDENCE	DATA CREEK-NORTHEAST (BASE & SURFACING) (S)	---
SA3632	08	JOHNSON	HWY. 103-EAST (BASE & SURFACING) (S)	---
SA4535	09	MARION	MARION COUNTY OVERLAY & STRIPING (S)	---
SA4633	03	MILLER	MILLER COUNTY SURFACING (S)	---
SA6723	05	SHARP	SHARP CO. RESEAL NO. 2 (SEL. SEC.) (S)	---
SA7357	05	WHITE	CO. RD. 184 (BASE & SURFACING) (S)	---
SA7626	04 & 08	FRANKLIN & JOHNSON	JOHNSON CO.RD.1-HWY. 64 (RECONSTRUCTED BASE & SURFACING) (S)	---

2004-067 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

2004-068

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., April 14, 2004.

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 April 14, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 26, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 26, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2004-069 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 26, 2004.

2004-070 WHEREAS, the Purchasing Committee has awarded purchases on April 16 and 26, 2004, and May 7 and 12, 2004, in the amounts of \$83,632.00, \$204,704.50, \$255,535.00, and \$369,906.00 respectively, totaling \$913,777.50, 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.

2004-071 WHEREAS, many of the operations of the Department are accomplished using electronic data and telecommunications; and

WHEREAS, use of such data processing equipment greatly improves the efficiency and operation of the Department; and

WHEREAS, a constant effort is made to improve and expand existing automated systems and to develop new systems based on proven technology; and

2004-071 - Continued

WHEREAS, to support these Department efforts additional and replacement computer hardware, software, networking devices, electronic data storage devices, staff training, and other related products and services are necessary.

NOW THEREFORE, the Director is authorized to proceed with the purchase of the necessary electronic data processing and telecommunications equipment and support services for this program as funds become available.

2004-072

WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2004, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2004 in the amount of \$1,250.00.

2004-073

WHEREAS, the mission of the Intelligent Transportation Society of America (ITS America) is to foster public/private partnerships to increase the safety and efficiency of surface transportation through the application of advanced technologies; and

WHEREAS, the successful deployment of intelligent transportation systems - comprised of a number of technologies including information processing, communications, control, and electronics - will enable people and goods to move more safely and efficiently through a state-of-the-art, intermodal transportation system; and

WHEREAS, the Arkansas State Highway and Transportation Department benefits from its membership in ITS America through the receipt of valuable technical and management information regarding the development and deployment of intelligent transportation systems in the United States.

2004-073 - Continued

NOW THEREFORE, the Director is authorized to renew the Department's membership with ITS America for Fiscal Year 2005.

2004-074

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the AASHTOWare products.

2004-075

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the *SPR Work Program and Cost Estimate* for Fiscal Year 2005 and enter into any necessary contracts and agreements.

2004-076

WHEREAS, the Federal Highway Administration (FHWA) provided the Department with \$100,000 to perform research that will provide data to support a programmatic biological assessment of impacts to the federally endangered fat pocketbook mussel resulting from highway construction and maintenance projects; and

2004-076 - Continued

WHEREAS, the successful implementation of a programmatic biological assessment procedure would significantly streamline the environmental handling for projects involving this endangered species; and

WHEREAS, data acquired from this research would also supplement future petitions from the U. S. Fish and Wildlife Service to down-list the species to threatened status or to remove the species from protected status; and

WHEREAS, the Department requested proposals to perform this research and received one proposal, that being from Arkansas State University; and

WHEREAS, a technical review team composed of representatives from the Department, the FHWA, the U. S. Fish and Wildlife Service and the Arkansas Game and Fish Commission has reviewed the proposal and determined it to be sufficient to support the programmatic biological assessment and that the \$175,000 estimate is reasonable for the proposed work.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with Arkansas State University to conduct the research and to provide State funds in the amount of \$75,000 to supplement the Federal funding for this cooperative research project.

2004-077

WHEREAS, Minute Order 78-492, authorized the Director to implement projects to install signs, including crossbuck signs, track number signs, and railroad identification number signs at various highway-rail grade crossings in the state, subject to the availability of federal-aid funds and with the approval of the Federal Highway Administration ("FHWA"); and

WHEREAS, the Department entered into an Agreement of Understanding, dated February 14, 1980, with the St. Louis Southwestern Railway Company, providing for a statewide project to install signs at various crossings on the Railroad's right of way in the state; and

WHEREAS, the project was reflected in a document entitled, Plan of Proposed Railroad Crossing Signs (S.L.S.W.) Statewide, Job 1513, attached hereto as Exhibit A and incorporated herein by reference (the "Plan"), containing an inventory of crossings in the state identified by county, identification number, mile post number, and location, and further indicating the crossbuck signs, posts, track number signs, and identification plates to be installed at the crossings; and

WHEREAS, the FHWA approved the plans, specifications, and estimates for Job 1513; and

WHEREAS, the Department and the FHWA executed Federal-Aid Project Agreements with regard to Job 1513 obligating federal-aid funds to pay for ninety percent (90%) of the total estimated cost of the project; and

WHEREAS, a Final Construction Inspection Report (Final Report) indicated that a final inspection of the project took place by representatives of the Department and the FHWA and that all work had been completed in compliance with specifications; and

WHEREAS, the Department submitted to the FHWA a document entitled Final Inspection and Acceptance of Federal-Aid Project Constructed Under Secondary Road Plan stating that the project had been completed as programmed and in apparent conformity with the procedures and standards contained in the State's Secondary Road Plan Agreement; and

WHEREAS, the State received federal-aid funds from the FHWA for completion of the project; and

WHEREAS, to eliminate uncertainty with regard to the completion of Job 1513 and the application of federal-aid funds for payment of the project;

NOW THEREFORE, IT IS ORDERED that the following findings with regard to Job 1513 are hereby adopted and approved:

1. Federal-aid funds participated in the installation of signs and posts at the highway-rail grade crossings listed in the Plan inventory for Job 1513 for which the installation of signs and posts was indicated in the Plan.
2. No record exists to indicate that any particular crossing listed in the Plan inventory for Job 1513 for which the installation of crossbuck signs or posts was indicated in the Plan, failed to receive the installation of either a sign or post.
3. The completion of the project in accordance with specifications and the payment to the State of the federal-aid portion of the total actual cost of the project, was approved by the FHWA.

2004-078

WHEREAS, Minute Order 78-492, authorized the Director to implement projects to install signs, including crossbuck signs, track number signs, and railroad identification number signs at various highway-rail grade crossings in the state, subject to the availability of federal-aid funds and with the approval of the Federal Highway Administration ("FHWA"); and

WHEREAS, the Department entered into an Agreement of Understanding, dated October 22, 1979, with the St. Louis-San Francisco Railway Company, providing for a statewide project to install signs at various crossings on the Railroad's right of way in the state; and

WHEREAS, the project was reflected in a document entitled, Plan of Proposed Railroad Crossing Signs (S.L.S.F.) Statewide, Job 1515, attached hereto as Exhibit A and incorporated herein by reference (the "Plan"), containing an inventory of crossings in the state identified by county, identification number, mile post number, and location, and further indicating the crossbuck signs, posts, track number signs, and identification plates to be installed at the crossings; and

WHEREAS, the FHWA approved the plans, specifications, and estimates for Job 1515; and

WHEREAS, the Department and the FHWA executed Federal-Aid Project Agreements with regard to Job 1515 obligating federal-aid funds to pay for ninety percent (90%) of the total estimated cost of the project; and

WHEREAS, a Final Construction Inspection Report (Final Report) indicated that a final inspection of the project took place by representatives of the Department and the FHWA and that all work had been completed in compliance with specifications; and

WHEREAS, the Department submitted to the FHWA a document entitled Final Inspection and Acceptance of Federal-Aid Project Constructed Under Secondary Road Plan stating that the project had been completed as programmed and in apparent conformity with the procedures and standards contained in the State's Secondary Road Plan Agreement; and

WHEREAS, the State received federal-aid funds from the FHWA for completion of the project; and

WHEREAS, to eliminate uncertainty with regard to the completion of Job 1515 and the application of federal-aid funds for payment of the project;

NOW THEREFORE, IT IS ORDERED that the following findings with regard to Job 1515 are hereby adopted and approved:

1. Federal-aid funds participated in the installation of signs and posts at the highway-rail grade crossings listed in the Plan inventory for Job 1515 for which the installation of signs and posts was indicated in the Plan.
2. No record exists to indicate that any particular crossing listed in the Plan inventory for Job 1515 for which the installation of crossbuck signs or posts was indicated in the Plan, failed to receive the installation of either a sign or post.

3. The completion of the project in accordance with specifications and the payment to the State of the federal-aid portion of the total actual cost of the project, was approved by the FHWA.

2004-079

WHEREAS, Minute Order 78-492, authorized the Director to implement projects to install signs, including crossbuck signs, track number signs, and railroad identification number signs at various highway-rail grade crossings in the state, subject to the availability of federal-aid funds and with the approval of the Federal Highway Administration ("FHWA"); and

WHEREAS, the Department entered into an Agreement of Understanding, dated January 2, 1980, with the Missouri Pacific Railroad Company, providing for a statewide project to install signs at various crossings on the Railroad's right of way in the state; and

WHEREAS, the project was reflected in a document entitled, Plan of Proposed Railroad Crossing Signs (Mo. Pac.) Statewide Job 1516, attached hereto as Exhibit A and incorporated herein by reference (the "Plan"), containing an inventory of crossings in the state identified by county, identification number, mile post number, and location, and further indicating the crossbuck signs, posts, track number signs, and identification plates to be installed at the crossings; and

WHEREAS, the FHWA approved the plans, specifications, and estimates for Job 1516; and

WHEREAS, the Department and the FHWA executed Federal-Aid Project Agreements with regard to Job 1516 obligating federal-aid funds to pay for ninety percent (90%) of the total estimated cost of the project; and

WHEREAS, a Final Construction Inspection Report (Final Report) indicated that a final inspection of the project took place by representatives of the Department and the FHWA and that all work had been completed in compliance with specifications; and

WHEREAS, the Department submitted to the FHWA a document entitled Final Inspection and Acceptance of Federal-Aid Project Constructed Under Secondary Road Plan stating that the project had been completed as programmed and in apparent conformity with the procedures and standards contained in the State's Secondary Road Plan Agreement; and

WHEREAS, the State received federal-aid funds from the FHWA for completion of the project; and

WHEREAS, to eliminate uncertainty with regard to the completion of Job 1516 and the application of federal-aid funds for payment of the project;

NOW THEREFORE, IT IS ORDERED that the following findings with regard to Job 1516 are hereby adopted and approved:

1. Federal-aid funds participated in the installation of signs and posts at the highway-rail grade crossings listed in the Plan inventory for Job 1516 for which the installation of signs and posts was indicated in the Plan.
2. No record exists to indicate that any particular crossing listed in the Plan inventory for Job 1516 for which the installation of crossbuck signs or posts was indicated in the Plan, failed to receive the installation of either a sign or post.
3. The completion of the project in accordance with specifications and the payment to the State of the federal-aid portion of the total actual cost of the project, was approved by the FHWA.

WHEREAS, Minute Order 78-492, authorized the Director to implement projects to install signs, including crossbuck signs, track number signs, and railroad identification number signs at various highway-rail grade crossings in the state, subject to the availability of federal-aid funds and with the approval of the Federal Highway Administration ("FHWA"); and

WHEREAS, the Department entered into an Agreement of Understanding, dated May 1, 1979, with The Kansas City Southern Railway Company, providing for a statewide project to install signs at various crossings on the Railroad's right of way in the state; and

WHEREAS, the project was reflected in a document entitled, Plan of Proposed Railroad Crossing Signs (K.C.S.) Statewide, Job 1517, attached hereto as Exhibit A and incorporated herein by reference (the "Plan"), containing an inventory of crossings in the state identified by county, identification number, mile post number, and location, and further indicating the crossbuck signs, posts, track number signs, and identification plates to be installed at the crossings; and

WHEREAS, the FHWA approved the plans, specifications, and estimates for Job 1517; and

WHEREAS, the Department and the FHWA executed Federal-Aid Project Agreements with regard to Job 1517 obligating federal-aid funds to pay for ninety percent (90%) of the total estimated cost of the project; and

WHEREAS, a Final Construction Inspection Report (Final Report) indicated that a final inspection of the project took place by representatives of the Department and the FHWA and that all work had been completed in compliance with specifications; and

WHEREAS, the Department submitted to the FHWA a document entitled Final Inspection and Acceptance of Federal-Aid Project Constructed Under Secondary Road Plan stating that the project had been completed as programmed and in apparent conformity with the procedures and standards contained in the State's Secondary Road Plan Agreement; and

WHEREAS, the State received federal-aid funds from the FHWA for completion of the project; and

WHEREAS, to eliminate uncertainty with regard to the completion of Job 1517 and the application of federal-aid funds for payment of the project;

NOW THEREFORE, IT IS ORDERED that the following findings with regard to Job 1517 are hereby adopted and approved:

1. Federal-aid funds participated in the installation of signs and posts at the highway-rail grade crossings listed in the Plan inventory for Job 1517 for which the installation of signs and posts was indicated in the Plan.
2. No record exists to indicate that any particular crossing listed in the Plan inventory for Job 1517 for which the installation of crossbuck signs or posts was indicated in the Plan, failed to receive the installation of either a sign or post.
3. The completion of the project in accordance with specifications and the payment to the State of the federal-aid portion of the total actual cost of the project, was approved by the FHWA.

2004-081

WHEREAS, local officials in Conway have requested that the Department conduct a study of locations for additional access to Interstate 40.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of additional access in the vicinity of Conway based on the *Procedures for New or Revised Freeway Access in Arkansas* and a review of previously published studies and programmed projects.

2004-082

WHEREAS, the Clarksville City Council has requested that the Department conduct a study of Highway 103 to identify the appropriate measures that should be taken to alleviate traffic congestion and enhance safety on different sections of Highway 103 in the City.

NOW THEREFORE, the Director is authorized to conduct a traffic and safety study of Highway 103 in Clarksville.

2004-083

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing/upgrading active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Marion	Flippin	Third Street and Highway 178	Missouri & Northern Arkansas	Install/Upgrade Flashing Signals with Gates

2004-084

WHEREAS, the control of access regulation for the Maumelle Corridor was originally adopted in 1981; and

WHEREAS, the Arkansas State Highway Commission adopted this regulation in 1987 after taking Maumelle Boulevard into the state highway system as State Highway 100; and

WHEREAS, this regulation is separate and not a part of the Department's policy for purchasing access control; and

WHEREAS, the Board of Directors of the City of Maumelle has approved Resolution No. 2004-26 for a preliminary development plan that includes a street named Olympia Drive intersecting Highway 100 at a location which is less than a half mile from the nearest existing intersection as required by the Commission in Minute Order 87-271; and

WHEREAS, the median would remain intact and only right turns would be allowed at the proposed intersection; and

WHEREAS, the proposed street would serve a commercial subdivision and the Maumelle Industrial Park; and

2004-084 - Continued

WHEREAS, the proposed street meets all other requirements.

NOW THEREFORE, the Commission does hereby waive the requirement for half mile spacing of intersecting streets for Olympia Drive and authorizes the Director to issue a permit for its intersection with Highway 100.

This action is contingent upon the City of Maumelle's Master Street Plan being updated to include Olympia Drive as a collector street.

2004-085

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 26, 2004 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110390	01	ST. FRANCIS	ST. FRANCIS RIVER CUT OFF STR. & APPRS. (S)	50
110452	01	MONROE	HWY. 79-SOUTH (SEL. SECS.) (OVERLAY) (S)	49
020318	02	GRANT	ICO-SOUTH (S)	167
020411	02	ASHLEY	SNYDER EAST & WEST & MONTROSE EAST & WEST (OVERLAY) (S)	82
030056	03	HEMPSTEAD & HOWARD	HWY. 355-COLUMBUS (S)	73
030319	03	LAFAYETTE	LEWISVILLE-COLUMBIA CO. LINE (SEL. SECS.) (OVERLAY) (S)	82
040434	04	SCOTT	HWY. 71B-EAST (OVERLAY) (S)	80
050013	05	JACKSON	DRAINAGE DITCH NO. 10 STR. & APPRS. (TUCKERMAN) (S)	67
050154	05	WHITE	FAULKNER CO. LINE-EAST (SEL. SECS.) (OVERLAY) (S)	64
050155	05	INDEPENDENCE	RAMSEY HILL-WHITE RIVER BRIDGE (OVERLAY) (S)	167
R60032	06	GARLAND	HEMPWALLACE-HWY. 192 (S)	70
061145	06	PRAIRIE	I-40-HWY. 70 (SEL. SECS.) (OVERLAY) (S)	63
070177	07	COLUMBIA	N. DUDNEY RD.-N. FREDRICK ST. (E. NORTH ST.-MAGNOLIA) (S)	---
070264	07	UNION	STRONG-OUACHITA RIVER (SEL. SECS.) (OVERLAY) (S)	82

2004-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
080211	08	FAULKNER	HWY. 65B INTERCHANGE (CONWAY) (S)	40 & 65B
080280	08	VAN BUREN	SEARCY CO. LINE-SOUTH (OVERLAY) (S)	65
090193	09	BENTON	GRAVETTE-EAST (OVERLAY) (S)	72
100582	10	MISSISSIPPI	HWY. 61/MOULTRIE DR. SIGNAL UPGRADE (BLYTHEVILLE) (S)	61
100604	10	POINSETT & MISSISSIPPI	HWY. 198-HWY. 77 SOUTH (OVERLAY) (S)	140
SA0341	09	BAXTER	HWY. 62-NORTH (OVERLAY) (S)	---
SA0637	07	BRADLEY	BRADLEY COUNTY OVERLAY NO. 2 (S)	---
SA0837	09	CARROLL	CO. RD. 343-BOONE CO. LINE (OVERLAY) (S)	---
SA0932	02	CHICOT	CO. RD. 8-HWY. 8 (OVERLAY) (S)	---
BR1416	07	COLUMBIA	BIG CREEK STR. & APPRS. NO. 2 (S)	---
SA1433	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 10 (S)	---
SA1647	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING #20 (SEL. SEC.) (S)	---
SA1928	01	CROSS	HWY. 75-EAST (REPAIR & OVERLAY) (S)	---
SA2535	05	FULTON	HWY. 289-SOUTHWEST (BASE & SURFACING) (S)	---
SA2651	06	GARLAND	MONTGOMERY COUNTY LINE-HWY. 270 (RESEAL) (S)	---
SA2652	06	GARLAND	HWY. 290-FISH HATCHERY (OVERLAY) (S)	---
SA3128	03	HOWARD	HWY. 84-SOUTH (SURFACING) (S)	---
FA3808	10	LAWRENCE	COOPER CREEK-WEST RECONSTRUCTION (S)	---
SA4127	03	LITTLE RIVER	HWY. 32-OKLAHOMA STATE LINE (OVERLAY) (S)	---
SA4333	06	LONOKE	LONOKE COUNTY BASE & SURFACING NO. 2 (S)	---
SA4634	03	MILLER	MILLER COUNTY RESEAL NO. 13 (S)	---
SA4924	08	MONTGOMERY	MONTGOMERY COUNTY SURFACING NO. 2 (S)	---
SA5438	01	PHILLIPS	PHILLIPS CO. SURFACING NO.5 (S)	---
SA5632	10	POINSETT	CO. RD. 426-SOUTH (OVERLAY) (S)	---
SA5724	04	POLK	POLK COUNTY RESEAL NO. 10 (S)	---
SA5725	04	POLK	HWY. 8-CO. RD. 648 (OVERLAY) (S)	---

2004-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA5846	08	POPE	POPE COUNTY SURFACING NO. 14 (S)	---
SA5932	06	PRAIRIE	DES ARC CITY LIMITS-SOUTH & WEST (SURFACING) (S)	---
SA6038	06	PULASKI	PULASKI COUNTY SURFACING NO. 5 (S)	---
SA6431	09	SEARCY	SEARCY COUNTY OVERLAY NO. 8 (S)	---
SA6540	04	SEBASTIAN	HWY. 96-EAST (OVERLAY) (S)	---
SA7358	05	WHITE	CO. RD. 127-NORTH (BASE & SURFACING) (S)	---
SA7429	01	WOODRUFF	WOODRUFF COUNTY BASE, SURFACING & RESEAL (S)	---
SA7523	08	YELL	HWY. 155-HWY. 22 (ADD'L. BASE & SURF.) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl S. Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed 4-0 to approve the Fiscal Year 2004-2005 Departmental Budget as recommended by the Department Staff. (Chairman Buddy Benafield was absent during the vote.)

2004-086

WHEREAS, Act 462 of 1987 requires that all state agencies have a smoking policy for their general office space; and

WHEREAS, the Commission has an established smoking policy which considers the rights of both non-smokers and smokers; and

WHEREAS, a Governor's Policy Directive was issued May 18, 2004, prohibiting the smoking of tobacco within 25 feet of any entrance to any building owned or leased by the State of Arkansas; and

WHEREAS, the Commission believes that certain changes to the current policy are necessary and appropriate.

NOW THEREFORE, the Director is instructed to publish and implement the attached revised Arkansas State Highway and Transportation Department Smoking Policy.

FURTHERMORE, as a result of the Governor's Policy Directive, the Director is also instructed to study the feasibility of imposing a smoking ban on all Department property.

2004-087

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., May 26, 2004.

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 May 26, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 7, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 7, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2004-088 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 9:30 a.m., July 7, 2004.

2004-089 WHEREAS, the Purchasing Committee has awarded purchases on May 28, 2004, in the amount of \$48,950.66, 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.

2004-090 WHEREAS, the collection of accurate pavement distress data is necessary to determine the current and projected pavement preservation needs of the State Highway System and to determine the most efficient investment of funds for pavement improvements; and

WHEREAS, there is a need to supplement current data collection efforts to effectively evaluate the condition of the State Highway System, particularly the Arkansas Primary Highway Network; and

WHEREAS, this supplemental data collection would also include the provision of high-resolution right of way video for the Department's Multi-Media Highway Information System; and

2004-090 - Continued

WHEREAS, contract services are available to provide the needed pavement management information.

NOW THEREFORE, the Director is authorized solicit proposals and to enter into contracts and agreements as necessary for the provision of needed pavement management information.

2004-091

WHEREAS, the mission of the Arkansas State Highway and Transportation Department is to provide a safe, efficient, aesthetically pleasing and environmentally sound Intermodal transportation system for the user; and

WHEREAS, the Department has an established wildflower program to provide for the establishment, proliferation and maintenance of wildflowers and native plants on highway rights or way; and

WHEREAS, the Department's wildflower program and wildflower projects have been recognized by Keep Arkansas Beautiful awards for Beautification and Community Development; and

WHEREAS, the Department's brochure and poster *Wildflowers of the Arkansas Roadways* has been immensely popular with more than 70,000 copies distributed; and

WHEREAS, the supply has been depleted and there is a continued demand for the brochure and poster; and

WHEREAS, reprinting the brochure and poster is eligible for Federal-aid Transportation Enhancement funds.

NOW THEREFORE, the Director is authorized to reprint and distribute brochures and posters promoting the Department's wildflower program.

2004-092

WHEREAS, the Arkansas Highway and Transportation Department spends over \$3 million annually to remove litter from State Highways; and

2004-092 - Continued

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Department's previous contributions to the Keep Arkansas Beautiful Foundation have been helpful in continuing the Great Arkansas Cleanup.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 this year to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

2004-093

WHEREAS, the Arkansas Purple Heart Trail Committee of the Military Order of the Purple Heart (MOPH) has requested that Interstate 430 from Interstate 30 to Interstate 40 in Pulaski County be designated a part of the National Purple Heart Trail; and

WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice made by MOPH members; and

WHEREAS, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage,

NOW THEREFORE, the Highway Commission hereby designates Interstate 430 from interstate 30 to Interstate 40 in Pulaski County as the "Purple Heart Highway", a part of the "National Purple Heart Trail."

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2004-094

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

2004-094 - Continued

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2004-095

WHEREAS, IN DESHA COUNTY, in the City of Arkansas City, Highway 4 is routed in three directions at the intersection of Queen Avenue and Sprague Avenue; and

WHEREAS, the redesignation of a portion of Highway 4 will provide improved route designation clarity for vehicle movement.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following change is hereby made to the State Highway System as shown on the attached sketch.

1. Highway 4, Section 17, that runs from the intersection of Highway 4, Section 17 and 18, south to Adams Avenue, then east to Desoto Levee Drive shall be redesignated in the State Highway System as Highway 4, Section 17 Spur.

2004-096

WHEREAS, IN LAWRENCE COUNTY, construction of the Walnut Ridge/Hoxie Bypass is complete.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes to the State Highway System are hereby made as shown on the attached sketch.

1. That the portion of Highway 67, Section 16, from the junction of Highway 63 to the junction of Highway 412 is to be redesignated as Highway 67, Section 16B.

2004-096 - Continued

2. That the portion of highway constructed on new location is to be added as Highway 67, Section 17.
3. That the portion of Highway 67, Section 17, from the junction of Highway 67 to the junction of Highway 34, is to be redesignated as Highway 67, Section 17Y.

2004-097

WHEREAS, IN POPE COUNTY, expansion and growth at Arkansas Tech University have led the University to request changes to the Institutional Drive System maintained by the Department; and

WHEREAS, these drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, drives totaling approximately 3.66 miles, as shown on the attached sketch are hereby to be maintained by the Department as State Highway 872, Section 1.

2004-098

WHEREAS, Minute Order 2000-134 authorized a study of Highway 167 from Batesville to Cave City to determine the appropriate scope of improvements needed on the route; and

WHEREAS, the study titled *Highway 167 Improvements Batesville to Cave City* has been completed and the analysis has determined that improvements are needed to increase capacity, improve traffic operations and enhance safety on Highway 167.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2004-099

WHEREAS, Minute Order 2002-098 authorized a study of the Little Rock National Airport to determine possible air cargo facilities, landside access improvements, and existing and potential air cargo shipments that might involve additional intermodal activities; and

WHEREAS, the purpose of the study was to provide air cargo data for use in developing the new master plan for the Little Rock National Airport; and

WHEREAS, the *Little Rock National Airport Air Cargo Study* examined current air cargo operations, investigated possible roadway access improvements and identified air cargo issues and opportunities.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2004-100

WHEREAS, the Secretary of Transportation has designated the Great River Road as a National Scenic Byway; and

WHEREAS, the Department has received Federal-aid funds for the National Scenic Byways Program for “America’s Byways” signs to be installed along the length of the Great River Road; and

WHEREAS, Department forces will fabricate and install the signs.

NOW THEREFORE, the Director is authorized to proceed with implementation of the project.

2004-101

WHEREAS, IN CARROLL COUNTY, it has been requested that a study be conducted to determine improvements necessary to alleviate traffic congestion and enhance safety on a three-mile section of Highway 62 west of Eureka Springs.

NOW THEREFORE, the Director is authorized to conduct a traffic and safety study of Highway 62 west of Eureka Springs.

2004-102 WHEREAS, Texarkana community leaders recognize the importance of a coordinated, efficient and cost-effective freight transportation system for job retention and job creation and for the expansion of the existing industrial base; and

 WHEREAS, the City of Texarkana, Arkansas and the Texarkana, Texas/Arkansas Chamber of Commerce have requested the Department to conduct freight studies for the Texarkana regional area.

 NOW THEREFORE, the Director is authorized to conduct studies to determine the potential for intermodal transportation and for enhanced freight storage and distribution capabilities for the Texarkana regional area.

2004-103 WHEREAS, IN PULASKI COUNTY, selected ramps at the interchange of Interstate 40 and Interstate 440 have experienced deterioration and are in need of rehabilitation.

 NOW THEREFORE, the Director is authorized to proceed with plans and development of a project to rehabilitate selected ramps of the Interstate 40/Interstate 440 interchange as funds become available.

2004-104 WHEREAS, IN VAN BUREN COUNTY, on Highway 65, Section 8, from the southern Highway 65B intersection to Highway 336 in the City of Clinton, a distance of approximately 2.14 miles, current traffic volumes warrant widening of the roadway.

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

2004-105 WHEREAS, IN WHITE COUNTY, on Highway 87, Section 0, at Gum Springs Creek, in the City of Higginson, it has been determined that improvements to existing drainage conditions are needed to reduce the potential for flooding; and

 WHEREAS, Department staff has recommended that existing drainage structures be replaced with box culverts and that channel improvements be made to improve drainage at this location.

2004-105 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project for drainage improvements along Highway 87 as funds become available.

2004-106 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 7, 2004 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110401	01	CRITTENDEN	I-55/HWY. 63 INTCHNG. IMPVTS. (F)	55 & 63
020325	02	ARKANSAS	HWY. 165 BYPASS (STUTTART) (S)	165
030174	03	MILLER	HWY. 245-NORTH (S)	71
030300	03	LAFAYETTE	HWY. 82/HWY. 29 SIGNAL (LEWISVILLE) (S)	82 & 29
040398	04	POLK	OKLAHOMA STATE LINE-HWY. 272 (S)	270
061082	06	SALINE	MOCCASIN CREEK STR. & APPRS. (S)	5
061108	06	GARLAND	HWY. 270B/HAMMOND DR. SIGNAL (HOT SPRINGS) (S)	270B
070249	07	UNION	HWY. 7B IMPROVEMENTS (SMACKOVER) (S)	7B
080270	08	FAULKNER	HWY. 65/ACKLIN GAP RD. SIGNAL & INTERS. IMPVTS. (FAULKNER CO.) (S)	65
090002	09	BOONE	BURLINGTON-BEAR CREEK SPRINGS (GR. & STRS.) (F)	65
100589	10	CRAIGHEAD	HWY. 141 SOUTH STR. REPLACEMENT (JONESBORO) (S)	141
001985	VAR	VARIOUS	CONTINUOUS SHOULDER/CENTERLINE RUMBLE STRIPS (SEL. SECS.) (STATEWIDE) (S)	VAR
SA0234	02	ASHLEY	HWY. 82-CO. RD. 135 (SURFACING) (S)	---
SA0342	09	BAXTER	HWY. 201-HWY. 5 (OVERLAY) (S)	---
SA0430	09	BENTON	HWY. 412-WASHINGTON CO. LINE NO. 2 (RESEAL) (S)	---
SA0431	09	BENTON	HWY. 412-HWY. 12 (OVERLAY) (S)	---
SA0541	09	BOONE	BOONE COUNTY OVERLAY NO. 1 (S)	---
SA1756	04	CRAWFORD	HWY. 348-CO. RD. 371 (OVERLAY) (S)	---
SA2026	07	DALLAS	HWY. 9-NORTHWEST (BASE & SURFACING) (S)	---
SA2934	03	HEMPSTEAD	CO. RDS. 217 & 23 OVERLAY (SEL. SEC.) (S)	---
SA3532	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 13 (S)	---

2004-106 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA3633	08	JOHNSON	JOHNSON COUNTY BASE & SURFACING NO. 7 (S)	---
SA3722	03	LAFAYETTE	LAFAYETTE COUNTY RESEAL NO. 2 (S)	---
BR4609	03	MILLER	MILL CREEK STR. & APPRS. NO. 2 (S)	---
SA4823	01	MONROE	CO. RD. 223-HWY. 79 (OVERLAY) (S)	---
SA6127	10	RANDOLPH	RANDOLPH COUNTY OVERLAY NO. 4 (S)	---
SA6850	01	ST. FRANCIS	CO. RD. 19 (SF361)-EAST (SURFACING) (S)	---
SA6922	05	STONE	STONE CO. BASE, SURFACING AND RESEAL (S)	---
SA7031	07	UNION	CO. RD. 71-HWY. 7 (SURFACING) (S)	---
SA7263	04	WASHINGTON	CO. RD. 32-CO. RD. 57 (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl S. Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed unanimously to authorize the staff to advertise for an auction service to coordinate the AHTD Equipment Auction sometime at the end of October.

2004-107

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., July 7, 2004.

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 July 7, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 18, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 18, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member

2004-108 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 18, 2004.

2004-109 WHEREAS, the Purchasing Committee has awarded purchases on July 19 and 29, 2004, and August 9, 2004, in the amounts of \$137,119.27, \$235,414.00, and \$31,637.07 respectively, totaling \$404,170.34, 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.

2004-110 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

2004-110 - Continued

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2005.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2005 in the amount of \$6,000.00.

2004-111 WHEREAS, the State of Arkansas currently has seven State Scenic Byways, two National Scenic Byways, and six U. S. Forest Service Scenic Byways; and

WHEREAS, there is currently no single source of information regarding these byways; and

WHEREAS, the Department has received Federal-aid funds from the National Scenic Byways Program to produce a brochure that will provide essential traveler information regarding the Scenic Byways.

NOW THEREFORE, the Director is authorized to obtain a marketing consultant to develop and print a Scenic Byways brochure.

2004-112 WHEREAS, the Department, in conjunction with the Mack-Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville, has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the MBTC to conduct the following studies:

2004-112 - Continued

- Assisted Night Vision for Motorists in Highway Construction Zones: Phase II (Field Testing and Assessment)
- Automated Inventory and Analysis of Highway Assets
- Surface Friction Measurements of Fine-Graded Asphalt Mixtures
- Roadway Median Treatments

2004-113

WHEREAS, the Department has actively participated in the first two phases of the Latin American Trade and Transportation Study (LATTS); and

WHEREAS, the second phase of LATTS is nearing completion; and

WHEREAS, the LATTS International Trade and Transportation Institute (Institute) has been established by the Southeastern Association of State Highway and Transportation Officials' Board of Directors as a resource on issues regarding the implication of international trade and increasing freight transportation demands; and

WHEREAS, the mission of the LATTS Institute is to provide LATTS Alliance States with policy insight, analysis, professional capacity building and guidance on transportation aspects of international trade and freight movement; and

WHEREAS, potential benefits to Arkansas include assistance in developing the State's major freight corridors and freight handling centers to effectively handle international trade, identification of methods to increase trade with Latin American Countries and assistance in developing freight transportation initiatives.

NOW THEREFORE, the Director is authorized to enter into agreements with the LATTS Institute, including obligation of Federal funds to participate in this program along with the other LATTS Alliance States.

2004-114

WHEREAS, in accordance with the National Environmental Policy Act and other State and Federal environmental laws and regulations, the Department is required to ensure that recommended projects appropriately address social, economic and environmental impacts; and

WHEREAS, it is necessary to provide timely environmental clearance of projects in order to proceed with design and construction; and

WHEREAS, consultants are available to supplement Department staff in the conduct of time-sensitive studies for various stages of the environmental process.

NOW THEREFORE, the Director is authorized to request proposals, select consulting firms, and enter into any necessary contracts and agreements to perform various stages of environmental studies as needs are identified.

2004-115

WHEREAS, the Arkansas State Highway and Transportation Department is a voluntary participant in the Arkansas State Police's child abduction notification program known as the Morgan Nick Amber Alert System; and

WHEREAS, federal funding has become available to implement enhancements of notification or communications systems along highways for alerts and other information for the recovery of abducted children; and

WHEREAS, the funds are to be used for implementing Morgan Nick Amber Alerts on the Department's highway advisory radio network and develop a changeable message sign system in accordance with the approved Morgan Nick Amber Alert Communications Plan; and

WHEREAS, the Department has been allocated \$400,000 by the Federal Highway Administration to implement the Plan.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements to implement the *Morgan Nick Amber Alert Communications Plan*.

2004-116

WHEREAS, the Arkansas State Highway Commission owns property in Cross County, Arkansas, which is situated contiguous to Highway 64 West, Wynne, Arkansas; and

WHEREAS, Job No. 110423, STP-0019 (29), Woodruff County Line – Wynne (Passing Lanes), Cross County, Arkansas, requires additional right of way along Highway 64, said additional right of way is designated as Tract No. 40 for this project, and is more fully described below:

Part of the Northwest Quarter of the Northeast of Section 8, Township 7 North, Range 3 East, Cross County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Quarter corner of Sections 5 & 8; thence South 00° 01' 13" East along the West line of the Northwest Quarter of the Northeast Quarter of Section 8 a distance of 69.04 feet to a point on the Southerly right of way line of U. S. Highway 64 as established by AHTD Job 11660 for the point of beginning; thence North 89° 49' 27" East along said right of way line a distance of 49.30 feet to a point on the Southerly right of way line of U. S. Highway 64 as established by AHTD Job 110423; thence South 64° 43' 02" West along said right of way line a distance of 54.51 feet to a point on the West line of the Northwest Quarter of the Northeast Quarter of Section 8; thence North 00° 01' 13" West along said West line a distance of 23.13 feet to the point of beginning and containing 0.01 acres more or less as shown on plans prepared by the AHTD referenced as Job 110423.

NOW THEREFORE, BE IT RESOLVED, that the character of the above-described property is changed from a capital asset to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Cross County and the right of way remonumented.

2004-117

WHEREAS, the Commission acquired in fee the property known as Tract No. 8M from William D. Linck and Shirley Linck, husband and wife, for Job No. R90096, NH-0045 (20), Hwy 178 East & West, Route 62, Section 9, Marion County, Arkansas, by Warranty Deed dated March 3, 2004; filed for record on March 22, 2004, in Marion County Deed Record, Instrument No. 2004-01255; and

WHEREAS, Tract No. 8M was acquired for \$129,250.00;
and

WHEREAS, Gerald Hammon and Donna Hammon have bid the sum of \$76,000.00, which is the highest bid received for said Tract No. 8M, at a public auction held on May 12, 2004, at the site located at 978 MC 7041, Flippin, Arkansas. Three qualified appraisers have opined that the current fair market value of Tract No. 8M is \$119,400 less \$49,802.03 for damages sustained to the residence after the Commission acquired the property. The District Engineer has determined that Tract No. 8M is not now needed, nor in the foreseeable future will be needed, for highway purposes; said Tract No. 8M being more particularly described as follows:

Job No. R90096
NH-0045(20)
Highway 178-East & West
Route 62, Section 9
Marion County

Part of the Northeast Quarter of the Southwest Quarter of Section 28, Township 19 North, Range 15 West, Marion County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Center West 1/16 corner of Section 28; thence South 88° 30' 00" East along the North line of the Northeast Quarter of the Southwest Quarter of Section 28 a distance of 880.52 feet to a point on the centerline of County Road #113; thence in a Southwesterly direction along said centerline on a curve to the left having a radius of 443.26 feet a distance of 126.90 feet having a chord bearing of South 54° 19' 36" West a distance of 126.47 feet for the point of beginning; thence continue in a Southwesterly direction along said center line on a curve to the left having a radius of 443.26 feet a distance of 38.69 feet having a chord bearing of South 43° 37' 27" West a distance of 38.68 feet to a point; thence continue in a Southwesterly direction along said center line on a curve to the left having a radius of 443.26 feet a distance of 79.74 feet having a chord bearing of South 36° 23' 28" West a distance of 73.61 feet to a point; thence South 30° 48' 57" West along said center line a distance of 199.26 feet to a point; thence in a Southwesterly direction along said center line on a curve to the left having a radius of 907.01 feet a

distance of 134.49 feet having a chord bearing of South 26° 34' 05" West a distance of 134.37 feet to a point; thence North 62° 47' 19" West a distance of 339.45 feet to a point; thence North 89° 05' 07" West a distance of 247.62 feet to a point on the West line of the Northeast Quarter of the Southwest Quarter of Section 28; thence North 01° 21' 31" East along said West line a distance of 173.49 feet to a point on the Southerly right of way line of Relocated U. S. Highway 62 as established by AHTD Job R90096; thence North 80° 03' 59" East along said right of way line a distance of 281.69 feet to a point; thence South 82° 19' 40" East along said right of way line a distance of 101.12 feet to a point; thence North 87° 25' 54" East along said right of way line a distance of 335.15 feet to a point; thence North 89° 08' 29" East along said right of way line a distance of 68.50 feet to the point of beginning and containing 4.07 acres more or less or 177,153 square feet more or less as shown on plans prepared by the AHTD referenced as Job R90096.

FR/ras Rev 1/28/04

Subject to two (2) Permanent Easements:

Tract No. 8ME-1

Part of the Northeast Quarter of the Southwest Quarter of Section 28, Township 19 North, Range 15 West, Marion County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Center West 1/16 corner of Section 28; thence South 1° 21' 31" West along the West line of the Northeast Quarter of the Southwest Quarter of Section 28 a distance of 147.98 feet to a point on the Southerly right of way line of relocated U. S. Highway 62 as established by AHTD Job R90096 for the point of beginning; thence North 80° 03' 59" East along said right of way line a distance of 23.46 feet to a point; thence South 0° 51' 31" East a distance of 84.27 feet to a point; thence South 89° 08' 29" West a distance of 26.29 feet to a point on the West line of the Northeast Quarter of the Southwest Quarter of Section 28; thence North 1° 21' 31" East along said West line a distance of 80.63 feet to the point of beginning and containing 0.05 acres or 2,035 square feet more or less as shown on plans prepared by the AHTD referenced as Job R90096.

RA Rev FR/ras 12/10/03

Tract No. 8ME-2

Part of the Northeast Quarter of the Southwest Quarter of Section 28, Township 19 North, Range 15 West, Marion County, Arkansas, more particularly described as follows:

Starting at a point of commencement being used as the Center Quarter corner of Sections 28; thence North 88° 30' 00" West along the North line of the Northeast Quarter of the Southwest Quarter of Section 28 a distance of 438.16 feet to a point on the centerline of County Road #113; thence in a Southwesterly direction along said centerline on a curve to the left having a radius of 443.26 feet a distance of 126.90 feet having a chord bearing of South 54° 19' 36" West a distance of 126.47 feet for the point of beginning; thence continue in a Southwesterly direction along said centerline on a curve to the left having a radius of 443.26 feet a distance of 38.69 feet having a chord bearing of South 43° 37' 27" West a distance of 38.68 feet to a point; thence North 57° 10' 07" West a distance of 49.75 feet to a point on the Southerly right of way line of relocated U. S. Hwy. 62 as established by AHTD Job R90096; thence North 89° 08' 28" East along said right of way line a distance of 68.50 feet to the point of beginning and containing 0.02 acres or 934 square feet more or less as shown on plans prepared by the AHTD referenced as Job R90096.

RA Rev FR/ras 12/10/03

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$76,000.00 the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Gerald Hammon and Donna Hammon, said deed shall contain a restrictive covenant prohibiting the use of the property conveyed for outdoor advertising; a copy of the deed and this Minute Order shall be recorded in Marion County, Arkansas; and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

WHEREAS, the Commission acquired in fee property known as Tract No. 7 from J. L. Stewart and Martha R. Stewart, husband and wife, for Job No. 008927, STP-048-2 (11), Hwy. 27 – East, Danville, Yell County, Arkansas, by condemnation, resulting in a Consent Judgment filed

of record on February 27, 1995, in the Circuit Clerk's office of Yell County, Arkansas, in case *Arkansas State Highway Commission vs. J. L. Stewart and Martha R. Stewart, his wife; Yell County Circuit No. CIV 94-4*; and

WHEREAS, Chambers Bank has asked to repurchase 0.0151 acre, more or less, part of Tract No. 7, J. L. Stewart and wife, Martha R. Stewart, have assigned their right to reacquire that portion of Tract No. 7 (0.0151 acre±) which the District Engineer for District 8 has determined is no longer needed for highway purposes to Chambers Bank; said portion of Tract No. 7 being released and sold herein being more particularly described as follows:

Part of Tract 7, Job 008927, being part of Lots 11 and 12 of Block 1 of the Fields Addition to the City of Danville, Yell County, Arkansas and being more particularly described as commencing at the Southwest Corner of said Block 1; thence North 5° 46' 59" West 224.63 along the West line of Block 1, and along the existing Easterly right of way line of State Highway 27 to the point of beginning, being a point on said Easterly right of way line as shown on a plat prepared by Donald R. Bland, RLS 903 dated April 23, 2003, thence continue North 5° 46' 59" West 35.00 feet along the proposed right of way of State Highway 27, thence North 54° 16' 08" East 54.47 feet along the proposed right of way of State Highway 27 to a point on the existing Southerly right of way of State Highway 10 as shown on said plat prepared by Donald R. Bland, thence South 35° 17' 36" West 64.05 feet along the existing right of way of State Highway 27 as established by AHTD Job 008927, Tract 7; thence South 14° 24' 04" West 14.82 feet along said right of way line to the point of beginning and containing 0.0151 acres more or less.

WHEREAS, Tract No. 7 was acquired by the Commission for Thirty Thousand And No/100 Dollars (\$30,000.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated §27-67-322, opined that the current fair market value of that portion of Tract No. 7 being offered for sale is Five Hundred and No/100 Dollars (\$500.00).

2004-118 - Continued

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$500.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Chambers Bank; a copy of the deed and this Minute Order shall be recorded in Yell County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2004-119

WHEREAS, IN BENTON COUNTY, in the City of Centerton, Highway 102 is routed in three directions at the intersection of Highway 102, Section 2, and Highway 102, Section 3; and

WHEREAS, the redesignation of a portion of Highway 102 will provide improved route designation clarity for vehicle movement.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following change is hereby made to the State Highway System as shown on the attached sketch.

1. Highway 102, Section 2, from the intersection of Highway 102, Sections 2 and 3, north to the junction of Highway 72 shall be redesignated in the State Highway System as Highway 102, Section 2B.

2004-120

WHEREAS, IN LITTLE RIVER COUNTY, in the vicinity of Ashdown, Job 030206, Hwy. 32 West-Hwy. 71, and Job 030264, Hwy. 71 & KCS RR Structure, created a bypass route on new location.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The bypass route as constructed by Jobs 030206 and 030264 is hereby added to the State Highway System as a part of Highway 32, Section 2.

2004-120 - Continued

2. The old location of Highway 32, Section 2, from the junction of the new location route to the junction of Highway 71, is hereby redesignated as Highway 32, Section 2B.

2004-121

WHEREAS, IN PRAIRIE COUNTY, in the City of DeValls Bluff, the relocation of Highway 70 and the new bridge over the White River has been constructed by Job 060174, White River Bridge Completion.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System, as shown on the attached sketch.

1. The new segment as constructed by Job 060174 is hereby added to the State Highway System as a part of Highway 70, Section 16.
2. The old portion of Highway 70, Section 16, is hereby removed from the State Highway System.

2004-122

WHEREAS, IN ST. FRANCIS COUNTY, in the City of Forrest City, the Highway 1 Bypass, from Highway 70 to Highway 1 North, as constructed under Job 110335, Forrest City Bypass, is near completion.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The new route as constructed by Job 110335 is hereby added to the State Highway System as part of Highway 1, Section 12.
2. The old location of Highway 1, Section 12 is hereby redesignated as Highway 1, Section 12B.

2004-123 WHEREAS, Minute Order 2001-105 authorized a study of landside access to the proposed Van Buren Regional Intermodal Port Complex; and

 WHEREAS, a study entitled *Landside Access Study – Van Buren Regional Intermodal Port Complex* has been prepared that assessed possible roadway and railroad access problems that could occur from the development of the Van Buren Regional Intermodal Port Complex.

 NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2004-124 WHEREAS, IN ASHLEY COUNTY, on Highway 425, Section 2, from Hamburg north, locations have been identified for construction of passing lanes to meet increased traffic demands.

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

2004-125 WHEREAS, IN BENTON COUNTY, on Highway 59, Section 2, from the Illinois River to Highway 412, a distance of approximately 4.0 miles, the need exists for minor widening and resurfacing.

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

2004-126 WHEREAS, IN BENTON AND WASHINGTON COUNTIES, on Highway 265, Sections 2 and 3 in Springdale, widening approximately 1.6 miles of this highway from Randall Wobbe Lane to Highway 264 has been identified as an existing need to increase capacity; and

 WHEREAS, the City of Springdale has agreed to partner with the Department for the cost of improvements to Highway 265; and

2004-126 - Continued

WHEREAS, the City of Springdale has, through Resolutions 14-04 and 65-04, agreed to provide the necessary right of way and utility relocations and has committed to provide 50% of the construction cost to widen this highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available, subject to the acquisition of right of way and adjustment of utilities by the City of Springdale and the City providing 50% of the construction cost for this project.

2004-127

WHEREAS, IN CALHOUN COUNTY, on Highway 167, Section 3 from the Ouachita River to Bang Slough, a distance of approximately 3.9 miles, improvements are necessary to handle increased traffic volumes and to provide additional capacity; and

WHEREAS, this highway is on Arkansas' Primary Highway Network and serves as an important link to South Central Arkansas.

NOW THEREFORE, the Director is authorized to proceed with the necessary surveys, plans, and construction for a project to widen this section of Highway 167 as funds become available.

2004-128

WHEREAS, the Planning Commission for the City of Arkadelphia is currently updating the Master Street Plan including the possible designation of a truck route; and

WHEREAS, the Arkadelphia City Board has requested the Department to conduct a truck route study to identify some safe and economically feasible routes that would divert truck traffic from some residential streets and the existing Highway 67 route (Sixth Street) in the downtown area.

NOW THEREFORE, the Director is authorized to conduct a truck route feasibility study for the City of Arkadelphia.

2004-129

WHEREAS, IN CRAIGHEAD COUNTY, on Highway 49, Section 4, from Valley View to Gibson, a distance of approximately 3.5 miles, the need exists to widen this route to enhance capacity and relieve congestion; and

WHEREAS, local officials have requested the widening of this section of Highway 49 to serve as a possible future connector between Highway 67 and Highway 63 in Jonesboro.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this highway as funds become available.

2004-130

WHEREAS, an increase in train traffic has been experienced on the Burlington Northern Santa Fe (BNSF) Railway branch line in West Memphis; and

WHEREAS, this increase is expected to continue due to an agreement that allows the Union Pacific Railroad to operate trains on the BNSF branch line; and

WHEREAS, local officials have requested that the Department conduct a study to determine the need for and feasibility of constructing a railroad overpass to enhance traffic flow and safety.

NOW THEREFORE, the Director is authorized to conduct a railroad overpass study in the City of West Memphis.

2004-131

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant upgrading crossing surfaces or upgrading signals and adding gates.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

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

3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Garland	Near Hot Springs	Hwy. 270	Arkansas Midland	Upgrade Surface
Clark	Antoine	Hwy. 26	Caddo Valley	Upgrade Surface
Clark	Near Gurdon	Hwy. 53	Caddo Valley	Upgrade Surface
Craighead	Bono	College St.	Burlington Northern Santa Fe	Upgrade Flashing Signal and Add Gates

2004-132

WHEREAS, IN JACKSON COUNTY, on Highway 69, Section 5, the U. S. Army Corps of Engineers entered into an agreement with the Department in 1999 for bank repairs and stabilization of the left descending bank under and upstream of the Black River Bridge (Structure No. 05899); and

WHEREAS, upon completion of the repairs under Job 050060, maintenance and operation of the project site became the responsibility of the Department; and

WHEREAS, a recent inspection by District Five and Heavy Bridge Maintenance has revealed portions of the bank continue to erode and it appears that some of the repairs made by the Corps of Engineers contractor are no longer in place; and

WHEREAS, action may be necessary to correct the scour problem under the bridge and to prevent progressive riverbank erosion of the upstream channel; and

WHEREAS, the Corps of Engineers may provide all or some of the cost of repairs.

2004-132 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys and, if necessary, repairs to correct the bridge scour and provide bank stabilization and enter into agreements for project implementation, as funds become available.

2004-133 WHEREAS, IN MILLER COUNTY, on Highway 196, Section 1, from near Greenwich Village to Highway 134, a distance of approximately 14.6 miles, the need exists for reconstruction of this highway.

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

2004-134 WHEREAS, IN NEVADA COUNTY, in the City of Prescott, the need for a railroad grade separation to connect Highway 67 to Highway 371 South has been identified; and

WHEREAS, construction of a new overpass will enhance traffic operations and safety in Prescott.

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

2004-135 WHEREAS, IN POPE COUNTY, on Highway 326, Section 2, from Highway 64 to Interstate 40 in the City of Russellville, a distance of approximately 0.85 miles, the need exists to widen this route to enhance capacity; and

WHEREAS, on Interstate 40, a project is programmed to convert the Highway 326 overpass to a full interchange, which is anticipated to significantly increase traffic on this route.

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

2004-136

WHEREAS, IN SEBASTIAN COUNTY, on Highway 22, Section 1, from Highway 59 at Barling to Highway 255 at Central City, a distance of approximately 2.6 miles, it has been determined that the need exists to widen this route to enhance capacity and relieve congestion.

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

2004-137

WHEREAS, IN WASHINGTON COUNTY, on Highway 265, Section 2 in Fayetteville, widening of this highway from Highway 45 north to the Fayetteville city limits has been identified as an existing need to increase capacity; and

WHEREAS, the City of Fayetteville has agreed to partner with the Department for the cost of improvements to Highway 265; and

WHEREAS, the City of Fayetteville has agreed to pay for 50% of the total costs of the project up to \$7.7 million.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available, subject to the receipt of funds from the City of Fayetteville.

2004-138

WHEREAS, IN WHITE COUNTY, on Highway 16, Section 13, from the Searcy city limits near Covington Road north, a distance of approximately 1.0 mile, the need exists for reconstruction; and

WHEREAS, improvements have been made to Highway 16 north and south of this segment under Jobs 050032 and 050045; and

WHEREAS, this remaining section needs to be reconstructed to provide continuity between these improved segments of Highway 16.

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

2004-139

WHEREAS, a joint agreement for inspection and maintenance of the Interstate 40 Bridge over the Mississippi River exists between the Tennessee Department Of Transportation (TDOT) and the Arkansas Highway and Transportation Department (AHTD); and

WHEREAS, inspection of the bridge has revealed deficient areas in the superstructure; and

WHEREAS, TDOT and AHTD have agreed that a Contract will be required for the repair; and

WHEREAS, the Agreement between TDOT and AHTD is to share the cost of such work on a 50/50 basis.

NOW THEREFORE, the Director is authorized to proceed with plans and development of a project to make this repair as the funds become available.

2004-140

WHEREAS, IN CLARK COUNTY, the City of Arkadelphia by Resolution R-04-04, has identified the Highway 51 overpass over Interstate 30 as the Dr. Martin Luther King, Jr. Overpass; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213,

NOW THEREFORE, the Director is authorized to allow the installation of signs on Highway 51 in each direction on the approaches to the overpass over I-30 in accordance with Commission Policy.

2004-141

WHEREAS, the District 9 Headquarters Complex at Harrison was constructed approximately thirty-five years ago; and

WHEREAS, the existing heating and air conditioning system for the District Administration Building has deteriorated to the extent that its operation is unreliable, and some of the components are obsolete and some parts are impossible to obtain; and

2004-141 - Continued

WHEREAS, it has been determined that the most feasible means of repair is to install new roof mounted boiler, new multi-zone air handler, new chiller, and new automated Direct Digital Control (DDC) system for temperature control, including related items and modifications; and

WHEREAS, the Administration Building and Resident Engineer Office are experiencing roof leaks, which have resulted in damages to the ceiling and light fixtures; and

WHEREAS, it has been determined that the most feasible means of repair is to re-roof these facilities with new roof membranes, and to replace the existing ceiling and light fixtures with new ceiling and light fixtures, including related items and modifications;

NOW THEREFORE, the Director is authorized to complete the work required to renovate the heating and air conditioning system, and re-roof the Administration Building and Resident Engineer Office and replace ceiling and light fixtures, at the District 9 Headquarters Complex.

Work to be done by contract as a Building Project.

2004-142

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 18, 2004 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110337	01	CRITTENDEN	HWY. 147-I-55 (S)	64
020344	02	GRANT	SHERIDAN-NORTH (S)	167
020413	02	GRANT	HWY. 46-EAST (OVERLAY) (S)	270
030320	03	NEVADA	I-30-HWY. 19 (OVERLAY) (S)	371
050153	05	WHITE	HWY. 67B & 367 (BEEBE) (OVERLAY) (S)	67B & 367
050156	05	SHARP	HWY. 175-HWY. 62 (OVERLAY) (S)	175S
061055	06	PULASKI	MCCAIN BLVD.-43RD ST. (SMOKEY LANE) (NLR) (S)	---
061116	06	PULASKI	SO. TERMINAL INTCHNG.-AIRPORT (BRIDGE JOINT REPLACEMENT) (S)	440

2004-142 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
061150	06	SALINE & PULASKI	HWY. 183-BRODIE CREEK (SEL. SECS.) (OVERLAY) (S)	5
061151	06	LONOKE	HWY. 89-MILL CREEK (OVERLAY) (S)	38
080184	08	YELL	LOGAN CO. LN.-WAVELAND (S)	10
080229	08	VAN BUREN	PINE MOUNTAIN CREEK STR. & APPRS. (S)	65
080282	08	JOHNSON	HWY. 164-CO. RD. 4400 (OVERLAY) (S)	21
R90094	09	BAXTER	MOUNTAIN HOME-HWY. 101 (F)	62
009989	09	MADISON	TOWN BRANCH STRS. & APPRS. (HUNTSVILLE) (S)	412B & 23
090004	09	BOONE	HWY. 65/HWY. 412 INTERCHANGE (F)	65 & 412
090151	09	BENTON	MO. STATE LINE-SULPHUR SPRINGS STRS. & APPRS. (S)	59
090167	09	CARROLL	MADISON COUNTY LINE-NORTH (PASSING LANE) (S)	23
090192	09	NEWTON	MCELROY GAP-JASPER (OVERLAY) (S)	7
100105	10	MISSISSIPPI	TYRONZA RIVER & DITCH NO. 49 STRS. & APPRS. (S)	297
100606	10	GREENE	HALLIDAY-PARAGOULD (OVERLAY) (S)	49
100607	10	LAWRENCE	HWY. 63B-PORTIA (OVERLAY) (S)	63
SA0741	07	CALHOUN	CO. RD. 22-SOUTH (BASE) (S)	---
SA0838	09	CARROLL	BENTON COUNTY LINE-EAST (OVERLAY) (S)	---
SA1052	07	CLARK	HWY. 53-EAST (OVERLAY & PAVEMENT MARKING) (S)	---
SA1344	07	CLEVELAND	CLEVELAND COUNTY OVERLAY & PAVEMENT MARKING (S)	---
SA1543	08	CONWAY	HWY. 154-CO. RD. 5 (SURFACING) (S)	---
SA1828	01	CRITTENDEN	CO. RDS. 8, 121 & 129 (OVERLAY) (S)	---
BR2308	08	FAULKNER	CYPRESS BAYOU STR. & APPRS. (S)	---
SA2732	02	GRANT	HWY. 222-CO. RD. 3 (OVERLAY) (S)	---
SA2851	10	GREENE	GREENE COUNTY SURFACING NO. 8 (S)	---
SA3443	05	JACKSON	HWY. 14-HWY. 384 (OVERLAY) (S)	---
BR4706	10	MISSISSIPPI	NATIONAL DITCH STRS. & APPRS. (S)	---

2004-142 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA4732	10	MISSISSIPPI	MISSISSIPPI COUNTY WIDENING & OVERLAY (S)	---
BR5004	03	NEVADA	LITTLE BODCAW CREEK STR. & APPRS. (S)	---
SA5244	07	OUACHITA	OUACHITA CO. POLYMER MODIFIED SLURRY SEAL (S)	---
FA5705	04	POLK	BIG FORK CREEK STR. & APPRS. (S)	---
SA5933	06	PRAIRIE	HWY. 70-SOUTH (BASE) (S)	---
SA6724	05	SHARP	CO. RD. 1-EAST & SOUTH (OVERLAY) (S)	---
SA6851	01	ST. FRANCIS	HWY. 261-NORTH (SURFACING) (S)	---
SA6923	05	STONE	CO. RD. 21-EAST (BASE) (S)	---
SA7264	04	WASHINGTON	PRAIRIE GROVE CITY LIMITS-SOUTH (OVERLAY) (S)	---
BR7410	01	WOODRUFF	CACHE RIVER RELIEF STR. & APPRS. (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, the Director is authorized to reject any or all proposals, to waive technicalities and/or advertise for new proposals whenever deemed to be in the best interests of the State.

MOTION

Commissioner Carl S. Rosenbaum moved, Vice Chairman Prissy Hickerson seconded and the motion passed 4-0 to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction in late October.

2004-143

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., August 18, 2004.

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 August 18, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 29, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 29, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2004-144 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., September 29, 2004.

2004-145 WHEREAS, the Purchasing Committee has awarded purchases on August 30, 2004, in the amount of \$34,971.50, 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.

2004-146 WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2005.

2004-147

WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, the maintenance of roadway surfaces and shoulders in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2005 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 to cover the maintenance and roadway surfaces including asphalt surface treatments and leveling.

2004-148

WHEREAS, the Arkansas State Highway and Transportation Department is partnering with the Arkansas Department of Emergency Management (ADEM) to enhance emergency preparedness operations for the Pine Bluff Arsenal in the event of a chemical incident. This incident management program is identified as the Chemical Stockpile Emergency Preparedness Program (CSEPP); and

WHEREAS, the ADEM has been awarded \$4.5 million to fund the installation of electronic message signs, cameras, sensors, and other Intelligent Transportation Services (ITS) to assist in the timely and efficient evacuation of the at-risk population in the event of a chemical incident; and

WHEREAS, the ITS elements installed under CSEPP would be available for use for the Amber Alert notification, incident management, traveler notification, and congestion management when not being used by ADEM.

NOW THEREFORE, the Director is authorized to enter into any agreements necessary to implement Intelligent Transportation Services for the mutual benefit of the Arkansas Department of Emergency Management, the Arkansas State Highway and Transportation Department and the citizens of Arkansas.

2004-149

WHEREAS, a Southeastern Association of State Highway and Transportation Officials (SASHTO) Scholarship has been established to support institutions of higher education in attracting and training students who can contribute to improving transportation systems; and

WHEREAS, the Arkansas State Highway and Transportation Department is a member state of SASHTO, and SASHTO awards scholarship funds to member states.

NOW THEREFORE, the Director is hereby authorized to notify SASHTO that it is recommended that scholarship funds be provided to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FURTHERMORE, the Director is authorized to enter into an agreement with the study center for the administration of the scholarship funds for research programs deemed beneficial to the Department.

2004-150

WHEREAS, the Transportation Equity Act for the 21st Century authorized funding for the Recreational Trails Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified that the Federal Recreational Trails Program allocation for Arkansas is available.

NOW THEREFORE, the Director is authorized to solicit applications for Recreational Trails Program funding.

2004-151

WHEREAS, the Arkansas Highway Commission has adopted criteria by which routes in Arkansas can be designated as Arkansas Scenic Byways; and

WHEREAS, marketing and promotion of designated byways is essential for the success of each individual byway; and

WHEREAS, local public officials play a key role in the leadership of byway sponsoring organizations.

2004-151 - Continued

NOW THEREFORE, the Director is authorized to modify the criteria by which routes are designated as Arkansas Scenic Byways to require a marketing and promotion plan prepared by the sponsoring organization and to require local officials or their designees to be members of the sponsoring organization as attached.

2004-152

WHEREAS, the Commission acquired in fee property known as Tract No. 20X from Dena Construction Company, Inc. for Job No. R00118, NH-9227 (14), Highway 63B West Interchange, Route 63, Section 6, Craighead County, Arkansas, by Warranty Deed dated August 21, 2001, and recorded on September 21, 2001, in Deed Book 613 at Page 285 in the Circuit Clerk office of Craighead County, Arkansas; and

WHEREAS, Dena Construction Company, Inc. has asked to repurchase a portion of Tract No. 20X which the District Engineer for District 10 has determined is no longer needed for highway purposes, said Tract No. 20X being more particularly described as follows:

Part of the South Half of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, all being in Section 9, Township 14 North, Range 3 East, Craighead County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 9; thence South $00^{\circ} 18' 41''$ West along the West line thereof a distance of 1081.42 feet to a point on the proposed Easterly right of way line of U. S. Highway 63 for the point of beginning; thence South $57^{\circ} 25' 56''$ East along said proposed right of way line a distance of 31.12 feet to a point; thence South $28^{\circ} 52' 27''$ East along said proposed right of way line a distance of 113.26 feet to a point on the existing Northerly right of way line of U. S. Highway 63B; thence South $88^{\circ} 44' 43''$ West along said existing right of way line a distance of 69.95 feet to a point; thence South $89^{\circ} 53' 28''$ West along said existing right of way line a distance of 250.05 feet to a point; thence South $01^{\circ} 15' 17''$ East along said existing right of way line a distance of 40.00 feet to a point; thence South $88^{\circ} 51' 09''$ West along said existing right of way line a distance of 79.99 feet to a point; thence in a Northwesterly direction along said existing right of way line on a curve to the left having a radius of 1183.24 feet a distance of

385.36 feet to a point; thence South 20° 48' 00" West along said existing right of way line a distance of 30.00 feet to a point; thence in a Northwesterly direction along said existing right of way line on a curve to the left having a radius of 1213.24 feet a distance of 543.36 feet to a point; thence North 17° 23' 22" West along said existing right of way line a distance of 135.12 feet to a point; thence North 37° 07' 29" West along said existing right of way line a distance of 442.18 feet to a point; thence North 33° 12' 09" West along said existing right of way line a distance of 94.61 feet to a point; thence South 89° 21' 09" East a distance of 15.27 feet to a point on the proposed Easterly right of way line of U. S. Highway 63; thence South 36° 52' 33" East along said proposed right of way line a distance of 399.72 feet to a point; thence South 40° 25' 51" East along said proposed right of way line a distance of 161.27 feet to a point; thence North 53° 07' 27" East along said proposed right of way line a distance of 115.00 feet to a point; thence South 61° 06' 13" East along said proposed right of way line a distance of 109.66 feet to a point; thence South 22° 50' 25" East along said proposed right of way line a distance of 61.85 feet to a point; thence South 75° 44' 38" East along said proposed right of way line a distance of 430.26 feet to a point; thence North 60° 14' 58" East along said proposed right of way line a distance of 80.62 feet to a point; thence South 75° 32' 09" East along said proposed right of way line a distance of 96.05 feet to a point; thence South 47° 39' 37" East along said proposed right of way line a distance of 106.89 feet to a point; thence South 75° 58' 11" East along said proposed right of way line a distance of 206.16 feet to a point; thence South 57° 25' 56" East along said proposed right of way line a distance of 97.04 feet to the point of beginning and containing 7.38 acres or 321,370 square feet more or less.

FR/II 8/25/00

WHEREAS, Tract No. 20X was acquired by the Commission for One Million Twenty-Five Thousand and No/100 Dollars (\$1,025,000.00); and

WHEREAS, three appraisers for the Commission have opined that the portion of Tract 20X being reacquired by Dena Construction Company, Inc. has no current or future value to the Commission.

NOW THEREFORE, BE IT RESOLVED that the portion of Tract No. 20X described above, is declared surplus; and the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described portion of Tract No. 20X to Dena Construction Company, Inc.; a copy of the Deed and this Minute Order shall be recorded in Craighead County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

WHEREAS, the Commission acquired in fee property known as Tract No. 19-1 from Elizabeth Beck Lawrie and Sadie Beck Taylor (Sellers) and Tract No. 20-2 from Thomas Prothro and Katherine Cates Prothro, husband and wife, (Sellers) for Job No. 11609, I-40-5 (16)280, Interstate 40 (West Memphis), Interstate 40 Section 52, Crittenden County, Arkansas; and

WHEREAS, J. O. House and Horseshoe Builders, a partnership, (Buyers), have asked to purchase a portion of Tract Nos. 19-1 and 20-2 as set forth in the attached Right-of-Way Sketch and which the District Engineer for District 1 has determined are not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Arkansas State Highway and Transportation Department is authorized to comply with the requirements of Ark. Code Ann. §§ 27-67-322 - 323 related to the appraisal and sale of surplus highway property and to require the buyer to provide a survey of said properties.

NOW THEREFORE, BE IT RESOLVED, that the property shown in the attached Right of Way Sketch is declared surplus; upon receipt of the consideration set forth in the Arkansas State Highway Department's approved appraisal, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the property to Buyers; a copy of the deed and this Minute Order shall be recorded in Crittenden County, Arkansas; and, if necessary, the right of way may be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2004-154

WHEREAS, the Arkansas State Highway Commission acquired right of way for Job 626, State Project, Highway 7, Section 6, Garland County, by County Court Order No. 1480 dated August 15, 1928, and recorded in County Record Book No. 1 at Page 476; and

WHEREAS, the District Engineer for District 6 has determined that the property described below, originally Job No. 626, now Job No. 060293, State Highway 7 South, Section 9, is not now needed, nor in the foreseeable future will be needed, for highway purposes and recommended that the property be released; and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 16 being offered for sale is \$8,500.00; and

WHEREAS, public notice was given and a public sale was held on September 8, 2004; and

WHEREAS, the property being released is described as follows:

Job No. 060293
(Old Job No. 626)
F.A.P. 292-B
Hot Springs – Arkadelphia Road
Route 7, Section 9
Garland County

Part of the Southwest Quarter of Section 31, Township 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Northerly most corner of Block 1 of said Point Lookout Subdivision, as recorded in Plat Book 1, Page 11 of the Plat Records, Garland County, Arkansas; thence in a Southerly direction on a curve to the right having a radius of 424.44 feet a distance of 80.00 feet to a point on the proposed Southerly right of way line of new North Point Lookout Road; thence North 67° 45' 42" West along said proposed right of way line a distance of 40.00 feet to a point on the vacated Highway 7 Centerline for the point of beginning; thence in a Southerly direction along said centerline on a curve to the right having a radius of 384.44 feet a distance of 281.13 feet to a point on the proposed Westerly right of way line on State Highway

7; thence North 75° 12' 32" West along said proposed right of way line a distance of 67.79 feet to a point on the existing Easterly right of way line of vacated Highway 7; thence in a Northerly direction along said existing right of way line on a curve to the left having a radius of 344.44 feet a distance of 284.02 feet to a point on the proposed Southerly right of way line of new North Point Lookout Road; thence North 86° 38' 03" East along said proposed right of way line a distance of 45.08 feet to the point of beginning and containing 0.26 acre more or less or 11,282 square feet more or less.

WHEREAS, Shaw Construction Co., LLC, an adjoining property owner was the highest bidder with a bid of \$8,500.00.

NOW THEREFORE, BE IT RESOLVED, that the property above described is hereby declared surplus and the Chairman of the Commission is hereby authorized and directed to execute a quitclaim deed of the above described property to Shaw Construction Co., LLC, subject to existing right of way, utility and drainage easements, upon receipt of the sum of EIGHT THOUSAND FIVE HUNDRED NO/100 DOLLARS (\$8,500.00). The Right of Way Division is directed to remap the right of way according to this Minute Order and to cause a copy of the Minute Order to be recorded in the County Records of Garland County and the right of way, if required, be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

WHEREAS, the Commission acquired right of way for Job No. 9184, more commonly known as the Huntsville West Road Madison County Line – Northeast, by Madison County Court Order dated November 17, 1938, which is recorded in the County Court records of Madison County, Arkansas, in Book "O" at page 358; and

WHEREAS, the District Engineer has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that these areas of the right of way be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

JOB 9184
 HUNTSVILLE – WEST ROAD
 U. S. HWY. 412B
 MADISON COUNTY

From designated Construction Centerline Station 250+00.00 to Station 258+62.94 of the originally executed Madison County Court Order for Job 9184, dated November 17, 1938, and being recorded in the County Court Records of Madison County, Arkansas, in Book “O”, Page 358, of said records shall hereby be revised as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
250+00.00	250+53.33	53.33		Var. 75'-58'	
250+33.33	251+37.83	104.50		Var. 58'-55'	
251+37.83	252+40.74	102.91		Var. 55'-50.23'	
252+40.74	253+45.12	104.38		Var. 50.23'-57.46'	
253+45.12	254+48.75	103.63		Var. 57.46'-66.96'	
254+48.75	255+51.91	103.16		Var. 66.96'-68.61'	
255+51.91	256+54.37	102.46		Var. 68.61'-67.23'	
256+54.37	257+55.61	101.24		Var. 67.23'-67.58'	
257+55.61	258+62.94	107.33		Var. 67.58'-75'	

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Madison County, Arkansas.

NOW THEREFORE, BE IT RESOLVED, that the right of way lying outside the above described right of way limits is hereby released to Madison County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Madison County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above

2004-155 - Continued

designated right of way. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2004-156 WHEREAS, IN BOONE COUNTY, south of Bellefonte, a study has indicated that an improvement is needed at the intersection of Highway 65/Highway 62; and

 WHEREAS, this improvement includes the installation of an acceleration/merge lane northbound on Highway 65; and

 WHEREAS, this improvement is eligible for Federal-aid Safety funds.

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

2004-157 WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing surfaces and upgrading/installing active warning devices.

 NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices and surfaces performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2004-157 - Continued

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Crittenden	Marion	Military	Burlington Northern Santa Fe	Upgrade Flashing Signals with Gates/Surface
Crittenden	Marion	Hwy. 77	Union Pacific	Install Flashing Signals with Gates/Surface

2004-158

WHEREAS, the existing Baxter County Area Headquarters facility in Mountain Home on State Highway 62 was constructed in 1963; and

WHEREAS, this existing headquarters is located in an area that has become increasingly congested and ingress and egress pose a traffic problem; and

WHEREAS, relocation of the Baxter County Area Headquarters has been a high priority for the Department for the past ten years; and

WHEREAS, suitable property south of the Highway 62 Bypass on State Highway 5 has become available, and has been appraised by the Department;

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and construct an Area Headquarters facility, including buildings, appurtenances, fencing and related items.

Work to be done by contract and state forces as a Building Project.

2004-159

WHEREAS, the District 5 Headquarters Complex at Batesville was constructed approximately forty years ago; and

WHEREAS, the existing paint booth is unreliable, too small, improperly illuminated, out-dated, and corroded; and

2004-159 - Continued

WHEREAS, this paint booth fails to meet EPA and OSHA requirements for airflow, illumination, emissions, ventilation, and hazardous storage; and

WHEREAS, it has been determined that the most feasible solution is to construct a new paint booth bay on the end of the existing service station building, with modifications to the existing facility to accommodate hazardous materials storage and to incorporate a body shop for equipment body work and paint preparations; and

WHEREAS, the new paint booth bay would also accommodate the larger equipment now utilized by the Department;

NOW THEREFORE, the Director is authorized to complete the work required to renovate the existing service station building and construct a new paint booth bay, at the District 5 Headquarters Complex.

Work to be done by contract as a Building Project.

2004-160

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 29, 2004 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110388	01	ST. FRANCIS	BEAVER SLOUGH & BEVINS BAYOU STRS. & APPRS. (S)	70
020197	02	JEFFERSON	HWY. 81-HWY. 63 (CONNECTION) (S)	- - -
020328	02	GRANT	SALINE RIVER STR. & APPRS. (S)	46
030318	03	MILLER	I-30 & HWYS. 71 & 245 SIGN INSTALLATIONS (TEXARKANA) (F)	30, 71 & 245
004987	04	POLK	BOGGY CREEK STR. & APPRS. (S)	370
040151	04	WASHINGTON	NOB HILL-MADISON CO. LINE (F)	412
040414	04	SEBASTIAN	I-540/GRAND AVE. INTERCHANGE SIGNALS (FORT SMITH) (S)	540
050023	05	JACKSON	HWY. 18-HWY. 37 (BS. & SURF.) (F)	67
050160	05	INDEPENDENCE	HWY. 122-JACKSON CO. LINE (OVERLAY) (S)	14

2004-160 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
060804	06	PULASKI	12TH ST.-I-630 (FAIR PARK BLVD.-LITTLE ROCK) (S)	---
061062	06	PULASKI	GARDNER ST.-CHICOT RD. (OVERLAY) (S)	338
070230	07	BRADLEY	HWY. 278-HWY. 63B (S)	63
070234	07	UNION	HWY. 167B SIGNALS MODIFICATIONS (EL DORADO) (S)	167B
070254	07	CLARK	HWY. 51/WALNUT ST. SIGNAL (ARKADELPHIA) (S)	51
R80072	08	POPE	MILL CR. INTCHNG. EXPANSION (W. OF RUSSELLVILLE) (F)	40
080190	08	POPE	HWY. 7T-HWY. 331 (16TH ST.) (RUSSELLVILLE) (S)	---
080209	08	CONWAY	POINT REMOVE CREEK STR. & APPRS. (S)	113
090173	09	CARROLL	CARROLL COUNTY AREA HEADQUARTERS (BERRYVILLE) (S)	143
100605	10	MISSISSIPPI	HWY. 148-MISSOURI ST. LN. (CONC. PVMT. PATCHING) (S)	55
001941	02 & 07	ASHLEY & BRADLEY	JOHNSVILLE-HWY. 133 (S)	8
GF0855	08	JOHNSON	HWY. 21-WEST (OVERLAY) (S)	---
SA0432	09	BENTON	CO. RD. 700-MISSOURI STATE LINE (BASE) (S)	---
BR2206	02	DREW	FOUR MILE CREEK STR. & APPRS. (S)	---
SA2536	05	FULTON	COUNTY ROAD 18 (UNION RD.) BASE (S)	---
SA3335	05	IZARD	BRANCH OF KNOB CREEK-EAST (BASE & SURF.) (S)	---
FA4013	02	LINCOLN	CO. RD. 87-NORTH (S)	---
SA4033	02	LINCOLN	HWY. 54-SOUTH (BASE & SURFACING) (S)	---
SA6240	06	SALINE	CO. RD. 24-SHANNON HILLS CITY LIMITS (OVERLAY) (S)	---
FA6413	09	SEARCY	HWY. 374-TOMAHAWK CREEK (RECONST.) (S)	---
SA7265	04	WASHINGTON	CO. RD. 66-NORTH (OVERLAY) (S)	---
SA7524	08	YELL	CO. RD. 80-CHICKALAH DRAINAGE STRUCTURES (S)	---
SA7627	06	HOT SPRING & SALINE	I-30 FRONTAGE ROAD-SOUTHWEST (SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Commissioner Jonathan Barnett moved, Vice Chairman Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firm of Bridgefarmer & Associates, Inc., for consultant services for the I-430 & I-630 interchange modifications.

MOTION Commissioner Jonathan Barnett moved, Vice Chairman Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firm of Kimley-Horn & Associates, Inc., for consultant services for the development of a freeway management system deployment plan.

MOTION

Commissioner Carl Rosenbaum moved, Vice Chairman Prissy Hickerson seconded and the motion passed unanimously to enter into negotiations with the firm of Jones Production, Inc., for video production services for an environmental legacy video.

2004-161

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., September 29, 2004.

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 September 29, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 17, 2004

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 17, 2004. Members present were:

J. W. "Buddy" Benafield, Chairman
Mary P. "Prissy" Hickerson, Vice Chairman
Jonathan Barnett, Member
Carl S. Rosenbaum, Member
R. Madison Murphy, Member

2004-162 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., November 17, 2004.

2004-163 WHEREAS, the Purchasing Committee has awarded purchases on September 27, 2004; October 1, 6 and 21, 2004, and November 2, 2004, in the amounts of \$1,485,064.00, \$145,182.00, \$39,780.00, \$61,549.00, \$3,243,192.11 respectively, totaling \$4,974,767.11, 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.

2004-164 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support the National Work Zone Safety Information Clearinghouse; and

WHEREAS, the Clearinghouse was established to provide information for design and technical assistance and for operational standards to enhance work zone safety for the benefit of motorists and workers; and

2004-164 - Continued

WHEREAS, the Arkansas State Highway and Transportation Department utilizes information from the Clearinghouse in the design, construction and maintenance programs; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support the National Work Zone Safety Information Clearinghouse for FY 2005.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2005 in the amount of \$2,000.00.

2004-165

WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the National Institute of Standards and Technology and is authorized and approved by the Executive Committee of AASHTO.

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials.

WHEREAS, this Department has received notice that its share of support of the Laboratory for Fiscal Year 2005 (October 1, 2004 to September 30, 2005) is \$13,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2005 AASHTO, AMRL Account, Department 5051, Washington, D.C. 20061-5051.

2004-166

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

2004-166 - Continued

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2005 Highway Map.

2004-167

WHEREAS, the Commission adopted Minute Order No. 2004-152 on September 29, 2004, wherein certain property located in Craighead County, Arkansas, was declared surplus and authorized to be sold to Dena Construction Company, Inc., the company from which said property was originally acquired; and

WHEREAS, although it was the intent of the Commission to release only a portion of Tract No. 20X, Job No. R00118, NH-9227(14) Highway 63B West Interchange, Route 63, Section 6 in Craighead County, through a scrivener's error, all of Tract No. 20X was inadvertently included in the description of the Tract released by Minute Order No. 2004-152; and

WHEREAS, the scrivener's error was discovered prior to the delivery and recordation of Commission Minute Order No. 2004-152 and the Quitclaim Deed issued to Dena Construction Company, Inc. pursuant thereto it is necessary that Commission Minute Order No. 2004-152 be rescinded and the Quitclaim Deed cancelled.

NOW THEREFORE, BE IT RESOLVED that Commission Order No. 2004-152 dated September 29, 2004, be and it is hereby rescinded and the Quitclaim Deed issued pursuant thereto is hereby cancelled and forever held for naught; further, that the portion of Tract 20X, Job No. R00118, hereinafter described is hereby declared surplus and of no value and the Chairman of the Commission is authorized and directed to execute and deliver a Quitclaim Deed, conveying the herein described portion of Tract No. 20X to Dena Construction Company, Inc.

The property to be released is described as follows:

Job No. R00118
NH-9227 (14)
Highway 63B West Interchange
Route 63, Section 6
Craighead County, Arkansas

TR. 20X

Part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter, all being in Section 9, Township 14 North, Range 3 East, Craighead County, Ark., more particularly described as follows:

Starting at the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 9; thence South 00° 18' 41" West along the West line thereof a distance of 1081.42 feet to a point on the proposed Easterly right of way line of U. S. Hwy. 63 for the point of beginning; thence South 57° 25' 56" East along said proposed right of way line a distance of 31.12 feet to a point; thence North 68° 52' 53" West a distance of 330.19 feet to a point on the proposed Easterly right of way line of U. S. Hwy. 63; thence South 75° 58' 11" East along said proposed right of way line a distance of 206.16 feet to a point; thence South 57° 25' 56" East along said proposed right of way line a distance of 97.04 feet to the point of beginning and containing 0.10 acres or 4,200 square feet more or less.

FR/crr 08/16/04

A copy of the Quitclaim Deed and this Minute Order shall be recorded in the Circuit Clerk's office in Craighead County, Arkansas, an if necessary, the right of way shall be remonumented. Any Federal-aid funds from this disposal shall be credited to Federal Funds.

2004-168

WHEREAS, the Commission acquired right of way for Job No. 2261, more commonly known as the Winchester – Tripple Junction, Desha County, Route 65, Section 18 and 19, F.A.G.S. 24E & 24C, by Desha County Court Order dated March 25, 1938, which is recorded in the County Court Records of Desha County, Arkansas in Book 1937, inclusive of said records; and

WHEREAS, the District Engineer has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that these areas of the right of way be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

JOB 2261
 WINCHESTER-TRIPPLE JUNCTION
 F.A.G.S. 24E & 24C
 U. S. HWY. 65
 DESHA and DREW COUNTIES

From designated Construction Centerline Station 1942+18.70 to Station 1947-76.05 of the originally executed Court Order for Job 2261, dated March 25, 1938 and being recorded in County Court Records of Desha County, Arkansas, in Book 1937 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
1942+18.70	1943+53.55	134.85	Var. 75'-85'	-	Var.
1943+53.55	1947+76.05	422.50	Var. 85'-95'	-	Var.

The foregoing instrument in writing is made on the condition that the Arkansas State Highway Department shall have free ingress and egress to the above described land for the purpose of cleaning and maintaining diversion channel.

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Desha County, Arkansas.

G.A.:g.a. Typed: 11/01/2

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Desha County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Desha County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Arkansas State Highway Commission acquired in fee by Warranty Deed property known as Tract No. 28 from Richard W. Van Bebber and Deborah Van Bebber, husband and wife, for Job No. R60016-3, FAP No. F-016-2 (26) Highway 7 - Highway 128 — East-West Arterial (Hot Springs), Garland County, Arkansas, said deed being filed of record in Deed Record Book No. 1253 at page 887 in the Garland County, Arkansas, Circuit Clerk's office; and

WHEREAS, the Commission acquired in fee property known as Tract No. 3 from Jack Pakis and Niobe L. Pakis, husband and wife, for Job No. R60016-3, as described above, by condemnation, resulting in a Judgment filed of record on September 5, 1990, in the Circuit Clerk's office of Garland County, Arkansas, in Arkansas State Highway Commission vs. Pakis, et al., Garland County Circuit No. CIV 89-606 CC (Case); and

WHEREAS, John D. Selig, assignee of Richard W. Van Bebber and Deborah Van Bebber's, and Jack Pakis and Niobe L. Pakis', right to reacquire the hereinafter described lands has requested that a portion of Tract No. 28 and Tract No. 3 of Job No. R60016-3 be declared surplus and sold to John D. Selig; and

WHEREAS, the District Engineer for District Six has reviewed the request of John D. Selig and has determined that the hereinafter described lands is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of the portions of Tracts No. 28 and No. 3 being offered for sale are SEVENTY-FIVE AND NO/100 DOLLARS (\$75.00) (Tract No. 28) and ZERO AND NO/100 DOLLARS (\$0.00) (Tract No. 3), respectively; and

WHEREAS, the portions of Tract No. 28 and No. 3 being offered for sale are described as follows:

Job R60016-3
F-016-2(26)
Hwy. 7 – Hwy 128
East – West Arterial
(Hot Springs)
Garland County

Part of Tract No. 28

Part of Lot 7, Holley Subdivision to the City of Hot Springs, Garland County, Arkansas, more particularly described as follows:

Starting at a iron pin being used as the Northeast corner of Lot 7, Holley Subdivision; thence South 10°33'58" West along the East line of Lot 7, Holley Subdivision a distance of 30.00 feet to a point on the Northerly right of way line of the East-West Arterial as established by AHTD Job R60016 Sec. 3 for the point of beginning; thence South 24°23'31" West along said right of way a distance of 57.03 feet to a point on the Northerly proposed right of way line of the East-West Arterial; thence North 19°35'11" East along said right of way a distance of 55.45 feet to a point; thence South 86°32'27" East a distance of 4.97 feet to the POINT OF BEGINNING and containing 132 square feet more or less as shown on plans prepared by the AHTD referenced as Job R60016 Sec. 3

GA/ga 7/19/04

And Also

Part of Tract No. 3

Part of Lot 7, Holley Subdivision to the City of Hot Springs, Garland County, Arkansas, more particularly described as follows:

Starting at a iron pin being used as the Northeast corner of Lot 7, Holley Subdivision; thence South 10°33'58" West along the East line of Lot 7, Holley Subdivision a distance of 30.00 feet to a point on the Northerly right of way line of the East-West Arterial as established by AHTD Job R60016 Sec. 3 for the point of beginning; thence North 86°32'27" West a distance of 4.97 feet to a point on the Northerly proposed right of way line of the East-West Arterial; thence North 19°35'11" East along said proposed right of way line a distance of 1.04 feet to a point on the Northerly right of way line of the East-West Arterial as established by AHTD Job R60016 Sec. 3; thence South 74°29'31" East along said right of way a distance of 4.79 feet to the POINT OF BEGINNING and containing 2 square feet more or less as shown on plans prepared by the AHTD referenced as Job R60016 Sec. 3

GA/ga 7/19/04

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus and upon receipt of the consideration of \$75.00 for Tract No. 28 and \$0.00 for Tract No. 3 (as described above),

the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to John D. Selig; a copy of the deed and this Minute Order shall be recorded in Garland County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2004-170

WHEREAS, the Commission acquired right of way for Job No. 4245, more commonly known as the Mount Ida Connection Road, Route 270, Sections 3 & 4, Montgomery County, by Montgomery County Court Order dated September 19, 1930, which is recorded in the county court records of Montgomery County, Arkansas, in Book J at page 564; and

WHEREAS, the District Engineer has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that these areas of the right of way be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

JOB NO. 4245
MT. IDA CONNECTION ROAD
U.S. HWY. 270, SECTIONS 3 & 4
MONTGOMERY COUNTY

From designated Construction Centerline Station 221+69.8 to Station 344+00.00 of the originally executed Court Order for Job 4245, dated September 19, 1930, and being recorded in County Court Records of Montgomery County, Arkansas, in Book "J" at page 564 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
221+69.80	222+28.00	58.2	40'	50'	90'
222+28.00	225+00.00	272	40'	45'	85'

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Montgomery County, Arkansas.

G.A.:g.a. Typed: 10-15-04

NOW THEREFORE, BE IT RESOLVED, that the above-described right of way is hereby released to Montgomery County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Montgomery County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above-designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2004-171

WHEREAS, the Commission acquired right of way for Job No. 8193, more commonly known as the Johnson County Line – London Road, U. S. Hwy 64, Pope County, by Pope County Court Order dated August 26, 1938, which is recorded in the County Court Records of Pope County, Arkansas, in Book W at page 220; and

WHEREAS, the District Engineer has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that these areas of the right of way be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

JOB 8193
 JOHNSON CO. LINE – LONDON RD.
 U. S. HWY. 64
 POPE COUNTY

From designated Construction Centerline Station 188+13.9 to Station 212+19.9 of the originally executed Court Order for Job 8193, dated August 26,1938 and being recorded in County Court Records of Pope County, Arkansas, in Book “W”, Page 2209 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
188+13.9	200+76.9	1263	40'	50'	90'
200+76.9	212+16.9	1140	45'	50'	95'

NOTE: In all other respects the original Court Order shall remain as is.

G.A.:g.a. Typed: 10/19/04

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Pope County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Pope County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired right of way for Job No. 5639, Black River-Cord Road, State Highway 932, Section 2, Elgin Ferry Access – Black River, Independence County, by Independence County Court Order dated September 4, 1974, and filed of record in Independence County Court Record Book No. 11 at pages 506-528 inclusive; and

WHEREAS, the District Engineer has determined that said State Highway 932, Section 2, Elgin Ferry Access – Black River is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that said Highway 932, Section 2, Independence County, be abandoned and released to Independence County and removed from the State Highway System;

2004-172 - Continued

NOW THEREFORE, BE IT RESOLVED, that State Highway 932, Section 2, Elgin Ferry Access – Black River is hereby released to Independence County and removed from the State Highway System; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Independence County, Arkansas. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

2004-173

WHEREAS, IN CRAIGHEAD COUNTY, in the vicinity of Bono, Job 100444, Bono Bypass, has been completed and is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old segment of U. S. Highway 63, Section 6 is hereby redesignated as a part of U. S. Highway 63, Section 6B.
2. The newly constructed segment of highway is hereby added to the State Highway System as a part of U. S. Highway 63, Section 6.

2004-174

WHEREAS, IN GARLAND COUNTY, east of Hot Springs, a freeway-type facility is under construction on new location between U. S. Highway 270 and U. S. Highway 70; and

WHEREAS, this construction will complete a continuous, freeway-type facility from U. S. Highway 70 east of Hot Springs to U. S. Highway 270 west of Hot Springs; and

WHEREAS, the existing location of U. S. Highway 70 through Hot Springs should be redesignated as U. S. Highway 70B; however, U. S. Highway 70B is currently routed over Gulpha Gorge Road through the Hot Springs National Park; and

WHEREAS, the Department, the U. S. National Park Service and the City of Hot Springs agree that redesignating Gulpha Gorge Road from a U. S.-numbered route to a State Highway will have no adverse impact on the motoring public or on the Park.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. U. S. Highway 70, Section 9C, known as Gulpha Gorge Road, is hereby redesignated as Highway 7, Section 9 Spur.
2. The old portion of U. S. Highway 70, Section 8 from the west junction of U. S. Highway 270 to the junction of Highway 7 is hereby redesignated as U. S. Highway 70, Section 8B.
3. The old portion of U. S. Highway 70, Section 9 from the junction of Highway 7 to the newly constructed interchange on the east side of Hot Springs, is hereby redesignated as U. S. Highway 70, Section 9B.
4. The newly constructed highway portion is hereby added to the State Highway System as a part of U. S. Highway 70, Section 9.

FURTHERMORE, the portion of U. S. Highway 270 from the U. S. Highway 270/U. S. Highway 70 interchange west of Hot Springs to the junction of U. S. Highway 270 with the new location freeway east of Hot Springs shall be dual signed as U. S. Highway 70.

WHEREAS, IN HOWARD AND POLK COUNTIES, the Department of Parks and Tourism has requested, by letter, that the principal vehicular drives and the parking lots serving the Cossatot River State Park be added to the State Highway System for maintenance purposes; and

WHEREAS, this request meets the criteria set forth in Arkansas Code 27-67-204.

2004-175 - Continued

NOW THEREFORE, IT IS ORDERED that the principal vehicular drives and parking lots serving the Cossatot River State Park are hereby made a part of the State Highway System as shown on the attached sketch.

2004-176

WHEREAS, IN INDEPENDENCE COUNTY, in the vicinity of Batesville, Minute Order 70-110 designated Highway 25, Section 4A and Highway 69, Section 2A; and

WHEREAS, the redesignation of these sections will provide improved route continuity for road inventory and job maintenance.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. Highway 25, Section 4A is hereby redesignated as a part of Highway 25, Section 5.
2. Highway 69, Section 2A is hereby redesignated as Highway 69, Section 2 Spur.

2004-177

WHEREAS, IN MILLER COUNTY, a controlled access freeway from Highway 245 in Texarkana to Highway 71 near Doddridge is being built on new location; and

WHEREAS, Minute Order 2004-035 designated the new freeway as U. S. Highway 71, Section 1 and changed the old location of the highway to State Highway 471, Sections 1 and 2; and

WHEREAS, 9-1-1 addresses have recently been changed for properties along the old location of the highway, and another change due to renumbering the highway would create an undue burden on property owners.

NOW THEREFORE, IT IS ORDERED that Minute Order 2004-035 is hereby rescinded.

2004-177 - Continued

FURTHERMORE, IT IS ORDERED that upon completion of the new route and official notification by the Chief Engineer, the following changes are hereby made to the State Highway System, as shown on the attached sketch:

1. The new route from the junction of Highway 245 to the junction of Highway 71 shall be added to the State Highway System as State Highway 549, Section 1.

2004-178

WHEREAS, IN PULASKI COUNTY, in the City of Little Rock, Job B60119, I-430–Geyer Springs Road includes the reconnecting of Highway 338 under the newly constructed Interstate 30 overpass; and

WHEREAS, the improvements are substantially complete and open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 338, Section 1, from the junction of the new route, running over the existing overpass to the junction of the southeast frontage road is hereby redesignated as a part of Interstate 30, Section 23 crossover route.
2. The old portion of Highway 338, Section 1, along the southeast side of Interstate 30 to the junction of the newly constructed portion, is hereby redesignated as a part of Interstate 30, Section 23 frontage road.
3. The new route, as constructed, is hereby added to the State Highway System as a part of Highway 338, Section 1.

2004-179

WHEREAS, IN PULASKI COUNTY, in the City of Little Rock, Job 060850, Hwy. 338/Union Pacific RR Overpass, has been substantially completed and the new portion of roadway is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The new route, as constructed, is hereby added to the State Highway System as a part of Highway 338, Section 1.
2. The old portion of Highway 338, Section 1, as obliterated by Job 060850, is hereby deleted from the State Highway System.

2004-180

WHEREAS, it has been determined that the below listed railroad crossings warrant installing a concrete surface and/or upgrading the active warning devices as a result of roadway improvements.

NOW THEREFORE, the Director is authorized to proceed with improvements at the railroad crossings subject to the following conditions:

1. Maintenance of the signal and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Benton	Siloam Springs	Hwy. 43	Kansas City Southern	Upgrade Flashing Signals with Gates/Surface
Washington	Fayettevil	Drake St.	Arkansas and Missouri	Upgrade Flashing Signals with Gates

2004-181

WHEREAS, the Consolidated Appropriations Act of 2004 (PL 108-199) includes funding for transportation and drainage planning in the Jonesboro Metropolitan Statistical Area; and

WHEREAS, the Department is responsible for administration of these federal funds and for reimbursement of eligible costs to the local sponsor; and

WHEREAS, the City of Jonesboro is the local sponsor and will provide any necessary matching funds for the project.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements to implement this project.

2004-182

WHEREAS, the Railroad Clearance Rules require a minimum clearance of 22 feet; and

WHEREAS, IN CRITTENDEN COUNTY, Ciba Specialty Chemicals has requested a clearance variance of 18 feet, 3 inches at the Bridgeport Junction Interstate 55 overpass; and

WHEREAS, the purpose of the requested clearance variance is to provide for reconstruction of a segment of their railroad line and raise the track elevation to the 25-year flood elevation; and

WHEREAS, Ciba Specialty Chemicals owns and operates the rail line using their own rail vehicles, and the requested clearance variance is adequate for their use.

NOW THEREFORE, the Director is authorized to grant the clearance variance under the following conditions.

1. The waiver is applicable for only Ciba Specialty Chemicals and is not transferable to another individual or entity.
2. Any future restoration of the clearance will be at no cost to the State.

2004-183

WHEREAS, at the request of local officials, the Department conducted a feasibility study of Highway 69 between Highway 63 and Highway 463 in Trumann to determine the appropriate scope of improvements needed on the route; and

WHEREAS, the analysis has determined that widening the existing roadway is needed to enhance traffic operations and safety on the route and feasible widening options have been identified.

NOW THEREFORE, the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition and construction as funds become available.

2004-184

WHEREAS, in Bradley County, the Bradley County Quorum Court by Resolution 157 has identified the Highway 278 bridge over the Saline River as the S. M. Dixon Bridge; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on Highway 278 in each direction on the approaches to the bridge over the Saline River in accordance with Commission Policy.

2004-185

WHEREAS, the Tourist Information Center on Highway 167 near Junction City in Union County was constructed in 1970; and

WHEREAS, a new Welcome Center has been constructed by the Department at the intersection of Highway 167 and Highway 82, approximately 12 miles north of the existing facility; and

WHEREAS, the new Welcome Center was planned as a replacement for the existing facility.

2004-185 - Continued

NOW THEREFORE, the Director is authorized to close the Junction City facility and salvage or remove any or all improvements and dispose of any excess property in accordance with state laws and the Department's practices and procedures.

2004-186

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 17, 2004 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110423	01	CROSS	WOODRUFF CO. LINE-WYNNE (PASSING LANES) (S)	64
030249	03	SEVIER	DEQUEEN-POLK CO. LINE (PASSING LANES) (S)	71
030300	03	LAFAYETTE	HWY. 82/HWY. 29 SIGNAL (LEWISVILLE) (S)	82 & 29
060905	06	LONOKE	HWY. 67-HWY. 89 (S)	5
061072	06	LONOKE	HWY. 89 RELOCATION (CABOT) (S)	89
070255	07	COLUMBIA	HWY. 355/SAU PEDESTRIAN SIGNAL (MAGNOLIA) (S)	355
090173	09	CARROLL	CARROLL COUNTY AREA HEADQUARTERS (BERRYVILLE) (S)	143
090195	09	MADISON & NEWTON	DISTRICT 9 FFY 2004 FLOOD DAMAGE REPAIR (S)	VAR
100523	10	POINSETT	HWY. 118 INTERCHANGE (TYRONZA) (F)	63
001942	2 & 7	JEFFERSON & CLEVELAND	RISON-PINE BLUFF (PASSING LANES) (S)	79
SA7359	05	WHITE	CO. RD. 59-CO. RD. 836 (BASE) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

Before continuing the meeting, Chairman J. W. Benafield stepped down as Chairman to allow the Commission to select a new Chairman prior to the upcoming legislative session.

MOTION

Commissioner Carl Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed unanimously to elect Vice Chairman Prissy Hickerson as Chairman of the Arkansas State Highway Commission, and to elect Commissioner Jonathan Barnett as Vice Chairman of the Arkansas State Highway Commission.

2004-187

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:00 a.m., November 17, 2004.

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 November 17, 2004.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 5, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 5, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
J. W. "Buddy" Benafield, Member

2005-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 5, 2005.

2005-002 WHEREAS, the Purchasing Committee has awarded purchases on November 10, 12 and 29, 2004, and December 3 and 15, 2004, in the amounts of \$406,000.71, \$611,845.72, \$79,525.26, \$169,016.30, and \$250,566.00 respectively, totaling \$1,516,953.99, 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.

2005-003 J.W. "Buddy" Benafield, Commissioner Emeritus

WHEREAS, eleven and one-half years have passed since June 1993, and with their passing will cause to expire in January 2005, your term as a Member of the Arkansas State Highway Commission, we the undersigned, your friends and fellow Commissioners, those who will miss your comradeship, sound counsel, and words of encouragement, wish for your future the best of everything. We wish to recognize you for your

tireless efforts and acclaim your devotion to the service of this

2005-003 - Continued

Commission. Your personal contributions over the past eleven and one-half years have promoted progress and economic growth in this Great State through sound planning and the application of business principles in the planning, construction, and maintenance of our overall State Highway System; and

WHEREAS, because of the imminent loss of the aforementioned knowledge and service to this Commission, these members, acting in their best interest, do herewith, through this instrument, serve formal notice that you are hereby directed and expected to continue to serve this Commission and the State of Arkansas.

NOW THEREFORE, with high esteem, we do hereby bestow upon you, ad infinitum, the title "*Commissioner Emeritus*."

2005-004

WHEREAS, the Department has, for a number of years, maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom;

NOW THEREFORE, the Director is authorized to process for payment the statement for Year 2005 membership dues in the amount of \$250.00.

2005-005

WHEREAS, the Pink Bollworm, *Pectinophora gossypiella*, is a major pest of cotton worldwide, and in the United States this pest is currently present in the states of Texas, New Mexico, Arizona and California; and

WHEREAS, the United States Department of Agriculture (USDA) is attempting to prevent movement of this pest from federally quarantined, infested areas into non-infested cotton producing states; and

WHEREAS, due to labor and budget constraints the USDA has been unable to adequately regulate the interstate movement of cotton harvesting equipment into and throughout the state of Arkansas; and

2005-005 - Continued

WHEREAS, initiating a cooperative effort with the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department to check such equipment for Plant Protection and Quarantine documents is desirable for the USDA; and

WHEREAS, the Department and the USDA Animal and Plant Health Inspection Service have developed a Memorandum of Understanding regarding procedures for such a cooperative effort for a five-year period.

NOW THEREFORE, the Director is authorized to enter into the Memorandum of Understanding with the USDA Animal and Plant Health Inspection Service to assist in preventing such infestation in the state of Arkansas.

2005-006

WHEREAS, Federal transportation planning regulations require the development of a multi-year, financially constrained statewide transportation improvement program for all areas of the State in accordance with the provisions of 23 CFR 450; and

WHEREAS, *Arkansas' Statewide Transportation Improvement Program (STIP) Fiscal Years 2005-2007* has been prepared in accordance with the regulations and is ready for submittal to the appropriate agencies for approval.

NOW THEREFORE, the Director is authorized to submit the attached STIP to the Federal Highway Administration and the Federal Transit Administration for approval, and to publish the STIP for distribution after approval by the federal agencies.

2005-007

WHEREAS, local governments and other state agencies have partnered in the past with the Department by providing financial support for improvements on the State Highway System; and

WHEREAS, local governments and other state agencies have expressed an interest in partnering with the Department in the future in an effort to accelerate project implementation; and

2005-007 - Continued

WHEREAS, it would be appropriate for the Department to have guidelines for partnering with local governments and other state agencies.

NOW THEREFORE, the attached Partnering Program Guidelines are hereby adopted.

2005-008

WHEREAS, IN SEARCY COUNTY, an Original Contract dated October 28, 2004 was awarded to D. B. Hill Contractor, Inc. for Job No. FA6413, FAP No. STPR-0064(7), Hwy. 374-Tomahawk Creek (Reconst.) (S), based on a low bid of \$1,093,333.33; and

WHEREAS, Searcy County is unable to fulfill its agreed upon responsibility to arrange for adjustment of utilities required to construct this project in a timely manner; and

WHEREAS, the Searcy County Judge has requested that Job No. FA6413, FAP No. STPR-0064(7), Hwy. 374-Tomahawk Creek (Reconst.) (S) be cancelled due to lack of funds:

NOW THEREFORE, IT IS ORDERED that the Director will take the necessary steps for the Contract for Job No. FA6413, FAP No. SYPR-0064(7), Hwy. 374-Tomahawk Creek (Reconst.) (S) to be cancelled.

2005-009

WHEREAS, Minute Order 2002-090 authorized a study of alternatives that would eliminate commercial truck traffic within the City of Eudora; and

WHEREAS, the study titled *Eudora Bypass Study* has been completed and the study has identified viable alternatives which would divert most of the truck traffic away from the downtown area, as well as improvements to the existing routes that would enhance truck operations through the City.

2005-009 - Continued

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2005-010

WHEREAS, it has been determined that the below listed railroad crossings warrant installing surfaces and/or upgrading/installing active warning devices as a result of roadway improvements or hazards.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices and surfaces performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy./St.</u>	<u>Railroad</u>	<u>Recommendation</u>
Howard	Near Nashville	Hwy. 26	Union Pacific	Upgrade Flashing Signals with Gates/Surface
Hempstead	Hope	Hwy. 278B	Kiamich	Install Flashing Signals with Gates/Surface
Ouachita	Bearden	Plum	Union Pacific	Upgrade Flashing Signals with Gates

2005-011

WHEREAS, the Tourist Information Center on Interstate 30 near Texarkana in Miller County was constructed in 1968; and

WHEREAS, a new Welcome Center has been constructed by the Department on I-30 near the Highway 108 interchange, approximately 6 miles east of the existing facility; and

WHEREAS, the new Welcome Center was planned as a replacement for the existing facility.

NOW THEREFORE, the Director is authorized to close the existing Texarkana facility and salvage or remove any or all improvements and dispose of any excess property in accordance with state laws and the Department's practices and procedures.

2005-012

WHEREAS, IN MONROE AND PRAIRIE COUNTIES, a study has indicated that a safety improvement is needed on selected sections of Interstate 40; and

WHEREAS, this improvement includes the installation of a median cable barrier from near the Cache River Bridge to near the County Road 184 Overpass; and

WHEREAS, this improvement is eligible for Federal-aid Safety funds.

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

2005-013

WHEREAS, the City of Searcy has requested a study of several proposed roadway facilities to reduce traffic congestion and to improve access to the City's industrial property, including a southwest bypass, a new connection between Highways 16 and 36, an access road extension along Highway 67, and a north bypass.

NOW THEREFORE, the Director is authorized to conduct a study of the feasibility of these proposed roadways in the Searcy area.

2005-014

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 5, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110337	01	CRITTENDEN	HWY. 147-I-55 (S)	64
110472	01	CRITTENDEN	HWY. 77-MISSISSIPPI CO. LINE (OVERLAY) (S)	61
020339	02	ASHLEY	NORTH CROSSETT-HWY. 8 (PASSING LANES) (S)	133
020383	02	ASHLEY	CHEM-A-HAUT CREEK STR. & APPRS. (S)	8
020420	02	CHICOT	HWY. 8-LOUISIANA STATE LINE (OVERLAY) (S)	65
030324	03	NEVADA	TERRE ROUGE CREEK-SOUTH (OVERLAY) (S)	371
040415	04	LOGAN	HWY. 10 SIGNALS & COORDINATION (BOONEVILLE) (S)	10
040448	04	LOGAN	HWY. 116-SOUTH (OVERLAY) (S)	23
050104	05	JACKSON & WHITE	VELVET RIDGE-DENMARK (OVERLAY) (S)	167
050146	05	SHARP	HWY. 62/HWY. 175 SPUR SIG. & INTERS. IMPVTS. (CHEROKEE VILLAGE) (S)	62 & 175S
061157	06	GARLAND	HWY. 7-HWY. 128 (OVERLAY) (S)	5
070245	07	CLARK	HOLLYWOOD-HWY. 51 (S)	26
070261	07	CLARK	HWY. 67 DRAINAGE IMPROVEMENTS (ARKADELPHIA) (S)	67
070274	07	COLUMBIA & UNION	HWY. 79-HWY. 82B (SEL. SECS.) (OVERLAY) (S)	82
080197	08	POPE	I-40/HWY. 326 INTERCHANGE (RUSSELLVILLE) (F)	40 & 326
080267	08	POPE	WHIG CR. STR. & APPRS. (S. FRANKFORT AVE.) (RUSSELLVILLE) (S)	- - -
080288	08	CONWAY	CENTER RIDGE-VAN BUREN CO. LINE (OVERLAY) (S)	9
090171	09	BENTON	HWY. 71 NB OFF-RAMP/HWY. 72 SIGNAL (BENTONVILLE) (S)	71 & 72
090172	09	BAXTER	HWY. 62B & HWY. 201 SIGNALS (MOUNTAIN HOME) (S)	62B & 201
090199	09	BOONE	HWY. 65-BERGMAN (OVERLAY) (S)	7
100585	10	CRAIGHEAD	HWY. 49/HWY. 351 SIGNAL (JONESBORO) (S)	49 & 351
100613	10	MISSISSIPPI	MOULTRIE DR.-HIGHLAND ST. (BLYTHEVILLE) (OVERLAY) (S)	61
001785	05 & 10	JACKSON & CRAIGHEAD	HWY. 37-HWY. 226 (GR. & STRS.) (F)	67

2005-014 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
012013	02 & 06	JEFFERSON & PULASKI	CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM (S)	530
BR1108	10	CLAY	CACHE RIVER DITCH NO. 1 STR. & APPRS. (S)	---
FA3401	05	JACKSON	OATS CREEK STRS. & APPRS. (S)	---
BR4206	04	LOGAN	CEDAR CREEK STR. & APPRS. (S)	---
FA6214	02 & 06	GRANT & SALINE	SALINE RIVER STR. & APPRS. (S)	---
BR7312	05	WHITE	STEVENS CREEK STR. & APPRS. NO. 2 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner Carl Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations for consultant services for the following:

On-Call Archeological Services

- Panamerican Consultants, Inc., Memphis, TN
- Historic Preservation Assocs., Fayetteville, AR
- Spears, Inc., West Fork, AR
- Michael Baker Jr., Inc., Jackson, MS

On-Call Noise Analysis

- Bowlby & Assocs., Inc., Franklin, TN

NEPA Handling – Hwy. 18, St. Francis River-Hwy. 181

- Carter & Burgess, Inc., Little Rock, AR

NEPA Handling – Table Rock Reservoir Str. & Apprs. (Hwy. 187)

- PBS&J, Austin, TX

NEPA Handling – Hwy. 62 Widening, Avoca-Gateway

- URS Group, Inc., Little Rock, AR

NEPA Handling – Hwy. 62 Bypass (Prairie Grove)

- Michael Baker Jr., Inc., Jackson, MS

NEPA Handling – Hwy. 167 Widening, Ouachita River-Bang Slough

- Carter & Burgess, Inc., Little Rock, AR

NEPA Handling – Hwy. 265 Selected Sections (Fayetteville & Springdale)

- Parsons Brinckerhoff Quade & Douglas, Inc., Little Rock, AR

MOTION - Continued

NEPA Handling – Hwy. 412 Bypass (Paragould)

- MACTEC Engineering & Consultants, Inc., St. Louis, MO

Pavement Performance Data Collection and Imagery

- Roadware Group, Inc., Paris, Ontario

Data Collection – Turning Movements

- Thompson Engineering, Little Rock, AR

Data Collection – Vehicle Classifications

- The Traffic Group, Inc., Baltimore, MD

Data Collection – 24-Hour Volume Counts

- The Traffic Group, Inc., Baltimore, MD

East-West Arterial, Hwy. 70 East-Hwy. 7 North (Hot Springs)

- Carter & Burgess, Inc., Little Rock, AR

Hwy. 64 Improvements (Vilonia)

- Garver Engineers, LLC, Little Rock, AR

Hwy. 412 Widening, Hindsville-Huntsville Bypass

- Florence & Hutcheson, Inc., Paducah, KY/Little Rock, AR

2005-015

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., January 5, 2005.

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 January 5, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 16, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 16, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2005-016 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 16, 2005.

2005-017 WHEREAS, the Purchasing Committee has awarded purchases on January 3, 18, 24 and 28, 2005, and February 4, 2005, in the amounts of \$407,075.00, \$1,052,328.54, \$1,783,682.00, \$227,947.50, and \$246,312.00 respectively, totaling \$3,717,345.04, 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.

2005-018 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2005, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2005 in the amount of \$36,167.00.

2005-019

WHEREAS, the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department is responsible for enforcement of vehicle size and weight laws on the State Highway System; and

WHEREAS, the Division's portable wheel weigher scales are in need of replacement.

NOW THEREFORE, the Director is authorized to proceed with the purchase of new portable wheel weigher scales as funds become available.

2005-020

WHEREAS, pursuant to Arkansas laws, the majority of motor fuel taxes are dedicated for highway, road, and street purposes; and

WHEREAS, the existing Motor Fuel Tracking system currently utilized by the Department, in conjunction with the Department of Finance and Administration, has resulted in providing more efficient and more effective enforcement of motor fuel tax laws; and

WHEREAS, the current contract for the Motor Fuel Tracking system expires June 14, 2005; and

WHEREAS, it is in the best interest of the Department to continue monitoring motor fuels tax collection utilizing a Motor Fuel Tracking system.

NOW THEREFORE, the Director is authorized to request proposals from qualified sources to continue the Department's Motor Fuel Tracking system.

2005-021

WHEREAS, the Transportation Equity Act for the 21st Century expired September 30, 2003; and

WHEREAS, Federal-aid has been continued through an unprecedented series of six short-term extensions; and

WHEREAS, these extensions have led to uncertainty about Federal funding levels resulting in difficulties for programming and scheduling projects and committing to long-term investments; and

WHEREAS, the current extension to the Transportation Equity Act for the 21st Century expires on May 31, 2005.

NOW THEREFORE, the Arkansas State Highway Commission hereby recommends to the Congress of the United States and the Arkansas Congressional Delegation that:

- (1) The Transportation Equity Act for the 21st Century be authorized by May 31, 2005 to guarantee that federal highway funding will be maintained at the highest level possible and the Federal Highway Trust Fund will be drawn down to the minimum sustainable level; and
- (2) The minimum guarantee of federal highway funding to states be increased to 95%, the Revenue Aligned Budget Authority be continued and refined to avoid radical swings in funding, budget firewalls be retained, transportation funds be fully used for transportation improvements, Federal-aid highway programs be combined into a minimum number of programs and categories, and transportation financing options be expanded; and
- (3) The present emphasis for environmental streamlining for highway project development be expanded, incentives and flexibility and not sanctions, mandates and penalties be used to encourage achievement of certain program goals, annual transit funding guarantees be maintained, and the matching share for transit be retained at an 80% to 20% ratio.

FURTHERMORE, the Director is hereby authorized to request that the 85th General Assembly of the State of Arkansas provide the same recommendations to the United States Congress and the Arkansas Congressional Delegation.

2005-022

WHEREAS, the Commission acquired right of way for Job No. 8408, Federal Aid Project F-02-2(2), U. S. Highway No. 64, Section 6, the Pottsville East and West Road, Pope County, Arkansas, by Pope County Court Order dated July 2, 1956, and filed for record in Book Y of the Pope County Court Records at pages 318 & 319; and

WHEREAS, the District Engineer has determined that the hereinafter described property is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such property be abandoned and the right of way boundaries be remonumented to reflect the new right of way limits; the area of right of way to be abandoned is more particularly described as follows:

JOB NO. 8408
F-02-2(2)
POTTSVILLE EAST AND WEST ROAD
ROUTE 64, SECTION 6
POPE COUNTY

Part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 7 North, Range 20 West Pope County, Arkansas, more particularly described as follows:

Starting at the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 10; thence South 88°24'00" East along the North line of the Northwest Quarter of the Northwest Quarter of Section 10 a distance of 358.75 feet to a point; thence South 01°36'00" West a distance of 40.00 feet to a point on the Southerly right of way line of U. S. Highway 64 as established by AHTD Job 8408 for the point of beginning; thence in a Southwesterly direction along said right of way line on a curve to the left having a radius of 318.10 feet a distance of 498.47 feet having a chord bearing of South 46°42'30" West a distance of 449.01 feet to a point; thence North 01°49'00" East a distance of 2.22 feet to a point; thence in a Northwesterly direction on a curve to the left having a radius of 1,949.86 feet a distance of 150.62 feet having a chord bearing of North 00°23'47" West a distance of 150.59 feet to a point on the centerline of U. S. Highway 64 as established by AHTD Job 8408; thence in a Northeasterly direction along said centerline on a curve to the right having a radius of 358.10 feet a distance of 231.34 feet having a chord bearing of North 45°33'45" East a distance of 227.34 feet to a point; thence in a Southeasterly direction on a curve to the right having a radius of 2824.79 feet a distance of 55.75 feet having a chord bearing of South 88°57'55" East a distance of 55.74 feet to a

2005-022 - Continued

point; thence South 88°24'00" East a distance of 109.78 feet to the POINT OF BEGINNING and containing 0.29 acres, or 12,634 square feet more or less.

GA/ga 12/22/04

Note: The original Court Order shall remain as is. This description is to be used to reflect the area to be released to Pope County, Arkansas.

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Pope County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Pope County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after release of the above described tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

2005-023

WHEREAS, Minute Order 2003-148 authorized a study to determine the feasibility of an interchange at the Interstate 40 (I-40) overpass of Highway 359 in Johnson County; and

WHEREAS, the study titled *I-40/Highway 359 Interchange Feasibility Study* has been completed and determined that an interchange at this location would not meet the requirements for new access to the Interstate System.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the study.

2005-024

WHEREAS, Regional Intelligent Transportation System (ITS) Architectures are needed before ITS projects can be implemented in an area; and

WHEREAS, the Northwest Arkansas Regional Transportation Study and the Department received funds in the Fiscal Year 2005 United States Department of Transportation Appropriations Act for the development of a Regional ITS Architecture.

2005-024 - Continued

NOW THEREFORE, the Director is authorized to enter into agreements as necessary to develop an ITS Regional Architecture for the Northwest Arkansas area.

2005-025 WHEREAS, IN MONROE COUNTY, on Highway 49, Section 8, from Interstate 40 to Highway 17 in Brinkley, local officials have requested the widening of this section of highway; and

WHEREAS, widening this section of Highway 49 would enhance capacity and relieve congestion along this facility.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this highway as funds become available.

2005-026 WHEREAS, it has been determined that the conditions at the below listed railroad crossings warrant installing or upgrading active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Polk	Mena	7 th Street	Kansas City Southern	Upgrade Flashing Signals with Gates

2005-026 - Continued

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Washington	Fayetteville	Township Road	Arkansas and Missouri	Install Flashing Signals with Gates

2005-027

WHEREAS, in the City of Fort Smith, the Fort Smith Board of Directors by Resolution has identified the Highway 64 (Garrison Ave.) bridge over the Arkansas River as the J. Fred Patton Garrison Ave. Bridge; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on Highway 64 in each direction on the approaches to the bridge over the Arkansas River in accordance with Commission Policy.

2005-028

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 16, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110474	01	WOODRUFF	HWY. 269-NORTH & SOUTH (OVERLAY) (S)	49
020384	02	JEFFERSON	MAIN DITCH STR. & APPRS. (S)	15
020422	02	GRANT	SALINE RIVER-HWY. 46 (OVERLAY) (S)	270
030027	03	PIKE	MURFREESBORO-KIRBY (S)	27
R40082	04	WASHINGTON	ILLINOIS RIVER-HWY. 170 (S)	62
040419	04	SEBASTIAN	HWY. 22/HWY. 96 SIGNAL (LAVACA) (S)	22 & 96
040424	04	CRAWFORD	HWY. 64/HWY. 282 SIGNAL (VAN BUREN) (S)	64 & 282

2005-028 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
061158	06	LONOKE	HWY. 367-HWY. 89 (OVERLAY) (S)	321
061160	06	SALINE	EAST ST.-HWY. 183 (BENTON) (OVERLAY) (S)	35
070258	07	OUACHITA	WOODARD LAKE STR. REPAIR (NO. OF CAMDEN) (S)	79
070263	07	OUACHITA	HWY. 79/BRADLEY FERRY RD. SIGNAL (CAMDEN) (S)	79
070276	07	UNION	HWY. 82B-N. & HWY. 167B-E. & W. (EL DORADO) (OVERLAY) (S)	82B & 167B
080290	08	MONTGOMERY	CADDO RIVER-BLACK SPRINGS (OVERLAY) (S)	8
090201	09	BENTON	OKLAHOMA ST. LN.-HWY. 59 N (OVERLAY) (S)	412
100616	10	MISSISSIPPI	HWY. 61 SEL. SECS. (OVERLAY) (S)	61
SA1757	04	CRAWFORD	CO. RD. 371-HWY. 162 (OVERLAY) (S)	---
BR3712	03	LAFAYETTE	MANIECE BAYOU STR. & APPRS. (S)	---
SA3926	01	LEE	CO. RD. 15 (L.C. 119)-WEST (BASE & SURFACING) (S)	---
SA3927	01	LEE	HWY. 261-WEST (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation.

2005-028 - Continued

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. Further, 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.

2005-029

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:00 a.m. February 16, 2005.

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 February 16, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 30, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 30, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2005-030 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., March 30, 2005.

2005-031 WHEREAS, the Purchasing Committee has awarded purchases on February 9 and 23, 2005, and March 11, 2005, in the amounts of \$755,880.60, \$758,771.00, and \$663,699.30 respectively, totaling \$2,178,350.90, 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.

2005-032 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statements for the 2005-2006 membership dues in the amounts of \$200 to the Arkansas Transit Association, \$200 to the South West Transit Association and \$225 to the Community Transportation Association of America.

2005-033

WHEREAS, Minute Order 2002-069 authorized a comprehensive study of the State's public riverports and slackwater harbors; and

WHEREAS, a study entitled *Arkansas State Public Riverport Study and Needs Assessment* has been prepared that assessed the State's navigable waterways and identified needs at the public ports and harbors; and

WHEREAS, port and harbor development issues were identified and strategies were offered to assist in the development of facilities and services; and

WHEREAS, the report was prepared in cooperation with the Arkansas Waterways Commission and Arkansas' Public Riverports and Slackwater Harbors.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the report.

2005-034

WHEREAS, on May 7, 1986, Administrative Order No. 86-2 was issued by the Director of the Arkansas State Highway and Transportation Department prohibiting the erection of billboards or signboards on lands to which the Arkansas State Highway Commission held title and which lands were declared surplus property and sold; and

WHEREAS, from and after the issuance of said Administrative Order No. 86-2, each and every deed issued by the Commission contained a covenant, running with the land, providing that no billboards or signboards would be erected or displayed on such surplus property; and

WHEREAS, Article 1 of Act 640 of the Acts of the General Assembly for 1967 directed the Arkansas State Highway Commission to promulgate rules and regulations governing the erection of outdoor advertising signs, displays and devices along the National System of Interstate and Defense and Federal Aid Primary Highways within the Arkansas State Highway Systems; and

WHEREAS, the Arkansas State Highway Commission and the United States Secretary of Transportation entered into an agreement pursuant to Act 640 of 1967, whereby the criteria for the erection of outdoor advertising signs, displays and devices along the National System of Interstate and Defense and Federal Aid Primary Highways within the Arkansas State Highway System was established; and

WHEREAS, such criteria, and the regulations issued pursuant thereto, are codified as Ark. Code Ann. 27-74-101, et. seq., and such criteria and regulations have been determined to be adequate by the Commission to regulate the placement of outdoor advertising signs, displays as devices along any National System of Interstate and Defense and Federal Aid Primary Highways within the Arkansas Highway System;

NOW THEREFORE, BE IT RESOLVED, that Administrative Order No. 86-2, dated May 7, 1986, be and it is hereby rescinded and declared to be no longer in force or effect; that all future deeds issued by the Arkansas State Highway Commission for the disposal of surplus property shall eliminate the covenant there from prohibiting the placement of billboards or signboards thereon;

PROVIDE, HOWEVER, nothing in this Minute Order shall be construed or interpreted to rescind, eliminate, modify or alter the regulations issued by the Commission pursuant to Article 1 of Act 640.

IT IS SO ORDERED.

WHEREAS, the Department currently has a Restore Sign Visibility Policy for the purpose of vegetation control in the vicinity of outdoor advertising signs; and

WHEREAS, the current policy does not allow vegetation control at outdoor advertising signs that are considered to be nonconforming to local, state or federal guidelines concerning outdoor advertising signs; and

2005-035 - Continued

WHEREAS, the Department has coordinated with the Arkansas Outdoor Advertising Association to revise the policy and permit procedures to allow some vegetation control at nonconforming signs in return for the removal of an equal number of nonconforming signs.

NOW THEREFORE, the Restore Sign Visibility Policy, as revised, is hereby adopted.

FURTHERMORE, the Director is authorized to submit the revised policy to the Legislative Council's Administrative Rules and Regulations Committee for their review and comment.

2005-036

WHEREAS, the Commission acquired in fee property known as Tract No. 41R Release from Jim Robertson and Mary Robertson, husband and wife, Grantors, for Job No. 100303, STP-0016(38) Hwy. 158 – West, Route 18, Section 4, Craighead County, by Warranty Deed, dated November 23, 2004, filed for record on December 02, 2004, in Deed Record Book 375 at page 378, in the Circuit Clerk's office of Craighead County, Arkansas; and

WHEREAS, Grantors have asked to repurchase Tract No. 41R Release which the District Engineer for District 10 has determined is not now, nor in the foreseeable future will be, needed for highway purposes, said tract being more particularly described as follows:

Job No. 100303
STP-0016(38)
Hwy. 158 – West
Route 18 Section 4
Craighead County
Tract No. 41R Release

Part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 14 North, Range 5 East and the Northwest Quarter of the Northwest Quarter of Section 30, Township 14 North, Range 6 East, Craighead County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Northeast 1/6 corner of Section 25; thence North $00^{\circ} 49' 38''$ West along the West line of the Northeast Quarter of the Northeast Quarter of Section 25 a distance of 1,258.63 feet to a point on the Southerly right of way line of Arkansas State Hwy. 18 as established by AHTD Job 10730; thence North $86^{\circ} 09' 57''$ East along said right of way line a distance of 544.99 feet to a point on the Southerly right of way line of Arkansas State Hwy. 18 as established by AHTD Job 10161; thence North $88^{\circ} 31' 26''$ East along said right of way line a distance of 496.57 feet to a point; thence in a Northeasterly direction along said right of way line on a curve to the left having a radius of 766.20 feet a distance of 44.92 feet having a chord bearing on North $86^{\circ} 50' 40''$ East a distance of 44.91 feet to a point; thence continue in a Northeasterly direction along said right of way line on a curve to the left having a radius of 766.20 feet a distance of 50.27 feet having a chord bearing of North $83^{\circ} 17' 07''$ East a distance of 50.26 feet to a point; thence continue in a Northeasterly direction along said right of way line on a curve to the left having a radius of 766.20 a distance of 150.28 feet having a chord bearing of North $75^{\circ} 47' 13''$ East a distance of 150.04 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter of Section 25; thence North $88^{\circ} 31' 26''$ East along said North line a distance of 30.44 feet to a point on the West line of the Northwest Quarter of the Northwest Quarter of Section 30; thence North $00^{\circ} 51' 37''$ West along said West line a distance of 10.84 feet to a point on the Southerly right of way line of Arkansas State Hwy. 18 as established by AHTD Job 10161; thence North $68^{\circ} 10' 26''$ East along said right of way line a distance of 43.15 feet to a point; thence South $01^{\circ} 41' 31''$ East a distance of 47.37 feet for the point of beginning; thence continue South $01^{\circ} 41' 31''$ East a distance of 120.77 feet thence South $85^{\circ} 37' 09''$ West a distance of 214.48 feet to a point on the Easterly right of way line of County Road #687 as established by County Record #192; thence North $60^{\circ} 25' 04''$ East a distance of 157.75 feet to a point; thence North $52^{\circ} 40' 12''$ East a distance of 98.31 feet to the point of beginning and containing 0.28 acres more or less as shown on plans prepared by the AHTD referenced as Job 100303.

GA/ga 3/16/05

WHEREAS, Tract No. 41R Release was acquired by the Commission for \$10,400.00;

2005-036 - Continued

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$10,400.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Grantors; a copy of the deed and this Minute Order shall be recorded in Craighead County, Arkansas; and, if necessary, the right of way may be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2005-037

WHEREAS, the Commission acquired property known as Tract Nos. 8 and 8E from Anita Bingham for Job No. 6696, State Project Bingham Road Interchange, U. S. Highway 65 (now I-530), Pulaski County, by condemnation resulting in a Consent Judgment filed of record on April 19, 1983, in the Circuit Clerk's Office of Pulaski County in *Case No. CIV 75-3078*; and

WHEREAS, Tracts No. 8 and 8E were acquired by the Commission for \$3,300.00; and

WHEREAS, Martha A. Barnard and Sharon L. Youngblood have asked to repurchase a portion of Tract No. 8E, a permanent construction easement; and Anita Bingham has assigned her right to reacquire Tract No. 8E to Martha A. Barnard and Sharon L. Youngblood; and the District Engineer for District 6 has determined that the portion of Tract No. 8E being acquired by Martha A. Barnard and Sharon L. Youngblood, is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, three (3) qualified appraisers have determined that the portion of Tract No. 8E being acquired by Martha A. Barnard and Sharon L. Youngblood has a fair market value of \$125.00; the said portion of Tract No. 8E being acquired is more particularly described as follows:

Job No. 6696
State Project
Bingham Road Interchange
U. S. Highway 65 (Now I-530)
Pulaski County
Tract No. 8E

2005-037 - Continued

Part of the Northwest Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 12 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 35; thence North 00°03' East along the East line thereof a distance of 420.1 feet to a point thence South 89°57' West a distance of 121.5 feet to a point; thence South 12° 45' East a distance of 30.5 feet to a point; thence due South a distance of 183.2 feet to a point; thence South 64°42' West a distance of 137.9 feet for the POINT OF BEGINNING; thence South 09°20' West a distance of 37.6 feet to a point; thence South 64°42' West a distance of 57.2 feet to a point; thence North 10°37' West a distance of 31.9 feet to a point; thence North 64°42' East a distance of 70.5 feet to the POINT OF BEGINNING and containing 0.05 acres or 1,192 square feet more or less.

GA/ga 12/27/04

NOW THEREFORE, BE IT RESOLVED that the above described property is declared surplus; upon receipt of the consideration of \$125.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed, conveying the described property to Martha A. Barnard and Sharon L. Youngblood; a copy of the deed and this Minute Order shall be recorded in Pulaski County and, if necessary, the boundaries be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2005-038

WHEREAS, the Commission acquired property known as Tract No. 3 from Lillie M. Thomas, survivor of an Estate by the entirety, for Job No. 060362, Otter Creek Mall (I-30), Pulaski County, Arkansas, by warranty deed filed of record on October 2, 1985, in the Circuit Clerk's office of Pulaski County as Instrument No. 85-54465; and

WHEREAS, Tract No. 3 was acquired for \$156,600.00; and

WHEREAS, 430 Investments, LLC, has asked to repurchase Tract No. 3; Norman L. Thomas and Marion Dichairo, the only heirs at law of Lillie M. Thomas, deceased, who died intestate on April 1, 1994, have assigned their rights to reacquire Tract No. 3 to 430 Investments, LLC. The District Engineer for District 6 has determined that Tract No. 3, being more particularly described as follows, is not now, nor in the foreseeable future will be, needed for highway purposes:

Job No. 060362
Otter Creek Mall
(I-30)
Pulaski County
Tract No. 3

A parcel of land situated in the Northwest Quarter of the Northwest Quarter of Section 9, Township 1 South, Range 13 West of the Fifth Principal Meridian, City of Little Rock, Pulaski County, Arkansas, and parcel consisting of Lot 1, and parts of 2 and 3, and McGee Road in Three "G" Subdivision, being more particularly described as follows:

Beginning at a point on the East right of way line of Interstate 30 and also being 15 feet Northeast of the Southwest line of Lot 3 in Three "G" Subdivision; thence North 44° 02' 07" East, 493.49 feet along said East right of way line of Interstate 30; thence South 01° 01' 01" East, 424.25 feet along the East line of the Northwest Quarter of the Northwest Quarter of Section 9; thence South 44° 07' 30" West, 81.62 feet along the back line of Lot 2 in Three "G" Subdivision; thence North 64° 35' 53" West, 6.36 feet; thence along a curve to the left an arc distance of 130.98 feet, said curve having a radius of 427.46 feet and a chord bearing and distance of North 73° 22' 33" West, 130.42 feet to a point on the Horton property line; thence along said Horton property line, North 46° 02' 09" West, 63.49 feet; thence continuing along said Horton property line, South 43° 58' 50" West, 49.92 feet; thence North 45° 59' 31" West, 114.99 feet along a line parallel to and 15 feet Northeast of the Southwest line of Lot 3 in Three "G" Subdivision, to the point of beginning, and containing 2.058 acres more or less, which includes 0.244 acres of dedicated McGee Road.

Subject to all existing roadways and easements now existing which may affect said property whether or not of record, and specifically subject to the existing easement for Otter Creek Road South.

2005-038 - Continued

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; that upon receipt of ONE HUNDRED FIFTY-SIX THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$156,600.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to 430 Investments, LLC; a copy of the deed and this Minute Order shall be recorded in Pulaski County, Arkansas. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2005-039 WHEREAS, the Department has permanently closed the Eastbound and Westbound rest areas on I-40 near Morrilton; and

WHEREAS, the building facilities have been removed; and

WHEREAS, the Department has determined that these properties are surplus to the needs of the Department for the foreseeable future.

NOW THEREFORE, the Director is authorized to dispose of any excess property at these sites in accordance with state laws and the Department's practices and procedures.

2005-040 WHEREAS, IN SEBASTIAN COUNTY, in the City of Fort Smith, the City has constructed a project to provide better alignment and eliminate ninety degree turns for trucks on Highway 255; and

WHEREAS, the proposed project was completed under Special Permit SP04-04-022, at no cost to the Department.

NOW THEREFORE, IT IS ORDERED that upon the official notification by the Chief Engineer, the following changes are hereby made to the State Highway System, as shown on the attached sketch:

1. Highway 255, Section 4, on North 6th Street from the junction of new location to the junction of Parker Avenue and on Parker Avenue from junction of 6th Street to new location is hereby removed from the State Highway System.

2005-040 - Continued

2. The new Highway, as constructed, is hereby added to the State Highway System as a part of Highway 255, Section 4.

2005-041

WHEREAS, IN UNION AND CALHOUN COUNTIES, on Highway 167, Sections 2, 3 and 4 from El Dorado to Fordyce, a distance of approximately 41.5 miles, improvements are necessary to handle increased traffic volumes and to provide additional capacity; and

WHEREAS, this highway is on Arkansas' Primary Highway Network and serves as an important link to South Central Arkansas.

NOW THEREFORE, the Director is authorized to proceed with the necessary surveys, plans, and construction to provide capacity improvements on this section of Highway 167 as funds become available.

2005-042

WHEREAS, motorists traveling through Jonesboro on Highway 18 are directed through the City via Southwest Drive and Highland Drive; and

WHEREAS, these routes are urban principal arterials with lower, urban speed limits and no control of access; and

WHEREAS, a more efficient routing for through traffic would be along the Highway 63 bypass (Future Interstate 555); however, concerns have been raised over the adequacy of existing connections between Highway 63 and Highway 18 in southeast Jonesboro.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of a connecting route between Highway 63 and Highway 18 in southeast Jonesboro.

2005-043

WHEREAS, IN HEMPSTEAD COUNTY, in the City of Hope, a safety study has indicated that improvements are needed on Highway 29B from Highway 29 to Highway 67; and

2005-043 - Continued

WHEREAS, these improvements include the widening and installation of a continuous turn lane; and

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

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

2005-044

WHEREAS, IN PULASKI COUNTY, in the City of North Little Rock, a safety study has indicated that improvements are needed on Highway 176 from 47th Street to Remount Road; and

WHEREAS, these improvements include widening the road and constructing left turn lanes at selected intersections; and

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

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

2005-045

WHEREAS, IN SEBASTIAN COUNTY, in the City of Fort Smith, a safety study has indicated that improvements are needed on Highway 255 from Zero Street to Phoenix Avenue; and

WHEREAS, these improvements include the widening and installation of a continuous left turn lane; and

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

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

2005-046

WHEREAS, IN WASHINGTON COUNTY, on Highway 873, Section 1, selected drives and parking lots of the University of Arkansas at Fayetteville are in need of resurfacing; and

WHEREAS, the University of Arkansas has agreed to pay for their portion of a resurfacing and rehabilitation project.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to resurface and rehabilitate selected drives and parking lots.

2005-047

WHEREAS, IN MISSISSIPPI COUNTY, the Mississippi County Quorum Court has identified Highway 181 from Highway 61 in Bassett westward to Interstate 55 at Exit 36 as the Calvin Williams Road; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described section of Highway 181 in accordance with Commission Policy.

2005-048

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the March 30, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110451	01	WOODRUFF	HWY. 64/HWY. 33/9TH ST. SIGNAL (AUGUSTA) (S)	64 & 33
110475	01	CROSS	ST. FRANCIS RIVER-WEST (OVERLAY) (S)	64
R20014	02	ASHLEY	HWY. 425-CO. RD. 26 (S)	52
020397	02	JEFFERSON	HWY. 365 SPUR/ROBIN RD. SIGNAL (WHITE HALL) (S)	365S
020423	02	ASHLEY	HWY. 52-NORTH (OVERLAY) (S)	165
030329	03	LITTLE RIVER & MILLER	TEXAS STATE LINE-NORTH (OVERLAY) (S)	71

2005-048 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
040449	04	WASHINGTON	I-540-HWY. 71B (OVERLAY) (S)	71B
050136	05	INDEPENDENCE	PFEIFFER CREEK STR. & APPRS. (S)	25
050146	05	SHARP	HWY. 62/HWY. 175 SPUR SIG. & INTERS. IMPVTS. (CHEROKEE VILLAGE) (S)	62 & 175S
050165	05	JACKSON	SWIFTON-LAWRENCE CO. LINE (OVERLAY) (S)	67
061149	06	SALINE	CHICOT RD./ATWOOD RD./KLING RD. SIGNAL (SALINE COUNTY) (S)	---
061162	06	PULASKI	BAYOU METO-LR AIR FORCE BASE (OVERLAY) (S)	107
070278	07	COLUMBIA	HWY. 82-HWY. 82B (OVERLAY) (S)	371
080292	08	YELL	MOSLEY-HWY. 7 (OVERLAY) (S)	27
100599	10	CRAIGHEAD	HWY. 18/HWY. 139/S. EDMONDS SIGNAL UPGRADE (MONETTE) (S)	18 & 139
100617	10	LAWRENCE	JACKSON CO. LINE-HWY. 228 (OVERLAY) (S)	67
SA1237	05	CLEBURNE	CLEBURNE COUNTY SURFACING & PAVEMENT MARKING (S)	---
BR1906	01	CROSS	McFARAN BRANCH STR. & APPRS. (S)	---
SA6039	06	PULASKI	PULASKI COUNTY SURFACING NO. 6 (S)	---
SA7360	05	WHITE	HWY. 258-NORTH (BASE, SURFACING & PVMT. MARKING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation.

2005-048 - Continued

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. Further, 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.

2005-049

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:00 a.m., March 30, 2005.

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 30, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 4, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 4, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2005-050 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 4, 2005.

2005-051 WHEREAS, the Purchasing Committee has awarded purchases on March 28, 2005, and April 5, 6 and 13, 2005, in the amounts of \$348,309.25, \$383,734.00, \$428,553.59, and \$70,611.00 respectively, totaling \$1,231,207.84, 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.

2005-052 WHEREAS, many of the operations of the Department are accomplished using electronic data and telecommunications; and

WHEREAS, use of such data processing equipment greatly improves the efficiency and operation of the Department; and

WHEREAS, a constant effort is made to improve and expand existing automated systems and to develop new systems based on proven technology; and

2005-052 - Continued

WHEREAS, to support these Department efforts additional and replacement computer hardware, software, networking devices, electronic data storage devices, staff training, and other related products and services are necessary.

NOW THEREFORE, the Director is authorized to proceed with the purchase of the necessary electronic data processing and telecommunications equipment and support services for this program as funds become available.

2005-053

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the AASHTOWare products.

2005-054

WHEREAS, the Arkansas Energy Office has expressed interest in partnering with the Department to upgrade incandescent traffic signals to light emitting diode (LED) signals in small communities as an energy saving measure; and

WHEREAS, LED signals are currently being specified in Department signalization contracts; and

WHEREAS, upgrading to LED signals would be beneficial to small communities with regard to long term-maintenance costs; and

WHEREAS, the Arkansas Energy Office will provide funding for this upgrading program:

(Continued)

2005-054 - Continued

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the Arkansas Energy Office to implement this signal upgrade program for small communities.

2005-055

WHEREAS, the Department is periodically requested to conduct feasibility and other planning studies to provide information critical to decision-makers; and

WHEREAS, in accordance with Minute Order 99-163, the Department entered into contracts to conduct on-call planning services; and

WHEREAS, work performed under these on-call services contracts was found to be an effective method of producing timely studies and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm or firms, and enter into any necessary contracts and agreements with the firm or firms for on-call planning services as needs are identified.

2005-056

WHEREAS, existing pavement thickness information is necessary to conduct various engineering analyses for designing, managing and maintaining the State Highway System; and

WHEREAS, the Department's existing coring equipment is inadequate to meet the requirements for providing network level pavement thickness data in a timely and cost effective manner; and

WHEREAS, the Department has evaluated Ground Penetrating Radar (GPR) and found it capable of efficiently providing the required pavement thickness data.

NOW THEREFORE, the Director is authorized to request proposals, select a consultant, and enter into any necessary contracts and agreements for the collection of pavement thickness data utilizing GPR technology.

2005-057 WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

 WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

 NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the *SPR Work Program and Cost Estimate* for Fiscal Year 2006 and enter into any necessary contracts and agreements.

2005-058 WHEREAS, the Department, in accordance with Minute Orders 92-489 and 2001-213, has developed a program for signing for major public attractions; and

 WHEREAS, the Department of Parks and Tourism is an active partner in this effort and is supportive of this program; and

 WHEREAS, the Department has advertised for and received applications for public attractions signs:

 NOW THEREFORE, the Director is authorized to proceed with the implementation of the public attractions signing program by installing signs for those attractions approved by the Department of Parks and Tourism.

2005-059 WHEREAS, the Commission acquired in fee property known as Tract No. 5XR from Tarleasie Ball, an unmarried person, for Job No. 020215, STP-9345(9), Pine Bluff By-pass-Highway 54 East, Route 15, Section 7, Jefferson County, by Warranty Deed dated December 2, 1998, filed for record on December 22, 1998, in Deed Record Book No. 701 at page 720, in the Circuit Clerk's office of Jefferson County, Arkansas; and

 WHEREAS, Tract No. 5XR was acquired for \$500.00; and

 WHEREAS, James L. Nelson and Nellie Nelson have asked to repurchase Tract No. 5XR and Tarleasie Ball has assigned her right to re-acquire Tract No. 5XR to James L. Nelson and Nellie Nelson; and, the

(Continued)

2005-059 - Continued

District Engineer for District 2 has determined Tract No. 5XR is not now, nor in the foreseeable future will be, needed for highway purposes, said tract being more particularly described as follows:

Job No. 020215
Tract No. 5XR
STP-9345(9)
Pine Bluff Bypass-Highway 54 East
Route 15, Section 7
Jefferson County

Part of the Northeast Quarter of the Northwest Quarter of Section 3, Township 7 South, Range 9 West, Jefferson County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Northeast Quarter of the Northwest Quarter of Section 3; thence South 00° 19' 59" West along the East line thereof a distance of 79.584 meters for the point of beginning; thence South 89° 49' 48" West a distance of 86.959 meters to a point on the Easterly proposed right of way line of State Highway 15; thence North 37° 08' 10" West along said proposed right of way line a distance of 9.609 meters to a point; thence North 21° 02' 40" West along said proposed right of way line a distance of 25.708 meters to a point; thence North 89° 49' 48" East a distance of 102.176 meters to a point on the East line of the Northeast Quarter of the Northwest Quarter of Section 3; thence South 00° 19' 59" West along said East line a distance of 31.699 meters to the point of beginning and containing 0.303 hectare more or less.

PLH/II 11/24/98

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$500.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to James L. Nelson and Nellie Nelson; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas; and, if necessary, the right of way may be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2005-060

WHEREAS, a study was conducted at the request of local officials to determine transportation needs due to safety and delay concerns related to railroad operations in Mayflower; and

WHEREAS, the *Mayflower Planning Study* recommended the realignment of Highway 89 to improve traffic operations and safety in Mayflower; and

WHEREAS, this study was adopted by Minute Order 97-137 as a planning guide; and

WHEREAS, the Mayor of Mayflower has requested a commitment from the Department for funding to match any Federal-aid obtained by the City for preliminary engineering for a railroad grade separation.

NOW THEREFORE, the Department will provide matching funds for any phase of development for a railroad overpass and related improvements subject to the following:

- 1) The City must obtain sufficient Federal-aid funds to implement the improvement.
- 2) The improvement must be on the Highway System or, if not on the Highway System, the improvement will be added to the System in conjunction with the City taking a comparable portion of existing highway onto their system.
- 3) The match can be provided as funds become available.

2005-061

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant upgrading and installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.

(Continued)

2005-061 - Continued

3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Hempstead	Near Fulton	Co. Rd. 189	Union Pacific	Install Flashing Signals with Gates
Ouachita	Harmony Grove	Co. Rd. 88	Union Pacific	Upgrade Flashing Signals with Gates
Ouachita	Harmony Grove	Co. Rd. 45	Union Pacific	Install Flashing Signals with Gates
Clay	Piggott	Castleberry St.	Union Pacific	Install Flashing Signals with Gates

2005-062

WHEREAS, the Highway 412 corridor has been designated by Congress as a High Priority Corridor; and

WHEREAS, the Department is nearing completion of the Final Environmental Impact Statement for the relocation of Highway 412 north of Springdale which is also known as the Springdale Northern Bypass.

NOW THEREFORE, the Director is authorized to engage the services of an engineering consultant or consultants to perform design services and to proceed with right of way activities as funds become available.

2005-063

WHEREAS, IN PULASKI COUNTY, the existing Arkansas Highway Police (AHP) equipment maintenance facility is in need of significant repairs and is inadequate in size for the operational needs; and

(Continued)

2005-063 - Continued

WHEREAS, sufficient funds are available through the AHP Drug Asset Forfeiture Fund to construct a new building to accommodate needed maintenance activities for AHP equipment; and

WHEREAS, there exists adequate room on the grounds of the Central Office complex to construct a new AHP equipment maintenance facility:

NOW THEREFORE, the Director is authorized to proceed with a project to construct a new AHP equipment maintenance facility.

Work to be done by contract and state forces as a Building Project.

2005-064

WHEREAS, the City of Mansfield by Resolution #05-03 has requested the Arkansas State Highway Commission approve angle parking on the south side of Howard Street (Highway 96); and

WHEREAS, State Statute 27-51-1301 allows angle parking where the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic; and

WHEREAS, due to recent widening of the highway by the City, there is now sufficient width to allow angle parking on the south side of Highway 96 between Sebascott Avenue and Olive Avenue;

NOW THEREFORE, the Director is authorized to allow the City of Mansfield to install angle parking on the south side of Howard Street (Highway 96) from Sebascott Avenue to Olive Avenue.

2005-065

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 4, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110342	01	CRITTENDEN	HWY. 64-SOUTH (S)	77
110358	01	CRITTENDEN	I-40/HWY. 118 INTERCHANGE IMPVTS. (PH. I) (F)	40 & 118
110422	01	CRITTENDEN	14TH ST.-HWY. 38 (WEST MEMPHIS) (S)	70

(Continued)

2005-065 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110463	01	CRITTENDEN	I-40-NORTH WIDENING (S)	118
110479	01	CRITTENDEN	DITCH NO. 1-WEST (OVERLAY) (S)	64
020044	02	DESHA	MCGEHEE-MCARTHUR BRS. & APPRS. (S)	1
020048	02	JEFFERSON	PLUM BAYOU BR. & APPRS. (S)	256
030268	03	SEVIER	INDUSTRIAL PARK RD.-WILSON CREEK (DEQUEEN) (S)	70 & 71
040452	04	SEBASTIAN	HWY. 45-HWY. 255 (OVERLAY) (S)	71 & 71B
040453	04	WASHINGTON	ACCESS DRIVES RECONST. (U OF A) (PHASE XII) (S)	873
050167	05	WHITE	HWY. 5-HWY. 310 (OVERLAY) (S)	36
050168	05	CLEBURNE & WHITE	HWY. 36-NORTH & SOUTH (SEL. SECS.) (OVERLAY) (S)	5
061085	06	PULASKI	HWY. 5-HWY. 107 STRS. & APPRS. (S)	89
061104	06	PULASKI	FOXCROFT RD.-MISSISSIPPI AVE. SAFETY IMPVTS. (L.R.) (S)	10
061141	06	LONOKE	HWY. 89/CAMPGROUND RD. & 10TH STREET SIGNALS (CABOT) (S)	89
061144	06	PULASKI	HWY. 100 SIGNALS & COORDINATION (MAUMELLE) (S)	100
061163	06	PULASKI	HWY. 107-HWY. 67 (OVERLAY) (S)	176
061164	06	PRAIRIE	I-40-HWY. 70 & HWY. 249-HWY. 63 (OVERLAY) (S)	63 & 70
070279	07	CALHOUN	OUACHITA CO. LINE-EAST (OVERLAY) (S)	278
080293	08	POPE	HWY. 7-TYLER RD. (OVERLAY) (S)	64
090203	09	BAXTER	MTN. HOME-NORTH (OVERLAY) (S)	5
100303	10	CRAIGHEAD	HWY. 158-WEST (S)	18
100592	10	CRAIGHEAD	HWY. 1/LAWSON RD. SIGNAL (CRAIGHEAD CO.) (S)	1
100619	10	CLAY	GREENWAY-SOUTH (OVERLAY) (S)	49
100620	10	POINSETT	WALDENBURG-WEST (OVERLAY) (S)	14
GF0446	04	CRAWFORD	HWY. 162-EAST (OVERLAY) (S)	---
SA0235	02	ASHLEY	HWY. 82-CO. RD. 12 (OVERLAY) (S)	---
SA0433	09	BENTON	CO. RD. 700-MISSOURI STATE LINE (ADD'L. BASE & SURF.) (S)	---

(Continued)

2005-065 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
FA0616	07	BRADLEY	CO. RD. 69-WEST (RECONSTRUCTION) (S)	---
SA0742	07	CALHOUN	CO. RD. 22-SOUTH (SURFACING) (S)	---
SA0743	07	CALHOUN	CALHOUN COUNTY SURFACING NO. 8 (SEL. SEC.) (S)	---
SA0839	09	CARROLL	HWY. 62-NORTH (OVERLAY) (S)	---
SA1434	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 11 (S)	---
SA1648	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 21 (S)	---
SA2126	02	DESHA	DESHA COUNTY SURFACING NO. 11 (S)	---
SA2234	02	DREW	LADELLE-EAST (BASE & SURFACING) (S)	---
SA3037	06	HOT SPRING	CO. RD. 167-NORTHEAST (OVERLAY) (S)	---
SA3533	02	JEFFERSON	HWY. 79-HWY. 54 (OVERLAY) (S)	---
SA3723	03	LAFAYETTE	LAFAYETTE COUNTY RESEAL NO. 3 (S)	---
FA3809	10	LAWRENCE	SHARP CO. LINE-EAST RECONSTRUCTION (S)	---
SA3926	01	LEE	CO. RD. 15 (L.C. 119)-WEST (BASE & SURFACING) (S)	---
SA4334	06	LONOKE	HWY. 381-HWY. 13 (BASE & SURFACING) (S)	---
SA4925	08	MONTGOMERY	MONTGOMERY COUNTY SURFACING NO. 3 (S)	---
BR5005	03	NEVADA	CYPRESS CREEK STR. & APPRS. (S)	---
SA5536	03	PIKE	HWY. 26-NORTH (SURFACING) (S)	---
SA5537	03	PIKE	CO. RD. 41-HWY. 8 (SURFACING & PAVEMENT MARKING) (S)	---
SA5633	10	POINSETT	HWY. 69-EAST (REPAIR AND OVERLAY) (S)	---
FA6309	04	SCOTT	EAST FORK POTEAU RIVER-EAST & WEST (S)	---
SA6632	03	SEVIER	SEVIER COUNTY RESEAL & PAVEMENT MARKING NO. 2 (S)	---
SA6924	05	STONE	STONE CO. BASE, SURFACING AND RESEAL NO. 2 (S)	---
SA6925	05	STONE	HWY. 14-WEST (OVERLAY) (S)	---
SA7361	05	WHITE	GRIFFITHVILLE-SOUTH (BASE & SURFACING) (S)	---
SA7628	04	SCOTT & SEBASTIAN	HWY. 71-HWY. 71 (OVERLAY) (S)	---

(Continued)

2005-065 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

2005-066

WHEREAS, Dr. Robert P. Elliott has faithfully and admirably served as the Department Head of Civil Engineering at the University of Arkansas since 1991; and

WHEREAS, during his tenure as Civil Engineering Department Head he worked persistently to improve the civil engineering curriculum, quality of instruction, and research capabilities in the area of transportation engineering; and

WHEREAS, his efforts have led to a well-trained Department engineering staff that is an important resource and a valuable asset to assist in the improvement of Arkansas' highway system to benefit the citizens of the State; and

(Continued)

2005-066 - Continued

WHEREAS, Dr. Elliott has been instrumental in developing the Mack-Blackwell National Rural Transportation Study Center, the Highway Transportation Research Center at the University of Arkansas, and the Center for Training Transportation Professionals; and

WHEREAS, these Centers have benefited both the Department and the highway construction industry; and

WHEREAS, Dr. Elliott will be retiring as Department Head on June 30, 2005;

NOW THEREFORE, the Arkansas Highway Commission and Highway and Transportation Department staff wish to recognize Dr. Robert P. Elliott for his tireless efforts in improving the transportation profession and his devotion to working closely with the Arkansas State Highway and Transportation Department during his tenure as Department Head of Civil Engineering at the University of Arkansas at Fayetteville.

2005-067

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:30 p.m., May 4, 2005.

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 May 4, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 22, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 22, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
R. Madison Murphy, Member

2005-068 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., June 22, 2005.

2005-069 WHEREAS, the Purchasing Committee has awarded purchases on May 2, 6 and 20, 2005, and June 6, 2005, in the amounts of \$278,941.00, \$436,825.00, \$87,908.45, and \$36,186.00 respectively, totaling \$839,860.45, 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.

2005-070 WHEREAS, the mission of the Intelligent Transportation Society of America (ITS America) is to foster public/private partnerships to increase the safety and efficiency of surface transportation through the application of advanced technologies; and

WHEREAS, the successful deployment of intelligent transportation systems - comprised of a number of technologies, including information processing, communications, control, and electronics - will enable people and goods to move more safely and efficiently through a state-of-the-art, intermodal transportation system; and

2005-070 - Continued

WHEREAS, the Arkansas State Highway and Transportation Department benefits from its membership in ITS America through the receipt of valuable technical and management information regarding the development and deployment of intelligent transportation systems in the United States.

NOW THEREFORE, the Director is authorized to renew the Department's membership with ITS America for Fiscal Year 2006.

2005-071

WHEREAS, the Arkansas Highway and Transportation Department stores and compiles all district bridge inspection information on the AASHTO-sponsored software program PONTIS; and

WHEREAS, PONTIS can be further utilized to develop a bridge management system for support and enhancement of the Department's program development and budgeting; and

WHEREAS, comprehensive training and instruction is needed to implement the bridge management modeling and analysis tools within PONTIS; and

WHEREAS, this assistance can be provided by Cambridge Systematics, Inc. who developed and maintains PONTIS;

NOW THEREFORE, the Director is authorized to contract with Cambridge Systematics, Inc. to secure the services needed to develop the bridge management features of PONTIS, as funds become available.

2005-072

WHEREAS, the evaluation of all conditions and variables necessary to properly determine alignment alternatives for highways is a complex and time consuming process; and

WHEREAS, a system is needed to assist transportation professionals through the complex process of selecting alignments while considering issues that include environmental protection, cultural heritage, community values, terrain and geometric/design standards; and

(Continued)

2005-072 - Continued

WHEREAS, through a research project, the Department has evaluated a specialized system that can assist in modeling the impacts of proposed alignments in a timely and effective manner, thereby lowering project development costs and potentially lowering alignment construction costs; and

WHEREAS, this system, Quantm, has been found to be a significant time and cost savings tool; and

WHEREAS, there are no other known systems that can meet these needs.

NOW THEREFORE, the Director is authorized to enter into contracts and supplemental agreements with Quantm, Inc. as necessary to provide alignment impact services to the Department on an as needed basis.

2005-073

WHEREAS, Section 404 of the Clean Water Act requires compensatory mitigation for adverse impacts to wetlands and waters of the United States due to highway construction, maintenance and operation activities; and

WHEREAS, the Corps of Engineers requires mitigation of unavoidable wetland impacts due to highway projects; and

WHEREAS, mitigation sites must be in the same wetland planning region as the area of impact; and

WHEREAS, the Department does not have a wetland mitigation bank site available for the Ozark Wetland Planning Region; and

WHEREAS, the Arkansas Soil and Water Conservation Commission (ASWCC) is charged with developing wetland mitigation bank sites for use by State Agencies and the general public; and

WHEREAS, the Department, as a member of the State Wetland Technical Advisory Committee, has aided the ASWCC in locating a potential 40-acre wetland bank site within the Ozark Wetland Planning Region.

(Continued)

2005-073 - Continued

NOW THEREFORE, the Director is authorized to provide funding and technical assistance to the ASWCC to acquire and develop an Ozark Wetland Planning Region Bank site subject to the following conditions:

1. Development of an acceptable management agreement by ASWCC for the bank site that reserves half of available mitigation credits for Department use in exchange for half of the purchase price; and
2. Approval by the Federal Highway Administration.

2005-074

WHEREAS, the use of Intelligent Transportation Systems (ITS) in Arkansas' work zones has demonstrated the usefulness of up-to-date travel information; and

WHEREAS, Arkansas can expand this ITS service beyond work zones by providing information for travelers nationwide via a three-digit telephone number; and

WHEREAS, deployment of 511 traveler information services that include a link to 911/emergency services, travel-related weather, special events, travel times, tourist information, routing and interregional information is supported by the American Association of State Highway and Transportation Officials.

NOW THEREFORE, the Director is authorized to develop and implement a statewide deployment plan and system design for Arkansas 511, access to traveler information services.

2005-075

WHEREAS, Arkansas Act 460 of 2003 established the authority for the Department to enter into design-build contracts for highway projects in excess of \$50 million; and

WHEREAS, the Act allows for the submission of unsolicited proposals to the Department.

(Continued)

2005-075 - Continued

NOW THEREFORE, the following policy for consideration of unsolicited design-build proposals is hereby adopted.

- The proposed project on which the unsolicited proposal is based will be evaluated by the Department to determine the need for the project and if it is in the best public interest to use the design-build project delivery method.
- If it is determined that the project is not needed, or that the design-build project delivery method is not in the best public interest, any unsolicited proposal will be returned to the proposing firm.
- If it is determined that the project is needed and the design-build project delivery method is in the best public interest, the Department will solicit additional design-build proposals by advertising a Request for Letters of Interest, evaluating the Letters of Interest and short-listing a group of firms considered to be most qualified for delivering the project, and submitting a Request for Proposals to those short-listed firms.
- At the time a Request for Proposals is submitted to the short-listed firms, the project's Scope of Work will be submitted to any firms that have submitted unsolicited proposals prior to the Request for Letters of Interest for their consideration to revise their unsolicited proposal.
- The unsolicited proposals will be evaluated during the evaluation of the solicited proposals.
- Although stipends may be considered for firms that submit solicited proposals, no stipend will be paid for any unsolicited design-build proposal.

2005-076

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

(Continued)

2005-076 - Continued

WHEREAS, the Arkansas Highway and Transportation Department spends over \$2 million annually to remove litter from State Highways.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 to the Keep Arkansas Beautiful Commission for use in conducting the Great Arkansas Cleanup Campaign.

2005-077

WHEREAS, the Commission acquired in fee property known as Tract No. 2, Job No. 090131, State Project, Bear Hollow Road Relocation, Route 71 Section 19, Benton County, Arkansas, from Fuels & Supplies, Inc. by condemnation resulting in a judgment filed of record on January 30, 2004, in the Circuit Clerk's office of Benton County, Arkansas, in case Arkansas State Highway Commission vs. Fuels & Supplies, Inc., an Arkansas Corporation and First National Bank of Springdale, Mortgagee; Benton County Circuit No. CIV 2002-001453-1; and

WHEREAS, Rex K. Tolle and Dorene L. Tolle, husband and wife, have asked to repurchase 0.15 acre, more or less, part of Tract No. 2; Fuels & Supplies, Inc. has assigned its right to reacquire that portion of Tract No. 2 (0.15 acre) which the District Engineer for District 9 has determined is not now, nor in the foreseeable future will be, needed for highway purpose to Rex K. Tolle and Dorene L. Tolle, husband and wife; said portion of Tract No. 2 being released and sold herein being more particularly described as follows:

JOB NO. 090131
STATE PROJECT
BEAR HOLLOW ROAD RELOCATION
(BELLA VISTA)
ROUTE 71 SECTION 19
BENTON COUNTY
PART OF TRACT 2

Part of the Northwest Quarter of the Northwest Quarter Section 15, Township 21 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

(Continued)

2005-077 - Continued

Starting at a ½” Iron Pin being used as the West 1/16 Corner, Section 15; thence South 00° 02’ 52” East along the East line of the Northwest Quarter of the Northwest Quarter Section 15 a distance of 14.87 feet to a point on the Southerly existing right of way line of Bear Hollow Road; thence North 89° 32’ 26” West along said existing right of way line a distance of 624.72 feet to a point on the Southerly proposed right of way line of Bear Hollow Road for the point of beginning; thence South 53° 51’ 26” East along said proposed right of way line a distance of 66.93 feet to a point; thence South 36° 08’ 34” West along said proposed right of way line a distance of 49.00 feet to a point; thence North 62° 13’ 32” West along said proposed right of way line a distance of 171.82 feet to a point on the Southerly existing right of way line of Bear Hollow Road; thence South 89° 32’ 26” East along said existing right of way line a distance of 126.87 feet to the point of beginning and containing 0.15 Ac. more or less.

RR/tr 9/11/03

WHEREAS, Tract No. 2 was acquired by the Commission for THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated §27-67-322, opined that the current fair market value of that portion of Tract No. 2 being offered for sale is ONE THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$1,650.00).

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of \$1,650.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Rex K. Tolle and Dorene L. Tolle; a copy of the deed and this Minute Order shall be recorded in Benton County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2005-078

WHEREAS, Minute Order 2003-013 authorized the Department to conduct a traffic operations/needs study to determine the scope of any needed improvements to the Highway 67/James Street interchange in Jacksonville; and

(Continued)

2005-078 - Continued

WHEREAS, the interchange area has been studied and recommendations have been made in the *Highway 67/James Street Interchange Improvement Study*.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction, as funds become available.

2005-079

WHEREAS, IN BENTON COUNTY, Minute Order 96-106 was approved to provide deceleration lanes at selected intersections along Highway 412 in Siloam Springs; and

WHEREAS, the need for deceleration lanes at an additional intersection of Highway 412 and Carl Street has been identified.

NOW THEREFORE, the Director is authorized to add these improvements to Job 090024 Highway 412 Improvements (Siloam Springs).

2005-080

WHEREAS, it has been determined that improvements at the below listed railroad crossing are warranted to accommodate a roadway project.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

(Continued)

2005-080 - Continued

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Chicot	Lake Village	Hwy. 65	Southeast Arkansas Economic Development District	Relocate Flashing Signals/Install Concrete Surface

2005-081 WHEREAS, IN HOWARD COUNTY, local officials have expressed concern about truck traffic near schools in the City of Nashville and have requested a study of a northern bypass.

 NOW THEREFORE, the Director is authorized to conduct a northern bypass study for the City of Nashville.

2005-082 WHEREAS, IN JACKSON COUNTY on Highway 367, Section 21 on the White River Bridge in Newport and in PULASKI COUNTY on Interstate 30, Section 23 on the Arkansas River Bridge in Little Rock, the original navigation lighting systems are in constant need of repair due to their age and can no longer be maintained; and

 WHEREAS, these lighting systems enhance safe navigation.

 NOW THEREFORE, the Director is authorized to proceed with necessary repairs and/or replacement of the navigation lighting systems on these structures as funds become available.

2005-083 WHEREAS, local officials have requested a study of a possible interchange at the Quarry Road overpass of Interstate 40 that is located just west of Lamar; and

 WHEREAS, construction of an interchange at Interstate 40 and Quarry Road could improve traffic operations and access to that area.

 NOW THEREFORE, the Director is authorized to conduct a study to determine the feasibility of an interchange at the Interstate 40/Quarry Road overpass in Johnson County.

2005-084

WHEREAS, the existing Clark County Area Headquarters facility in Arkadelphia on State Highway 51 was constructed in 1962; and

WHEREAS, at this existing location, insufficient area is owned to properly accommodate the necessary maintenance activities; and

WHEREAS, relocation of the Clark County Area Headquarters has been a high priority for the Department for the past ten years; and

WHEREAS, suitable property near Interstate 30 on the south side of State Highway 26 has become available, and has been appraised by the Department.

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and construct an Area Headquarters facility, including buildings, appurtenances, fencing and related items.

Work to be done by contract and state forces as a Building Project.

2005-085

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the June 22, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110467	01	CRITTENDEN	RED CROSS RD. & KUHN RD. IMPROVEMENTS (MARION) (S)	---
110480	01	MONROE	HWY. 241-HWY. 79 (SEL. SECS.) (OVERLAY) (S)	49
030182	03	LAFAYETTE	RED RIVER-HWY. 29 (S)	160
004818	04	LOGAN	FOREST BOUNDARY-PARIS (S)	309
040397	04	WASHINGTON	LINCOLN-PRAIRIE GROVE STRS. & APPRS. (S)	62
040449	04	WASHINGTON	I-540-HWY. 71B (OVERLAY) (S)	71B
050169	05	SHARP	CAVE CITY-STRAWBERRY RIVER (SEL. SECS.) (OVERLAY) (S)	167
060985	06	PULASKI	RICHLAND DR.-PLANTATION DR. (FOURCHE DAM PIKE) (LR) (S)	---
061168	06	PULASKI	47TH ST.-REMOUNT RD. (NLR) (OVERLAY) (S)	176
061172	06	LONOKE	HWY. 321-HWY. 38 (OVERLAY) (S)	89

(Continued)

2005-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
080237	08	MONTGOMERY	MOUNT IDA-EAST (PASSING LANES) (S)	270
080291	08	FAULKNER	EAST FORK CADRON CREEK-I-40 (OVERLAY) (S)	65
009932	09	CARROLL	LEATHERWOOD CREEK STR. & APPRS. (EAST OF HWY. 187) (S)	62
090147	09	BENTON	HWY. 59-WEST (SILOAM SPRINGS) (S)	43
090190	09	BAXTER	HWY. 62/HWY. 126 SIGNAL (GASSVILLE) (S)	62 & 126
090205	09	BOONE	HWY. 65B-NORTH (OVERLAY) (S)	65
R00059	10	CRAIGHEAD	WASHINGTON AVE. INTCHNG. (JONESBORO) (F)	63
100306	10	CRAIGHEAD	HWY. 158-ST. FRANCIS RIVER (S)	18
100433	10	CRAIGHEAD & GREENE	GREENE COUNTY LINE-SOUTH STRS. & APPRS. (S)	141
100566	10	GREENE	PARAGOULD-BIG SLOUGH DITCH (F)	412
100569	10	CRAIGHEAD	BIG CREEK DITCH STR. & APPRS. (S)	349
100621	10	RANDOLPH	POCAHONTAS-NORTH (OVERLAY) (S)	67
100622	10	GREENE	MARMADUKE-HALLIDAY (OVERLAY) (S)	49
RX0021	8 & 9	VAN BUREN & SEARCY	BEAR CREEK-CLINTON (PASSING LANES) (S)	65
SA0343	09	BAXTER	BAXTER COUNTY RESEAL NO. 5 (S)	---
SA0434	09	BENTON	MARION LEE RD.-SILOAM SPRINGS C.L. (SURFACING) (S)	---
SA0638	07	BRADLEY	CO. RD. 17-EAST (OVERLAY) (S)	---
SA0933	02	CHICOT	CO. RD. 8-NORTH (OVERLAY) (S)	---
SA1141	10	CLAY	CLAY COUNTY OVERLAY (S)	---
SA1544	08	CONWAY	CONWAY CO. BASE, SURFACING & RESEAL (S)	---
FA1710	04	CRAWFORD	ZION RD.-NORTH (RECONSTRUCTION) (S)	---
SA1829	01	CRITTENDEN	HWY. 147-CO. RD. 17 OVERLAY (SEL. SECS.) (S)	---
SA2027	07	DALLAS	HWY. 8-CO. RD. 271 (SURFACING) (S)	---
FA2213	02	DREW	BRANCH OF TEN MILE CREEK STRS. & APPRS. (S)	---
SA2235	02	DREW	CO. RD. 36-WEST (BASE & SURFACING) (S)	---

(Continued)

2005-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA2360	08	FAULKNER	HWY. 286-HWY. 64 (REHAB. & OVERLAY) (S)	---
FA2417	04	FRANKLIN	PHILPOT RD.-WEST (RECONST.) (S)	---
SA2537	05	FULTON	COUNTY ROAD 18 (UNION RD.) SURFACING (S)	---
SA2653	06	GARLAND	GARLAND COUNTY RESEAL NO. 12 (S)	---
SA2654	06	GARLAND	SALINE COUNTY LINE-SOUTH (OVERLAY) (S)	---
SA2733	02	GRANT	GRANT COUNTY RESEAL NO. 3 (S)	---
SA2734	02	GRANT	CO. RDS. 8 & 14 (OVERLAY) (S)	---
SA2852	10	GREENE	GREENE CO. SURFACING NO. 9 (SEL. SECS.) (S)	---
SA3129	03	HOWARD	CO. RD. 12-SOUTH (SURFACING) (S)	---
SA3255	05	INDEPENDENCE	INDEPENDENCE CO. SURFACING NO. 11 (SEL. SECS.) (S)	---
SA3634	08	JOHNSON	JOHNSON COUNTY BASE & SURFACING NO. 8 (S)	---
SA3841	10	LAWRENCE	HWY. 25-NORTH (OVERLAY) (S)	---
SA3926	01	LEE	CO. RD. 15 (L.C. 119)-WEST (BASE & SURFACING) (S)	---
FA4016	02	LINCOLN	WAGON BAYOU STR. & APPRS. (S)	---
SA4260	04	LOGAN	HWY. 393-WEST (BASE & SURFACING) (S)	---
SA4261	04	LOGAN	LOGAN CO. BASE & SURFACING NO. 2 (S)	---
SA4425	09	MADISON	MADISON COUNTY BASE & SURFACING (S)	---
SA4536	09	MARION	HWY. 268-HWY. 125 (OVERLAY) (S)	---
SA4635	03	MILLER	HWY. 82-HWY. 296 (RESEAL) (S)	---
SA5125	09	NEWTON	CO. RD. 36 BASE & SURFACING (SEL. SEC.) (S)	---
SA5330	08	PERRY	COUNTY ROADS 42 AND 45 RESEAL (S)	---
SA5331	08	PERRY	HWY. 113-HWY. 60 (OVERLAY) (S)	---
FA5415	01	PHILLIPS	BIG CREEK STR. & APPRS. (S)	---
SA5726	04	POLK	HWY. 71-EAST (RECONSTRUCTION) (S)	---
SA5847	08	POPE	POPE COUNTY SURFACING NO. 15 (S)	---
SA6632	03	SEVIER	SEVIER COUNTY RESEAL & PAVEMENT MARKING NO. 2 (S)	---
SA6725	05	SHARP	SHARP CO. RESEAL NO. 3 (S)	---

(Continued)

2005-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA6852	01	ST. FRANCIS	HWY. 261-NORTH BASE, SURFACING, & OVERLAY (S)	---
BR7102	08	VAN BUREN	NORTH CADRON CREEK STR. & APPRS. (S)	---
SA7127	08	VAN BUREN	HWY. 65-NORTHEAST (RESEAL & SURFACING) (S)	---
SA7266	04	WASHINGTON	CO. RD. 37-NORTH (OVERLAY) (S)	---
FA7419	01	WOODRUFF	CO. ROAD 19-NORTH (RECONST.) NO. 3 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner Madison Murphy moved, Vice Chairman Jonathan Barnett seconded and the motion passed 3-0 to approve the Fiscal Year 2005-2006 Departmental Budget as recommended by the Department Staff. (Commissioner Carl Rosenbaum & Commissioner John Ed Regenold were absent.)

2005-086

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., June 22, 2005.

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 June 22, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 10, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 10, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2005-087 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 10, 2005.

2005-088 WHEREAS, the Purchasing Committee has awarded purchases on July 12 and 20, 2005, in the amounts of \$224,368.00 and \$102,610.00 respectively, totaling \$326,978.00, 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.

2005-089 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

2005-089 - Continued

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2006.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2006 in the amount of \$6,000.00.

2005-090

WHEREAS, the Arkansas State Highway Commission approved Minute Order 2005-057 on May 4, 2005 authorizing the implementation of the Fiscal Year 2006 State Planning and Research (SPR) Work Program and Cost Estimate in compliance with United States Code Titles 23 and 49; and

WHEREAS, a revision to the Fiscal Year 2006 SPR Work Program and Cost Estimate is needed to increase the amount of Congestion Mitigation Air Quality (CMAQ) funds for the Central Arkansas Regional Transportation Study (CARTS) from \$22,500 to \$25,000 in accordance with the CMAQ Letter of Agreement between CARTS and the Department; and

WHEREAS, sufficient CMAQ funds are available to fund this increase.

NOW THEREFORE, the revision to the Fiscal Year 2006 SPR Work Program and Cost Estimate is hereby approved and the Director is authorized to implement the revised Work Program.

2005-091

WHEREAS, the University of Arkansas at Little Rock's (UALR) Institute for Economic Advancement, in conjunction with the Transportation Research Board, the Federal Highway Administration and the Federal Reserve Bank of St. Louis, is hosting the Third National Conference on Transportation and Economic Development in March 2006 in Little Rock; and

WHEREAS, UALR has requested that the Department provide financial assistance for the conference as well as assistance in planning and conducting the conference; and

WHEREAS, participation in this conference will be beneficial to the Department.

NOW THEREFORE, the Director is authorized to provide \$7,500 to the University of Arkansas at Little Rock's Institute for Economic Advancement for assistance in funding the Third National Conference on Transportation and Economic Development and to provide services as necessary for assistance in planning and conducting the conference.

2005-092

WHEREAS, the Department, in conjunction with the Mack-Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville, has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the MBTC to conduct the following studies.

- Development of Methods for Estimating Remaining Life of Hot-Mix Asphalt Field Mixes
- Prestress Losses in Prestressed Bridge Girders Cast with Self Consolidating Concrete
- Roundabout Feasibility Study for West Memphis, Arkansas, as a Prototype for Intersection Improvements Around Interstate Overpasses

2005-092 - Continued

- Effects of Freeway Frontage Road Conversion
- Evaluation of Pavement Thickness and Modulus Using Spectral Analysis of Surface Waves
- Non-Nuclear Methods for HMA Density Measurements
- Physical and Chemical Characteristics of Superpave Binders Containing Air Blown Asphalt from Two Different Feedstocks

2005-093

WHEREAS, during inclement winter conditions, the removal of snow and ice from roadways is a major activity for the Department; and

WHEREAS, the application of salt and abrasives is a key component of that activity; and

WHEREAS, the Department has found that the lower costs and ease of handling of salt in bulk quantities has improved the Department's capabilities during these winter conditions.

NOW THEREFORE, the Director is authorized to construct bulk salt storage buildings at strategic locations as funds are available.

2005-094

WHEREAS, extensions of the Transportation Equity Act for the 21st Century included funding for the Arkansas Recreational Trails Program for Federal Fiscal Year 2004 and partial funding for Federal Fiscal Year 2005; and

WHEREAS, the Arkansas Recreational Trails Advisory Committee and Arkansas State Highway and Transportation Department staff have reviewed the applications submitted and developed recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the attached list of projects.

2005-095

WHEREAS, the Commission acquired in fee property known as Tract No. 23X from Terry Barley and Lydia Hackett Barley, husband and wife, for Job No. 020239, South C. L. McGehee – Black Pond Slough, Route 65, Sections 19 & 20 Chicot and Desha Counties, Arkansas, by Warranty Deed dated July 21, 2000, filed for record August 18, 2000, in Deed Record Book M21 at Page 541 of the Deed Records of Chicot County, Arkansas; and

WHEREAS, Henry Dave Hackett and wife Frances Hackett, have asked to repurchase 0.33 acre, more or less, of Tract No. 23X and Terry Barley and Lydia Hackett Barley have assigned their right to reacquire Tract No. 23X (.33 acres) to Henry Dave Hackett and wife, Frances Hackett; and

WHEREAS, the District Engineer for District No. 2 has determined that the remaining portion of Tract No. 23X is not now, nor in the foreseeable future will be, needed for highway purposes, said portion of Tract No. 23X being more particularly described as follows:

Part of the Southwest Quarter of the Southwest Quarter of Section 23 Township 13 South, Range 3 West Chicot County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 23; thence South $88^{\circ} 55' 57''$ West along the South line thereof a distance of 894.37 feet to a point on the Easterly existing right of way line of U. S. Highway 65; thence North $25^{\circ} 05' 58''$ West along said existing right of way a distance of 186.72 feet to a point; thence in a Northwesterly direction along said existing right of way line on a curve to the right having a radius of 2814.79 feet a distance of 442.38 feet to a point; thence North $73^{\circ} 54' 24''$ East along said existing right of way line a distance of 30.00 feet to a point; thence in a Northwesterly direction along said existing right of way line on a curve to the right having a radius of 2784.79 feet a distance of 388.83 feet to a point; thence South $81^{\circ} 54' 20''$ West along said existing right of way line a distance of 5.00 feet to a point; thence in a Northwesterly direction along said existing right of way line on a curve to the right having a radius of 2789.79 feet a distance of 61.30 feet to a point; thence South $89^{\circ} 44' 34''$ West a distance of 42.46 feet to a point on the Easterly proposed right of way line of U. S. Highway 65 for the point of beginning; thence North $7^{\circ} 43' 37''$ West along said proposed right of way line a distance of 138.60 feet to a point on the Easterly existing right of way line of U. S. highway 65; thence South $89^{\circ} 39' 45''$ East along said existing right of way line a distance of 101.76 feet to a point; thence South

2005-095 - Continued

6° 35' 02" East along said existing right of way line 19.36 feet to a point; thence South 9° 47' 02" East along said existing right of way line 119.72 feet to a point; thence North 89° 44' 34" West along said existing right of way line a distance of 105.68 feet to the point of beginning and containing 0.33 acres more or less.

GA/ga 4/20/05

WHEREAS, three appraisers have opined that the remaining portion of Tract No. 23X has a current value of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00)

NOW THEREFORE, BE IT RESOLVED that the remaining portion of Tract No. 23X, described above, is declared surplus; upon receipt of the consideration of \$1,000.00, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Henry Dave Hackett and wife, Frances Hackett; a copy of the Deed and this Minute Order shall be recorded in Chicot County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal-Aid Funds from this disposal shall be credited to Federal Funds.

2005-096

WHEREAS, the Commission acquired right of way for Job No. 10887, FAP Number RS-A 360 (6), Hwy. 91 – Bono, Route 230 Sections 6 & 7, Craighead and Lawrence Counties by Craighead County Court Order dated March 24, 1977, which was recorded in the County Court Records of Craighead County, Arkansas, in Book X at Page 65, on April 4, 1977; and

WHEREAS, the District Engineer for District 10 has determined that an area inside the boundaries of the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundary be remonumented to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described below:

SUPPLEMENTAL REVISED
CENTERLINE DESCRIPTION
JOB 10887
HWY. 91 – BONO

ROUTE 230 SECTION 7
CRAIGHEAD COUNTY

From designated Construction Centerline Station 412+18.00 to Station 412+48.00 of the originally executed Court Order for Job 10887, dated April 4,1977 and being recorded in County Court Records of Craighead County, Arkansas In Book X, page 65 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
412+18.00	412+48.00	30	30	24	54

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Craighead County.

G.A.:g.a. Typed: 5/25/05

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Craighead County, Arkansas; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Craighead County; and, that the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2005-097

WHEREAS, the Commission acquired the following property for Job No. 050064 by Warranty Deed from the Grantors named herein and for the price set beside each named Grantor, to-wit;

- 1) Tract No. 6XR from Kevin N. King, Executor of the Estate of Glen R. Keown, deceased, in the amount of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00);

- 2) Tract No. 7XR from Shirley Farmer, Randy Garner and wife, Darlene Garner; in the amount of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); and
- 3) Tract No. 38R from Arthur W. Beeh and Jennie Bernice Beeh, his wife, in the amount of ONE HUNDRED AND NO/100 DOLLARS (\$100.00); and

WHEREAS, each of the aforesaid tracts were acquired by Warranty Deed for Job No. 050064, NH-0067 (14), Highway 63 Bypass (Hardy) Route 63, Sharp County, and each Warranty Deed is dated and recorded as set forth herein below:

- 1) Tract No. 6XR dated November 1, 2002, filed for record November 19, 2002, in Deed Record Book 2002 at page 21258 of the Deed Records of Sharp County, Arkansas;
- 2) Tract No. 7XR dated November 1, 2002, filed for record on November 19, 2002, in Deed Record Book 2002 at page 21265 of the Deed Records of Sharp County, Arkansas;
- 3) Tract No. 38R dated February 20, 2003, filed for record on March 11, 2003, in Deed Record Book 2003 at page 4350 of the Deed Records of Sharp County, Arkansas; and

WHEREAS, Kathie Chamberlin has asked to purchase Tract Nos. 6XR, 7XR and 38R, which the District Engineer for District 5 has determined are not now, nor in the foreseeable future, will be needed for highway purposes; and

WHEREAS, each of the Grantors named above, who sold the lands hereinafter described to the Commission, has assigned his or her rights to reacquire the property to Kathie Chamberlin, said property being described as follows;

- 1) Tract No. 6XR
Part of lot's 17 & 18 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy, Township 19 North, Range 5 West, Sharp County, Arkansas, more particularly described as follows:

Beginning at the Northeast corner of lot 18 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy; thence South 10° 44' 02" West along the East line thereof a distance of 95.46 feet to a point on the northerly right of way line of relocated U. S. Highway 63 as established by AHTD Job 050064; thence North 59° 01' 30" West along said right of way line a distance of 150.89 feet to a point on the West line lot 17 of Locksley Addition to Woodland Hills Subdivision to the city of Hardy; thence North 10° 07' 17" East along the West line thereof a distance of 36.64 feet to a point on the North line of said lot 17; thence North 89° 43' 40" East along the North line a distance of 40.30 feet to a point; thence South 71° 54' 38" East along said North line a distance of 29.26 feet to a point on the Northwest corner of lot 18 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy; thence South 81° 21' 00" East along the North line thereof a distance of 132.96 feet to the point of beginning and containing 9,599 square feet more or less as shown on plans prepared by the AHTD referenced as Job 050064.

DCM/ras
09/18/02

2) Tract No. 7XR

Part of lot 19 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy, Township 19 North, Range 5 West, Sharp County, Arkansas, more particularly described as follows:

Beginning at the Northeast corner of lot 19 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy; thence South 27° 51' 08" West along the East line thereof a distance of 97.21 feet to a point on the northerly right of way line of relocated U. S. Highway 63 as established by AHTD Job 050064; thence North 59° 01' 30" West along said right of way line a distance of 63.32 feet to a point on the West line of said lot 19; thence North 10° 44' 02" East along said West line a distance of 95.46 feet to a point on the Northwest corner of said lot 19; thence South 63° 43' 55" East along the North line thereof a distance of 91.36 feet to the point of beginning and containing 7,275 square feet more or less as shown on plans prepared by the AHTD referenced as Job 050064.

DCM/ras
09/18/02

3) Tract No. 38R

Part of lot 19 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy, Township 19 North, Range 5 West, Sharp County, Arkansas, more particularly described as follows:

Beginning at the Northeast corner of lot 19 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy; thence South 27° 51' 08" West along the East line thereof a distance of 97.21 feet to a point on the northerly right of way line of relocated U. S. Highway 63 as established by AHTD Job 050064; thence North 59° 01' 30" West along said right of way line a distance of 63.32 feet to a point on the West line of said lot 19; thence North 10° 44' 02" East along said West line a distance of 95.46 feet to a point on the Northwest corner of said lot 19; thence South 63° 43' 55" East along the North line thereof a distance of 91.36 feet to the point of beginning and containing 7,275 square feet more or less as shown on plans prepared by the AHTD referenced as Job 050064.

DCM/ras
09/18/02

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration amount of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) for Tract No. 6XR; the consideration amount of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) for Tract No. 7XR; and the consideration amount of ONE HUNDRED AND NO/100 DOLLARS (\$100.00) for Tract No. 38R, for a total consideration in the amount of ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$1,100.00), the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the described property to Kathie Chamberlin, a copy of the deed and this Minute Order shall be recorded in Sharp County, Arkansas; if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2005-098

WHEREAS, IN HOT SPRING COUNTY on County Road 66, an Original Contract dated May 25, 2004, was awarded to D & E Construction, Inc. for Job BR3005, FAP No. BRO-0030(11), Brushy Creek Strs. & Apprs. (S) based on a low bid of \$545,721.78; and

WHEREAS, the Contractor has failed to pursue and complete the specified work in a timely manner; and

WHEREAS, the Contractor was notified by Certified Mail dated July 8, 2005, that unless the Department was provided a written plan of action for completing the work, the Project would be placed in default in accordance with Subsection 108.08 of the Standard Specifications; and

2005-098 - Continued

WHEREAS, D & E Construction, Inc. failed to provide a satisfactory response to the above;

NOW THEREFORE, the rights of D & E Construction, Inc. to proceed on Job No. BR3005 are hereby terminated, and the Chief Engineer is authorized to arrange for fulfillment of the contract obligations in accordance with the plans and specifications and in compliance with the terms and conditions of the Contract Bond.

2005-099

WHEREAS, IN CRAIGHEAD COUNTY, in the City of Jonesboro, Job R00118, Highway 63B West Interchange is substantially complete and open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 63, Section 6B from the junction of Highway 63, Section 6 to the new portion is hereby removed from the State Highway System.
2. The new portion of Highway 63B as constructed from the junction of Highway 91 to the junction of Highway 63, Section 6B including the overpass is hereby added to the State Highway System as a part of Highway 63, Section 6B.
3. The old portion of Highway 91 from the junction of Highway 63, Section 6 to the new portion of Highway 91 is hereby removed from the State Highway System.
4. The new portion of Highway 91 as constructed from the junction of old Highway 91 to the new portion of Highway 63, Section 6B is hereby added to the State Highway System as part of Highway 91, Section 2.

2005-100

WHEREAS, Minute Order 97-138 authorized the Department to conduct a planning study for improvements to Highway 7 between Arkadelphia and Harrison; and

WHEREAS, the *Highway 7 Corridor Study: Interstate 30 near Arkadelphia to Highway 65 at Harrison* has been completed and a thorough analysis of this 190-mile corridor has identified needed improvements to enhance traffic operations and improve safety on this segment of Highway 7.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Highway 7, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2005-101

WHEREAS, Minute Order 99-204 authorized the Department to conduct a study for improvements to Highway 227 from Highway 270 to Mountain Pine; and

WHEREAS, a study titled *Proposed Improvements Highway 227, Highway 270 to Mountain Pine* was conducted to determine the scope of improvements needed to enhance the capacity and safety of this route.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Highway 227, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2005-102

WHEREAS, the Department was requested to conduct a study to determine the need for and feasibility of improvements to Highway 365 Spur and Highway 270 in the vicinity of the Interstate 530 interchange, and Highway 365 between Highway 256 and Jefferson Parkway in White Hall; and

WHEREAS, the study recommended the widening of Highway 365 Spur and Highway 270 to provide four travel lanes and a continuous, two-way, left turn lane between Claud Road and Jefferson Parkway; and

2005-102 - Continued

WHEREAS, the study also recommended that no improvements to Highway 365 are needed at this time.

NOW THEREFORE, this study is hereby adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2005-103

WHEREAS, Minute Order 2004-022 authorized the Department to conduct a study of the need for and feasibility of an extension of Highway 13 from Highway 267 to Highway 36 west of Searcy; and

WHEREAS, the *Highway 13 Extension Study – White County* has been completed and the analysis has determined that an extension of Highway 13 is needed to enhance traffic operations and improve safety in the region.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction, as funds become available.

2005-104

WHEREAS, Act 1326 of the 2005 Regular Session of the 85th General Assembly appropriated funds to the Department for the installation of solar operating signals or other apparatus as deemed appropriate by the Department for safety improvements at the intersection of Highway 7 and Highway 206 in Boone County.

NOW THEREFORE, the Director is hereby authorized to proceed with the safety improvement at the intersection of Highway 7 and Highway 206 in Boone County.

FURTHERMORE, the Director is authorized to enter into any necessary agreements with local entities for the installation and maintenance of aforementioned signals or devices.

2005-105

WHEREAS, Highway 167 serves north-central Arkansas and is an important link in the National Highway System extending from the Highway 67 Freeway at Bald Knob to Highway 412 at Ash Flat; and

WHEREAS, local officials have requested consideration of an eastern bypass of the City of Batesville to enhance traffic operations on Highway 167 and to reduce travel delays to motorists traveling through the area.

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of an eastern bypass of the City of Batesville.

2005-106

WHEREAS, IN LAWRENCE COUNTY, in the City of Ravenden, the BNSF Railway main line crosses Highway 63, a National Highway System route, at an at-grade crossing; and

WHEREAS, this crossing is difficult to maintain because of the heavy vehicular and train traffic volumes on this two-lane highway and a BNSF Railway official has requested consideration of a railroad overpass at this location.

NOW THEREFORE, the Director is authorized to conduct a study of the feasibility of a Highway 63 overpass of the BNSF Railway main line in Ravenden.

2005-107

WHEREAS, the City of Blytheville and Mississippi County are in the process of developing a public slackwater harbor on the Mississippi River; and

WHEREAS, officials with the Blytheville/Mississippi County Regional Intermodal Authority have requested the Department to conduct a study of roadway and railroad access to the planned slackwater harbor.

NOW THEREFORE, the Director is authorized to prepare a landside access study for the slackwater harbor that would identify needed roadway and railroad access improvements.

2005-108

WHEREAS, the Arkansas State Highway Commission owns property near the Central Office Complex, on which a new Arkansas Highway Police (AHP) equipment maintenance facility is proposed to be constructed; and

WHEREAS, the property designated for the AHP maintenance facility is encumbered with two houses which appraisers, employed by the Commission, have opined have no value, either as salvage or as whole structures to be moved; and

WHEREAS, in order to construct the proposed AHP maintenance facility the existing structures on the property must be removed.

NOW THEREFORE, the Director is authorized to have removed from the site of the proposed AHP maintenance facility any or all improvements or structures and dispose of all salvageable property, situated hereon, if any, in accordance with state laws and the Department's practices and procedures.

2005-109

WHEREAS, it has been determined that the improvement at the below listed railroad crossing is warranted to accommodate a roadway project.

NOW THEREFORE, the Director is authorized to proceed with the improvement at this crossing subject to the following conditions:

1. Maintenance of the surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Washington	Fayetteville	Hwy. 112	Arkansas & Missouri	Install Concrete Surface

2005-110

WHEREAS, the existing Red River Welcome Center located on U. S. Highway 71 south of the Red River in Miller County, serving both northbound and southbound traffic is approximately 16 years old; and

WHEREAS, sewage from this facility is treated by an extended aeration sewage treatment plant of the same age; and

WHEREAS, the plant requires perpetual maintenance and has deteriorated to the extent that the treated effluent does not consistently meet the current requirements of the Arkansas Department of Environmental Quality; and

NOW THEREFORE, the Director is authorized to enter into an agreement with the Texarkana Water Utilities and proceed with the work required for this sanitary sewer extension and connection to the Texarkana sewer system

2005-111

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 10, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110482	01	CRITTENDEN	HWY. 184-EAST (OVERLAY) (S)	64
020429	02	CHICOT	BLACK POND SLOUGH-BAYOU MACON (OVERLAY) (S)	65
040399	04	WASHINGTON	NORTH OF HWY. 16-HWY. 180 (S)	112
040420	04	WASHINGTON	TOWNSHIP RD.-FUTRALL DR. (GREGG AVE.-FAYETTEVILLE) (S)	180
040423	04	WASHINGTON	HWY. 16 WIDENING (FAYETTEVILLE) (S)	16
040461	04	SCOTT	WALDRON-EAST (OVERLAY) (S)	80
050170	05	JACKSON	HWY. 67-EAST (OVERLAY) (S)	14
061097	06	PULASKI	HWY. 100 RAILROAD OVERPASS (MAUMELLE) (S)	100
061146	06	PULASKI	HWY. 70 GRADE REVISION (NLR) (S)	70
061152	06	PULASKI	I-40/I-440 RAMP REHABILITATION (F)	40 & 440
061175	06	GARLAND & HOT SPRING	HOT SPRINGS-JONES MILL (SEL. SECS.) (OVERLAY) (S)	7 & 270
070237	07	CLARK	PIKE CO. LINE-EAST (DRAINAGE IMPVTS.) (S)	26
080298	08	JOHNSON	HWY. 109-EAST (OVERLAY) (S)	64

2005-111 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
009834	09	BENTON	HWY. 71B-HWY. 102 (BENTONVILLE) (S)	112
090149	09	CARROLL	BERRYVILLE-EAST (S)	62
090205	09	BOONE	HWY. 65B-NORTH (OVERLAY) (S)	65
100570	10	GREENE	HOOVER-WEST STRS. & APPRS. (S)	141
100625	10	LAWRENCE	BLACK RIVER-PORTIA (OVERLAY) (S)	63
SA0130	02	ARKANSAS	CO. ROADS 36 AND 82 (OVERLAY) (S)	---
SA0543	09	BOONE	HWY. 7-EAST (OVERLAY) (S)	---
SA0639	07	BRADLEY	CO. RD. 17-WEST (RESEAL) (S)	---
SA1545	08	CONWAY	CONWAY CO. RDS. RECONSTRUCTION (SEL. SECS.) (S)	---
SA1758	04	CRAWFORD	ROCK CREEK CUTOFF-NORTH (BASE AND SURFACING) (S)	---
FA1909	01	CROSS	CO. RD. 71-EAST (RECONST.) PHASE 2 (S)	---
FA2213	02	DREW	BRANCH OF TEN MILE CREEK STRS. & APPRS. (S)	---
SA3256	05	INDEPENDENCE	HWY. 122-HWY. 37 BASE, SURFACING & OVERLAY (S)	---
SA4128	03	LITTLE RIVER	HWY. 71-WEST (OVERLAY) (S)	---
SA4636	03	MILLER	CO. RD. 55-HWY. 108 (BASE) (S)	---
SA5934	06	PRAIRIE	HWY. 33-WEST & NORTH (BASE) (S)	---
SA6128	10	RANDOLPH	CO. RD. 44 BASE (SEL. SEC.) (S)	---
SA6243	06	SALINE	GARLAND COUNTY LINE-NORTH (OVERLAY) (S)	---
SA6854	01	ST. FRANCIS	HWY. 38-NORTH (BASE & SURFACING) (S)	---
SA7267	04	WASHINGTON	CO. RD. 28-SOUTH (OVERLAY) (S)	---
SA7362	05	WHITE	CO. RD. 60-SOUTH (BASE & SURFACING) (S)	---
FA7419	01	WOODRUFF	CO. ROAD 19-NORTH (RECONST.) NO. 3 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed 4-0 to authorize the staff to advertise for an auction service to coordinate the AHTD Equipment Auction sometime at the end of October. (Carl Rosenbaum was absent during the vote).

2005-112

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:45 p.m., August 10, 2005.

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 August 10, 2005.

Lindy H. Williams
Commission Secretary

OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 28, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 28, 2005. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2005-113 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., September 28, 2005.

2005-114 WHEREAS, the Purchasing Committee has awarded purchases on August 11 and 22, 2005, and September 1, 2005, in the amounts of \$201,454.00, \$359,806.00, and \$55,477.50 respectively, totaling \$616,737.50, 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.

2005-115 WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2005, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2005 in the amount of \$1,250.00.

2005-116

WHEREAS, on June 29, 1956, President Dwight D. Eisenhower signed the Federal Aid Highway Act of 1956 which created our nation's Interstate Highway System; and

WHEREAS, since that time, the Interstate Highway System has grown to over 46,500 miles and has become the backbone of our nation's highway network; and

WHEREAS, June 29, 2006, will mark the 50th Anniversary of the creation of the Interstate Highway System; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated 2006 as the "Year of the Interstate" and has planned many commemorative events; and

WHEREAS, AASHTO is creating a pool of funding from all member states to help support the year-long effort to call attention to this major historical event.

NOW THEREFORE, the Director is authorized to pay AASHTO \$4,160.00 for Arkansas' portion of the pool-funded national effort to commemorate the 50th anniversary of the Interstate Highway System and to promote the continued preservation and development of the system.

2005-117

WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, the condition of roadway surfaces and shoulders in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2006 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 to cover the maintenance and roadway surfaces including asphalt surface treatments and leveling.

2005-118

WHEREAS, Section 106 of the National Historic Preservation Act requires the identification and assessment of cultural resources on any potentially earth altering undertaking using Federal monies; and

WHEREAS, a records check of all previously recorded archeological sites is a required part of the initial identification and assessment process for highway project development; and

WHEREAS, the Arkansas Archeological Survey is the State agency charged with the management and access of all archeological site data; and

WHEREAS, the Arkansas Archeological Survey proposes to create an Internet online access to the computerized databases of all archeological site information currently listed in the State site files; and

WHEREAS, development and access to this data resource would significantly streamline a large part of the records check process making it more accurate, timely and cost effective for the Department; and

WHEREAS, the costs incurred by the Department for developing this access are eligible for Federal-aid Transportation Enhancement Funds under the category of Archeological Planning and Research.

NOW THEREFORE, the Director is authorized to enter into agreements with the Arkansas Archeological Survey in order to participate in the creation of and establish access to the computerized databases of all archeological site and project information currently listed in the State archeological site files.

2005-119

WHEREAS, there are twelve tourist information centers at key entry points around the state that are maintained by the Highway and Transportation Department and operated by the Department of Parks and Tourism; and

WHEREAS, in 2000, eight (8) of these facilities had reached or exceeded their design life; and

2005-119 - Continued

WHEREAS, the Highway and Transportation Department and the Department of Parks and Tourism jointly developed a plan to replace these facilities in a size and design more compatible with the missions of both agencies i.e., to provide motorists with certain services and assistance and to promote tourism; and

WHEREAS, the Governor and the Legislature by Act 2315 of 2005 approved the second phase of the plan and established appropriations for the replacement of facilities at Blytheville, West Memphis and Lake Village.

NOW THEREFORE, the Director, in cooperation with the Department of Parks and Tourism, is authorized to procure the services of an architectural firm and proceed with the design and construction of these facilities, as the funds are made available.

2005-120

WHEREAS, the Arkansas State Highway Commission is required to print and distribute rules and regulations necessary to carry out the codes governing State Highways and the use of motor vehicles; and

WHEREAS, the supply of the manual, *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2003 Edition*, issued jointly by the Arkansas State Highway Commission and the Department of Finance and Administration, is exhausted; and

WHEREAS, revisions to laws and regulations require this manual to be updated; and

WHEREAS, the Arkansas Code Revision Commission has indicated that a state contract exists with Lexis Publishing to compile and print the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2005 Edition*, including an Internet license agreement.

NOW THEREFORE, the Director is authorized to update the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2003 Edition*, and to collaborate with the Department of

2005-120 - Continued

Finance and Administration to publish 8,000 copies of the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2005 Edition*, including the Internet agreement.

2005-121 WHEREAS, National Bridge Inspection Standards require the bridges shown to be inspected below the water surface; and

WHEREAS, underwater bridge inspection requires the experienced services of qualified professional engineers and divers; and

WHEREAS, the AHTD does not have the capability of performing this type of inspection.

NOW THEREFORE, the Director is authorized to request Proposals from prospective engineering firms and proceed with the implementation of a project to inspect the underwater portion of these bridges as funds become available.

<u>BRIDGE NO.</u>	<u>RTE./SEC./L.M.</u>	<u>DISTRICT</u>	<u>LOCATION</u>
5211	79/10/4.51	2	ARK RIVER PINE BLUFF
5176	64/1/4.54	4	ARK RIVER FORT SMITH
17353	CR70/C/1.00	4	BLUE SPRINGS PK RD / LAKE BEAVER
5320	430/21/9.87	6	ARK RIVER 430
5292	5/10/0.0	6	ARK RIVER MAIN ST
2768	30/23/140	6	ARK RIVER I-30
6429	270/5/13.5	6	LAKE HAMILTON
5872	70/8/14.3	6	LAKE HAMILTON
6178	7/9/4.02	6	LAKE HAMILTON
3713	40/42/199.48	6	WHITE RIVER I-40
3636	12/3/6.19	9	BEAVER LAKE
4686	63585/1.63	9	LEATHERWOOD CK

2005-122 WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) provides Federal-aid funds for the development of High Priority Projects under the jurisdiction of local agencies; and

WHEREAS, the Department is responsible for administration of these funds subject to reimbursement of incurred costs; and

2005-122 - Continued

WHEREAS, matching funds for these projects will be provided by non-AHTD sources.

NOW THEREFORE, the Director is authorized to enter into agreements necessary to implement these projects.

2005-123

WHEREAS, the Department, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have jointly promoted the development of strategies for better integrating the planning and National Environmental Policy Act (NEPA) processes; and

WHEREAS, a Draft Action Plan (DAP) for Arkansas identifying critical processes for linking the planning and NEPA processes has been prepared by the FHWA and FTA in consultation with the Department; and

WHEREAS, the Department's project development procedures within the Planning and Environmental Divisions remain mostly undocumented or documented only in intra-Division guidance; and

WHEREAS, it would benefit the Department to combine the DAP recommendations with existing Planning and Environmental Division project development procedures, as well as "program level" planning as it relates to Metropolitan Planning Organizations, into an integrated, seamless, project development process procedures manual; and

WHEREAS, the Arkansas Division of the FHWA has received funds to assist the Department in efforts to document and improve the link between the planning and NEPA processes.

NOW THEREFORE, the Director is authorized to enter into any necessary agreements and administer Federal funds to develop a Project Development Procedures Manual.

2005-124

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2005-125

WHEREAS, the Commission acquired in fee property known as Tract No. 20-2 from Thompson Prothro and Katherine Cates Prothro for Job No. 11609, I-40-5 (16) 280, Interstate 40 (West Memphis), Route I-40 Section 52, Crittenden County, Arkansas, by condemnation resulting in a judgment filed of record on June 3, 1964, in the Circuit Clerk's office of Crittenden County, Arkansas, in case styled *Arkansas State Highway Commission vs. Thompson Prothro and Katherine Cates Prothro*, Crittenden County Circuit No. 5821; and

WHEREAS, Ann Gorin Prothro, the granddaughter of Thompson and Katherine Cates Prothro, has asked to repurchase Tract No. 20-2, 0.18 acre, more or less, and Shirley Prothro, survivor of an estate by the entirety with John Thompson Prothro, Jr., deceased, the only heir at law of Katherine Cates Prothro, the surviving spouse of James Thompson Prothro, deceased, the original grantors of Tract No. 20-2 to the Arkansas State Highway Commission, has assigned her right to re-acquire Tract No. 20-2 (0.18 acre, more or less) which the District Engineer for District 10 has determined is not now, nor in the foreseeable future will be, needed for highway purposes to Ann Gorin Prothro, said Tract No. 20-2 being more particularly described as follows:

0.18 acres lying in the Southwest Quarter of Section 5, Township 6 North, Range 9 East, Crittenden County, Arkansas, more particularly described as follows:

2005-125 - Continued

Beginning at the Southwest Quarter of Section 5; thence North 01°04' 03" East along the West line of Section 5 a distance of 84.51 feet to a point on the South right of way line of I-40 & 55; thence South 64° 17' 00" East along said South right of way line a distance of 202.69 feet to a point on the South line of said Section 5; thence North 88° 55' 28" West a distance of 184.22 feet to the point of beginning, containing 0.18 acres, more or less.

WHEREAS, Tract No. 20-2 was acquired by the Commission for NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$950.00).

NOW THEREFORE, BE IT RESOLVED, that the above-described property is declared surplus; that upon receipt of NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$950.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 20-2 to Ann Gorin Prothro; a copy of the deed and this Minute Order shall be recorded in Crittenden County, Arkansas, and any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2005-126

WHEREAS, the Arkansas State Highway Commission owns property in Independence County, Arkansas, which is situated contiguous to Highway 167-Highway 69, Batesville, Independence County, Arkansas; and

WHEREAS, Job No. 050095 STPS-0032 (17) Highway 167 - Highway 394, Batesville, Route 69, Section 3, Independence County, requires additional right of way along Highway 167, said additional right of way is designated as Tract No. 4 for this project, and is more fully described below:

Part of the Northwest Quarter of the Southeast Quarter of Section 16, Township 13 North, Range 6 West, Independence County, Arkansas, more particularly described as follows:

Starting at a calculated point being used as the Center East 1/16 corner of Section 16; thence South 01° 26' 04" West along the East line of the Northwest Quarter of the Southeast Quarter of Section 16 a distance of 22.10 feet to a point on the Southerly right of way line of Arkansas State Highway 69 as established by AHTD Job 5659 Section 1; thence North 89°

10' 34" West along said right of way line a distance of 165.06 feet to a point on the Easterly right of way line of 16th Street (Platted Sidney Street) as established by the plat of Maxfield's Third Eastern Addition; thence North 88° 27' 42" West a distance of 50.21 feet to a point on the Southerly right of way line of Arkansas State Highway 69 as established by AHTD Job 5659 Section 1; thence North 89° 10' 34" West along said right of way line a distance of 79.08 feet to a point; thence North 89° 31' 37" West along said right of way line a distance of 270.95 feet to a point on the Easterly right of way line of 15th Street (Platted Lee Street); thence South 84° 46' 15" West a distance of 50.32 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 5659 Section 1; thence North 89° 31' 37" West along said right of way line a distance of 670.62 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 5960; thence South 02° 19' 17" West along said right of way line a distance of 3.00 feet to the point of beginning; thence South 02° 19' 17" West a distance of 14.98 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 050095; thence South 89° 41' 57" West along said right of way line a distance of 38.58 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 5960; thence North 68° 50' 11" East along said right of way line a distance of 42.02 feet to the point of beginning and containing 0.01 acres more or less as shown on plans prepared by the AHTD referenced as Job 050095.

DJH/djh 1/20/05

NOW THEREFORE, BE IT RESOLVED, that the character of the above-described property is changed from property owned by the Commission as a capital asset, to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's office of Independence County and the right of way remonumented.

WHEREAS, the Commission acquired in fee property known as Tract 192B of University Park North Plat 3 from Doug Brandon Properties, Inc., an Arkansas corporation by Special Warranty Deed dated March 6, 1981, filed for record on March 9, 1981, as Instrument No. 81-09522, in the deed records of the Circuit Clerk's office of Pulaski County, Arkansas; and

WHEREAS, Doug Brandon Properties, Inc, for and on behalf of its future assignee (MBC Holdings, LLC or Arkansas Specialty Care, Inc.) has asked to repurchase approximately 41,098 square feet of Tract 192B of University Park North Plat 3, which the District Engineer for District 6 has determined is no longer needed for the "Park & Ride" facility situated thereon, said portion of Tract 192B being more particularly described as follows:

Part of Tract 192B of the Replat of University Park North Plat 3, Tract 192 in the City of Little Rock, Pulaski County Arkansas, more particularly described as follows:

Beginning at a found 5/8th inch rebar at the Southeast Corner of said Tract 192B; thence North 87° 10' 22" West a distance of 300.65 feet along the South line of said Tract 192B to a set ½ inch steel pin with plastic cap Stamped "W/D 1281"; thence North 02° 57' 33" East a distance of 137.62 feet to a set ½ inch steel pin with plastic cap Stamped "W/D 1281"; thence South 87° 05' 17" East a distance of 297.57 feet to a set chiseled "X" on the East line of Tract 192B said point also being on the West right of way line of University Avenue; thence South 01° 40' 33" West a distance of 137.21 feet along said East line of Tract 192B and the West right of way line of University Avenue to the point of beginning and containing 0.94 acres or 41,098 square feet more or less as shown on the plat of the survey by Paul M. White entitled "University Park North Part of Plat 3 Tract 192B" dated September 21, 2005 and recorded at the Pulaski County Circuit Clerk's Office as instrument number 2005080604 (H-465).

Subject to a 44 foot drainage easement as shown on the plat of record for the said Replat of University Park North Plat 3, Tract 192 and on the said plat of the survey by Paul M. White entitled "University Park North, Part of Plat 3, Tract 192B"

WH/crr 09/22/05

WHEREAS, the portion of Tract 192B of University Park North Plat 3 being offered for sale by the Commission has been appraised by three (3) qualified appraisers, in accordance with the requirements of Ark. Code Ann. §27-67-322. The Commission and the buyer's representatives have negotiated a price of THREE HUNDRED SEVENTY-SIX THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS

2005-127 - Continued

(\$376,800.00) as the price at which the property will be transferred to Doug Brandon Properties, Inc.'s assignee.

NOW THEREFORE, the above described property is declared surplus by the Commission and upon the receipt of THREE HUNDRED SEVENTY-SIX THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$376,800.00), the Chairman is authorized and directed to execute and deliver a quitclaim deed conveying the above described property and all improvements thereon to the properly qualified purchaser. A copy of this Minute Order and the Deed shall be recorded in the Circuit Clerk's office in Pulaski County, Arkansas.

2005-128

WHEREAS, the Commission acquired in fee property known as Tract No. 3 and 4, Job No. 7656, Junction City Tourist Information Center and Rest Area, Highway 167, Union County, Arkansas, by condemnation resulting in a judgment filed of record on December 7, 1967, in the Circuit Clerk's office of Union County, Arkansas, in the case styled *Arkansas State Highway Commission vs. Vera K. Danforth and Jewel Moore*, Union County Circuit Case No. 11073; and

WHEREAS, Kenneth C. Danforth, the only heir at law of Vera K. Danforth, deceased, has asked to repurchase a portion (10.31 acres, more or less) of Tract Nos. 3 and 4, and John Malcolm Moore, Jr., the only heir at law of Jewell Moore, deceased, has assigned his right to reacquire any portion of Tract Nos. 3 and 4, which the District Engineer for District 7 has determined is not now, nor in the foreseeable future will be, needed for highway or other purposes, to Kenneth C. Danforth; said portion of Tract Nos. 3 and 4 being released and sold herein being more particularly described as follows:

OLD JUNCTION CITY REST AREA
(Job 7656)

Part of the Southwest Quarter of the Northwest Quarter of Section 8, Township 19 South, Range 15 West, Union County, Arkansas more particularly described as follows:

Starting at the Northeast Corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence South 00° 40' East line along the East line thereof a distance of 444.8 feet to a point on the existing Southeasterly right of way line of U. S. Highway 167 for the point of beginning; thence continue South 0° 40' East along said East line a distance of 821.4 feet to a point; thence North 70° 44' West a distance of 280.0 feet to a point on the existing Southeasterly right of way line of said Highway; thence North 19° 16' East along said existing right of way line a distance of 772.2 feet to the point of beginning and containing 2.48 acres.

AND ALSO:

Part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 19 South, Range 15 West, Union County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Southeast Quarter of the Northwest Quarter of Section 8; thence South 0° 40' East along the West line thereof a distance of 444.8 feet to a point on the existing Southeasterly right of way line of U. S. Highway 167 for the point of beginning; thence North 19° 16' East along said existing right of way line a distance of 577.8 feet to a point; thence South 42° 20' East a distance of 420.6 feet to a point; thence South 19° 16' West a distance of 1,150.0 feet to a point; thence North 70° 44' West a distance of 90.0 feet to a point on the West line of the Southeast Quarter of the Northwest Quarter; thence North 0° 40' West along said West line a distance of 821.4 feet to the point of beginning and containing 8.14 acres.

LESS AND EXCEPT, a ten foot strip of land off the west side of the above described properties, said strip of land being adjacent and parallel to the east right of way line of U. S. Highway 167 as established by AHTD Job 7565 and containing 0.31 acres, more or less.

Total area of the property being sold is 10.31 acres, more or less.

WH 8/12/2005

WHEREAS, Tract Nos. 3 and 4 were acquired by the Commission for FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00); AND

2005-128 - Continued

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark Code Ann § 27-67-322 opined that the current fair market value of the portion of Tract Nos. 3 and 4 being offered for sale is THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00).

NOW THEREFORE, BE IT RESOLVED, that the above described property is declared surplus; upon receipt of the consideration of THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Kenneth C. Danforth; a copy of the deed and this Minute Order shall be recorded in Union County, Arkansas. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2005-129

WHEREAS, IN CRAIGHEAD COUNTY, Job 100126, Mud Creek & Relief, Strs. & Apprs. (S), is substantially complete and is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old segments of Highway 141, Section 1, are hereby removed from the State Highway System.
2. The newly constructed segment of highway is hereby added to the State Highway System as a part of Highway 141, Section 1.

2005-130

WHEREAS, IN GARLAND COUNTY, in the vicinity of the City of Hempwallace, Job R60032, Hempwallace – Hwy. 192, the construction of Highway 70 bypassing the Lake Hamilton schools, is partially completed and open to traffic; and

WHEREAS, a portion of Highway 70, Section 8, has been relocated over Highway 227, Section 0.

2005-130 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The portion of old Highway 70, Section 8, from the western junction of the new Highway 70 to the eastern junction of the new Highway 70 is hereby removed from the State Highway System.
2. The new route as constructed by Job R60032 is hereby added to the State Highway System as part of Highway 70, Section 8.
3. The portion of existing Highway 227, Section 0, as relocated and re-aligned by Job R60032, is hereby redesignated as a part of Highway 70, Section 8.

2005-131

WHEREAS, IN LOGAN COUNTY, the Department of Parks and Tourism has requested, by letter, that the principal vehicular drives and the parking lots serving the Mt. Magazine State Park be added to the State Highway System for maintenance purposes; and

WHEREAS, this request meets the criteria set forth in Arkansas Code 27-67-204.

NOW THEREFORE, IT IS ORDERED that the principal vehicular drives and parking lots serving the Mt. Magazine State Park are hereby made a part of the State Highway System as shown on the attached sketch.

2005-132

WHEREAS, the Arkansas State Highway Commission acquired two permanent easements for the reconnection of Mt. Carmel Road in the City of Bryant in connection with the reconstruction of the Interstate 30/Alcoa Road Interchange; and

2005-132 - Continued

WHEREAS, the City of Bryant has, by resolution of its City Council, expressed its support for the relocation of Mt. Carmel Road and has agreed to provide the necessary right of way therefore as well as bear all costs in connection with such relocation; and

WHEREAS, Mt. Carmel Road is not a part of the State Highway system and its relocation as proposed would not adversely affect the State Highway system nor would the release of the existing permanent easements detrimentally affect the Commission or the Department.

NOW THEREFORE, upon the completion of construction of the relocated Mt. Carmel Road as proposed by the City of Bryant, the Arkansas State Highway Commission will abandon the existing easements connecting the present Mt. Carmel Road to the Interstate 30/Alcoa Road Interchange Ramp.

2005-133

WHEREAS, Minute Order 2004-101 authorized the Department to conduct a traffic and safety study to determine improvements necessary to alleviate traffic congestion and enhance safety on a three-mile section of Highway 62 west of Eureka Springs; and

WHEREAS, the *Highway 62 Improvement Study – Carroll County* has been completed and the analysis has determined that passing lanes on Highway 62 are needed to enhance traffic operations and improve safety on this route.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction, as funds become available.

2005-134

WHEREAS, the Highway 71 Corridor has been designated by the United States Congress as a High Priority Corridor; and

WHEREAS, the Arkansas State Highway and Transportation Department, in coordination with the Missouri Department of

2005-134 - Continued

Transportation, has completed an Environmental Impact Statement and has received a Federal Highway Administration Record of Decision for the location of a bypass west of Bella Vista, which terminates near Pineville, Missouri; and

WHEREAS, past studies have indicated that tolls would finance a significant portion of the cost of constructing the Bella Vista Bypass.

NOW THEREFORE, the Director is authorized to enter into any necessary agreements and contracts to update the investment grade feasibility study for the Bella Vista Bypass and to conduct other studies as appropriate.

FURTHERMORE, if the results of these studies are favorable for the construction of the Bella Vista Bypass as a toll facility, the Director is authorized to take the steps necessary to retain the services of bond counsel, financial advisors, and underwriters as appropriate for the project.

2005-135

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 established a National Scenic Byway Program and encouraged the states to develop similar programs; and

WHEREAS, Minute Orders 91-513, 92-009, 93-091, and 97-044 established the criteria by which routes can be designated as Arkansas Scenic Byways; and

WHEREAS, the Clarksville-Johnson County Chamber of Commerce, representing residents, businesses, and individuals in Johnson County, have requested that Highway 21 be designated as an Arkansas Scenic Byway from its intersection with Highway 64 in Clarksville to the Newton County Line at Salus; and

WHEREAS, this route meets the aforementioned Arkansas Highway Commission criteria for Arkansas Scenic Byway designation.

NOW THEREFORE, the Commission hereby designates this route as an Arkansas Scenic Byway.

2005-136

WHEREAS, IN MISSISSIPPI COUNTY, local officials have requested a study of the need for and feasibility of an east-west connection, including an overpass of the Burlington Northern Santa Fe Railway main line, for Highway 18 in Blytheville.

NOW THEREFORE, the Director is hereby authorized to conduct a study of Highway 18 in Blytheville to determine the need for and feasibility of providing an east-west connection including an overpass of the Burlington Northern Santa Fe Railway main line.

2005-137

WHEREAS, IN NEWTON COUNTY, a study has indicated that safety improvements are needed on a section of Highway 7 from the Buffalo River Bridge to County Road 46; and

WHEREAS, these improvements may include constructing passing lanes and/or roadway relocation; and

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

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

2005-138

WHEREAS, IN SEBASTIAN COUNTY, on Interstate 540, Section 1, at Log Mile 2.12, the City of Fort Smith has requested that the existing drainage be improved; and

WHEREAS, a review by Department staff has indicated the need for additional hydraulic capacity at this location; and

WHEREAS, the City of Fort Smith has agreed to pay for 50% of the costs of the drainage improvements within the Interstate right-of-way.

NOW THEREFORE, the Director is authorized to implement a project to improve this drainage under Interstate 540 as funds become available, subject to the receipt of funds from the City of Fort Smith and the appropriate approval by the Federal Highway Administration.

2005-139

WHEREAS, it has been determined that improvements at the below listed railroad crossings are warranted to accommodate roadway projects.

NOW THEREFORE, the Director is authorized to proceed with the improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Sebastian	Barling	Fort Smith Blvd.	Fort Smith	Install Flashing Signals/Install Concrete Surface
Craighead	Brookland	County Road 928	Union Pacific	Upgrade Flashing Signals w/Gates

2005-140

WHEREAS, in the City of Fordyce, the City Council by resolution has identified a section of Highway 167/79 in Fordyce as the Paul W. "Bear" Bryant Bypass; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described section of Highway 167/79 in accordance with Commission Policy.

2005-141

WHEREAS, electronic data processing and telecommunications services support Department operations statewide and provide necessary services to other agencies, state employees and the motoring public; and

WHEREAS, a backup computer facility reduces the risk of data loss or an interruption of essential services resulting from a natural or manmade disaster; and

WHEREAS, a Department annex has adequate floor space to accommodate a backup computer facility; and

WHEREAS, the existing air conditioning, raised flooring and electrical service cannot meet the needs of the Department.

NOW THEREFORE, the Director is authorized to complete the work to construct a backup computer facility, including air conditioning, raised flooring and appurtenances.

Work to be done by contract and state forces as a Building Project.

2005-142

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 28, 2005 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110229	01	LEE	NO. MARIANNA-UNION PACIFIC OVERPASS (S)	1
110476	01	CRITTENDEN	I-55/HWY. 63 INTERCHANGE SIGNING (LAKE DAVID) (F)	55 & 63
R20097	02	CHICOT	TOURIST INFORMATION CENTER-HWY. 82 (LAKE VILLAGE) (S)	65
R20150	02	LINCOLN	NORTH GRADY-SOUTH GRADY (GR. & STRS.) (S)	65
030285	03	HOWARD	HWY. 369-EAST (S)	26
030295	03	MILLER	JEFFERSON AVE. & HWY. 245 INTERCHANGES IMPVTS. (TEXARKANA) (F)	30 & 245
040130	04	CRAWFORD	I-540/HWY. 59 INTCHNG. MOD. & FRONTAGE RDS. (VAN BUREN) (F)	540 & 59
6-958	06	PULASKI	HWY. 107 RETAINING WALL IMPROVEMENTS (NLR) (S)	107
R60080	06	PULASKI	I-40-MCCAIN BLVD. & WILDWOOD-KIEHL AVE. (F)	67
060975	06	PULASKI	56TH ST.-GUM SPRINGS (MABELVALE PIKE) (LR) (S)	---

2005-142 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
061015	06	PULASKI	KELLOGG CREEK-JACKSONVILLE CATO RD. (S)	107
061107	06	SALINE	TRAFFIC SIGNAL UPGRADE (PHASE I) (BENTON) (S)	---
061118	06	PULASKI	FOURCHE CREEK STR. & APPRS. (HINDMAN G.C. ACCESS) (L.R.) (S)	---
061146	06	PULASKI	HWY. 70 GRADE REVISION (NLR) (S)	70
061175	06	GARLAND & HOT SPRING	HOT SPRINGS-JONES MILL (SEL. SECS.) (OVERLAY) (S)	7 & 270
070076	07	UNION	HWY. 63-HWY. 167 NORTH (S)	167
080278	08	FAULKNER	HWY. 65/HWY. 225 SIGNAL UPGRADE (GREENBRIER) (S)	65 & 225
R90098	09	BOONE & SEARCY	VALLEY SPRINGS-BUFFALO RIVER (PASSING LANES) (S)	65
R90104	09	MADISON & CARROLL	HUNTSVILLE-ALPENA (PASSING LANES) (F)	412
090152	09	BOONE	BRANCH OF HUZZAH CREEK STR. & APPRS. (S)	62
012025	VAR	VARIOUS	TOURIST ATTRACTION LOGO SIGNING (STATEWIDE) (S)	VAR
SA0744	07	CALHOUN	CHAMBERSVILLE-NORTHWEST (BASE) (S)	---
SA0934	02	CHICOT	CO. RD. 280-NORTH (BASE & SURFACING) (S)	---
SA1345	07	CLEVELAND	CLEVELAND COUNTY BASE & SURFACING NO. 6 (S)	---
SA1759	04	CRAWFORD	HWY. 348-SOUTH (BASE AND SURFACING) (S)	---
FA3106	03	HOWARD	DILLARD CREEK-EAST (S)	---
BR4110	03	LITTLE RIVER	ALLEN CREEK STR. & APPRS. (S)	---
SA4128	03	LITTLE RIVER	HWY. 71-WEST (OVERLAY) (S)	---
SA4636	03	MILLER	CO. RD. 55-HWY. 108 (BASE) (S)	---
SA5245	07	OUACHITA	OUACHITA CO. OVERLAY NO. 10 (SEL. SECS.) (S)	---
SA7268	04	WASHINGTON	HWY. 265 SOUTH-CO. RD. 217 SOUTH (OVERLAY) (S)	---
SA7525	08	YELL	HWY. 28-HWY. 7 (OVERLAY) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Vice Chairman Jonathan Barnett moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on November 1, 2005

2005-143

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m., September 28, 2005.

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 September 28, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 9, 2005

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 9, 2005. Members present were:

Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2005-144 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:30 a.m., November 9, 2005.

2005-145 WHEREAS, the Purchasing Committee has awarded purchases on September 22, 2005, and October 10, 2005, in the amounts of \$121,758.00, and \$1,985,033.94 respectively, totaling \$2,106,791.94, 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.

2005-146 WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the National Institute of Standards and Technology and is authorized and approved by the Executive Committee of AASHTO.

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials.

WHEREAS, this Department has received notice that its share of support of the Laboratory for Fiscal Year 2006 (October 1, 2005 to September 30, 2006) is \$13,000.00.

2005-146 - Continued

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2006 AASHTO, AMRL Account, Department 5051, Washington, D.C. 20061-5051.

2005-147 WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2006 Highway Map.

2005-148 WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2006.

2005-149 WHEREAS, the Commission acquired right of way for Job No. 5197, more commonly known as W.P.M.S. 437-A Mountain View-City Connection Route 66/9, Section 2/11, Stone County, Arkansas, by Stone County Court Order dated May 18, 1936, which is recorded in the County Court Records of Stone County in Book H at Page 492; and

WHEREAS, the District Engineer for District 5 has determined that an area inside the existing right of way is not now, nor in the foreseeable future will be needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundaries be remonumented, if necessary, to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described below:

From designated Construction Centerline Station 24+14.00 to Station 16+90.00 of the originally executed Court Order for Job 5197, dated May 18, 1936, and being recorded in County Court Records of Stone County, Arkansas, in Book H, Page 492 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
24+14.00	16+90.00	724	-	Var. 16.23'- 23.19'	Var.

NOTE: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, the above-described right of way is hereby released to Stone County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Stone County; the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above-designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

WHEREAS, IN JEFFERSON COUNTY, in the vicinity of Pine Bluff, Job 020197, Hwy. 81 – Hwy. 63 (Connection) (S), has created a route connecting Highway 81 and Highway 63 on new location.

2005-150 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. Highway 81, Section 8, northward from the junction of the new route to the highway terminus, is hereby redesignated as Highway 81, Section 8 Spur.
2. The new connecting route, as constructed, is hereby added to the State Highway System as a part of Highway 81, Section 8.

2005-151

WHEREAS, IN LITTLE RIVER COUNTY, in the vicinity of Ashdown, Job 030207, Hwy. 71 – Hwy. 32 East (S), has completed a bypass route on new location.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. Highway 32, Section 3, from the junction of Highway 71 to the junction of Highway 32 Bypass is hereby redesignated as Highway 32, Section 3 Business.
2. Highway 32, Section 2, from the junction of Highway 71 to the junction of the Highway 32 Bypass is hereby redesignated as Highway 32, Section 2Y.
3. Highway 32, as constructed by Job 030207, is hereby added to the State Highway System as a part of Highway 32, Section 3.

2005-152

WHEREAS, IN PULASKI COUNTY, in the City of North Little Rock, Job 060919, I-430 & White Oak Bayou Strs. & Apprs. (S), on Highway 100 is substantially complete and open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 100, Section 0, from the junction of southwest corner of the new alignment to the northeast corner of the new alignment, is hereby removed from the State Highway System.
2. The new alignment, as constructed by Job 060919, is hereby added to the State Highway System as a part of Highway 100, Section 0.

WHEREAS, it has been determined that improvements at the below listed railroad crossings are warranted to accommodate a roadway project and improve safety.

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

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Crittenden	West Memphis	Hwy. 131	Union Pacific	Upgrade Flashing Signals w/Gates
St. Francis	W. of Forrest City	Co. Rd. 219	Union Pacific	Install Flashing Signals w/Gates
Union	Junction City	Hwy. 167	Ouachita	Upgrade Cantilevers and Surface

2005-154

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 established a National Scenic Byway Program and encouraged the states to develop similar programs; and

WHEREAS, Minute Orders 91-513, 92-009, 93-091, and 97-044 establish the criteria by which routes can be designated as Arkansas Scenic Byways; and

WHEREAS, the West-Northwest Scenic Byway Committee, representing residents, businesses, and individuals in Logan, Polk, Scott, Sebastian, and Yell Counties, have requested that Highway 10 from Ola to the Oklahoma State Line, excepting that portion of Highway 10 within the City Limits of Greenwood, Highway 23 from Highway 71 to the Franklin County Line north of Caulksville, excepting that portion of Highway 23 within the City Limits of Caulksville and excepting that portion of Highway 23 passing through Franklin County south of Caulksville, Highway 71 from Mena to Interstate 540, and Highway 96 from Highway 71 to Hartford, be designated as Arkansas Scenic Byways; and

WHEREAS, these routes meet the aforementioned Arkansas Highway Commission Criteria for Arkansas Scenic Byway designation.

NOW THEREFORE, the Commission hereby designates Highway 10 from Ola to the Oklahoma State Line, excepting that portion of Highway 10 within the City Limits of Greenwood, Highway 23 from Highway 71 to the Franklin County Line north of Caulksville, excepting that portion of Highway 23 within the City Limits of Caulksville and excepting that portion of Highway 23 passing through Franklin County south of Caulksville, Highway 71 from Mena to Interstate 540, and Highway 96 from Highway 71 to Hartford, be designated as Arkansas Scenic Byways.

2005-155

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., November 9, 2005.

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 November 9, 2005.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 11, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 11, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 11, 2006.

2006-002 WHEREAS, the Purchasing Committee has awarded purchases on November 3, 21 and 28, 2005, in the amounts of \$29,498.00, \$173,661.00 and \$250,074.00 respectively, totaling \$453,233.00, 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.

2006-003 WHEREAS, tourism and economic development are important factors in promoting Arkansas; and

WHEREAS, informational and educational promotion of these interests is important; and

WHEREAS, development, publication and distribution of a high-quality photographic "image book" is a multi-agency partnership.

2006-003 - Continued

NOW THEREFORE, the Director is authorized to make payment in the amount of \$25,000 for the Department's portion of the development of the "image book."

2006-004

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provides designated Federal-aid funds for specific projects identified in the National Corridor Infrastructure Improvement Program, Transportation Improvements Program and High Priority Projects Program on various state highway routes throughout the state.

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

2006-005

WHEREAS, Act 78 of 1963 provides that the maximum weight imposed on the highway by the front steering axle of a vehicle shall not exceed 12,000 pounds;

WHEREAS, 23 U.S.C. 127, as amended in 1975 by Public Law 93-643, provides that no National Highway System Funds shall be apportioned in any fiscal year to a state that does not permit the use of the Dwight D. Eisenhower System of Interstate and Defense Highways (Interstate Highways) by vehicles with a weight of twenty thousand (20,000) pounds carried on any one axle, including a steering axle;

WHEREAS, the Federal Highway Administration has previously determined that a "grandfathered" provision of 23 CFR 658.17 allows the State of Arkansas to enforce the provision of Act 78 of 1963, which limits the steering axle weight on a vehicle to 12,000 pounds;

WHEREAS, the Federal Highway Administration recently opined that the State of Arkansas may not enforce a law which does not permit the use of the Interstate Highways within its boundaries by vehicles with a weight of twenty thousand (20,000) pounds carried on any one axle;

WHEREAS, the weight limit of twenty thousand (20,000) pounds on a steering axle of a vehicle traveling on the Interstate Highways adopted by the United States Congress and codified at 27 United States Code 127 exceeds, in part, the weight limits prescribed by the Federal-Aid Highway Act of 1956 and Arkansas Code Annotated §27-35-203(c);

WHEREAS, the Federal Highway Administration has indicated that it may withhold National Highway System Funds to be apportioned to the State of Arkansas if the weight limit on the steering axles of vehicles using the Interstate Highways within the State is not increased to twenty thousand (20,000) pounds; and

WHEREAS, it is considered to be in the best interest of the State of Arkansas, the Arkansas State Highway Commission, and the Arkansas State Highway and Transportation Department to increase the weight on the steering axles as requested by the Federal Highway Administration.

NOW THEREFORE, pursuant to Arkansas Code Annotated §27-35-203(e)(2)(A), IT IS ORDERED that the maximum weight on a steering axle of a vehicle traveling on the Dwight D. Eisenhower System of Interstate and Defense Highways (Interstate Highways) shall not exceed twenty thousand (20,000) pounds, including enforcement tolerances, and that notwithstanding the provisions of this Minute Order, vehicles must comply with present and future safety laws, the existing overall maximum gross weight laws, and the Federal Bridge Formula codified as Table I of Arkansas Code Annotated §27-35-203(e)(1).

IT IS FUTHER ORDERED that the increased weight permitted on a steering axle by this Minute Order shall not apply to vehicles that are traveling on roads within the State Highway System which are not a part of the Dwight D. Eisenhower System of Interstate and Defense Highways.

WHEREAS, the Arkansas State Highway Commission owns property in Benton County, Arkansas, which is permitted to the City of Rogers for a fire station; and

2006-006 - Continued

WHEREAS, the property is contiguous to Pinnacle Hills Parkway and Horsebarn Road which are being expanded by the Commission under Job No. 090165, which job requires additional right of way along Pinnacle Hills Parkway and Horsebarn Road in front of the City of Rogers Fire Station, said additional right of way required for Job No. 090165 is more fully described below:

Part of the West half of the Northwest Quarter of Section 21, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Northwest 1/16 corner of Section 21; thence North 86° 48' 29" West along the South line of the Northwest Quarter of the Northwest Quarter of Section 21 a distance of 307.15 feet to a point; thence South 06° 10' 43" West a distance of 16.56 feet to a point on the Westerly right of way line of Interstate 540 as established by AHTD Job 1534 Section 3; thence North 87° 10' 23" West along said right of way line a distance of 257.38 feet to the point of beginning; thence continue North 87° 10' 23" West along said right of way line a distance of 22.74 feet to a point; thence North 36° 10' 20" East a distance of 195.60 feet to a point; thence North 08° 00' 49" East a distance of 130.55 feet to a point; thence South 87° 15' 37" East a distance of 9.19 feet to a point; thence South 09° 06' 04" West a distance of 141.15 feet to a point; thence South 33° 21' 56" West a distance of 177.79 feet to the point of beginning and containing 0.09 acres more or less as shown on plans prepared by the AHTD referenced as Job 090165.

AA/crr 10/24/05

NOW THEREFORE, the character of the above-described property is changed from a capital asset to that of right of way; a copy of this Minute Order may be recorded in the Circuit Clerk's office of Benton County, Arkansas, and the right of way, if necessary, remonumented.

2006-007

WHEREAS, the Commission acquired in fee property known as Tract No. 6XR from Barry Dwain Ardoin and Nicole Renee Ardoin, his wife, for Job No. 020318, NH-0027-(17) Ico-South, Route 167, Section 11, Grant County, Arkansas, by Warranty Deed dated October 20, 2003, and filed for record on November 3, 2003, in Deed Record Book 226, page 530 of the deed records of Grant County, Arkansas; and

WHEREAS, Elton Branch and wife, Sheila Branch, have asked to repurchase Tract No. 6XR; Barry Dwain Ardoin and Nicole Renee Ardoin have assigned their right to reacquire Tract No. 6XR to Elton Branch and Sheila Branch, and the District Engineer for District 2 has determined that Tract No. 6XR is not now, nor in the foreseeable future will be, needed for highway purposes; said tract being more particularly described as follows:

Part of the Northeast Quarter of the Southeast Quarter of Section 24, Township 3 South, Range 13 West, Grant County, Arkansas, more particularly described as follows:

Beginning at a 3/4 inch pipe being used as the Quarter corner of Section 24; thence South 01° 17' 06" West along the East line of the Northeast Quarter of the Southeast Quarter of Section 24 a distance of 70.62 feet to a point; thence South 01° 21' 18" West along the East line of the Northeast Quarter of the Southeast Quarter of Section 24 a distance of 258.95 feet to a point; thence North 88° 32' 56" West a distance of 210.81 feet to a point on the Easterly right of way line of U. S. Highway 167 as established by AHTD Job 020318; thence North 14° 23' 31" East along said right of way line a distance of 338.30 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter of Section 24; thence South 88° 29' 25" East along said North line a distance of 134.41 feet to the point of beginning and containing 1.30 acres more or less as shown on plans prepared by the AHTD referenced as Job 020318.

WHEREAS, Tract No. 6XR was acquired by the Commission for EIGHT THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS, (\$8,450.00).

NOW THEREFORE, Tract No. 6XR is declared surplus; upon receipt of the consideration of EIGHT THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS, (\$8,450.00) the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 6XR to Elton Branch and wife, Sheila Branch; a copy of the Deed and this Minute Order shall be recorded in Grant County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to Federal Funds.

2006-008

WHEREAS, the Arkansas State Highway Commission (Commission) acquired a perpetual easement for a public road, U. S. Highway No. 270 on April 19, 1955, from the Secretary of the Army, pursuant to an Act of Congress approved June 20, 1938, in order, *inter alia*, to build a bridge across Denby Creek, now designated as Bridge No. 02832 on the records of the Commission; and

WHEREAS, the Commission has determined that a new bridge across Denby Creek is required in order to upgrade U. S. Highway No. 270 and has scheduled the removal from the Arkansas State Highway System Bridge No. 02832 upon completion of Job No. 080255, which incorporates the new bridge structure and its approaches; and

WHEREAS, the United States Army Corps of Engineers, Vicksburg District (Corps) deems it necessary and desirable to acquire all of the Commission's right, title, and interest in and to Bridge No. 02832 upon its removal from the State of Arkansas Highway System; and

WHEREAS, the Commission covenants and agrees to transfer all of its right, title, and interest in Bridge No. 02832 to the Corps upon completion of Job No. 080255.

NOW THEREFORE, in consideration of the mutual benefits inuring to the Commission and the Corps, the Commission hereby authorizes the transfer of Bridge No. 02832, commonly known as the Denby Creek Bridge, to U. S. Army Corps of Engineers, Vicksburg District, upon completion of Job No. 080255; subject, however, to the terms and conditions contained in the "Agreement for the Release and Transfer of Title for Bridge No. 02832" the execution, acknowledgement and delivery of which agreement shall be a condition precedent to the transfer of said Bridge No. 02832 to the Corps.

2006-009

WHEREAS, IN PULASKI COUNTY, the offices of Resident Engineer No. 65 has been relocated from Department owned property at 6409 Bluebird Lane in Little Rock to renovated space at the Central Office Complex; and

WHEREAS, the former Resident Engineer office and property is no longer needed for Department operations or highway purposes;

2006-009 - Continued

NOW THEREFORE, the Director is authorized to dispose of this surplus property in accordance with the provisions of Arkansas Code Annotated 27-67-321.

2006-010

WHEREAS, IN ARKANSAS COUNTY, in the vicinity of the City of Stuttgart, Job 020325, Hwy. 165 Bypass (Stuttgart), is complete; and

WHEREAS, Highway 63, Section 12, is currently dual signed over existing Highway 165, Section 6.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The portion of Highway 165, Section 6, from the junction of Highway 79 northward to the junction of Highway 63 is hereby redesignated as part of Highway 63, Section 12.
2. The new highway as constructed by Job 020325 is hereby added to the State Highway System as part of Highway 165, Section 6.

2006-011

WHEREAS, IN HOT SPRING COUNTY, in the vicinity of the City of Malvern, Job 060900, Hwy. 67 – I-30 (Malvern Bypass), the construction of Highway 270 bypassing the City of Malvern, is substantially complete; and

WHEREAS, Highway 270 has been constructed on new location.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

2006-011 - Continued

1. The portion of Highway 270, Section 7, from the southern interchange ramps of Interstate 30 to the junction of Highway 67 and Highway 9 is redesignated as Highway 270, Section 7 Business.
2. The new highway as constructed by Job 060900 is hereby added to the State Highway System as part of Highway 270, Section 8.

2006-012

WHEREAS, IN SHARP COUNTY, in the vicinity of Hardy, Job 050064, Hwy. 63 Bypass (Hardy), has been completed and is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 63, Section 2, is hereby redesignated as Highway 63, Section 2 Business.
2. The new highway as constructed by Job 050064 is hereby added to the State Highway System as a part of Highway 63, Section 2.

2006-013

WHEREAS, the Department maintains certain drives on the University of Arkansas at Monticello campus as part of the Institutional Drives System; and

WHEREAS, the University has revised their traffic plan resulting in the removal of certain drives within the campus.

NOW THEREFORE, the Director is authorized to remove those drives from the Institutional Drives System that have been abandoned or removed by the University as shown on the attached sketch.

2006-014

WHEREAS, Minute Order 2003-190 authorized a study of traffic operations along Highway 25B in the City of Heber Springs to determine the need for and feasibility of improvements in the area; and

WHEREAS, the *Heber Springs Traffic Study* has been completed and identified feasible alternatives to improve traffic flow and enhance safety on Highway 25B.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Highway 25B in Heber Springs, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2006-015

WHEREAS, Minute Order 2002-200 authorized the Department to conduct a study to identify feasible improvements necessary to enhance traffic flow on a 2.5-mile section of Highway 82 through Stamps; and

WHEREAS, the *Highway 82 Study – Stamps Arkansas* has been completed and the analysis has determined that intermediate improvements to Highway 82 including a continuous, two-way, left-turn lane and minor widening to provide 12-foot lanes are needed to improve traffic operations and enhance safety on this section.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Highway 82, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2006-016

WHEREAS, Minute Order 2002-069 authorized a comprehensive study of all public ports within the State, and as part of this effort, technical assistance is to be provided, as needed, to each public port on Arkansas' commercially navigable rivers; and

WHEREAS, a study entitled *Little Rock Port Complex Freight Study* was prepared as a technical assistance project under the authority of Minute Order 2002-069; and

2006-016 - Continued

WHEREAS, this study analyzed regional domestic and international shipping patterns and identified candidate commodities for water and rail transportation.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the study.

2006-017

WHEREAS, it has been determined that improvements at the below listed railroad crossings are warranted to improve safety.

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

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Jackson	N. of Possum Grape	Co. Rd. 4	Union Pacific	Install Flashing Signals w/Gates
White	N. of Kensett	Co. Rd. 414	Union Pacific	Install Flashing Signals w/Gates
Clark	N. of Gurdon	Co. Rd. 13	Union Pacific	Install Flashing Signals w/Gates

2006-018

WHEREAS, the Record of Decision for the relocation of Highway 71 from the Louisiana State Line to DeQueen included a Northern Loop around the twin cities of Texarkana; and

WHEREAS, the Department is preparing plans for the Arkansas portion of this loop; and

2006-018 - Continued

WHEREAS, an interchange is proposed where this northern loop crosses Highway 71 north; and

WHEREAS, this interchange at Highway 71 will require construction within the boundaries of the states of Arkansas and Texas.

NOW THEREFORE, the Director is authorized to enter into agreements with the Texas Department of Transportation to accomplish the construction and maintenance of this interchange of the Texarkana Northern Loop with Highway 71.

2006-019

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 11, 2006 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030285	03	HOWARD	HWY. 369-EAST (S)	26
040111	04	SEBASTIAN	CHEROKEE CREEK STR. & APPRS. (S)	252
040130	04	CRAWFORD	I-540/HWY. 59 INTCHNG. MOD. & FRONTAGE RDS. (VAN BUREN) (F)	540 & 59
040344	04	SEBASTIAN	HWY. 45 REALIGNMENT (BACKBONE MOUNTAIN) (S)	45
040455	04	SEBASTIAN	CUSTER BLVD.-HWY. 22 (GR. & MDS) (F)	71
005933	05	INDEPENDENCE	HWY. 25 CLIMBING LANE (S. OF LOCUST GROVE) (S)	25
080223	08	FAULKNER	I-40/HWY. 25 & HWY. 64 INTCHNG. (GR. & STRS.) (F)	40, 25 & 64
R90104	09	MADISON & CARROLL	HUNTSVILLE-ALPENA (PASSING LANES) (F)	412
090153	09	BENTON	LITTLE SUGAR CR. STR. & APPRS. (S)	72
090165	09	BENTON	PINNACLE HILLS PKWY./HORSEBARN RD. WIDENING (ROGERS) (S)	---
100547	10	POINSETT	HWY. 135 INTERCHANGE (F)	135 & 63
FA3106	03	HOWARD	DILLARD CREEK-EAST (S)	---
FA5108	09	NEWTON	BUFFALO RIVER GRADING & SUBSTRUCTURE (S)	---
SA6244	06	SALINE	HWY. 229-NORTH (OVERLAY) (S)	---

2006-019 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

2006-020

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:50 a.m., January 11, 2006.

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 January 11, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 22, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 22, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-021 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 22, 2006.

2006-022 WHEREAS, the Purchasing Committee has awarded purchases on January 5, 17 and 30, 2006, and February 8 and 9, 2006, in the amounts of \$1,613,775.48, \$908,968.70, \$612,110.60, \$1,817,667.00, and \$6,650.33 respectively, totaling \$4,959,172.11, 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.

2006-023 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2006, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2006 in the amount of \$33,728.00.

2006-024

WHEREAS, AASHTO's Multi-State Technical Assistance Program (MTAP) provides valuable technical assistance to state departments of transportation and public transportation offices, including providing technical publications and e-mail alerts, and sponsoring national conferences and meetings on subjects directly affecting transit programs and federally-funded transit programs; and

WHEREAS, MTAP membership would benefit the Department with training and networking opportunities, and assist the Department in providing input on SAFETEA-LU reauthorization issues.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for the 2006-2007 membership dues in the amount of \$5,000 in 100% Federal-aid funds to AASHTO's Multi-State Technical Assistance Program.

2006-025

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) is seeking the services of a consultant to conduct synthesis research and interviews with national freight leaders and produce a report that presents performance and investment needs of the nation's freight transportation system and its need to keep pace with the expected growth of the economy over the next twenty years; and

WHEREAS, the report is to outline a framework for decision making for those in both public and private sectors who are responsible for making investments in transportation infrastructure; and

WHEREAS, the report will address connections and intersections with other transportation modes such that when the separate modal reports are assembled, they will connect; and

WHEREAS, AASHTO has requested the Department's participation in this pooled fund study; and

WHEREAS, this participation is eligible for 100% Federal-aid SPR funds.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary to fulfill the Department's commitment to the study not to exceed \$5,000 in SPR funds.

2006-026

WHEREAS, the Code of Federal Regulations requires that all sampling and testing be executed by qualified testing personnel, and that all contractor, vendor, and state testing used for acceptance decisions shall be performed by qualified laboratories; and

WHEREAS, the Mack-Blackwell National Rural Transportation Study Center (MBTC) established the Center for Training Transportation Professionals (CTTP) in July 1996 (Minute Order 96-127) to provide training and certification of Department and contractor technicians; and

WHEREAS, there is a need to continue the certification of Department and contractor technicians by the CTTP.

NOW THEREFORE, the Director is hereby authorized to renew a three-year agreement with the MBTC to continue the training and certification courses as mutually agreed upon by the Department and the CTTP.

2006-027

WHEREAS, the Fair Labor Standards Act requires overtime compensation or compensatory (comp) time for non-exempt employees as defined therein; and

WHEREAS, a comprehensive set of policies was developed ensuring the uniform application of the Fair Labor Standards Act to employees of the Department; and

WHEREAS, an Overtime Policy, Compensatory (Comp) Time Policy and Procedure for Changing Exempt/Non-exempt Status were adopted by Minute Order 96-130; and

WHEREAS, the Department of Labor has issued revised regulations regarding determining an employee's exempt/non-exempt status.

NOW THEREFORE, BE IT RESOLVED that, in an effort to streamline the review of exempt/non-exempt status, the Procedure for Changing Exempt/Non-exempt Status is hereby revised and adopted, and the Director is directed to take all action necessary to implement this revised procedure.

2006-028

WHEREAS, *Regulations for Control of Outdoor Advertising on Arkansas Highways* provides for a 60-day renewal period for outdoor advertising signs; and

WHEREAS, the Department's procedures for Logo/Attraction signs allow for a 90-day renewal period; and

WHEREAS, it would be beneficial to provide consistent renewal procedures for all types of various permitted signs.

NOW THEREFORE, the Director is hereby authorized to take the steps necessary to revise Department policies and procedures to allow for a 90-day renewal period for the various types of permitted signs.

2006-029

WHEREAS, the Arkansas State Highway Commission (Commission) owns two (2) permanent easements encumbering lands, acquired in fee on October 19, 2005, by Mathews Investments, LLC, (Mathews) situated in the City of Gentry, Benton County, Arkansas; and

WHEREAS, said permanent easements are used by the Commission to provide access to and egress from a highway bridge which spans the Kansas City Southern Railroad on Arkansas State Highway 12 at Gentry; and

WHEREAS, Mathews has agreed to provide access to the highway bridge to the Commission across its property as shown and described on Attachment "A" attached hereto and made a part hereof by reference, which would negate the need for existing easements; and

WHEREAS, Mathews has promised and agreed, in addition to providing a substitute permanent easement to the Commission, to pay the sum of FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$4,700.00) to the Commission as additional consideration for the abandonment of the two (2) permanent easements encumbering its property; and

WHEREAS, the District Engineer for District 9, has reviewed the permanent easement as proposed by Mathews and has opined that when the Commission acquires the proposed permanent easement from Mathews the existing two (2) easements will not, in the foreseeable future, be needed to access the highway bridge over the Kansas City Southern Railroad;

2006-029 - Continued

NOW THEREFORE, subject to the appropriate environmental clearance and upon acquisition of the proposed permanent easement from Mathews Investments, LLC, as shown on Attachment "A", attached hereto, and the receipt of FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$4,700.00), the two (2) existing permanent easements now owned by the Commission and described on Attachment "B", attached hereto, shall be abandoned and removed from the Commission's Right of Way records.

2006-030

WHEREAS, the Board of Directors of the City of Little Rock, Arkansas, did pass, on April 15, 2005, Ordinance No. 19,305 abandoning a portion of the West 10th Street right of way located within Block 109 of the Original City of Little Rock; and

WHEREAS, the Southern one-half (1/2) of the abandoned right of way, a strip of land thirty feet (30') wide and seventy feet (70') long became the property of the Arkansas State Highway Commission, under Arkansas Code Annotated 14-301-306(a) by virtue of its ownership of the adjacent I-630 right of way; and

WHEREAS, the Board of Directors of the City of Little Rock, Arkansas has determined that it would be in the best interest of the City to revoke the ordinance abandoning the West 10th Street right of way; and

WHEREAS, the Commission has no objection to the revocation of the ordinance abandoning the West 10th Street property as said property is not now, nor in the foreseeable future will be, needed for highway purposes.

NOW THEREFORE, the Arkansas State Highway Commission does acquiesce in the revocation of City Ordinance No. 19,305 by the Board of Directors of the City of Little Rock, Arkansas, and does not object to the City's reacquisition of ownership of the West 10th Street property abandoned by said Ordinance.

2006-031

WHEREAS, IN DREW COUNTY, in the vicinity of the City of Monticello, Job 020359, Hwy. 35 – Hwy. 278, connecting Highway 278 to Highway 35 is complete; and

WHEREAS, the new route provides the motoring public a more direct route between Highway 278 and Highway 35; and

WHEREAS, the new location parallels the existing Highway 133.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. Highway 133, Section 4, from the junction of Highway 278 to the junction of Highway 35 is hereby removed from the State Highway System.
2. The new highway as constructed by Job 020359 is hereby added to the State Highway System as Highway 530, Section 9.

2006-032

WHEREAS, IN SALINE COUNTY, in the City of Benton, improvements to the Highway 35 overpass at Interstate 30 as a part of Job B60122 are complete; and

WHEREAS, the improvements resulted in the re-alignment and removal of a portion of Highway 5, Section 7, and Highway 35, Section 1.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 5 from the new location to the old junction of Highway 35 is hereby removed from the State Highway System.
2. The old portion of Highway 35 from the old junction of Highway 5 to the new junction of Highway 5 is hereby redesignated as a part of Highway 5, Section 7.

2006-032 - Continued

3. The new portion of highway as improved from the new junction of Highway 35 to the old location of Highway 5 is hereby added to the State Highway System as a part of Highway 5, Section 7.

2006-033

WHEREAS, IN SALINE COUNTY, in the City of Benton, the construction of the Benton Parkway, connecting Alcoa Road with Sidell Road, has increased traffic congestion at the intersection of Highway 88 and Benton Parkway; and

WHEREAS, the City of Benton has asked that the Highway 88 and Union Pacific Railroad crossing be closed just east of the Highway 88 and Benton Parkway intersection; and

WHEREAS, Saline County agrees to accept all responsibility for the maintenance of that portion of Highway 88, Section 7, just east of Highway 88 and Union Pacific Railroad crossing; and

WHEREAS, the motoring public, the City of Benton and Saline County will benefit from the closing of the Highway 88 and Union Pacific Railroad crossing.

NOW THEREFORE, IT IS ORDERED that upon receipt of ordinances from both the City of Benton and Saline County and upon official notification by the Chief Engineer, the following change is hereby made to the State Highway System as shown on the attached sketch.

1. The portion of Highway 88, Section 7, from the junction of Benton Parkway east to its terminus is hereby removed from the State Highway System.

2006-034

WHEREAS, the 2005 Department of Transportation Appropriations Act included an allocation of funds in the amount of \$750,000 (100% Federal) for a study to determine the feasibility of extending the Interstate 69 Connector from Highway 278 to Interstate 20 in Louisiana; and

2006-034 - Continued

WHEREAS, the Federal Highway Administration has advised that partial availability of this funding, subject to obligation limitation, is now available.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm, and enter into any necessary contracts and agreements to conduct such a study, all within the limits of the available 100% Federal funds.

2006-035

WHEREAS, local officials in the City of Harrison have identified the development of a route on the south and west side of the city as a long-term goal to divert traffic from Highway 65 within the city.

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of constructing a route on the south and west side of the City of Harrison.

2006-036

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provided earmarked Federal-aid funds to develop the Southeast Arkansas Intermodal Facility; and

WHEREAS, all matching funds for this project will be provided by non-AHTD sources.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements to provide appropriate assistance to the project.

2006-037

WHEREAS, IN CARROLL COUNTY, Highway 62, Section 5, from Green Forest to Alpena is part of an important arterial route serving northern Arkansas; and

WHEREAS, traffic volumes along this route have increased substantially in recent years resulting in the need for an improved facility.

2006-037 - Continued

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

2006-038

WHEREAS, the Consolidated Appropriations Act of 2005 provided earmarked Federal-aid funds for the planning and development of the Yellow Bend Port; and

WHEREAS, Federal-aid funds for this project were allocated at 100% Federal participation and require no matching funds.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements to provide appropriate assistance to the project.

2006-039

WHEREAS, it has been determined that improvements at the below listed railroad crossings are warranted to accommodate a roadway maintenance project and to improve the crossing surfaces.

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

1. Maintenance of the surfaces performed by the Railroad Company at no cost to the State.
2. The Railroad Company provides the matching funds for each project.
3. All required right-of-way furnished at no cost to the State.
4. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Drew	Monticello	Hwy. 83	Arkansas Midland	Upgrade Surface
Desha	N. of McGehee	Hwy. 4	Arkansas Midland	Upgrade Surface

2006-040

WHEREAS, IN NEWTON COUNTY, a safety study has indicated that improvements are needed on Highway 7, Section 18, from Mill Creek to Highway 7 Spur (Dogpatch); and

WHEREAS, these improvements include reconstructing/realigning the road and/or improving/widening the shoulders; and

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

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

2006-041

WHEREAS, it has been determined that improvements at the below listed railroad crossings are warranted to accommodate a roadway project and to improve safety.

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

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Polk	S. of Cove	Co. Rd. 21	Kansas City Southern	Install Flashing Signals w/Gates
Benton	S. of Gentry	Co. Rd. 10	Kansas City Southern	Install Flashing Signals w/Gates
Craighead	Jonesboro	Hwy. 18	Burlington Northern Santa Fe	Upgrade Cantilevers w/Gates

2006-042

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 22, 2006 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030295	03	MILLER	JEFFERSON AVE. & HWY. 245 INTERCHANGES IMPVTS. (TEXARKANA) (F)	30 & 245
030338	03	MILLER	JEFFERSON AVE. INTERCHANGE IMPVTS. (TEXARKANA) (F)	30
030339	03	MILLER	HWY. 245 INTERCHANGE IMPVTS. (TEXARKANA) (F)	30 & 245
040420	04	WASHINGTON	TOWNSHIP RD.-FUTRALL DR. (GREGG AVE. FAYETTEVILLE) (S)	180
040437	04	CRAWFORD	HWY. 64/HWY. 59 INTERS. IMPVTS. (VAN BUREN) (S)	64 & 59
050146	05	SHARP	HWY. 62/HWY. 175 SPUR SIGNAL (CHEROKEE VILLAGE) (S)	62 & 175S
050158	05	WHITE	HWY. 87 DRAINAGE IMPVTS. (HIGGINSON) (S)	87
070076	07	UNION	CHAMPAGNOLLE RD.-SOUTH (S)	167
090165	09	BENTON	PINNACLE HILLS PKWY./HORSEBARN RD. WIDENING qt(ROGERS) (S)	---
BR5307	08	PERRY	BALLARD CREEK STR. & APPRS. (S)	---
FA5415	01	PHILLIPS	BIG CREEK STR. & APPRS. (S)	---
BR5607	10	POINSETT	BAYOU DEVIEW STR. & APPRS. (S)	---
SA7363	05	WHITE	WHITE COUNTY BASE NO. 2 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation.

2006-042 - Continued

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. Further, 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.

MOTION Vice Chairman Jonathan Barnett moved, Commissioner Carl S. Rosenbaum seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Benham, of Lowell, AR, for Architect Services for Phase II of Arkansas Welcome Centers.

MOTION Commissioner Carl S. Rosenbaum moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Infrastructure Engineers, Inc., of St. Cloud, Florida, to perform underwater bridge inspections on selected bridges.

2006-043 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:00 p.m., February 22, 2006.

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 February 22, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 12, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 12, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-044 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., April 12, 2006.

2006-045 WHEREAS, the Purchasing Committee has awarded purchases on February 21, 2006, and March 2, 10, 24 and 30, 2006, in the amounts of \$1,346,657.50, \$1,479,159.67, \$67,479.63, \$391,847.27, and \$208,098.50, respectively, totaling \$3,493,242.57, 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.

2006-046 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2006 membership dues in the amount of \$300.00.

WHEREAS, a majority of the Vertical Control Monuments set by the National Geodetic Survey (NGS) around the State between 1929 and 1975 have been destroyed or are not accessible, and the NGS no longer establishes Vertical Control Monuments with their forces; and

WHEREAS, Vertical Control Monuments are a critical element of the Global Positioning System (GPS) used by the Department, as well as for the surveys and design of highways and bridges, and for hydraulic and environmental studies; and

WHEREAS, the lack of Vertical Control Monuments requires Department staff to traverse long distances to provide the necessary elevation control of highway projects, adding significantly to the cost of project development; and

WHEREAS, it would be beneficial to increase the number of Vertical Control Monuments to increase efficiency and to continue to develop the Department's GPS Continuously Operating Reference System (CORS) to provide real time corrections for GPS survey equipment; and

WHEREAS, the Vertical Control Monuments need to be established using NGS requirements to be accepted as part of the National Geodetic Reference System (NGRS) which requires a direct liaison with the NGS to assure that standards are met; and

WHEREAS, the NGS has developed a state geodetic advisor program to contract with the states to provide this direct liaison as well as other advisory and training programs to aid the states in establishing NGRS accepted geodetic control monuments as well as procuring equipment and services that meet NGS requirements; and

WHEREAS, it would benefit the Department to use the advisory services provided by the NGS, and the State Land Commissioner also desires to use these NGS services and to partner with the Department to procure these services.

NOW THEREFORE, the Director is authorized to enter into a partnership with the State Land Commissioner to contract with the NGS for advisory and other services for an initial period of five years.

2006-048

WHEREAS, it is necessary for the department to provide timely design services for selected non-interstate projects in order to proceed with construction; and

WHEREAS, in accordance with a Motion passed July 11, 2001, the Department entered into contracts to conduct indefinite delivery design services for non-interstate projects; and

WHEREAS, work performed under these indefinite delivery services contracts was found to be an effective method of producing timely design services and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm or firms, and enter into any necessary contracts and agreements to perform indefinite delivery design services for non-interstate projects as needs are identified.

2006-049

WHEREAS, the Research Correlation Service of the Transportation Research Board, National Research Council, collects research information relating to transportation; and

WHEREAS, this information is reviewed, compiled, maintained and disseminated to subscribing agencies through various methods including printed reports, literature searches and abstracts; and

WHEREAS, all states participate in this program which also supports the Transportation Research Board's core activities; and

WHEREAS, the Department's participation rate has been approved by AASHTO members and the Transportation Research Board Executive Committee for a three-year period; and

WHEREAS, the Federal Highway Administration has created a pooled fund study to provide a mechanism for state transportation departments to support the TRB's core program and services.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary to fulfill the Department's commitment to this important program.

2006-050

WHEREAS, Dr. Melissa Tooley has faithfully and admirably served as Director of the Mack-Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas since May 1999; and

WHEREAS, during her tenure as Director of MBTC she has worked diligently to improve the research capabilities of the MBTC; and

WHEREAS, she has been instrumental in developing training through the Center for Training Transportation Professionals (CTTP) at the MBTC; and

WHEREAS, the MBTC and CTTP have benefited both the Department and the highway construction industry; and

WHEREAS, Dr. Tooley will be resigning as Director of the MBTC on April 30, 2006.

NOW THEREFORE, the Arkansas Highway Commission and Highway and Transportation Department Staff wish to recognize Dr. Melissa Tooley for her efforts in improving transportation research during her tenure of the MBTC at the University of Arkansas, Fayetteville.

2006-051

WHEREAS, Act 460 of 2003 was enacted to allow the State Highway Commission to enter into Design-Build project contracts for highway construction; and

WHEREAS, in order to implement this Act, Design Build Guidelines and Procedures have been developed.

NOW THEREFORE, the April 2006 edition of the Design-Build Guidelines and Procedures and future revisions are adopted.

2006-052

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) included funding for a new program entitled Safe Routes to School (SRTS); and

WHEREAS, the Federal share of the program is 100% (no local match is required); and

2006-052 - Continued

WHEREAS, the purpose of the program is to encourage and enable walking and bicycling to school as a safer and more appealing transportation alternative; and

WHEREAS, funds apportioned for the program are to be used to provide financial assistance to State, local and regional agencies, including nonprofit organizations, that demonstrate an ability to meet the requirements of the program; and

WHEREAS, activities eligible under the program include infrastructure-related activities such as sidewalk improvements, bicycle facility improvements, speed reduction and traffic diversion and non-infrastructure activities such as public awareness campaigns, education and enforcement.

NOW THEREFORE, the Director is authorized to take the necessary steps to implement the Safe Routes to School Program for Arkansas, including putting in place a full-time SRTS Coordinator, the establishment of an Arkansas Safe Routes to School Advisory Committee and the solicitation of applications for available funding.

2006-053

WHEREAS, the State of Arkansas has received an audit finding in the management letter of the Comprehensive Annual Financial Report (CAFR) audit because the State does not have a comprehensive anti-fraud policy; and

WHEREAS, the Department of Finance and Administration has requested that all state agencies institute a policy that is proactive in the deterrence and detection of fraud; and

WHEREAS, the Commission is committed to preventing fraud and/or unethical behavior in the Arkansas State Highway and Transportation Department; and

WHEREAS, an Anti-Fraud and Code of Ethics Policy has been developed in order to implement systems and procedures that aid in the prevention of fraud and support the Department's culture and environment of honesty and ethical behavior.

2006-053 - Continued

NOW THEREFORE, the Director is authorized to publish and implement the attached Anti-Fraud and Code of Ethics Policy.

2006-054

WHEREAS, the modern day Blue Star Memorial Highway program dates back to World War II; and

WHEREAS, the Blue Star Memorial Highway program is designed to pay tribute to the Armed Forces of the United States; and

WHEREAS, the National Garden Clubs, Inc. and the Arkansas Federation of Garden Clubs, Inc., have been instrumental in promoting the program nationally and in the State of Arkansas; and

WHEREAS, there has been renewed interest in the Blue Star Memorial Highways in our state by the Arkansas Federation of Garden Clubs, Inc. and their members and supporters.

NOW THEREFORE, the Commission adopts the attached policy for the support and management of the Blue Star Memorial Highway program.

2006-055

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2006-056

WHEREAS, IN BAXTER COUNTY on Highway 62, a contract was awarded on August 18, 2004, to Twin Lakes Quarrys, Inc. for Job No. R90094, FAP No. NH-NCPD-SE-042-3(22), SD-AR52(1), SD-AR48(1), Mountain Home-Hwy 101 (F); and

WHEREAS, in accordance with the specifications it is the responsibility of the owners of utility lines to remove their services from the construction limits of the planned work to allow for construction of the highway improvements; and

WHEREAS, on Highway 62 in Baxter County the utility companies entered into agreements with the Department to relocate their services within a reasonable time and this time was estimated by the utility companies and included in the Special Provisions for the above noted highway contract for use by bidders as information to help compile their bids; and

WHEREAS, all utilities have been relocated within the reasonable time estimated except for the waterlines owned by the Northeast Water Association; and

WHEREAS, relocation of the waterlines is not expected to be completed until July, 2006, well over one year after the original estimate shown in the contract and approaching two years after the award of the highway improvement project to Twin Lakes Quarrys, Inc.; and

WHEREAS, Twin Lakes Quarrys, Inc. has been able to perform only minimal work just to accommodate the utility relocations and is not able to perform any other work until the waterlines have been relocated; and

WHEREAS, there have been significant changes since the original bids were accepted on August 18, 2004, that the contractor could not have planned for; and

WHEREAS, Twin Lakes Quarrys, Inc. has requested that the contract be terminated to avoid loss and hardship for completing the project.

NOW THEREFORE, IT IS ORDERED, as allowed by and in accordance with the terms of the contract and the specifications, Job No. R90094 shall be terminated effective April 12, 2006, and the Director is authorized to re-advertise the project at a later date.

2006-057

WHEREAS, the Commission acquired in fee property known as Tract No. 213R from John D. Opitz and Ernestine E. Opitz, husband and wife; Lonnie Marie Zumwalt, unmarried; and Otis L. Opitz and Anna M. Opitz, husband and wife, for Job No. R60016-2, MAF-F-016-2(26), U. S. Highway 70 – State Highway 7, East – West Arterial, Garland County, by Warranty Deed dated April 17, 1990, and recorded on July 20, 1990, in Deed Record Book No. 1347 pages 271-276, inclusive, in the deed records in the office of the Circuit Clerk of Garland County, Arkansas; and

WHEREAS, William J. Smith and Peggy L. Smith, husband and wife, have asked to repurchase Tract No. 213R and the Grantors in the above described deed, either by personal conveyance or by their respective heirs or assigns, have assigned their right to reacquire Tract No. 213R to William J. Smith and Peggy L. Smith. The District Engineer for District 6 has determined that Tract No. 213R is not now, nor in the foreseeable future will be, needed for highway purposes, said Tract No. 213R being more particularly described as follows:

Part of the Northeast Quarter of the Southwest Quarter of Section 13, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 13; thence South $05^{\circ} 26' 53''$ East along the West line thereof a distance of 407.82 feet to a point; thence South $07^{\circ} 36' 45''$ East along said West line a distance of 691.66 feet to a point on the Northerly existing right of way line of State Highway 88; thence North $58^{\circ} 17' 38''$ East along said existing right of way line a distance of 70.20 feet to a point; thence in a Northeasterly direction along said existing right of way line a curve to the right having a radius of 1621.55 feet a distance of 433.18 feet to a point; thence North $24^{\circ} 20' 31''$ West a distance of 338.66 feet to a point on the Northerly proposed right of way line of the East West Arterial for the point of beginning; thence continue North $24^{\circ} 20' 31''$ West a distance of 63.03 feet to a point; thence North $71^{\circ} 37' 50''$ East a distance of 329.70 feet to a point; thence South $27^{\circ} 35' 28''$ East a distance of 112.44 feet to a point on the Northerly proposed right of way line of the East West Arterial; thence South $84^{\circ} 21' 12''$ West along said proposed right of way line a distance of 231.55 feet to a point; thence South $70^{\circ} 17' 27''$ West along said proposed right of way line a distance of 115.32 feet to the point of beginning and containing 0.60 acre more or less.

WHEREAS, Tract No. 213R was acquired by the Commission for ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00).

2006-057 - Continued

NOW THEREFORE, Tract No. 213R is declared surplus; upon receipt of the consideration of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 213R to William J. Smith and Peggy L. Smith, husband and wife; a copy of the Deed and this Minute Order shall be recorded in Garland County, Arkansas and if necessary, the right of way shall be monumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2006-058

WHEREAS, the Commission acquired in fee property known as Tract No. 62 from Constance L. Wright, an unmarried person, for Job No. R60063, STMA-014-2(31) NHPX-014-2(31) Hwy. 192-Hwy 270, Route 70 Section 8, Garland County, Arkansas, by Warranty Deed dated August 6, 1992, and recorded on October 8, 1992, in Deed Record Book 1461 pages 593-594, inclusive, in the deed record in the office of the Circuit Clerk of Garland County, Arkansas; and

WHEREAS, John Gibson Properties, LLC, has asked to purchase a portion of Tract 62 and the heirs of Constance L. Wright, deceased, Rick Warren Trull, a/k/a, Rick Warren, has assigned his right to reacquire Tract No. 62 to John Gibson Properties, LLC. And the District Engineer for District 6 has determined that a portion of Tract No. 62 is not now, nor in the foreseeable future will be, needed for highway purposes, said portion of Tract No. 62 being more particularly described as follows:

Part of the Northeast Quarter of the Southwest Quarter of Section 15, Township 3 South, Range 20 West, Garland County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 15; thence North 02°08'45" East along the East line of the Northeast Quarter of the Southwest Quarter of Section 15 a distance of 150.04 feet to a point on the Southerly right of way line of U. S. Highway 70 as established by AHTD Job R60063; thence North 86°25'36" West along said right of way line a distance of 26.08 feet for the point of beginning; thence South 64°44'38" West along said right of way line a distance of 125.90 feet to a point; thence South 71°35'12" West along said right of way line a distance of 66.79 feet to a point; thence North 11°41'31"

2006-058 - Continued

West along said right of way line a distance of 25.17 feet to a point on the Southerly proposed right of way line of U. S. Highway 70; thence North 74°37'04" East along said right of way line a distance of 189.11 feet to the POINT OF BEGINNING and containing 0.07 acres, or 2,876 square feet more or less as shown on plans prepared by the AHTD referenced as Job R60063.

GA/ga 12/06/05

WHEREAS, three (3) qualified appraisers have appraised the portion of Tract No. 62 described above for TWO THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$2,900.00).

NOW THEREFORE, the above-described portion of Tract No. 62 is declared surplus; upon receipt of the consideration of TWO THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$2,900.00), the Chairman of the Commission is authorized and directed to execute a quitclaim conveying the above-described portion of Tract No. 62 to John Gibson Properties, LLC; a copy of the Deed and this Minute Order shall be recorded in Garland County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal-aid funds from this disposal shall be credited to Federal Funds.

2006-059

WHEREAS, the Commission acquired right of way for Job No. 5220, F.A.P. 358-C(1) Batesville – Denmark Route 11, Sections 13 & 14, (subsequently known as U. S. Highway 167), White & Independence Counties, by Independence County Court Order dated February 6, 1940, which is recorded in the County Court records of Independence County, Arkansas, in Book 6 at Page 394; and

WHEREAS, the District Engineer for District Five has determined that an area inside the existing right of way line is not needed now, nor in the foreseeable future will be needed for highway purposes, and recommends that this area of the right of way be abandoned and the right of way boundary be remonumented to reflect the new particularly described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 14, Township 11 North, Range 6 West, Independence County, Arkansas, more particularly described as follows:

2006-059 - Continued

Starting at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of Section 14; thence South 01° 02' 57" West along the East line thereof a distance of 888.41 feet to a point on the Easterly existing right of way line of U. S. Highway 167; thence North 39° 38' 51" West along said existing right of way line a distance of 93.41 feet to a point on the Easterly proposed right of way line of U. S. Highway 167 for the point of beginning; thence North 65° 14' 41" West along said proposed right of way a distance of 166.24 feet to a point; thence North 07° 30' 17" West along said proposed right of way line a distance of 216.97 feet to a point on the existing Easterly right of way line of U. S. Highway 167; thence in a Southeasterly direction along said existing right of way line on a curve to the left having a radius of 1298.03 feet a distance of 337.43 feet to the point of beginning and containing 0.29 acre more or less. See Job 5963 for Right of Way Plan.

G.A. 5/16/05

NOTE: The original Court Order shall remain as is. This description is to be used to reflect the area to be released to Independence County.

NOW THEREFORE, the above-described right of way is hereby released to Independence County; the Right of way Division is directed and authorized to record a copy of this Minute Order with the Recorded of Independence County; and, the right of way shall be remonumented to reflect the new boundaries after the release of the above-described tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2006-060

WHEREAS, the Arkansas State Highway Commission (Commission) acquired 550.09 acres of land from the Department of the Army for use as Phase I right of way for Job No. 040376 between Jenny Lind and Highway No. 22 in Sebastian County; and

WHEREAS, upon completion of the design for Job No. 040376 it was determined that additional right of way and easements, both permanent and temporary, were needed to properly construct the project; and

WHEREAS, the Fort Chaffee Redevelopment Authority present administrator and trustee of the former Fort Chaffee Military Reservation has agreed to convey the additional right of way and easements required for Job No. 040376, provided the Commission acknowledges and agrees to comply with and abide by the terms, conditions, restrictions and covenants contained in and made a part of the Quitclaim Deed conveying the additional land and easements for Job No. 040376 to the Commission.

NOW THEREFORE, BE IT RESOLVED by the Arkansas State Highway Commission that the terms, conditions, covenants and restrictions contained in the Quitclaim Deed dated December 15, 2005, from the Fort Chaffee Redevelopment Authority, Grantor, to the Arkansas State Highway Commission, Grantee, conveying the land and easements in Sebastian County, Arkansas, to the Commission are hereby acknowledged and accepted as of the 11th day of January, 2006.

BE IT FURTHER RESOLVED, that the Chairman of the Commission is hereby authorized and directed to execute and deliver to the Fort Chaffee Development Authority the Quitclaim Deed acknowledging the Arkansas State Highway Commission's acceptance of the terms and conditions contained therein.

WHEREAS, IN LONOKE COUNTY, in the City of Cabot, Job 061072, Hwy. 89 Relocation (Cabot) (S), on Highway 89, Section 1 is complete and open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 89, Section 1, from the junction of the beginning of the new alignment, along W. Main Street, to the junction of Highway 367, is hereby removed from the State Highway System.
2. The new alignment, as constructed by Job 061072, is hereby added to the State Highway System as a part of Highway 89, Section 1.

2006-062

WHEREAS, Minute Order 2002-220 authorized the Department to conduct a study to determine the need for and feasibility of improvements to Interstate 540 and its interchanges in Washington and Benton Counties; and

WHEREAS, the *Interstate 540 Improvement Study – Washington County and Benton County* has been completed and the study identified short-term, interim and long-term improvements to the Interstate 540 main lanes and its interchanges in order to enhance safety and relieve congestion.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Interstate 540 and adjacent roadways, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2006-063

WHEREAS, it is the goal of the Department to reduce the number of fatal and serious injury crashes by selecting and implementing effective highway safety strategies and projects; and

WHEREAS, *AASHTO's Strategic Highway Safety Plan* has identified proven safety practices that have the greatest impact on reducing fatal and serious injury crashes; and

WHEREAS, the Department has used this Plan as a guide and conducted crash analyses and identified locations for safety improvements based on high crash rates and/or the potential of crashes; and

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

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of safety projects at the locations shown below as funds become available.

<u>County</u>	<u>Hwy.</u>	<u>Termini</u>	<u>Type Improvement</u>
Yell	7	Ola-Centerville	Construct passing lanes
Ashley	8	Hamburg-Parkdale	Widen shoulders
Izard	9	Melbourne-Brockwell	Construct passing lanes

2006-063 - Continued

<u>County</u>	<u>Hwy.</u>	<u>Termini</u>	<u>Type Improvement</u>
Logan	22	Franklin County Line-Subiaco	Construct passing lanes
Crittenden	55	South of Hwy. 64-Jericho	Install median cable barrier
Columbia	79	Magnolia-Ouachita County Line	Construct passing lanes
Baxter	177	Highway 5-Izard County Line	Construct passing lanes
Montgomery	270	Blowout Mt.-Mauldin Mt.	Construct passing lanes
Jefferson	270	Grant County Line-White Hall	Construct passing lanes
Statewide	Various	Interstate Routes	Upgrade signing/striping
Statewide	Various	Selected Highways	Install shoulder rumble strips

2006-064 WHEREAS, the Bella Vista Bypass Toll Study Update has been completed; and

 WHEREAS, the results of the study indicate that a SAFETEA-LU earmark and toll revenue would be adequate to finance the construction of the Bella Vista Bypass.

 NOW THEREFORE, the Director is hereby authorized to take the steps necessary to develop the Bella Vista Bypass as a toll facility, including retaining the services of toll facility advisors, legal advisors, financial advisors, bond counsel, and underwriters as appropriate.

2006-065 WHEREAS, the Federal Highway Administration has issued a Record of Decision for Section of Independent Utility (SIU) 12 of the I-69 Corridor from Highway 1 near Benoit, Mississippi to U. S. Highway 65 near McGehee, Arkansas; and

 WHEREAS design is underway for the river bridge and the Arkansas roadway approach; and

 WHEREAS, the right-of-way limits have been established for the Arkansas portion of the project; and

2006-065 - Continued

WHEREAS, Congressionally Earmarked Federal-Aid Highway funding is available at an 80% Federal and 20% State match ratio to purchase right-of-way from the Mississippi River to U. S. Highway 65 near McGehee, Arkansas;

NOW THEREFORE, the Director is authorized to utilize the earmarked Federal funds to acquire the right-of-way for the Arkansas portion of SIU 12 in order to preserve this SIU 12 Corridor.

2006-066

WHEREAS, it has been determined that the below listed railroad crossing needs to be relocated and signals and surface improvements installed to accommodate a roadway project.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Miller	Texarkana	Hwy. 196	Union Pacific	Install Flashing Signals with Gates/Concrete Surface

2006-067

WHEREAS, the Mayor of the City of Jacksonville has requested the construction of an exit ramp from Highway 67 to the frontage road near Madden Road; and

WHEREAS, this proposed exit ramp would be adjacent to an entrance ramp that is scheduled to be relocated by Job 061126, Hwy. 67/Vandenberg Blvd. NB On-Ramp (Jacksonville).

2006-067 - Continued

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of constructing an exit ramp on Highway 67 near Madden Road in Jacksonville, including coordination as appropriate with the Federal Highway Administration.

2006-068 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 12, 2006 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110494	01	MONROE	HWY. 17-HWY. 49 (OVERLAY) (S)	79
020407	02	LINCOLN	YORKTOWN-JEFFERSON CO. LINE (OVERLAY) (S)	425
020440	02	ARKANSAS	HWY. 130-6TH ST. (STUTTGART) (OVERLAY) (S)	79
030344	03	HEMPSTEAD & HOWARD	HWY. 332-NASHVILLE (OVERLAY) (S)	278
050039	05	CLEBURNE	HWY. 16-HWY. 5 (PASSING LANES) (S)	25
050177	05	FULTON & SHARP	ASH FLAT-HIGHLAND (OVERLAY) (S)	62
061135	06	GARLAND	OUACHITA RIVER-SHADY GROVE ROAD (HOT SPRINGS) (S)	128
061165	06	SALINE	HWY. 183/COMMERCE DR. SIGNALS (BRYANT) (S)	183
061173	06	SALINE	ALCOA RD./BOONE RD. SIGNALIZATION (SALINE CO.) (S)	---
061189	06	HOT SPRING	COUNTRY CLUB RD.-SOUTH (OVERLAY) (S)	9
070300	07	COLUMBIA	HWY. 82-OUACHITA CO. LINE (OVERLAY) (S)	79
080308	08	YELL	CENTERVILLE-HWY. 27 (OVERLAY) (S)	7
090154	09	BENTON	GENTRY-SOUTH (S)	59
090180	09	BENTON	I-540/PERRY RD. INTERCHANGE (ROGERS) (F)	540
090220	09	BAXTER	HWY. 5 S.-HWY. 178 MTN. HOME (OVERLAY) (S)	62B
100636	10	MISSISSIPPI	I-55-WEST (OVERLAY) (S)	140
012040	2 & 6	GRANT, JEFFERSON & PULASKI	CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM (PHASE II) (S)	VARIOUS
FA0617	07	BRADLEY	HWY. 63-CO. RD. 69 (SURFACING) (S)	---

2006-068 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA0745	07	CALHOUN	CALHOUN COUNTY SURFACING NO. 9 (SEL. SEC.) (S)	---
SA0840	09	CARROLL	CO. RD. 345-CO. RD. 343 (OVERLAY) (S)	---
BR1110	10	CLAY	CACHE RIVER DITCH NO. 1 STR. & APPRS. NO. 2 (S)	---
SA1238	05	CLEBURNE	CO. RD. 95-EAST & SOUTH (BASE) (S)	---
SA1929	01	CROSS	HWY. 42-McFARAN BRANCH (BASE, SURF. & STRIPING) (S)	---
SA2441	04	FRANKLIN	HWY. 23-WATALULA (SURFACING) (S)	---
SA3130	03	HOWARD	HWY. 26-CO. RD. 12 (SURFACING) (S)	---
SA3635	08	JOHNSON	JOHNSON COUNTY BASE & SURFACING NO. 9 (S)	---
SA4262	04	LOGAN	LOGAN CO. BASE, SURFACING & RESEAL (S)	---
BR4504	09	MARION	CROOKED CREEK STR. & APPRS. (S)	---
SA4926	08	MONTGOMERY	MONTGOMERY COUNTY SURFACING NO. 4 (S)	---
SA5332	08	PERRY	CO. RD. 71-WEST (RESEAL) (S)	---
SA5634	10	POINSETT	POINSETT CO. REPAIR AND OVERLAY (SEL. SEC.) (S)	---
SA6926	05	STONE	STONE CO. BASE & SURFACING (S)	---
SA7365	05	WHITE	CO. RD. 280-EAST (BASE & SURFACING) (S)	---
FA7419	01	WOODRUFF	CO. ROAD 19-NORTH (RECONST.) NO. 3 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Commissioner Carl S. Rosenbaum moved, Vice Chairman Jonathan Barnett seconded and the motion passed 4-0 to accept the Staff's recommendation to enter into negotiations with Cranford Johnson Robinson Wood, of Little Rock, AR, for a scenic byway brochure. (Commissioner John Ed Regenold was absent during the voting.)

MOTION Commissioner John Ed Regenold moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Kimley-Horn and Associates, Inc., of Austin, TX, for the Northwest Arkansas Regional ITS Architecture.

2006-069 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:05 a.m., April 12, 2006.

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 April 12, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 24, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 24, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member

2006-070 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 24, 2006.

2006-071 WHEREAS, the Purchasing Committee has awarded purchases on April 21, 2006, and May 11, 2006, in the amounts of \$426,633.50, and \$168,889.00, respectively, totaling \$595,522.50, 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.

2006-072 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

NOW THEREFORE, the Director is hereby authorized to process for payment the statements for the 2005-2006 membership dues in the amounts of \$200 to the Arkansas Transit Association, \$200 to the South West Transit Association and \$225 to the Community Transportation Association of America.

2006-073

WHEREAS, evolving environmental issues have an ever increasing influence on the activities of the Arkansas State Highway and Transportation Department and all other state departments of transportation; and

WHEREAS, the AASHTO Standing Committee on the Environment has developed a pooled fund Environmental Technical Assistance Program (ETAP) to address the need to improve the exchange of environmental information among state departments of transportation; and

WHEREAS, participation in the ETAP will provide the Department with current information on numerous environmental issues and provide a forum to exchange information with other states and with AASHTO.

NOW THEREFORE, the Director is authorized to participate in the AASHTO Environmental Technical Assistance Program pooled fund project and pay \$5,000 per year as Arkansas' share of the project cost.

2006-074

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the *State Planning and Research (SPR) Work Program and Cost Estimate*.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the *SPR Work Program and Cost Estimate* for Fiscal Year 2007 and enter into any necessary contracts and agreements.

2006-075

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

2006-075 - Continued

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the AASHTOWare products.

2006-076

WHEREAS, the Tourist-Oriented Directional Sign (TODS) program regulations for Arkansas allow signs only in rural areas, except for Scenic Byways; and

WHEREAS, the definition of “rural” in the TODS program regulations refers to those areas not in the corporate limits of a city or town, which is stricter than the Manual on Uniform Traffic Control Devices (MUTCD) definition of “rural” referring to areas outside the city limits of incorporated cities or towns with a population of 5,000 or more; and

WHEREAS, using the MUTCD definition of “rural” in the TODS program regulations would provide consistency and allow more businesses to participate in the TODS program.

NOW THEREFORE, the following amendments to the TODS regulations are hereby adopted.

1. Under Definitions, change the definition of “Rural” in its entirety to read, “Refers to those areas outside the city limits of incorporated cities or towns with a population of 5,000 or more people.”
2. Under General Requirements, change Part D in its entirety to read, “The activity or site shall be located in a rural area not within the corporate limits of a city or town with a population of 5,000 or more people, except for Scenic Byways.”

FURTHERMORE, the Director is hereby authorized to take all steps necessary to implement these amendments in accordance with the Arkansas Administrative Procedures Act.

2006-077

WHEREAS, the Arkansas Highway Commission has adopted criteria by which routes in the State can be designated as Arkansas Scenic Byways; and

2006-077 - Continued

WHEREAS, there may be occasions when new developments along an existing Arkansas Scenic Byway will warrant removal of the Byway designation along part or all of the route; and

WHEREAS, the previously adopted criteria have been amended to include a process for the removal of Scenic Byway designation.

NOW THEREFORE, the attached criteria are hereby adopted for use in the designation of an Arkansas Scenic Byway or in the removal of Byway designation.

2006-078

WHEREAS, the United States Department of Transportation has promulgated regulations for the purpose of establishing programs to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by transportation employees in safety sensitive positions; and

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to drug and alcohol testing in accordance with the Department of Transportation regulations; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications to the Department's Drug and Alcohol Testing Policy.

2006-079

WHEREAS, the Commission acquired right of way for Job No. 9309, more commonly known as State Highway 72, Section 3, Junction of Highways 72 and 94 in Pea Ridge, Benton County, Arkansas, by Benton County Court Order dated May 20, 1952, which is recorded in the County Court Records of Benton County, Arkansas, in Book 2 at page 535; and

WHEREAS, the District Engineer for District 9 has determined that an area inside the existing right of way is not needed now, nor in the foreseeable future will be needed, for highway purposes and recommends that this area of the right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

JOB NO. 9309
 BENTONVILLE – PEA RIDGE ROAD
 ROUTE 72 SECTION 3

From designated Centerline Station 372+00.00 to Station 373+65.00 of the originally executed Court Order for Job 9309, dated May 20, 1952 and being recorded in County Court Records of Benton County, AR County Court Record Book “2”, page 535, inclusive of said records shall hereby be revised, for additional Right of Way.

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN.</u> <u>FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
372+00.00	372+15.14	15.14	VAR. 40' – 51.12	EX.	VAR.
372+15.14	372+97.63	82.49	VAR. 51.12' – 52.35'	EX.	VAR.
372+97.63	373+28.44	30.81	VAR. 52.35' – 78.02	EX.	VAR.
373+28.44	373+36.10	7.66	VAR. 78.02' – 139.96'	EX.	VAR.
373+36.10	373+49.77	13.67	VAR. 139.96' – 150'	EX.	VAR.
373+49.77	373+65.00	15.33	Exist R/W Job 9246	-	-
372+00.00	373+16.74	116.74		VAR. 40' – 150'	VAR.
373+16.74	373+65.00	48.26		Exist R/W Job 9246	

NOTE: In all other respects the original Court Order shall remain as is.
 ML

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Benton County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Benton County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

2006-080

WHEREAS, the Commission acquired in fee property known as Tract No. 25 from Lyles Enterprises, Inc., for Job No. 100306, Highway 158-St. Francis River, Craighead County, Arkansas, in an eminent domain action by filing its Complaint at Law and Order of Possession on June 17, 2005, and July 14, 2005, respectively, in the Circuit Clerk's office of Craighead County, Arkansas, in a case styled *Arkansas State Highway Commission vs. Lyles Enterprises, Inc., et al., Craighead County Circuit No. CV 2005-20*; and

WHEREAS, Lyles Enterprises, Inc. has requested the release and re-conveyance of a portion of said Tract No. 25; and

WHEREAS, the District Engineer for District 10 has determined that the portion of Tract No. 25 requested to be released by Lyles Enterprises, Inc. is not now, nor in the foreseeable will be, needed for highway purposes, said portion of Tract No. 25 to be released being more particularly described as follows:

Part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 14 North, Range 6 East, Craighead County, Arkansas, more particularly described as follows:

Starting at a $\frac{3}{4}$ inch iron pipe being used as the center Quarter corner of Section 21; thence South $01^{\circ} 05' 13''$ East along the West line of the Southeast Quarter of Section 21 a distance of 2,609.73 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 10730; thence South $87^{\circ} 36' 08''$ East along said right of way line a distance of 425.16 feet to a point; thence North $00^{\circ} 11' 03''$ West a distance of 11.43 feet for the point of beginning; thence continue North 00°

2006-080 - Continued

11' 03" West a distance of 8.01 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 100306; thence South 87° 35' 41" East along said right of way line a distance of 124.23 feet to a point; thence South 00° 34' 32" East a distance of 8.01 feet to a point; thence North 87° 35' 41" West a distance of 124.28 feet to the point of beginning and containing 0.02 acres more or less as shown on plans prepared by the AHTD referenced as Job 100306.

WHEREAS, three appraisers have determined that the fair market value of the portion of Tract No. 25 being released is \$750.00;

NOW THEREFORE, the portion of Tract No. 25 described above is declared surplus; upon receipt of the consideration of SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the portion of Tract No. 25, described above to Lyles Enterprises, Inc.; a copy of the Deed and this Minute Order shall be recorded in Craighead County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-aid funds from this disposal shall be credited to Federal Funds.

2006-081

WHEREAS, the Commission acquired right of way for Job No. 060394, more commonly known as Dodson Creek Bridges & Approaches, Route 67 Section 9, Saline County, Arkansas, by Saline County Court Order dated June 23, 1999, which is recorded in the County Court Records of Saline County, Arkansas, in Book 1 at pages 733 through 742 inclusive; and

WHEREAS, the District Engineer for District 6 has determined that an area inside the existing right of way is not now needed, nor in the foreseeable future will be needed, for highway purposes and recommends that these areas of the right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

From designated Construction Centerline Station 0+28.00 to Station 0+93.00 of the originally executed Court Order for Job 060394, dated June 23, 1999, and being recorded in County Court Records of Saline County, AR, In Book "Y" at Pages 733-742 inclusive of said records shall hereby be revised, for additional Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described Centerline shall be as follows:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>METERS</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
0+28.00	0+93.00	65m (213.25)	14m (45.93)	-	Var.

NOTE: In all other respects the original Court Order shall remain unchanged.

GA:ga 3/30/06

NOW THEREFORE, the above described right of way is hereby released to Saline County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Saline County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above designated tracts. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

WHEREAS, the Commission adopted Minute Order No. 2005-097 on August 10, 2005, wherein it declared surplus, inter alia, Tract No. 38R of Job No. 050064 and authorized its sale for \$100.00 to Kathie Chamberlin; and

WHEREAS, pursuant to said Minute Order a Quitclaim Deed was prepared attempting to convey, among other lands, Tract No. 38R of Job No. 050064 to Kathie Chamberlin for the consideration of \$100.00, which deed was delivered to the Grantee in exchange for the purchase price; and

WHEREAS, upon review of the Minute Order and Quitclaim Deed, it was discovered that the legal description of Tract No. 38R contained a scrivener's error and required a Correction Quitclaim Deed be issued by the Commission; and whereas the correct legal description of Tract No. 38R is as follows:

Part of Lot 16 of Locksley Addition to Woodland Hills Subdivision to the City of Hardy, Township 19 North, Range 5 West, Sharp County, Arkansas, more particularly described as follows:

Beginning at the Northeast corner of Lot 16 of Lockley Addition to Woodland Hills Subdivision to the City of Hardy; thence South 10° 07' 17" West along the East line thereof a distance of 36.64 feet to a point on the Northerly right of way line of Relocated U. S. Highway 63 as established by AHTD Job 050064; thence North 59° 01' 30" West along said right of way line a distance of 69.48 feet to a point on the North line of Lot 16 of Lockley Addition to Woodland Hills Subdivision to the City of Hardy; thence North 89° 43' 40" East along said North line a distance of 66.01 feet to the point of beginning and containing 1,190 square feet more or less as shown on plans prepared by the AHTD referenced as Job 050064.

DCM/ras 12/04/02

NOW THEREFORE, the Chairman of the Commission is hereby authorized and directed to execute and deliver a Correction Quitclaim Deed conveying Tract No. 38R of Job No. 050064 to Kathie Chamberlin, in accordance with the terms of Minute Order 2005-097.

WHEREAS, IN CRAIGHEAD COUNTY, it has been requested by Arkansas State University that changes be made to their institutional drives maintained by the Department; and

WHEREAS, these drives meet the criteria for inclusion into the State Maintenance System as established by Commission Minute Order No. 4201 of August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, drives totaling approximately 9.82 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 877, Section 1.

2006-084

WHEREAS, IN CRAWFORD COUNTY, in the City of Alma, the Mayor has requested that portions of Highway 64, Section 2C and Highway 162, Section 1Y be transferred to the City; and

WHEREAS, the transfer would benefit the City and the motoring public.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The portion of Highway 64, Section 2C, known as Cherry Street, from the junction of Highway 64, eastward to the junction of Highway 162 North is hereby removed from the State Highway System.
2. Highway 162, Section 1Y is hereby removed from the State Highway System.
3. The portion of Highway 64, Section 2C from the junction of Highway 162 North to the junction of Highway 162 South is hereby redesignated as part of Highway 162, Section 1.

2006-085

WHEREAS, IN WHITE COUNTY, it has been requested by the Arkansas State University – Beebe that changes be made to their institutional drives maintained by the Department; and

WHEREAS, these drives meet the criteria for inclusion into the State Maintenance System as established by Commission Minute Order No. 4201 of August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, drives totaling approximately 1.05 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 883, Section 1.

2006-086

WHEREAS, Minute Order 2003-146 authorized the examination of air cargo operations at the Northwest Arkansas Regional Airport and the assessment of truck and rail access to the Airport; and

WHEREAS, a study entitled *Northwest Arkansas Regional Airport Air Cargo Study and Freight Transportation Access Assessment* has been prepared; and

WHEREAS, the study examined the types and volumes of air cargo shipments at the Airport, assessed truck movements in the vicinity of the Airport, and evaluated alternative rail line routes to the Airport.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the *Northwest Arkansas Regional Airport Air Cargo Study and Freight Transportation Access Assessment*.

2006-087

WHEREAS, Minute Order 2004-128 authorized a truck route study to identify safe and economically feasible routes that would divert truck traffic from some residential streets and the existing Highway 67 route in the downtown area of the City of Arkadelphia; and

WHEREAS, the *Arkadelphia Truck Route Study* has been completed and has identified three feasible alternatives that would improve traffic operations and enhance safety in the downtown area.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2006-088

WHEREAS, IN BOONE COUNTY, a crash analysis was completed at the intersection of Highway 7/Highway 206; and

WHEREAS, a Multi-Agency Team investigated the history of crashes at this intersection and recommended improvements; and

WHEREAS, these improvements include installing flashing beacons and adding rumble strips to the Highway 7 approaches and realigning the intersection; and

2006-088 - Continued

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

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

2006-089

WHEREAS, IN DESHA COUNTY, on Highway 54, Section 2, from Waterman Street to the west city limits of Dumas, local officials have requested that roadway and drainage improvements be considered to enhance capacity and safety and to reduce the potential for flooding; and

WHEREAS, a review of this section has indicated that roadway improvements are needed and that the drainage structure at Ditch No. 6 should be replaced.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction to improve this highway and drainage structure as funds become available.

2006-090

WHEREAS, IN PULASKI COUNTY, a crash analysis has been completed on Highway 10, Section 8, from Mississippi Avenue to Perryville Road in Little Rock; and

WHEREAS, the analysis showed a high crash rate at this location and indicated that safety improvements are needed; and

WHEREAS, these improvements include the widening and installation of a continuous, two-way, left turn lane; and

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

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

2006-091

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to accommodate a roadway project and to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Union	El Dorado	Hwy. 7	Union Pacific	Install Cantilevers/Upgrade Concrete Surface

2006-092

WHEREAS, IN BAXTER COUNTY, the City of Gassville, by Resolution No. 2006-03, has identified Highway 62/412 from the east city limits to the west city limits as the Officer Jim Sell Memorial Highway; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described section of Highway 62/412 in accordance with Commission Policy.

2006-093

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 24, 2006 letting,

2006-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110496	01	PHILLIPS	HWY. 1-NORTH (OVERLAY) (S)	49
030285	03	HOWARD	HWY. 369-EAST (S)	26
030345	03	SEVIER	FALLS CHAPEL-LOCKESBURG (SEL. SECS.) (OVERLAY) (S)	71
040437	04	CRAWFORD	HWY. 64/HWY. 59 INTERS. IMPVTS. (VAN BUREN) (S)	64 & 59
040473	04	POLK	HWY. 246-NORTH (OVERLAY) (S)	71
050044	05	WHITE	MAIN ST.-CROSS ST. (SEARCY) (S)	67B
050179	05	CLEBURNE	HWY. 25-SOUTH (OVERLAY) (S)	5
050180	05	WHITE	BROCK RD.-AURTHUR KIRK RD. (OVERLAY) (S)	64
061191	06	GARLAND	LAKESIDE-INDUSTRIAL PARK RD. (OVERLAY) (S)	270
061192	06	SALINE	MOCCASIN CREEK-SALT CREEK (OVERLAY) (S)	5
070302	07	DALLAS	HWY. 79-WEST (OVERLAY) (S)	8
080311	08	VAN BUREN	HILL POINT RD.-HWY. 65 (OVERLAY) (S)	9
080312	08	POPE	U.P.R.R. OVERPASS-HWY. 7 (RUSSELLVILLE) (OVERLAY) (S)	64
090165	09	BENTON	PINNACLE HILLS PKWY./HORSEBARN RD. WIDENING (ROGERS) (S)	---
090220	09	BAXTER	HWY. 5 S.-HWY. 178 MTN. HOME (OVERLAY) (S)	62B
100638	10	LAWRENCE	MINTURN-HOXIE (OVERLAY) (S)	67
012014	2 & 7	GRANT & DALLAS	SALINE RIVER STR. & APPRS. (S)	167
FA0213	02	ASHLEY	OVERFLOW CREEK RELIEF STR. & APPRS. (S)	---
SA0344	09	BAXTER	BAXTER COUNTY RESEAL NO. 6 (S)	---
SA0544	09	BOONE	BOONE COUNTY SURFACING NO. 4 (SEL. SEC.) (S)	---
SA0840	09	CARROLL	CO. RD. 345-CO. RD. 343 (OVERLAY) (S)	---
SA0841	09	CARROLL	BERRYVILLE-HWY. 103 (RESEAL) (S)	---
SA1240	05	CLEBURNE	CO. RDS. 9 & 15 (SURFACING) (S)	---
SA1649	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 22 (SEL. SEC.) (S)	---
SA1830	01	CRITTENDEN	CO. RDS. 2 & 305 OVERLAY (SEL. SECS.) (S)	---

2006-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA2236	02	DREW	CO. RD. 12-WEST (SURFACING) (S)	---
SA2538	05	FULTON	FULTON COUNTY SURFACING NO. 3 (S)	---
SA2735	02	GRANT	CO. RD. 53-CO. RD. 434 (OVERLAY) (S)	---
SA2853	10	GREENE	GREENE CO. SURFACING NO. 10 (SEL. SECS.) (S)	---
SA3038	06	HOT SPRING	HWY. 128-HWY. 283 (OVERLAY) (S)	---
SA3444	05	JACKSON	CO. RD. 75 (RESEAL) (S)	---
SA3928	01	LEE	HWY. 121-CO. RD. 60 (BASE & SURFACING) (S)	---
SA4034	02	LINCOLN	FEENYVILLE-CO. RD. 87 (RESEAL) (S)	---
SA4335	06	LONOKE	HWY. 31-WEST (BASE & SURF.) (S)	---
SA4426	09	MADISON	HWY. 23-WEST RELOCATION (BASE & SURF.) (S)	---
SA4733	10	MISSISSIPPI	MISSISSIPPI COUNTY SURFACING AND OVERLAY (S)	---
SA4824	01	MONROE	HWY. 49-WEST (REPAIR & OVERLAY) (S)	---
SA5126	09	NEWTON	HWY. 327-SOUTH (NO. 2) (BASE & SURF.) (S)	---
SA5245	07	OUACHITA	HWY. 7-OUACHITA RIVER (OVERLAY) (S)	---
FA5415	01	PHILLIPS	BIG CREEK STR. & APPRS. (S)	---
SA5538	03	PIKE	HWY. 301-HWY. 26 RESEAL (S)	---
SA5848	08	POPE	HWY. 124 (APPLETON) NORTH & WEST (OVERLAY) (S)	---
SA5935	06	PRAIRIE	HWY. 33-WEST & NORTH (SURFACING) (S)	---
FA6215	06	SALINE	SOUTH FORK SALINE RIVER STR. & APPRS. (S)	---
SA6329	04	SCOTT	CO. RDS. 17 & 19 OVERLAY (SEL. SECS.) (S)	---
BR6504	04	SEBASTIAN	HARTFORD CREEK STR. & APPRS. (S)	---
BR7103	08	VAN BUREN	WEAVER CREEK STR. & APPRS. (S)	---
SA7269	04	WASHINGTON	WASHINGTON COUNTY SURFACING NO. 12 (S)	---
SA7364	05	WHITE	WHITE COUNTY SURFACING NO. 3 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed 4-0 to approve the Fiscal Year 2006-2007 Departmental Budget as recommended by the Department Staff. (Commissioner Carl Rosenbaum was absent.)

2006-094 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:50 p.m., May 24, 2006.

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 May 24, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 12, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 12, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-095 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 12, 2006.

2006-096 WHEREAS, the Purchasing Committee has awarded purchases on May 19, 2006, and June 14 and 30, 2006, in the amounts of \$26,440.00, \$69,662.78, and \$25,218.00, respectively, totaling \$121,320.78, 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.

2006-097 WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Arkansas State Highway and Transportation Department spends nearly \$4 million annually to remove litter from State Highways.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 to the Keep Arkansas Beautiful Commission for use in conducting the Great Arkansas Cleanup Campaign.

2006-098

WHEREAS, the Department, in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas Fayetteville, has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in these areas.

NOW THEREFORE, the Director is authorized to enter into an agreement with the MBTC to conduct the following studies.

- Solar Powered Lighting for Overhead Highway Signs
- Potential Applications of Nanotechnology for Improved Performance of Asphalt Pavements
- Acceleration Lane Design for Higher Truck Volumes
- Identification and Analysis of Points and Segments of High Fatality Crashes
- A Model-Based Risk Map for Roadway Traffic Crashes

2006-099

WHEREAS, through treaties made with the United States government, the Choctaw and Chickasaw Tribes during the 1830's were removed from their ancestral lands in Mississippi and Alabama to travel west to present day Oklahoma; and

WHEREAS, the removal of the Chickasaw and Choctaw Tribes is a significant event in the cultural and political history of the United States; and

WHEREAS, a number of the removal routes are known to have crossed through various parts of Arkansas; and

WHEREAS, part of U. S. Highway 70 in southwest Arkansas approximates one of the Choctaw and Chickasaw routes; and

WHEREAS, the State of Oklahoma has designated part of U.S. Highway 70 from Interstate 35 east to the Arkansas State Line as the Choctaw – Chickasaw Trail of Tears Memorial Highway; and

WHEREAS, the Choctaw and Chickasaw Tribes have requested extending this designation into Arkansas along that part of U. S. Highway 70 that approximates part of one of the removal routes.

2006-099 - Continued

NOW THEREFORE, the Director is authorized to extend the referenced designation of that part of U. S. Highway 70 from the Arkansas/Oklahoma State line east to its junction with U. S. Highway 71 in Sevier County, Arkansas; and

THAT, this segment of the route shall be signed in a manner consistent with the existing signage along that part of the route in Oklahoma and shall conform with all pertinent laws, regulations and policies regarding highway signage.

2006-100

WHEREAS, the implementation of Phases 1 and 2 of the Arkansas Permit and Routing System (ARPARS) has resulted in improved efficiency and safety for the permitting of oversize and overweight vehicles along the State's heavy-haul network of interstate and designated highways; and

WHEREAS, the implementation of Phase 3 of ARPARS would extend the aforementioned benefits to all of the State's highways by providing automated routing, bridge analysis, restriction information and internet application and issuance capabilities for oversize and overweight permits.

NOW THEREFORE, the Director is authorized to proceed with the implementation of Phase 3 of ARPARS as funds become available.

2006-101

WHEREAS, the Arkansas Wireless Information Network (AWIN) is a multi-phased program to leverage new and existing wireless resources to create a statewide interoperable wireless communication system for state, county and municipal emergency responders and other Arkansas public service entities; and

WHEREAS, the AWIN system has been established under guidelines of the United States Department of Homeland Security to meet interoperability standards for emergency communications; and

2006-101 - Continued

WHEREAS, fifteen other state agencies, including the Arkansas State Police, the Arkansas Department of Emergency Management and the Arkansas Department of Health, and all county Sheriff's Offices and major municipal police and fire departments currently have access to the AWIN system; and

WHEREAS, it is vital that officers of the Highway Police Division have interoperable communications with other state, county and municipal public safety entities in the event of a major disaster or localized emergency, as well as, day-to-day public safety operations.

NOW THEREFORE, the Director is authorized to proceed with a phased implementation of the AWIN system within the Highway Police Division utilizing drug control funds of the Division.

2006-102

WHEREAS, the Commission acquired property known as Tract No. 46 from Tim Hicks and Caren Hicks, husband and wife, for Job No. 090002, DPS – 0049(5), Bear Creek Springs – Burlington (U. S. Highway 65) Boone County, Arkansas, by Warranty Deed dated May 18, 2004, filed for record on June 3, 2004, in the Circuit Clerk's Office of Boone County as Instrument #04-004385; and

WHEREAS, Tim Hicks and Caren Hicks has asked to repurchase a portion of Tract No. 46 and the District Engineer for District 9 has determined that the portion of Tract No. 46m, being more particularly described below is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the portion of Tract No. 46 which Tim Hicks and Caren Hicks have asked to repurchase is described or follows:

Part of the Southwest quarter of the Southwest quarter (SW 1/4 SW 1/4), Section 16, Township 20 North, Range 21 West, Boone County, Arkansas, described as follows:

STARTING at the Southwest corner of said Southwest quarter of the Southwest quarter (SW 1/4 SW 1/4), Section 16; THENCE along the South line thereof North 88 degrees 00 minutes 26 seconds East for a distance of

15.74 feet to the existing Easterly controlled access Right of Way of HWY 65; THENCE along the said existing Right of Way the following calls: THENCE North 06 degrees 07 minutes 45 seconds East for a distance of 209.22 feet to the proposed Easterly controlled access Right of Way of Hwy 65 for the POINT OF BEGINNING; THENCE along the said proposed Right of Way the following calls: THENCE North 3 degrees 51 minutes 10 seconds East for a distance of 300.01 feet; THENCE North 8 degrees 46 minutes 20 seconds East for a distance of 258.39 feet to the existing Easterly controlled access Right of Way of HWY 65; THENCE along the said existing Right of Way the following calls: THENCE South 06 degrees 07 minutes 45 seconds West for a distance of 557.89 feet to the POINT OF BEGINNING; containing 0.08 acres, more or less.

GA/ga 2/23/06

WHEREAS, Tract No 46 was acquired by the Commission for \$11,500.00; and

WHEREAS, three qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 46 being offered for sale is FIFTY AND NO/100 DOLLARS (\$50.00).

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of FIFTY AND NO/100 DOLLARS (\$50.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Tim Hicks and Caren Hicks, husband and wife; a copy of the deed and this Minute Order shall be recorded in the County Records of Boone County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, the Commission acquired in fee property known as Tract No. 3R from I. D. Beasley and Myrtle Anna Beasley, husband and wife, for Job No. 070034, STP-STPO-09440(1), Hwy 8, Extension (Warren) Hwy. 8, Section 12 Bradley County, Arkansas, by Warranty Deed dated June 11, 1995, and filed for record on July 7, 1995, in Book FN at Page 602 in the real estate records of the office of the Circuit Clerk, Bradley County, Arkansas; and

WHEREAS, James S. Lawrence and Joy L. Lawrence, husband and wife, asked to repurchase Tract No. 3R and Myrtle Anna Beasley, a single person and widow of I. D. Beasley, deceased, has assigned her right to reacquire Tract No. 3R, which the District Engineer for District Seven has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and,

WHEREAS, Tract No. 3R to be transferred to James S. Lawrence and Joy L. Lawrence, husband and wife, is more particularly described as follows:

Part of the Southeast Quarter of the Northwest Quarter of Section 7, Township 13 South, Range 9 West, Bradley County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Southeast Quarter of the Northwest Quarter of Section 7; thence North $89^{\circ} 55' 10''$ East along the South line thereof a distance of 941.96 feet to a point on the Easterly right of way line of the Warren and Saline River Railroad for the point of beginning; thence North $09^{\circ} 09' 21''$ East along the Easterly right of way line of the Warren and Saline River Railroad a distance of 525.12 feet to a point on the Westerly proposed right of way line of Relocated Arkansas State Highway 8; thence South $00^{\circ} 29' 31''$ West along said proposed right of way line a distance of 119.63 feet to a point; thence South $10^{\circ} 33' 12''$ East along said proposed right of way line a distance of 107.40 feet to a point; thence South $19^{\circ} 21' 24''$ East along said proposed right of way line a distance of 92.08 feet to a point; thence South $26^{\circ} 42' 36''$ East along said proposed right of way line a distance of 88.78 feet to a point; thence South $16^{\circ} 45' 40''$ East along said proposed right of way line a distance of 132.37 feet to a point on the South line of the Southeast Quarter of the Northwest Quarter of Section 7; thence South $89^{\circ} 55' 10''$ West along said South line a distance of 210.80 feet to the point of beginning and containing 1.03 acre more or less.

JK/ll 5/8/95

WHEREAS, Tract No. 3R was acquired by the Commission for ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00).

NOW THEREFORE, the above-described property is declared surplus by the Arkansas State Highway Commission, and upon receipt of the consideration of ONE THOUSAND AND NO/100

2006-103 - Continued

DOLLARS (\$1,000.00), the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above-described property to James S. Lawrence and Joy L. Lawrence, a copy of the deed and this Minute Order shall be recorded in Bradley County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

2006-104

WHEREAS, the Commission acquired right of way for Job No. 678, more commonly known as Palarm – Conway Road, State Highway 365, Faulkner County, Arkansas, by Faulkner County Court Order dated October 7, 1935, which is recorded in Book 27 at Page 358 of the County Court records of Faulkner County, Arkansas; and

WHEREAS, the District Engineer for District 8 has determined that an area inside the existing right of way is not now needed, nor in the foreseeable future will be needed, for highway purposes and recommends that these areas of the right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

From designated Construction Centerline Station 245+00.00 to Station 262+00.00 of the originally executed Court Order for Job 678, dated October 7, 1935, and being recorded in County Court Records of Faulkner County, AR. In “Book 27 Page 358” inclusive of said records shall hereby be revised as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
245+00.00	262+00.00	1700	50	50	100

NOTE: In all other respects the original Court Order shall remain as is.
G.A.:g.a. 5/23/06

2006-104 - Continued

NOW THEREFORE, the above-described right of way is hereby released to Faulkner County; that the Chairman of the Commission is authorized and directed to record a copy of this Minute Order with the Recorder of Faulkner County; and, the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

2006-105

WHEREAS, the Commission acquired right of way for Job No. 1100, more commonly known as Hot Springs – Glenwood, U. S. Highway 70 – Route 70, Section 7, Montgomery County, Arkansas, by County Court Order dated November 16, 1927, which is recorded in the County Court Records of Montgomery County, Arkansas; and

WHEREAS, the District Engineer for District 8 has determined that an area inside the existing right of way is not now needed, nor in the foreseeable future will be needed, for highway purposes and recommends that these areas of the right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the areas of the right of way to be abandoned are more particularly described below:

From designated Construction Centerline Station 1143+53.0 to Station 1161+00.0 of the originally executed Court Order for Job 1100, dated November 16, 1927 and being recorded in County Court Records of Montgomery County, Arkansas, shall hereby be revised as follows:

Note: The following right of way shall hereby be released:

Part of the Southeast Quarter of Section 24, Township 4 South, Range 23 West, Montgomery County, Arkansas, more particularly described as follows:

Starting at the Southeast corner Section 24; thence North 0°03' West along the East thereof a distance of 1312.8 feet to a point on the Southerly right of way line of U. S. Highway 70 as established by AHTD Job 1100 for the point of beginning; thence in a Southwesterly direction along said right of

way line on a curve to the right having a radius of 1,195.92 feet a distance of 222.4 feet to a point; thence North 89°08' West along said right of way line a distance of 1,032.6 feet to a point; thence North 0°52' East along said right of way line a distance of 10.00 feet to a point; thence North 89°08' West along said right of way line a distance of 589.7 feet to a point on the Southerly right of way line as established by AHTD Job 1450; thence North 88°15' E along said right of way line a distance of 1,249.6 feet to a point; thence North 79°54' East along said right of way line a distance of 172.67 feet to a point on the Northerly right of way line as established by AHTD Job 1100; thence South 89°08' East along said right of way line a distance of 204.5 feet to a point; thence in a Northeasterly direction along said right of way line on a curve to the left having a radius of 1,095.92 feet a distance of 221.3 feet to a point on the East line of the Southeast Quarter of Section 24; thence South 0°03' East along said East line a distance of 101.6 feet to the POINT OF BEGINNING and containing 2.27 acres, or 99,037 square feet more or less as shown on plans prepared by the AHTD referenced as Job 1450.

GA/ga 9/28/05

Note: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, the above-described right of way is hereby released to Montgomery County; the Chairman of the Commission is authorized and directed to record a copy of this Minute Order with the Recorder of Montgomery County; and, the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal Law.

WHEREAS, the Commission acquired in fee property known as Tract No. 6 from H. B. Lambert and Sallie May Lambert, his wife, for Job No. 1450, Pike County Line – Percy Bridges and Approaches, Montgomery County, Arkansas, by Warranty Deed dated September 26, 1974, and filed for record on October 29, 1974, in Book 66, Page 618, of the real estate records in the office of the Circuit Clerk, Montgomery County, Arkansas; and

WHEREAS, Dennis Nooner and Veda Nooner, husband and wife, have asked to repurchase a portion of Tract No. 6, being 0.36 acres or 15,778 square feet, and Bill Lambert, Margaret Lambert Frankum, Sarah Lambert Harkin and John Haskell Lambert, all of the heirs at law of H. B. Lambert and Sallie May Lambert (both deceased) have assigned their right to acquire that portion of Tract No. 6 (0.36 acres, more or less), which the District Engineer for District Eight has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the portion of Tract No. 6 to be transferred to Dennis Nooner and Veda Nooner, husband and wife, is more particularly described as follows:

Part of the Northeast Quarter of the Southeast Quarter of Section 24, Township 4 South, Range 23 West, Montgomery County, Arkansas, more particularly described as follows:

Starting at the Southeast corner Section 24; thence North 00°03' West along the East line thereof a distance of 1414.4 feet to a point on the Northerly right of way line of U. S. Highway 70 as established by AHTD Job 1100 for the point of beginning; thence in a Southwesterly direction along said right of way line on a curve to the right having a radius of 1,095.92 feet a distance of 221.3 feet to a point; thence North 89°08' West along said right of way line a distance of 204.5 feet to a point on the Southerly right of way line of U. S. Highway 70 as established by AHTD Job 1450; thence North 79°54' East along said right of way line a distance of 430.9 feet to a point on the East line of the Northeast Quarter of the Southeast Quarter of Section 24; thence South 00°03' East along said East line a distance of 59.8 feet to the POINT OF BEGINNING and containing 0.36 acres, or 15,778 square feet more or less as shown on plans prepared by the AHTD referenced as Job 1450.

GA/ga 9/28/05

WHEREAS, Tract No. 6 and other lands were acquired by the Commission for FOUR THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$4,650.00); and

2006-106 - Continued

WHEREAS, three qualified appraisers have, in accordance with the requirements of Ark. Code Ann. §27-67-322, opined that the current fair market value of that portion of Tract No. 6 being offered for sale is TWO HUNDRED AND NO/100 DOLLARS (\$200.00).

NOW THEREFORE, the Arkansas State Highway Commission does hereby declare the above described property as surplus property; upon receipt of the consideration of TWO HUNDRED AND NO/100 DOLLARS (\$200.00) the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above described property to Dennis Nooner and Veda Nooner, husband and wife; a copy of the deed and this Minute Order shall be recorded in Montgomery County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Aid funds from this disposal shall be credited to Federal Funds.

2006-107

WHEREAS, IN BENTON AND CARROLL COUNTIES, Job 009956, Hwy. 62 Safety Impvts. (W. of Carroll Co. Line) (S), is complete and the highway is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portions of Highway 62, Sections 2 and 3, are hereby removed from the State Highway System.
2. The new alignment as constructed by Job 009956 is hereby added to the State Highway System as a part of Highway 62, Sections 2 and 3.

2006-108

WHEREAS, IN CRAIGHEAD COUNTY, Job 100461, Hwy. 63–Culberhouse St. (Jonesboro) (S), is substantially complete and the highway is open to traffic.

2006-108 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

1. The old portion of Highway 63, Section 6B, is hereby removed from the State Highway System.
2. The new alignment as constructed by Job 100461 is hereby added to the State Highway System as a part of Highway 63, Section 6B.

2006-109

WHEREAS, Minute Order 2006-064 authorized the Director to take the steps necessary to develop the Bella Vista Bypass as a toll facility; and

WHEREAS, 23 USC 129(a) requires a toll agreement between the toll authority and the Federal Highway Administration before construction begins.

NOW THEREFORE, the attached toll agreement is hereby approved and shall be submitted to the Federal Highway Administration for consideration and execution.

2006-110

WHEREAS, Minute Order 2006-064 authorized the Director to take the steps necessary to develop the Bella Vista Bypass as a toll facility; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) expanded the opportunities to grant authority for states to toll Federal-aid facilities; and

WHEREAS, the Bella Vista Bypass may qualify for one of the Federal Highway Administration's (FHWA) Toll Pilot Programs; and

WHEREAS, the FHWA requires the submission of an "Expression of Interest" for participation in a Toll Pilot Program.

2006-110 - Continued

NOW THEREFORE, the Director is authorized to submit an “Expression of Interest” and any other subsequently required documents to the FHWA for the Department’s participation in a Toll Pilot Program for the Bella Vista Bypass.

2006-111 WHEREAS, IN COLUMBIA COUNTY, the Taylor/Emerson School District has plans to construct a new high school in the Community of Walkerville; and

WHEREAS, it has been requested that a study be conducted to consider constructing a route on new location between Highway 160 east of the City of Taylor and Highway 19 at Walkerville.

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of a new location connection between Highway 160 and Highway 19.

2006-112 WHEREAS, IN PULASKI COUNTY, in the vicinity of the interchange of Interstates 30, 440 and 530 (the Interstate 30 South Terminal Interchange), there are ponds created from borrow pits that are frequently accessed illegally from the Interstate system; and

WHEREAS, the Arkansas Game and Fish Commission and the Audubon Society are developing a project to develop this area into a unique, urban habitat for fishermen and bird watchers; and

WHEREAS, with the development of this area, it will be beneficial to provide safe and dependable access from a point off the Interstate system; and

WHEREAS, there is an opportunity to provide an access road to this area from Highway 367 (Arch Street).

2006-112 - Continued

NOW THEREFORE, the Director is hereby authorized to work in partnership with the Arkansas Game and Fish Commission and the Audubon Society to plan, design and construct an access road to the Interstate 30 South Terminal Borrow Pond Habitat Restoration area, including taking the steps necessary to prevent illegal access to the area from the Interstate system.

2006-113

WHEREAS, the Highway 71 corridor has been designated by the United States Congress as High Priority Corridor 1; and

WHEREAS, significant progress has been made in Arkansas toward the construction of a new location, Interstate-type route in this corridor; and

WHEREAS, the states of Missouri and Louisiana are also improving this corridor; and

WHEREAS, this corridor is commonly referred to as Interstate 49; and

WHEREAS, the official designation of the corridor as Interstate 49 has not yet been approved by the Federal Highway Administration (FHWA) and the American Association of State Highway and Transportation Officials (AASHTO).

NOW THEREFORE, the Director is hereby authorized to coordinate with the states of Louisiana and Missouri and to petition the FHWA and AASHTO for assignment of Interstate Route Number I-49 for this corridor.

2006-114

WHEREAS, Minute Order 2001-016 authorized the Director to retain the services of consulting firms to perform environmental and location studies necessary for establishing the location of future I-69 from Highway 65 near McGehee to El Dorado and from El Dorado to Shreveport, Louisiana; and

2006-114 - Continued

WHEREAS, the Final Environmental Impact Statement has been completed and the Federal Highway Administration has issued the Record of Decision for the location of the section from Highway 65 to El Dorado.

NOW THEREFORE, the Director is hereby authorized to proceed with surveys, design, right of way acquisition and construction of future I-69 from Highway 65 to El Dorado as funds become available.

2006-115

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 12, 2006 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
110229	01	LEE	L'ANGUILLE RIVER-UNION PACIFIC RR OVERPASS (GR. & STRS.) (S)	1
110498	01	WOODRUFF	HWY. 33-EAST (SEL. SECS.) (OVERLAY) (S)	64
020452	02	CHICOT	HWY. 8-NORTH (EUDORA) (OVERLAY) (S)	65
030078	03	HEMPSTEAD	AVE. "A"-WEST OF I-30 (HOPE) (S)	278 & 278B
030339	03	MILLER	HWY. 245 INTERCHANGE IMPVTS. (TEXARKANA) (F)	30 & 245
040420	04	WASHINGTON	TOWNSHIP RD.-FUTRALL DR. (GREGG AVE. FAYETTEVILLE) (S)	180
040428	04	FRANKLIN	HWY. 22/HWY. 217/GREENWOOD SIGNAL (CHARLESTON) (S)	22 & 217
040436	04	SCOTT	HWY. 71/HWY. 80 SIGNAL (WALDRON) (S)	71 & 80
040473	04	POLK	HWY. 246-NORTH (OVERLAY) (S)	71
040476	04	SEBASTIAN	HWY. 255-NORTH (FT. SMITH) (OVERLAY) (S)	255 & 71B
050181	05	WHITE	HWY. 67-WEST (SEARCY) (OVERLAY) (S)	36
061195	06	LONOKE	HWY. 89-EAST (OVERLAY) (S)	321
070266	07	DALLAS	HWY. 79/HWY. 79B/HWY. 167 SIGNAL (FORDYCE) (S)	79, 79B & 167
070267	07	UNION	CHAMPAGNOLLE RD.-HWY. 7S (GR. & STRS.) (S)	167 & 7
080313	08	FAULKNER	PULASKI CO. LINE-WEST (OVERLAY) (S)	89

2006-115 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
090116	09	MADISON	WASHINGTON CO. LINE-HWY. 45 (F)	412
090227	09	BENTON	HWY. 71B/264 (LOWELL) & CO. RD. 40-LITTLE SUGAR CR. (OVERLAY) (S)	71, 71B & 264
100304	10	MISSISSIPPI	HWY. 181 SOUTH-HWY. 312 (S)	18
100640	10	GREENE	HWY. 49B-EAST (PARAGOULD) (OVERLAY) (S)	412
SA0131	02	ARKANSAS	ARKANSAS CO. RESEAL NO. 5 (SEL. SECS.) (S)	---
SA0236	02	ASHLEY	HWY. 189-NORTH (OVERLAY) (S)	---
SA0544	09	BOONE	BOONE COUNTY SURFACING NO. 4 (SEL. SEC.) (S)	---
SA0640	07	BRADLEY	COUNTY ROAD 32 SURFACING (SEL. SEC.) (S)	---
SA1239	05	CLEBURNE	CO. RD. 95-EAST & SOUTH (SURFACING) (S)	---
SA1436	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 12 (S)	---
SA1546	08	CONWAY	CONWAY COUNTY BASE AND SURFACING (S)	---
SA1760	04	CRAWFORD	CO. RD. 399-NORTH (BASE & SURFACING) (S)	---
SA1830	01	CRITTENDEN	CO. RDS. 2 & 305 OVERLAY (SEL. SECS.) (S)	---
FA1910	01	CROSS	CO. RD. 71-EAST (ADD'L BASE & SURFACING) (S)	---
SA2127	02	DESHA	DESHA COUNTY SURFACING NO. 12 (S)	---
SA2237	02	DREW	CO. RD. 7-HWY. 425 (SURFACING) (S)	---
SA2655	06	GARLAND	GARLAND COUNTY RESEAL NO. 13 (S)	---
SA2656	06	GARLAND	HWY. 270-NORTH (OVERLAY) (S)	---
SA2853	10	GREENE	HWY. 135-HWY. 69 (OVERLAY) (S)	---
SA3257	05	INDEPENDENCE	INDEPENDENCE CO. SURFACING NO. 12 (SEL. SECS.) (S)	---
SA3336	05	IZARD	COUNTY ROAD 61 OVERLAY (SEL. SEC.) (S)	---
SA3636	08	JOHNSON	JOHNSON COUNTY BASE & SURFACING NO. 10 (S)	---
SA3842	10	LAWRENCE	LAWRENCE CO. SURFACING NO. 10 (SEL. SECS.) (S)	---
SA4035	02	LINCOLN	HWY. 11-HWY. 114 (RESEAL) NO. 2 (S)	---

2006-115 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
SA4537	09	MARION	EROS EAST AND WEST (OVERLAY) (S)	---
SA4637	03	MILLER	MILLER COUNTY RESEAL NO. 14 (S)	---
SA5539	03	PIKE	PIKE COUNTY RESEAL NO. 3 (S)	---
SA5728	04	POLK	HWY. 375-CO. RD. 92 (BASE AND SURFACE) (S)	---
SA6040	06	PULASKI	PULASKI COUNTY SURFACING NO. 7 (S)	---
SA6129	10	RANDOLPH	RANDOLPH CO. SURFACING NO. 2 (SEL. SECS.) (S)	---
SA6433	09	SEARCY	HWY. 374-CO. RD. 229 (RESEAL) (S)	---
SA6633	03	SEVIER	HWY. 70B-CO. RD. 169 (RESEAL) (S)	---
SA6726	05	SHARP	SHARP COUNTY RESEAL NO. 4 (S)	---
SA6853	01	ST. FRANCIS	CO. RD. 52 (SURFACING) NO. 2 (S)	---
SA7032	07	UNION	CO. RD. 6-SOUTH (SURFACING) (S)	---
SA7270	04	WASHINGTON	CO. RD. 67-WEST (OVERLAY) (S)	---
SA7366	05	WHITE	HWY. 157-WEST & NORTH (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Vice Chairman Jonathan Barnett moved, Commissioner Carl Rosenbaum seconded and the motion passed unanimously to make the *Draft 2006 Arkansas State Highway Needs Study and Highway Improvement Plan* available for public review and comment.

MOTION Commissioner Carl Rosenbaum moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to authorize the staff to advertise for an auction service to coordinate the AHTD Equipment Auction.

MOTION Commissioner Carl Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Garver Engineers, of Little Rock, AR, for design consultant services for the Springdale bypass.

MOTION Commissioner John Ed Regenold moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with PBS&J, of Austin, TX, to develop a "Linking Planning and NEPA Project Development Manual".

2006-116

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., July 12, 2006.

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 July 12, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 19, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 19, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-117 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., July 19, 2006.

MOTION Vice Chairman Jonathan Barnett moved, Commissioner Madison Murphy seconded and the motion passed unanimously to authorize the Staff to enter into negotiations with law firms of Williams & Anderson of Little Rock, and Hawkins Delafield & Wood of New York, New York, who submitted a joint proposal, to serve as Bond Counsel for the Bella Vista Bypass project in Benton County.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to authorize the Staff to enter into negotiations with the law firm of Holland & Knight of New York, New York, to serve as Toll Counsel for the Bella Vista Bypass project in Benton County.

2006-118 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:10 p.m., July 19, 2006.

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 July 19, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 23, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 23, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-119 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 23, 2006.

2006-120 WHEREAS, the Purchasing Committee has awarded purchases on July 21, 2006, and August 4, 2006, in the amounts of \$36,995.68, and \$917,488.40, respectively, totaling \$954,484.08, 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.

2006-121 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

2006-121 - Continued

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2007.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for annual fees for the fiscal year 2007 in the amount of \$6,000.00.

2006-122

WHEREAS, the recruitment and retention of Civil Engineering personnel continues to be essential to the Department; and

WHEREAS, the Mack-Blackwell Transportation Center at the University of Arkansas provides the Department with important research and training services.

NOW THEREFORE, the Director is authorized to provide appropriate Transportation Research Assistantship positions, in accordance with the Department's current criteria, in the Department's research budget.

2006-123

WHEREAS, Commission Minute Order 03-104 adopted the Intelligent Transportation Systems (ITS) Strategic Plan as a planning guide for ITS deployment in the State of Arkansas; and

WHEREAS, the Commercial Vehicle Operations (CVO) component of the ITS Strategic Plan serves to guide the state's development and deployment of ITS/CVO technologies and participation in the national Commercial Vehicle Information Systems and Networks (CVISN) Program; and

WHEREAS, federal CVISN funding has been made available to the Department by the Federal Motor Carrier Safety Administration for the development and deployment of CVISN Program activities in the State of Arkansas.

(Continued)

2006-123 - Continued

NOW THEREFORE, the Director is authorized to proceed with the development and deployment of CVISN Program activities consistent with the ITS Strategic Plan and CVISN Program Agreement.

2006-124

WHEREAS, the Arkansas State Highway and Transportation Department was authorized by Arkansas Act 192 of 1977 to administer United States Department of Transportation funds and other funds available for public transportation assistance; and

WHEREAS, the Federal Transit Administration has apportioned funds to the State of Arkansas under 49 U.S.C. Chapter 53 for the Job Access/Reverse Commute Program and the New Freedom Program for providing a statewide program for developing new and expanded public transportation services to welfare recipients and other low income persons and persons with disabilities; and

WHEREAS, the Governor of Arkansas has designated the Arkansas State Highway and Transportation Department as the recipient of Federal Transit Administration funds for these programs.

NOW THEREFORE, the Director is authorized to develop and implement a program of projects for these designated federal funds and enter into the necessary grant agreement awards and contracts to expend these funds for the support of public transportation programs.

2006-125

WHEREAS, the Department has been an active participant in the Latin American Trade and Transportation Study (LATTS); and

WHEREAS, the LATTS Institute for Trade and Transportation Studies (ITTS) has been established by the Southeastern Association of State Highway and Transportation Officials' Board of Directors as a resource on issues regarding the implication of international trade and increasing freight transportation demands; and

WHEREAS, the benefits to Arkansas include assistance in developing the State's major freight corridors and freight handling centers to effectively handle international trade, identification of methods to

(Continued)

2006-125 - Continued

increase trade with Latin American Countries and assistance in developing freight transportation initiatives.

NOW THEREFORE, the Director is authorized to enter into agreements with the LATTs ITTS, including the obligation of Federal-aid State Planning and Research (SPR) funds, to continue participation in this program along with the other LATTs Alliance States.

2006-126

WHEREAS, the American Association of State Highway and Transportation Officials has contracted with the National Center for Pavement Preservation to host the new Transportation System Preservation Technical Services Program (TSP²); and

WHEREAS, this program will provide a clearinghouse for comprehensive, up-to-date information on effective preservation technologies that enhance pavement and bridge performance and extend their useful service life; and

WHEREAS, the program will include development of a system preservation "Help Desk" to afford state highway agencies with a one-stop source for technical, training, and outreach services; and

WHEREAS, TSP² membership is regarded as being highly beneficial to the Department by providing the means to exchange ideas, information, and best practices with other state highway agencies.

NOW THEREFORE, the Director is authorized to participate in this program utilizing Federal-aid State Planning and Research (SPR) funds and to enter into such agreements as necessary to become a contributing member of the Transportation System Preservation Technical Services Program.

2006-127

WHEREAS, Federal transportation planning regulations require the development of a multi-year, financially constrained statewide transportation improvement program for all areas of the State in accordance with the provisions of 23 CFR 450; and

(Continued)

2006-127 - Continued

WHEREAS, *Arkansas' Statewide Transportation Improvement Program (STIP) Fiscal Years 2007-2010* has been prepared in accordance with the regulations and is ready for submittal to the appropriate agencies for approval.

NOW THEREFORE, the Director is authorized to submit the attached STIP to the Federal Highway Administration and the Federal Transit Administration for approval and to publish the STIP for distribution after approval by the federal agencies.

2006-128

WHEREAS, the Commission acquired in fee property known as Tract No. 5 from the County of Boone, State of Arkansas, for Job No. 009578, Harrison Bypass, Relocated U. S. Highway 65, Boone County, Arkansas, by Warranty Deed dated January 13, 1988, and filed for record on January 13, 1988, in Book 228, page 498, of the real estate records in the office of the Circuit Clerk, Boone County, Arkansas; and

WHEREAS, Meredith Miller has asked to re-purchase 0.33 acres of Tract No. 5; and Boone County, Arkansas, has assigned its right to reacquire that portion of Tract No. 5 to Meredith Miller; and the District Engineer for District Nine has determined that the portion of Tract No. 5 described below is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the portion of Tract No. 5 to be transferred to Meredith Miller is more particularly described as follows:

Part of the West Half of the Northwest Quarter of Section 11, Township 18 North, Range 20 West Boone County, Arkansas, more particularly described as follows:

Starting at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 11; thence North 88°24'00" East along the South line thereof a distance of 235.98 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487 for the point of beginning; thence in a Northeasterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 45.71 feet having a chord bearing of North 08°31'20" East a distance of 45.71 feet

(Continued)

2006-128 - Continued

to a point; thence South 80°24'26" East a distance of 26.70 feet to a point on the Easterly right of way line as established by AHTD Job 9578; thence South 09°35'34" West along said right of way a distance of 94.17 feet to a point; thence South 01°24'51" East along said right of way a distance of 94.23 feet to a point; thence South 08°36'43" East along said right of way a distance of 228.30 feet to a point; thence South 79°34'04" West a distance of 44.77 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 36.92 feet having a chord bearing of North 09°34'03" West a distance of 36.92 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 41.43 feet having a chord bearing of North 07°43'58" West a distance of 41.42 feet to a point; thence in a Northeasterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 303.46 feet having a chord bearing of North 00°20'40" East a distance of 302.69 feet to the POINT OF BEGINNING and containing 0.33 acres, or 14,502 square feet more or less as shown on plans prepared by the AHTD referenced as Job 9578.

Less and except a permanent easement vested in the Commission, described as follows:

Part of the Southwest Quarter of the Northwest Quarter of Section 11, Township 18 North, Range 20 West, Boone County, Arkansas, more particularly described as follows:

Beginning at a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487 said point being 50.00 feet right of and on a radial line to Centerline Station 31+36.55; thence North 83°14'15" East a distance of 44.75 feet to a point; thence South 08°36'43" East a distance of 39.90 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487; thence South 81°17'50" West a distance of 45.36 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 41.43 feet having a chord bearing of North 07°43'58" West a distance of 41.42 feet to the POINT OF

(Continued)

2006-128 - Continued

BEGINNING and containing 0.04 acres, or 1,837 square feet more or less as shown on plans prepared by the AHTD referenced as Job 9578.

GA/ga 8/01/05

WHEREAS, Tract No. 5 was acquired by the Commission for ONE AND NO/100 DOLLARS (\$1.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark Code Ann. §27-67-322, opined that the current fair market value of that portion of Tract No. 5 being offered for sale is TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00).

NOW THEREFORE, the above described property is hereby declared surplus and upon receipt of the consideration of \$2,000.00, the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above described property, subject to the permanent easement noted therein, to Meredith Miller; a copy of the deed and this Minute Order shall be recorded in Boone County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

2006-129

WHEREAS, the Commission acquired in fee property known as Tract No. 5XR from Orville Nichols and Julia Nichols, his wife, for Job No. 050045, STP-9386 (11) Covington Road - Race Avenue (Searcy), Route 16, Section 13, White County, Arkansas, by Warranty Deed dated January 19, 2001, and filed for record on February 1, 2001, in Deed Record Book 2001 at page 885 of the deed records of White County, Arkansas; and

WHEREAS, Glen Pledger and wife, Fern Pledger have asked to repurchase Tract No. 5XR and Orville Nichols and Julia Nichols have assigned their right to repurchase Tract 5XR to Glen Pledger and Fern Pledger; the District Engineer for District 5 has determined that Tract No. 5XR is not now, nor in the foreseeable future will be, needed for highway purposes, said tract being more particularly described as follows:

Part of Lot 3, Block 27 of Jones Addition to the City of Searcy, White County, Arkansas, more particularly described as follows:

(Continued)

2006-129 - Continued

Starting at the Northeast Corner of Lot 3, Block 27 of Jones Addition; thence South 00° 16' 38" West along the East line thereof a distance of 100.97 feet to the point of beginning; thence continue South 00° 16' 38" West along the East line of Lot 3 a distance of 65.32 feet to a point; thence North 89° 37' 38" West a distance of 10.81 feet to a point on the Easterly proposed right of way line of State Highway 16; thence North 36° 48' 06" West along said proposed right of way line a distance of 75.30 feet to a point; thence North 00° 33' 15" West along said proposed right of way line a distance of 5.64 feet to a point; thence South 89° 18' 16" East a distance of 56.29 feet to the point of beginning and containing 2,318 square feet more or less.

JW/II 11/27/00

WHEREAS, Tract No. 5XR was acquired by the Commission for NINE HUNDRED AND NO/100 DOLLARS (\$900.00).

NOW THEREFORE, Tract No. 5XR is declared surplus; upon receipt of the consideration of NINE HUNDRED AND NO/100 DOLLARS (\$900.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 5XR to Glen Pledger and wife, Fern Pledger; a copy of the Deed and this Minute Order shall be recorded in White County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to Federal Funds.

2006-130

WHEREAS, IN WASHINGTON COUNTY on Highway 62, a contract was awarded on February 16, 2005 to APAC-Arkansas, Inc. for Job R40082, FAP No. STP-0072(30), Illinois River - Highway 170; and

WHEREAS, in accordance with the specifications it is the responsibility of the owners of utility lines to remove their services from the construction limits of the planned work to allow for construction of the highway improvements; and

WHEREAS, on Highway 62 in Washington County, the utility companies entered into agreements with the Department to relocate their services within a reasonable time and this time was estimated by the utility companies and included in the Special Provisions for the above noted highway contract for use by bidders as information to help compile their bids; and

(Continued)

2006-130 - Continued

WHEREAS, relocation of the utilities is not expected to be completed until the end of August, 2006, 10 months after the original estimate shown in the contract and approaching 18 months after the award of the highway improvement project to APAC-Arkansas, Inc.; and

WHEREAS, APAC-Arkansas, Inc has been able to perform only minimal work just to accommodate the utility relocations and is not able to perform any other work until the utilities have been relocated; and

WHEREAS, there have been significant changes since the original bids were accepted on February 16, 2005 that the contractor could not have planned for; and

WHEREAS, APAC-Arkansas, Inc. has requested that the contract be terminated to avoid loss and hardship for completing the project.

NOW THEREFORE, IT IS ORDERED, as allowed by and in accordance with the terms of the contract and the specifications, Job No. R40082 shall be terminated effective August 23, 2006 and the Director is authorized to re-advertise the project at a later date.

2006-131

WHEREAS, Minute Order 2006-064 authorized the Director to take the steps necessary to develop the Bella Vista Bypass as a toll facility; and

WHEREAS, an Environmental Impact Statement for the project has been completed and a Record of Decision has been received from the Federal Highway Administration; and

WHEREAS, the design of the project is currently underway;
and

WHEREAS, it is necessary for the Department to provide timely right of way acquisition services in order to proceed with construction; and

WHEREAS, consultants are available to supplement Department staff in the conduct of various right of way acquisition services.

(Continued)

2006-131 - Continued

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm or firms and enter into any necessary contracts and agreements to perform right of way acquisition activities as needs are identified.

2006-132

WHEREAS, the Arkansas Highway Commission by Minute Order 2002-008 approved Federal-aid Transportation Enhancement funding in the amount of \$200,000 for Benton County to construct a pedestrian trail; and

WHEREAS, the proposed project is located in an unincorporated area of Benton County that is to be annexed by the City of Bentonville; and

WHEREAS, the Benton County Judge and the Mayor of Bentonville have requested a change in sponsorship to the City of Bentonville; and

WHEREAS, the City of Bentonville will own and maintain the trail upon completion.

NOW THEREFORE, the Director is authorized to approve the change in sponsorship and to proceed with implementation of this transportation enhancement project.

2006-133

WHEREAS, on Highway 190 in Pine Bluff, land uses and traffic volumes continue to change; and

WHEREAS, certain roadway improvements may be desirable.

NOW THEREFORE, the Director is authorized to proceed with a study of Highway 190 in Pine Bluff to determine the condition and needs for improvement.

2006-134

WHEREAS, IN MILLER COUNTY, on Highway 71, Section 2, bridge inspection has revealed that action is necessary to correct a bank failure at the Texas/Arkansas State Line near the Red River Bridge (Structure No. 05566) that threatens the integrity of the bridge structure; and

WHEREAS, this structure is jointly maintained by the State of Texas and the State of Arkansas; and

WHEREAS, both Arkansas and Texas agree that the need for this repair work is urgent; and

WHEREAS, the U. S. Army Corps of Engineers, Little Rock District, proposes to enter into a contract to fund 65% of the project cost and to conduct the work under a Project Cooperation Agreement with the Department; and

WHEREAS, the Texas Department of Transportation has agreed to participate in the state matching cost of this repair.

NOW THEREFORE, the Director is authorized to execute a contract with the Corps of Engineers for the project. The Director is further authorized to provide the Corps of Engineers the Department's matching share of the cost of the project and to execute the necessary agreements for the project.

2006-135

WHEREAS, IN NEWTON COUNTY, on Highway 21, Section 3, at Log Mile 9.08, the roadway intersects Smith Creek; and

WHEREAS, it has been determined that the stream bank in the vicinity of this crossing requires stabilization in order to maintain the structural integrity of Highway 21; and

WHEREAS, this work is eligible for Transportation Enhancement Funds.

NOW THEREFORE, the Director is authorized to proceed with this improvement as funds become available.

2006-136

WHEREAS, IN POLK COUNTY, the Mena School District is planning a major expansion of facilities in the area of Highway 71, Highway 8 East, Dallas Avenue, Morrow Avenue, and Ransom Road that will change travel patterns in the area; and

WHEREAS, local officials have requested that a study be conducted to consider potential roadway improvements to address concerns from existing school-related traffic and the anticipated increase in traffic from the planned expansion.

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of highway improvements in Mena.

2006-137

WHEREAS, the control of access regulation for the Highway 100 (Maumelle Boulevard) corridor was originally adopted by Pulaski County in 1981; and

WHEREAS, the Arkansas State Highway Commission adopted this regulation in 1987 after taking Maumelle Boulevard into the State Highway System as Highway 100; and

WHEREAS, the Board of Directors of the City of North Little Rock has requested by Resolution No. 6981, that the Department permit a new collector street to intersect Highway 100 at a location approximately 1,400 feet west of the western intersection of Crystal Hill Road and Highway 100; and

WHEREAS, the proposed collector intersection is less than one-half mile from the nearest existing intersection as required by the Commission in Minute Order 87-271; and

WHEREAS, the proposed street meets all other requirements.

NOW THEREFORE, the Commission does hereby waive the requirement for one-half mile spacing of intersecting streets for a collector street approximately 1,400 feet west of the western intersection of Crystal Hill Road and Highway 100 and authorizes the Director to issue a permit for its intersection with Highway 100.

2006-138 WHEREAS, IN COLUMBIA COUNTY, 10.34 miles of the travel lanes of Highway 79 have been overlaid; and

WHEREAS, the shoulders of this section of highway are in need of a bituminous surface treatment as a wearing course and for protection from the weather elements.

NOW THEREFORE, the Director is authorized to proceed with a bituminous surface treatment on the shoulders of this section of Highway 79 in Columbia County as funds become available.

2006-139 WHEREAS, by Minute Order 2005-063, the Commission authorized the construction of a new Arkansas Highway Police (AHP) equipment maintenance facility on the grounds of the Central Office complex; and

WHEREAS, additional study has shown that a portion of the old Photogrammetry Building can be remodeled to provide the needed AHP facility; and

WHEREAS, it has been determined that funds from the AHP Drug Asset Forfeiture Fund can be used for the remodeling of the existing building; and

WHEREAS, sufficient funds are available through the AHP Drug Asset Forfeiture Fund to complete the needed remodeling:

NOW THEREFORE, Commission Minute Order 2005-063 is hereby cancelled and the Director is authorized to proceed with a project to remodel the unused portion of the old Photogrammetry Building to provide an AHP equipment maintenance facility.

Work to be done by contract and state forces as a Building Project.

2006-140 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 23, 2006 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020137	02	LINCOLN	SOUTH GRADY-NORTH GOULD (S)	65

(Continued)

2006-140 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020415	02	ASHLEY	HAMBURG-NORTH (PASSING LANES) (S)	425
061126	06	PULASKI	HWY. 67/VANDENBURG BLVD. N.B. ON RAMP (JACKSONVILLE) (S)	67
070235	07	UNION	HWY. 82B SIGNALS MODIFICATIONS (EL DORADO) (S)	82B & 167B
070306	07	UNION	HWY. 82B & HWY. 167B (EL DORADO) (SEL. SECS.) (OVERLAY) (S)	82B & 167B
070307	07	COLUMBIA	KELSO ST.-VERDA ST. (MAGNOLIA) (OVERLAY) (S)	371 & 82B
070308	07	DALLAS	WEST OF HWY. 79-WEST (OVERLAY) (S)	8
080285	08	POPE	HWY. 124/CROW MOUNTAIN/SPARKSFORD SIGNAL (POPE COUNTY) (S)	124
100612	10	CRAIGHEAD	HWY. 18/HWY. 63B/NETTLETON SIGNAL UPGRADE (JONESBORO) (S)	18 & 63B
SA0435	09	BENTON	HWY. 59-COKER (SURFACING) (S)	---
SA0545	09	BOONE	HWY. 14-NORTH (OVERLAY) (S)	---
SA0746	07	CALHOUN	CALHOUN COUNTY LINE-EAST (OVERLAY) (S)	---
SA0747	07	CALHOUN	HWY. 274-SOUTHWEST (BASE) (S)	---
SA1053	07	CLARK	GURDON CITY LIMITS-EAST NO. 2 (OVERLAY) (S)	---
SA1830	01	CRITTENDEN	CO. RDS. 2 & 305 OVERLAY (SEL. SECS.) (S)	---
SA3534	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 14 (S)	---
SA4537	09	MARION	EROS EAST AND WEST (OVERLAY) (S)	---
SA5246	07	OUACHITA	OUACHITA CO. OVERLAY NO. 10 (SEL. SECS.) (S)	---
SA5439	01	PHILLIPS	ELAINE BYPASS (OVERLAY) NO. 2 (S)	---
SA5848	08	POPE	HWY. 124 (APPLETON) NORTH & WEST (OVERLAY) (S)	---
SA7128	08	VAN BUREN	HWY. 16-NORTH (OVERLAY) (S)	---
SA7271	04	WASHINGTON	CO. RD. 92-SOUTH (OVERLAY) (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

(Continued)

2006-140 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Vice Chairman Jonathan Barnett moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on October 31, 2006.

MOTION Commissioner John Ed Regenold moved, Vice Chairman Jonathan Barnett seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firms of Crafton, Tull & Associates, Inc., Florence & Hutcheson, Inc. and Garver Engineers, LLC for consultant services for on call design services.

MOTION Commissioner Carl Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Traffic Group, of Baltimore, MD to conduct statewide turning movement counts.

MOTION

Commissioner John Ed Regenold moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Parsons Transportation Group, Inc. for consultant services for I-69 Connector: Highway 278 to I-20.

2006-141

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., August 23, 2006.

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 August 23, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 27, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 27, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
John Ed Regenold, Member

2006-142 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., September 27, 2006.

2006-143 WHEREAS, the Purchasing Committee has awarded purchases on August 28, 2006, and September 11 and 18, 2006, in the amounts of \$144,962.68, \$159,960.00, and \$35,796.00, respectively, totaling \$340,718.68, 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.

2006-144 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association, American Association of State Highway and Transportation Officials' (AASHTO) Multi-State Technical Assistance Program, and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

2006-144 - Continued

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process payment for the annual membership dues in the amounts of \$200 to the Arkansas Transit Association, \$200 to the South West Transit Association, \$5,000 to AASHTO's Multi-State Technical Assistance Program, and \$225 to the Community Transportation Association of America.

2006-145

WHEREAS, Minute Order 2006-073 authorized the participation in the AASHTO Environmental Technical Assistance Program (ETAP) pooled fund project and payment of \$5,000 per year as Arkansas' share of the project cost; and

WHEREAS, participation in the ETAP provides the Department with current information on numerous environmental issues and provides a forum to exchange information with other states and with AASHTO; and

WHEREAS, AASHTO is increasing the participation fees in order to enhance its existing services including providing a broader range of training materials and courses, additional AASHTO Committee support, and additional problem-solving, partnership building workshops, peer exchanges and technical assistance; and

WHEREAS, these additional services will be beneficial to the Department.

NOW THEREFORE, the Director is authorized to continue to participate in the AASHTO Environmental Technical Assistance Program pooled fund project and pay \$8,000 annually as Arkansas' share of the project cost.

2006-146

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

(Continued)

2006-146 - Continued

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2006-147

WHEREAS, IN CRAIGHEAD COUNTY, Highway 63, Section 6B, begins north of Bono and extends 5.74 miles southeast with an exception of 3.02 miles over Highway 63 before turning eastward at the junction of Highway 91 in Jonesboro; and

WHEREAS, the portion of Highway 63, Section 6B, in Jonesboro begins at Highway 63 and terminates at Highway 49; and

WHEREAS, the redesignation of the portion of Highway 63, Section 6B, in Jonesboro, as Highway 91 would benefit the public by eliminating the exception over Highway 63 and providing a continuous route from western Craighead County through the City of Jonesboro along Highway 91.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the portion of Highway 63, Section 6B, in Jonesboro, is hereby redesignated as part of Highway 91, Section 2, as shown on the attached sketch.

2006-148

WHEREAS, IN LAFAYETTE COUNTY, in the City of Stamps, improvements to Highway 82, Section 2T, to alleviate traffic problems at the intersection of First Street and Conlan Street have been completed to the Mayor's satisfaction; and

WHEREAS, the City of Stamps agrees to accept all responsibility for the maintenance of that portion of Highway 82, Section 2T, from West Antigo Street to Central Avenue; and

WHEREAS, acceptance of the proposed change and transfer is practical and beneficial to the City of Stamps and the public.

(Continued)

2006-148 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System, as shown on the attached sketch.

1. The portion of Highway 82, Section 2T, along Hope Road, Conlan Street and First Street is hereby removed from the State Highway System.
2. The portion of Highway 82, Section 2T, along Central Avenue from the junction of Highway 53 to the junction of Highway 82 is hereby redesignated as a part of Highway 53, Section 5.

2006-149

WHEREAS, IN WHITE COUNTY, the Institutional Drive System at Arkansas State University – Beebe was recently updated; and

WHEREAS, the drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, drives totaling approximately 0.86 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 883, Section 1.

2006-150

WHEREAS, IN HEMPSTEAD COUNTY, in the City of Hope, Minute Order 2005-043 authorized a safety project to widen and install a continuous, two-way, left turn lane on Highway 29B from Highway 29 to Highway 67; and

WHEREAS, further review of the project and discussion with city officials has revealed extensive utility involvement and possible right of way acquisition to accommodate the widening of the highway; and

WHEREAS, the majority of the crashes along this section of Highway 29 occur at its intersections with Sixth Street, Sixteenth Street, and Highway 29.

(Continued)

2006-150 - Continued

NOW THEREFORE, Minute Order 2005-043 is hereby rescinded and the Director is authorized to proceed with surveys, plans and construction of a safety project to install turn lanes on Highway 29B at the intersections of Sixth Street, Sixteenth Street, and Highway 29 as funds become available.

2006-151

WHEREAS, it has been determined that a portion of Highway 226, Section 1, in Jackson County will be relocated to improve the alignment at the intersection of Highway 67; and

WHEREAS, the realignment of Highway 226 will cross the Union Pacific Railroad at-grade on new location; and

WHEREAS, the existing railroad crossing (DOT Number 438168G) on Highway 226 will be closed upon completion of the highway project.

NOW THEREFORE, the Director is authorized to proceed with improvements at the new crossing subject to the following conditions:

1. Maintenance of the signal devices and surfaces performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Jackson	Near Swifton	Hwy. 226	Union Pacific	Install Flashing Lights with Gates and Surface

2006-152

WHEREAS, IN PULASKI COUNTY, Minute Order 2004-062 authorized the Director to provide studies and conceptual design alternatives to improve traffic operations through the Interstate 430/Interstate 630 interchange; and

(Continued)

2006-152 - Continued

WHEREAS, the studies and conceptual design alternatives have been completed and have identified needs for improvement; and

WHEREAS, Congress has designated special funding for the development of improvements to the interchange; and

WHEREAS, consultants are needed to supplement Department staff to provide the design for the identified improvements.

NOW THEREFORE, the Director is authorized to engage the services of an engineering consultant or consultants to perform design services and to proceed with the project as funds become available.

2006-153

WHEREAS, the Arkansas State Highway Commission by Minute Order 99-142 changed the official route of State Highway 27, Section 1 in accordance with the alignment as constructed by Job R30012; and

WHEREAS, a portion of the connection of the new route and old State Highway 27 remained in the state highway system; and

WHEREAS, the District Engineer has further identified the exact location where state maintenance ends as the intersection of old highway 27 with the South line of the Northeast Quarter of the Southeast Quarter of Section 32, Township 10 South, Range 29 West, Sevier County Arkansas.

NOW THEREFORE, BE IT RESOLVED, that upon approval by the Chief Engineer, state maintenance shall end at the location described above.

2006-154

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 27, 2006 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020286	02	DREW	HWY. 35 WEST-HWY. 425 CONNECTION (MONTICELLO) (S)	35

(Continued)

2006-154 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
030315	03	MILLER	I-30-HWY. 71 (GR. & STRS.) (F)	71
040420	04	WASHINGTON	TOWNSHIP RD.-FUTRALL DR. (GREGG AVE.- FAYETTEVILLE) (S)	180
R60081	06	PULASKI	HWY. 440-REDMOND RD. (PH I) (F)	67
061035	06	SALINE	HWY. 367-I-530 (S)	167
070306	07	UNION	HWY. 82B & HWY. 167B (EL DORADO) (SEL. SECS.) (OVERLAY) (S)	82B & 167B
070307	07	COLUMBIA	KELSO ST.-VERDA ST. (MAGNOLIA) (OVERLAY) (S)	371 & 82B
080294	08	POPE	PRAIRIE CR. STR. & APPRS. (EAST "B" ST.) (RUSSELLVILLE) (S)	---
090099	09	BENTON	HWY. 43-SOUTH (PROGRESS AVE.-SILOAM SPRINGS) (S)	---
090226	09	BAXTER	MOUNTAIN HOME-HWY. 101 (F)	62
SA1830	01	CRITTENDEN	CO. RDS. 2 & 305 OVERLAY (SEL. SECS.) (S)	---
SA2442	04	FRANKLIN	HWY. 398-HWY. 23 (BASE) (S)	---
SA3445	05	JACKSON	HWY. 18-NORTH (BASE & SURFACING) (S)	---
SA4130	03	LITTLE RIVER	CO. RD. 35 EAST AND WEST (SURFACING) (S)	---
SA4263	04	LOGAN	HWY. 60-SOUTH (BASE) (S)	---
SA7272	04	WASHINGTON	CO. RD. 261-EAST & WEST (OVERLAY) (S)	---
FA7316	05	WHITE	BULL CREEK STRS. & APPRS. (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

(Continued)

2006-154 - Continued

WHEREAS, in accordance with Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner Carl Rosenbaum moved, Commissioner John Ed Regenold seconded and the motion passed 4-0 to accept the Staff's recommendation to enter into negotiations with Carter & Burgess, Inc., of Little Rock, AR for toll collection system planning, design and implementation services for U. S. 71 Bella Vista Bypass.

MOTION

Vice Chairman Jonathan Barnett moved, Commissioner Carl Rosenbaum seconded and the motion passed 4-0 to approve the proposed 2007-2009 biennium budget for presentation to the legislature.

2006-155

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:00 a.m., September 27, 2006.

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 September 27, 2006.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 14, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 14, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-156 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:00 p.m., November 14, 2006.

MOTION Vice Chairman Jonathan Barnett moved, Commissioner Carl Rosenbaum seconded to authorize the staff to enter into negotiations with The PFM Group of Minneapolis, MN, to serve as Financial Advisor for the Bella Vista Bypass Toll Road Project. Commissioner Madison Murphy amended the motion and Vice Chairman Barnett concurred to authorize the staff to enter into negotiations with First Southwest Company of Dallas, TX, if negotiations with The PFM Group are unsuccessful. The amended motion carried unanimously.

2006-157 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 4:40 p.m., November 14, 2006.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 15, 2006

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 15, 2006. Members present were:

Mary P. "Prissy" Hickerson, Chairman
Jonathan Barnett, Vice Chairman
Carl S. Rosenbaum, Member
R. Madison Murphy, Member
John Ed Regenold, Member

2006-158 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., November 15, 2006.

2006-159 WHEREAS, the Purchasing Committee has awarded purchases on October 13 and 25, 2006 in the amounts of \$33,945.00 and \$1,945,833.89, respectively, totaling \$1,979,778.89, 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.

2006-160 WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the American Association of State Highway and Transportation Officials and is authorized and approved by the Executive Committee of AASHTO.

WHEREAS, the services of the AMRL is necessary for the Department to establish and maintain proficiency in sampling and testing materials.

2006-160 - Continued

WHEREAS, this Department has received notice that its share of support of the Laboratory for Fiscal year 2007 (October 1, 2006 to September 30, 2007) is \$13,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2007 AASHTO, AMRL Account, Department 5051, Washington, D. C. 20061-5051.

2006-161

WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, the maintenance of roadway surfaces and shoulders in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2007 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 to apply asphalt surface treatments and hot mix asphalt leveling as needed.

2006-162

WHEREAS, the Arkansas Highway Police Division (AHP) of the Arkansas State Highway and Transportation Department (AHTD) has used drug detection canines (K9s) since 1990 in highway drug interdiction efforts; and

WHEREAS, three of the four current AHP K9s have been diagnosed as having age-related physical conditions resulting in veterinary recommendations for their retirement; and

WHEREAS, the care of these K9s has been the responsibility of AHP K9 officers / handlers.

(Continued)

2006-162 - Continued

NOW THEREFORE, the Director is authorized to retire the AHP K9s and transfer ownership to their respective AHP K9 officer / handler by written legal agreement consistent with AHTD policies and procedures.

2006-163

WHEREAS, the reduction of accidents involving large trucks and passenger vehicles is a primary highway safety objective of the Department and the motor carriers industry; and

WHEREAS, public information and education are vital components in reducing large truck and passenger vehicle crashes; and

WHEREAS, one hundred percent federal funding is available from the Federal Motor Carrier Safety Administration's (FMCSA) High Priority Grant Program for public information and education safety initiatives.

NOW THEREFORE, the Director is authorized to apply for FMCSA High Priority Grant Program funds to develop and implement a public information and education safety program to reduce large truck and passenger vehicle crashes on the state's highways in partnership with the Arkansas State Police and the Arkansas Trucking Association.

2006-164

WHEREAS, the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized funding for a pilot program to address the shortage of long-term parking for commercial motor vehicles on the National Highway System; and

WHEREAS, the Federal Highway Administration is currently accepting applications for this truck parking initiative; and

WHEREAS, the Department conducted a truck parking study on the Interstate System in Arkansas in 2003 and again in 2006; and

(Continued)

2006-164 - Continued

WHEREAS, these studies show that truck parking in non-designated parking areas, i.e., main lane and ramp shoulders, closed rest areas, weigh stations and inspection stations, is continuing to grow, as reflected by the 122% increase noted between the 2003 and 2006 studies; and

WHEREAS, this growth in truck parking in non-designated areas increases concerns for issues such as motorist safety, pavement damage, ramp congestion and littering; and

WHEREAS, the Department's study has shown that the construction of additional strategically located truck parking areas could help address some of these concerns:

NOW THEREFORE, the Director is authorized to make application to the Federal Highway Administration for funding through this pilot truck parking initiative to construct additional truck parking at selected areas on the Interstate System.

2006-165

WHEREAS, the Commission acquired right of way for Job No. 490, more commonly known as Rogers – North Route 62 Section 2 by Benton County Court Order dated March 14, 1931, which is recorded in the County Court Records of Benton County, Arkansas, in Book Y, pages 524-252, inclusive; and

WHEREAS, the District Engineer for District 9 has determined that an area inside the existing right of way is not now, nor in the foreseeable future will be needed, for highway purposes and recommends that these areas of the right of way described below be abandoned and that the boundaries be remonumented to reflect the new right of way limits; the areas of right of way to be abandoned are more particularly described below:

From designated Centerline Station 94+09.70 to Station 104+87.2 of the originally executed Court Order for Job 490, dated March 14, 1931 and being recorded in County Court Records of Benton County, Arkansas, in County Court Record Book "Y", pages 524-252, inclusive, of said records shall hereby be revised, as follows:

(Continued)

2006-165 - Continued

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN.</u> <u>FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
94+09.7	97+52.5	342.8	40'	Var. 40'- 0	Var. 80'- 40'
97+52.5	98+89.4	136.9	Var. 40'- 0	0	Var. 40'- 0
98+89.4	102+53.8	364.4	0	0	0
102+53.8	103+69.5	115.7	Var. 0- 40'	0	Var. 0- 40'
103+69.5	104+87.2	117.7	40'	Var. 0- 40'	Var. 40'- 80'

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Benton County, Arkansas.

NOW THEREFORE, that the above-described right of way is hereby released to Benton County; that the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Benton County; and, that the right of way may, if necessary, be remonumented to reflect the new right of way limits. Federal-aid funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

2006-166

WHEREAS, the Commission acquired in fee property known as Tract No. 38 from David G. Davis and Becky A. Davis, husband and wife, for Job No. 100306, STP-0016 (44) Highway 158, St. Francis River Route 18, Section 4, Craighead County, Arkansas, by Warranty Deed dated July 1, 2005, filed for record on July 14, 2005, in Deed Record Book 131, pages 749 through 751, inclusive, in the Circuit Clerk's office of Craighead County, Arkansas; and

WHEREAS, David G. Davis and wife, Becky A. Davis, have asked to repurchase a portion of Tract No. 38, which the District Engineer for District 10 has determined is no longer needed for highway purposes, said portion of Tract No. 38 being more particularly described as follows:

(Continued)

2006-166 - Continued

Part of the Northeast Quarter of the Northeast Quarter of Section 28, Township 14 North, Range 6 East, Craighead County, Arkansas, more particularly described as follows:

Starting at a railroad spike being used as the North 1/16 corner of Sections 27 and 28; thence North 00° 01' 00" West along the East line of the Northeast Quarter of the Northeast Quarter of Section 28 a distance of 1,272.96 feet to a point on the Southerly right of way line of Arkansas State Highway 18 as established by AHTD Job 10730; thence North 87° 36' 08" West along said right of way line a distance of 99.09 feet to a point; thence North 88° 10' 35" West along said right of way line a distance of 431.55 feet to a point; thence South 00° 00' 24" West a distance of 9.92 feet to a point on the Southerly proposed right of way line of Arkansas State Highway 18 for the point of beginning; thence continue South 00° 00' 24" West along said right of way line a distance of 11.51 feet to a point on the Southerly right of way line of Arkansas State Highway 18 as established by AHTD Job 100306; thence North 87° 35' 41" West along said right of way line a distance of 174.96 feet to a point on the Southerly proposed right of way line of Arkansas State Highway 18; thence North 00° 01' 29" West along said right of way line a distance of 11.51 feet to a point; thence South 87° 35' 41" East along said right of way line a distance of 174.97 feet to the point of beginning and containing 0.05 acres more or less as shown on plans prepared by the AHTD referenced as Job 100306.

WHEREAS, Tract No. 38 was acquired by the Commission for NINETEEN THOUSAND TWENTY-FIVE AND NO/100 DOLLARS (\$19,025.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. §27-67-322, opined that the current fair market value of that portion of Tract No. 38 being offered for sale is TEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$10,300.00).

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of TEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$10,300.00), the Chairman of the commission is authorized and directed to execute a quitclaim deed conveying the described property to David G.

(Continued)

2006-166 - Continued

Davis and wife, Becky A. Davis; the deed and a copy of this Minute Order shall be recorded in Craighead County, Arkansas, and, if necessary, the right of way shall be remonumented. Federal-aid funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

2006-167

WHEREAS, the Arkansas State Highway Commission (Commission) acquired the hereinafter described property known as a portion of Museum Road, situated in the City of Conway, Faulkner County, Arkansas, by virtue of Ordinance No. 0-06-115 passed by the City Council of the City of Conway (City) on September 12, 2006, filed for record as Document No. 2006-21779 in the Circuit Clerk's office of Faulkner County, Arkansas, on September 22, 2006, which said Ordinance had the effect of conveying to contiguous owners the portion of Museum Road being abandoned by the City; and

WHEREAS, the Commission by virtue of its ownership of property contiguous to such abandoned portion of Museum Road, pursuant to the provisions of Ark. Code Ann. § 14-301-306, acquired such abandoned portion of Museum Road to its center line; and

WHEREAS, in accordance with Ark. Code Ann. § 27-67-322, the herein described property has been offered to the City for reacquisition and the City has agreed to reacquire the subject property; and

WHEREAS, the District Engineer for District 8 has determined that the property acquired from the City is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired the property at no cost, which said property is described as follows:

The West Half of all that part of Museum Road lying West of Lots 22 and 23 Lachowsky Subdivision (platted 50' Right of Way) and later replatted on Hanks Replat as lots 22-R and 23-R, having a 70' Right of Way adjacent to Interstate 40 right of way lying in the West half of the Northwest Quarter of Section 8, Township 5 North, Range 13 West in the City of Conway, Faulkner County, Arkansas.

(Continued)

2006-167 - Continued

(Note: This legal description is intended to describe the West Half of that part of Museum Road closed by Conway City Ordinance O-06-115 dated September 12, 2006 filed of record in the Faulkner County Circuit Clerk's Office as Doc #2006-21779 on September 22, 2006, as shown on the attached sketch)

NOW THEREFORE, the above-described property is declared surplus and the Chairman of the Commission is hereby authorized and directed to execute a quitclaim deed conveying the said property to the City of Conway, Arkansas; the quitclaim deed and a copy of this Minute Order shall be recorded in Faulkner County, Arkansas.

2006-168

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 1XR in fee from James W. Guin, Michael W. Guin, Barbara S. Guin, William C. Guin, Meta O. Guin, Pamela J. Graham and Thomas W. Graham, as Grantors, for Job No. R10070, NH-9276(2), Highway 1 Improvements, Marianna, Lee County, Arkansas, by Warranty Deed dated March 18, 2002, filed for record on April 16, 2002, as Document 2002-200520 in the Circuit Clerk's office of Lee County, Arkansas; and

WHEREAS, the above named Grantors assigned their rights to re-acquire Tract No. 1XR to Kathryn Bosnick on May 23, 2006; and

WHEREAS, Kathryn Bosnick has asked to repurchase Tract No. 1XR which the District Engineer for District 1 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired Tract No. 1XR for TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00), which tract is more particularly described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 2 North, Range 3 East, Lee County, Arkansas, more particularly described as follows:

(Continued)

2006-168 - Continued

Starting at the Northwest Corner of the Northwest Quarter of the Northwest Quarter of Section 15; thence South 01° 15' 42" West along the West line thereof a distance of 276.41 feet to a point on the Southwesterly existing right of way line of Arkansas State Highway 1; thence South 46° 07' 50" East along said existing right of way line a distance of 860.63 feet to a point; thence North 43° 52' 10" East along said existing right of way line a distance of 20.00 feet to a point; thence South 46° 07' 50" East along said existing right of way line a distance of 37.71 feet to a point; thence South 00° 09' 57" West a distance of 37.09 feet to a point on the Southwesterly proposed right of way line of Arkansas State Highway 1 for the point of beginning; thence South 54° 13' 17" East along said proposed right of way line a distance of 22.04 feet to a point; thence South 46° 05' 29" East along said proposed right of way line a distance of 180.44 feet to a point; thence South 79° 26' 36" West a distance of 150.91 feet to a point; thence North 00° 09' 57" East a distance of 165.68 feet to the point of beginning and containing 0.29 acre more or less.

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Kathryn Bosnick; the Deed and a copy of this Minute Order shall be recorded in Lee County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal-aid funds from this disposal shall be credited to Federal Funds or otherwise credited as permitted by Federal Law.

2006-169

WHEREAS, the Commission acquired right of way for Job No. 872, more commonly known as Highway 10-West Waveland-Yell County, by Yell County Court Order dated June 11, 1929, which is recorded in the County Court Records of Yell County, Arkansas, in Book M at page 224;

WHEREAS, the District Engineer for District 8 has determined that the right of way hereinafter described is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that the right of way described below be abandoned and that the boundaries be remonumented to reflect the new right of way limits:

(Continued)

2006-169 - Continued

Job 872/080184

Area #1 to be Released

Part of the Northeast Quarter of the Northwest Quarter of Section 3, Township 5 North, Range 25 West, Yell County, Arkansas, more particularly described as follows:

Starting at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 3; thence South $01^{\circ} 53' 16''$ West along the East line of the Northeast Quarter of the Northwest Quarter of Section 3 a distance of 1,577.89 feet to a point on the Northerly right of way line of State Hwy. 10 as established by AHTD Job 872; thence North $87^{\circ} 27' 02''$ West along said right of way line a distance of 577.72 feet to a point said point being 50.00 feet left of centerline Station 843+00, AHTD Job 872; thence North $02^{\circ} 23' 28''$ East along said right of way line a distance of 4.37 feet to a point on the Northerly right of way line of State Highway 10 as per AHTD Job 080184 for the point of beginning; thence North $87^{\circ} 19' 46''$ West along said right of way line a distance of 85.69 feet to a point; thence North $58^{\circ} 59' 06''$ West along said right of way line a distance of 73.49 feet to a point; thence North $89^{\circ} 10' 10''$ West along said right of way line a distance of 220.73 feet to a point; thence South $67^{\circ} 37' 45''$ West along said right of way line a distance of 139.48 feet to a point on the Northerly right of way line of State Hwy. 10 as established by AHTD Job 872 said point being 40.00 feet left of centerline Station 838+00, AHTD Job 872; thence North $04^{\circ} 43' 05''$ West along said right of way line a distance of 60.00 feet to a point said point being 100.00 feet left of centerline Station 838+00, AHTD Job 872; thence in a Northeasterly direction along said right of way line on a curve to the right having a radius of 2,028.46 feet a distance of 210.37 feet having a chord bearing of North $88^{\circ} 15' 11''$ East a distance of 210.28 feet to a point said point being 100.00 feet left of centerline Station 840+00, AHTD Job 872; thence North $01^{\circ} 13' 27''$ East along said right of way line a distance of 100.00 feet to a point said point being 200.00 feet left of centerline Station 840+00, AHTD Job 872; thence in a Southeasterly direction along said right of way line on a curve to the right having a radius of 2,128.46 feet a distance of 49.23 feet having a chord bearing of South $88^{\circ} 06' 48''$ East a distance of 49.23 feet to a point; thence South $87^{\circ} 27' 02''$ East along said right of way line a distance of 248.00 feet to a point said point being 200.00 feet left of centerline Station 843+00, AHTD Job

(Continued)

2006-169 - Continued

872; thence South 02° 23' 28" West along said right of way line a distance of 145.63 feet to the POINT OF BEGINNING and containing 0.99 acres, or 43,186 square feet more or less as shown on plans prepared by the AHTD referenced as Job 080184.

Area #2 to be Released

Part of the East Half of the Northwest Quarter and Part of the Southwest Quarter of the Northeast Quarter all in Section 3, Township 5 North, Range 25 West, Yell County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Southeast Quarter of the Northwest Quarter of Section 3; thence North 01° 53' 16" East along the East line of the Southeast Quarter of the Northwest Quarter of Section 3 a distance of 1,234.75 feet to a point on the Southerly right of way line of State Highway 10 as established by AHTD Job 872 for the point of beginning; thence North 87° 27' 02" West along said right of way line a distance of 828.44 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the left having a radius of 1,778.46 feet a distance of 41.14 feet having a chord bearing of North 88° 06' 48" West a distance of 41.13 feet to a point said point being 150.00 feet right of centerline Station 840+00 AHTD Job 872; thence North 01° 13' 27" East along said right of way line a distance of 50.00 feet to a point said point being 100.00 feet right of centerline Station 840+00.00 AHTD Job 872; thence in a Southwesterly direction along said right of way line on a curve to the left having a radius of 1,828.46 feet a distance of 189.63 feet having a chord bearing of South 88° 15' 11" West a distance of 189.54 feet to a point said point being 100.00 feet right of centerline Station 838+00 AHTD Job 872; thence North 04° 43' 05" West along said right of way line a distance of 52.07 feet to a point on the Southerly right of way line of State Highway 10 as established by AHTD Job 080184; thence South 83° 18' 22" East along said right of way line a distance of 311.84 feet to a point; thence South 87° 25' 26" East along said right of way line a distance of 189.28 feet to a point; thence North 80° 25' 17" East along said right of way line a distance of 155.54 feet to a point; thence South 87° 19' 46" East along said right of way line a distance of 422.00 feet to a point; thence South 02° 40' 14" West along said right of way line a distance of 12.00 feet to a point; thence South 88° 50' 30" East along said right of way line a distance of 301.29 feet to a point; thence South 71° 56' 02" East along said right of way line a distance

(Continued)

2006-169 - Continued

of 252.34 feet to a point; thence South $61^{\circ} 33' 24''$ East along said right of way line a distance of 127.05 feet to a point; thence in a Southeasterly direction along said right of way line on a curve to the right having a radius of 744.31 feet a distance of 265.71 feet having a chord bearing of South $40^{\circ} 33' 54''$ East a distance of 264.30 feet to a point; thence South $30^{\circ} 20' 18''$ East along said right of way line a distance of 9.83 feet to a point; thence South $59^{\circ} 28' 50''$ West along said right of way line a distance of 4.45 feet to a point said point being 40.00 feet right of centerline Station 859+00 AHTD Job 872; thence South $59^{\circ} 28' 50''$ West along said right of way line a distance of 30.00 feet to a point said point being 70.00 feet right of centerline Station 859+00 AHTD Job 872; thence North $30^{\circ} 31' 10''$ West along said right of way line a distance of 31.00 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the left having a radius of 672.49 feet a distance of 413.85 feet having a chord bearing of North $48^{\circ} 08' 56''$ West a distance of 407.35 feet to a point said point being 70.00 feet right of centerline Station 854+00 AHTD Job 872; thence South $24^{\circ} 13' 17''$ West along said right of way line a distance of 10.00 feet to a point said point being 80.00 feet right of centerline Station 854+00 AHTD Job 872; thence in a Northwesterly direction along said right of way line on a curve to the left having a radius of 662.49 feet a distance of 178.45 feet having a chord bearing of North $73^{\circ} 29' 43''$ West a distance of 177.91 feet to a point; thence South $19^{\circ} 49' 22''$ West along said right of way line a distance of 71.48 feet to a point said point being 150.00 feet right of centerline Station 852+00 AHTD Job 872; thence in a Northwesterly direction along said right of way line on a curve to the left having a radius of 592.49 feet a distance of 50.83 feet having a chord bearing of North $84^{\circ} 59' 34''$ West a distance of 50.82 feet to a point; thence North $87^{\circ} 27' 02''$ West along said right of way line a distance of 243.29 feet to the POINT OF BEGINNING and containing 2.79 acres, or 121,455 square feet more or less as shown on plans prepared by the AHTD referenced as Job 080184.

Area #3 to be Released

Part of the Southwest Quarter of the Northeast Quarter of Section 3, Township 5 North, Range 25 West, Yell County, Arkansas, more particularly described as follows:

(Continued)

2006-169 - Continued

Starting at the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 3; thence North $88^{\circ} 09' 03''$ West along the North line of the Southwest Quarter of the Northeast Quarter of Section 3 a distance of 681.71 feet to a point on the Northeasterly right of way line of State Highway 10 as established by AHTD Job 872; thence in a Southeasterly direction along said right of way line along a curve to the right having a radius of 812.49 feet a distance of 136.16 feet having a chord bearing of South $52^{\circ} 10' 38''$ East a distance of 136.00 feet for the point of beginning; thence continue in a Southeasterly direction along said right of way line on a curve to the right having a radius of 812.49 feet a distance of 239.04 feet having a chord bearing of South $38^{\circ} 56' 52''$ East a distance of 238.18 feet to a point; thence South $30^{\circ} 31' 10''$ East along said right of way line a distance of 31.00 feet to a point said point being 70.00 feet left of centerline station 859+00 as established by AHTD Job 872; thence South $59^{\circ} 28' 50''$ West along said right of way line a distance of 30.00 feet to a point said point being 40.00 feet left of centerline station 859+00 as established by AHTD Job 872 also being on the Northeasterly right of way line as established by AHTD Job 080184; thence North $03^{\circ} 35' 06''$ East along the right of State Highway 10 as established by AHTD Job 080184 a distance of 11.56 feet to a point; thence North $38^{\circ} 12' 03''$ West along said right of way line a distance of 252.33 feet to a point; thence North $42^{\circ} 08' 29''$ East along said right of way line a distance of 23.40 feet to the POINT OF BEGINNING and containing 0.18 acres, or 7,958 square feet more or less as shown on plans prepared by the AHTD referenced as Job 080184.

In all other respects the original Court Order shall remain in force and effect. The above description is used to reflect the area to be released to Yell County.

NOW THEREFORE, the above-described right of way is hereby released to Yell County and the Right of Way Division is directed to record a copy of this Minute Order with the records of Yell County; the right of way shall, if needed, be remonumented to reflect the new boundaries after release of the above-designated tract. Federal Aid Funds, if any, from this disposal shall be credited to Federal funds.

2006-170

WHEREAS, IN MARION COUNTY on Highway 62, a contract was awarded on May 19, 2004, to Dumey Contracting, Inc. for Job No. R90096, FAP No. NCPD-SE-0045(20), HPP-0610(2) & HPP-1516(1), Hwy. 178 – East & West (Flippin)(F); and

WHEREAS, in accordance with the specifications it is the responsibility of the owners of utility lines to remove their services from the construction limits of the planned work to allow for construction of the highway improvements; and

WHEREAS, on Highway 62 in Marion County the utility companies entered into agreements with the Department to relocate their services within a reasonable time and this time was estimated by the utility companies and included in the Special Provisions for the above noted highway contract for use by bidders as information to help compile their bids; and

WHEREAS, relocation of these utilities was not completed until May, 2005, one year after the award of the highway improvement project to Dumey Contracting, Inc.; and

WHEREAS, since the original bids were accepted on May 19, 2004, the delays to Dumey Contracting, Inc. and their subcontractors have created significant changes in their cost to complete the work that the contractors could not have planned for; and

WHEREAS, Dumey Contracting, Inc. has requested that the remaining Hot Mix Asphalt work in the contract be terminated to avoid loss and hardship for completing the project.

NOW THEREFORE, IT IS ORDERED, that the remaining Hot Mix Asphalt work on Job No. R90096 shall be deleted from the project effective November 15, 2006, and the Director is authorized to re-advertise that work to complete the project at a later date.

2006-171

WHEREAS, IN INDEPENDENCE COUNTY, Job R50064, Hwy. 122 – East (S), is complete and the highway is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

(Continued)

2006-171 - Continued

- The four old portions of Highway 69, Section 4 that were rerouted are hereby removed from the State Highway System.
- The new alignment, as constructed by Job R50064, is hereby added to the State Highway System as a part of Highway 69, Section 4.

2006-172

WHEREAS, Minute Order 2004-130 authorized the Department to conduct a study to determine the need for and feasibility of railroad overpasses in the West Memphis-Marion Area Transportation Study area; and

WHEREAS, the *West Memphis-Marion Railroad Overpass Study – Crittenden County* has been completed and the study identified potential improvements and railroad overpass locations in order to enhance traffic flow and safety.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the West Memphis-Marion area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2006-173

WHEREAS, Minute Order 2005-154 designated Highway 23 as a State Scenic Byway from Highway 71 to the Franklin County Line north of Caulksville, excepting that portion of Highway 23 within the city limits of Caulksville and excepting that portion of Highway 23 passing through Franklin County south of Caulksville; and

WHEREAS, the Logan County Quorum Court has requested the removal of the State Scenic Byway designation on Highway 23 in Logan County, except for the segment within the city limits of Booneville; and

WHEREAS, the Department has evaluated this request in accordance with Minute Order 2006-077, including conducting a public hearing; and

(Continued)

2006-173 - Continued

WHEREAS, based on the information gathered and the input from the public hearing, the Department recommends concurrence with the request of the Logan County Quorum Court.

NOW THEREFORE, the Director is authorized to remove the State Scenic Byway designation from Highway 23 in Logan County, except for the segment within the city limits of Booneville.

2006-174

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
White	Near Bald Knob	Co. Rd. 83	Union Pacific	Install Flashing Lights with Gates

2006-175

WHEREAS, IN JOHNSON COUNTY, on Highway 164, Section 2, bridge inspection has revealed that action is necessary to correct a bank failure under the Little Piney Creek Bridge (Structure No. 05548) that threatens the integrity of the bridge structure; and

WHEREAS, the need for this repair work is urgent; and

WHEREAS, the U. S. Army Corps of Engineers, Little Rock District, proposes to enter into a contract to conduct the work under a Project Cooperation Agreement with the Department.

(Continued)

2006-175 - Continued

NOW THEREFORE, the Director is authorized to execute a contract with the Corps of Engineers for the project. The Director is further authorized to provide the Corps of Engineers the Department's share of the cost of the project and to execute the necessary agreement concerning easements as may be required for the project.

2006-176

WHEREAS, 1100 feet of Interstate 30 near Malvern, I-30, Section 21, Log Mile 95.7 has experienced cracking, subsidence and subsurface movement; and

WHEREAS, the Department has conducted subsurface investigations and installed monitoring systems in the area resulting in the discovery of a deep failure plane and constant subsurface water pressure; and

WHEREAS, a Task Force has determined that a Hydrogeologist is needed to supplement the Department's staff to perform a hydrologic study of the underground water system within and adjacent to the slide area in order to obtain information required for the design of remediation measures.

NOW THEREFORE, the Director is authorized to enter into any necessary agreements to perform the necessary study and proceed with the project as funds become available.

2006-177

WHEREAS, the existing Garland County Area Headquarters facility and Resident Engineer's Office in Hot Springs on State Highway 70 were constructed in 1962; and

WHEREAS, at this existing location, insufficient area is owned to properly accommodate the necessary maintenance activities; and

WHEREAS, relocation of the Garland County Area Headquarters has been a high priority for the Department for the past ten years; and

(Continued)

2006-177 - Continued

WHEREAS, suitable property west of Highway 227 North on State Highway 270 has become available, and has been appraised by the Department;

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and construct a Resident Engineer's Office and Area Headquarters facility, including buildings, appurtenances, fencing and related items.

Work to be done by contract and state forces as a Building Project.

Before continuing the meeting, Chairman Mary P. Hickerson stepped down as Chairman to allow the Commission to select a new Chairman prior to the upcoming legislative session.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to elect Vice Chairman Jonathan Barnett as Chairman of the Arkansas State Highway Commission.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to elect Commissioner Carl S. Rosenbaum as Vice Chairman of the Arkansas State Highway Commission.

2006-178 WHEREAS, the Arkansas system of State Highways, County Roads and City Streets is the backbone of the surface transportation system in Arkansas; and

WHEREAS, needs on this system of roadways for preservation, capacity improvements, congressionally-designated high priority corridor development and economic development connectors far outweigh the resources available to meet these needs; and

(Continued)

2006-178 - Continued

WHEREAS, the Highway and Transportation Department has prepared the Draft 2006 Arkansas State Highway Needs Study and Highway Improvement Plan which reflects \$19 Billion in needs and only \$4 Billion in anticipated state and federal revenue over the next 10 years and which highlights needed improvements which can be funded with currently anticipated revenue levels for the periods 2008-2017 and 2018-2027; and

WHEREAS, there are many improvements that are important for the future development of the State Highway System that will remain unfunded over this 20 year horizon; and

WHEREAS, the rate of inflation of costs for roadway and bridge improvements in recent years, coupled with relatively flat revenue from motor fuel taxes and licenses fees, has exacerbated the ability to meet these needs; and

WHEREAS, the responsibility for financing highway, road and street needs on both the State and Federal level has traditionally rested with the road user in the form of motor fuels taxes, license fees and other miscellaneous road user related fees and permits; and

WHEREAS, in State Fiscal Year 2005 road users in Arkansas also paid over 20 percent of the state general revenues in the form of state general sales taxes on new and used vehicles, tires, batteries, repair parts, services and other on-road related items that did not go to maintain and improve State Highways, County Roads and City Streets; and

WHEREAS, State Revenue Officials recently projected a “surplus” in State General Revenue of approximately \$843,000,000 by June 30, 2007.

NOW THEREFORE, the State Highway Commission respectfully urges the Arkansas General Assembly to give positive consideration to the dedication of State General Sales Tax on road user related items for the improvement of State Highways, County Roads, and City Streets in accordance with A.C.A. 27-70-206, i.e., 70 percent to the State Highway and Transportation Department fund, 15 percent to the County Aid Fund and 15 percent to the Municipal Aid Fund; and

(Continued)

2006-178 - Continued

FURTHERMORE, the State Highway Commission respectfully urges the Arkansas General Assembly to provide an infusion of funds from the State General Revenue “surplus” to fast forward much needed highway, road and street improvements throughout the State for the improvement of State Highways, County Roads, and City Streets in accordance with A.C.A. 27-70-206, i.e., 70 percent to the State Highway and Transportation Department fund, 15 percent to the County Aid Fund and 15 percent to the Municipal Aid Fund; and

FURTHERMORE, the State Highway Commission respectfully urges the Arkansas General Assembly to fund the Arkansas Industrial Development Commission’s Industrial Access Program to be used for highway, road and street improvements evolving from industrial recruitment and development; and

FURTHERMORE, the improvements referenced above would include preservation, capacity improvements, congressionally-designated high priority project/corridor development and economic development connectors, would provide for improved safety, mobility and economic development, would hedge against inflation with accelerated implementation and would create jobs and additional economic activity for the State.

2006-179

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:40 a.m., November 15, 2006.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on November 14 and 15, 2006.

Lindy H. Williams
Commission Secretary

2006-180

WHEREAS, the term of the Honorable Mike Huckabee as Governor of Arkansas will end on January 9, 2007; and

WHEREAS, his attention to the needs of our State's transportation system greatly assisted in the development of the Interstate Rehabilitation Program (IRP), one of the largest and most ambitious highway improvement programs in the State's history; and

WHEREAS, his efforts helped significantly in the passage of legislation and in gaining overwhelming support of the voters for the IRP; and

WHEREAS, that effort and others during his tenure as Governor helped earn him the well-deserved moniker of the "Transportation Governor."

NOW THEREFORE, we, the undersigned members of the Arkansas Highway Commission, commend the efforts of Governor Mike Huckabee, especially his work in the area of transportation, during his tenure as Governor of the State of Arkansas; and

FURTHERMORE, each member of this, the 47th Arkansas Highway Commission, wishes to express their sincere appreciation to Governor Huckabee for the confidence he placed in each member by providing them the opportunity to serve the State of Arkansas in the capacity as Highway Commissioner.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 10, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 10, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Mary P. "Prissy" Hickerson, Member

2007-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 10, 2007.

2007-002 WHEREAS, the Purchasing Committee has awarded purchases on November 9 and 29, 2006, and December 12, 2006, in the amounts of \$1,176,101.53, \$1,068,568.46, and \$2,672,855.65, respectively, totaling \$4,917,525.64, 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.

2007-003 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2007 membership dues in the amount of \$350.00.

2007-004 WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

 WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

 NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2007.

2007-005 WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

 WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

 NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2007 Highway Map.

2007-006 WHEREAS, the Department relies upon certain census data to accomplish required activities relative to transportation planning; and

 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) is participating in a joint purchase contract for the 2007-2011 Pooled Fund Project with the U. S. Bureau of the Census for the continued delivery of the Census Transportation Planning Products (CTPP) Package; and

 WHEREAS, the Federal Highway Administration has indicated the purchase of the CTPP is an eligible activity of Federal-aid planning and research funding; and

 WHEREAS, the time and costs necessary to obtain this information will be substantially reduced by participating in this pooled funding arrangement coordinated by AASHTO.

(Continued)

2007-006 - Continued

NOW THEREFORE, the Director is authorized to enter into the appropriate agreement with the American Association of State Highway and Transportation Officials to obtain the 2007-2011 CTPP Package Pooled Fund Project.

2007-007

WHEREAS, thirty-one percent of Arkansas motorists are still not buckling up; and

WHEREAS, in 2004, 565 people died while riding in passenger cars, SUV's, vans, and pickup trucks in Arkansas and sixty-eight percent of those who died were not wearing safety belts; and

WHEREAS, on average, States adopting primary safety belt law enforcement provisions can expect use rates to increase about 11 percent; and

WHEREAS, if Arkansas were to enact a primary safety belt law, the State could expect to save as many as 45 lives and prevent 491 serious injuries annually, as well as save an estimated \$93 million in economic costs; and

WHEREAS, Congress has recognized the value of primary safety belt laws in saving lives and preventing injuries through the adoption of a grant program under the U. S. Department of Transportation's funding reauthorization, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU) that provides incentives to states for the enactment and enforcement of primary safety belt laws; and

WHEREAS, if Arkansas adopts a primary safety belt law, the State would be entitled to approximately \$9.5 million to implement highway safety programs.

NOW THEREFORE, the Arkansas Highway Commission does hereby support the enactment of a primary safety belt use law to protect the motoring public in Arkansas.

2007-008

WHEREAS, the Surface Transportation Assistance Act of 1982 authorized the installation of vending machines in Interstate Rest Areas; and

WHEREAS, the Act requires that states give authority to vending machines operated by state agencies for the blind, pursuant to the Randolph-Shepherd Act; and

WHEREAS, the Arkansas Department of Human Services, Division of Services for the Blind, has successfully provided vending machine service in Interstate Tourist Information Centers and Rest Areas in Arkansas under service agreements with the Department since 1986; and

WHEREAS, the current agreement with the Division of Services for the Blind expires in January 2007.

NOW THEREFORE, the Director is authorized to renew the agreement with the Division of Services for the Blind to provide vending machine services at all Interstate Tourist Information Centers and Rest Areas within the State as may be practical.

2007-009

WHEREAS, *Regulations for Control of Outdoor Advertising on Arkansas Highways* currently do not allow for electronic message devices; and

WHEREAS, advances in technology have made electronic message devices more cost effective to produce and more popular for outdoor advertising; and

WHEREAS, electronic message devices are being allowed along highways in other states and along local roads and streets in Arkansas, and the Arkansas Outdoor Advertising Association has requested revisions to Department regulations to include the allowance of electronic message devices for outdoor advertising; and

WHEREAS, revised regulations have been developed from a review of regulations in other states and in coordination with the Arkansas Outdoor Advertising Association.

(Continued)

2007-009 - Continued

NOW THEREFORE, the Director is authorized to take the steps necessary to revise *Regulations for Control of Outdoor Advertising on Arkansas Highways* and associated procedures to allow for the use of electronic message devices for outdoor advertising.

2007-010

WHEREAS, IN FAULKNER COUNTY on Museum/Amity Road in Conway, an Original Contract dated July 10, 2002 was awarded to Burnett Excavating, Inc. for Job No. 080178, FAP No. STPU-9095(14), Museum/Amity Rd. Widening and Extension (Conway) (S); and

WHEREAS, the Contractor has failed to refund money due the Commission as a result of the determination of the final pay quantities for this project; and

WHEREAS, the Contractor was notified by Certified Mail dated November 21, 2006 that unless money due the Commission was refunded within 10 days of receipt of said letter, the project would be placed in default in accordance with Subsection 108.08 of the Standard Specifications; and

WHEREAS, the payment has not been received.

NOW THEREFORE, IT IS ORDERED that the right of Burnett Excavation, Inc. to proceed on Job No. 080178 is hereby terminated, and the Deputy Director and Chief Engineer is authorized to arrange for fulfillment of the contract obligations in accordance with the plans and specifications and in compliance with the terms and conditions of the contract and bond.

2007-011

WHEREAS, IN CRITTENDEN COUNTY, Job 110434, Gilmore Interchange (F), is substantially complete and the new Gilmore interchange is open to traffic; and

WHEREAS, Highway 77, Section 4, previously terminated at an at-grade intersection with Highway 63, south of the new Gilmore interchange; and

(Continued)

2007-011 - Continued

WHEREAS, the at-grade intersection was removed by Job 110401, I-55/Hwy. 63 Intchn. Impvts. (F), and replaced by an access roadway connecting to the Gilmore interchange; and

WHEREAS, the extension of Highway 77, Section 4 to the southbound ramps of the new Gilmore interchange will benefit the public by retaining the access from Highway 77, Section 4 to Highway 63.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The old portion of Highway 77, Section 4, which was obliterated by Job 110401, is hereby removed from the State Highway System.
- The new alignment, as constructed by Job 110401 and Job 110434, is hereby added to the State Highway System as a part of Highway 77, Section 4.

2007-012

WHEREAS, IN CLAY COUNTY, Minute Order 1996-202 authorized a study of traffic operations along Highway 62 in the City of Piggott to determine the need for and feasibility of improvements in the area; and

WHEREAS, the *Piggott Traffic Study* has been completed and identified feasible alternatives to improve traffic flow and enhance safety on Highway 62.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Highway 62 in Piggott, and the Director is authorized to proceed with environmental studies, surveys, design, right of way acquisition, and construction as funds become available.

2007-013 WHEREAS, IN BENTON COUNTY, at the intersection of Highway 71B and Highway 264 in Lowell, traffic volumes continue to increase; and

 WHEREAS, the need exists for increasing capacity and safety at this intersection; and

 WHEREAS, the City of Lowell has agreed to partner with the Department to fund the first phase of improvements to the intersection of Highway 71B and Highway 264 and will contribute \$600,000 towards the total cost of this project.

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

2007-014 WHEREAS, Minute Order 2002-196 authorized a planning study to determine short-term and long-range measures to improve traffic flow in the vicinity of the Highway 63 interchange with Highways 49 and 18 (Southwest Drive) in Jonesboro; and

 WHEREAS, the planning study was delayed pending completion of the Southwest Jonesboro Transportation Study conducted by the City; and

 WHEREAS, the Southwest Jonesboro Transportation Study was completed in May 2006 and found that several interchanges along Highway 63 warrant further study; and

 WHEREAS, the City has requested a traffic operations study for the Highway 63 interchanges with Highways 49/1, Caraway Road, Highway 1B, and Highways 49/18 (Southwest Drive); and

 WHEREAS, the Jonesboro City Council has approved a sum of \$250,000 in the City's 2006 budget to be appropriated to the Department for this traffic operations study; and

 WHEREAS, these funds are Federal-aid funds earmarked for Jonesboro Transportation and Drainage Planning in the Fiscal Year 2004 United States Department of Transportation Appropriations Act.

(Continued)

2007-014 - Continued

NOW THEREFORE, the Director is authorized to conduct a combined planning study to determine improvements at the Highway 63 interchanges with Highways 49/1, Caraway Road, Highway 1B, and Highways 49/18 (Southwest Drive).

2007-015

WHEREAS, IN CRITTENDEN COUNTY, on Highway 118, Section 4, from Highway 70 to Interstate 40 in West Memphis, a distance of approximately 1.0 mile, traffic volumes continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-016

WHEREAS, IN CRITTENDEN COUNTY, on Highway 118, Section 4, from Highway 64 south approximately 2.1 miles in Marion, traffic volumes continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-017

WHEREAS, IN CROSS COUNTY, on Highway 64, Section 15, from Highway 350 to Highway 1 north in Wynne, a distance of approximately 2.4 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-018 WHEREAS, IN FRANKLIN COUNTY, Minute Order 90-237 denied the County Judge's request for an additional interchange on Interstate 40 at the County Road 64 (Lone Elm Road) grade separation based on the findings of the *I-40/C.R. 64 Interchange Feasibility Study – Franklin County*; and

WHEREAS, local officials have requested an update of the previous study to determine whether changes in the area have impacted the feasibility of the proposed interchange.

NOW THEREFORE, the Director is authorized to update the previous study to determine the need for and feasibility of an interchange on Interstate 40 at the Lone Elm Road grade separation in Franklin County.

2007-019 WHEREAS, IN LAFAYETTE AND HEMPSTEAD COUNTIES, on Highway 29, Sections 2 & 3, from the northern city limits of Lewisville to the southern city limits of Hope, traffic volumes continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-020 WHEREAS, IN LAWRENCE COUNTY, on Highway 63, Section 3, from the eastern city limits of Portia to Highway 63B west of Hoxie, a distance of approximately 3.3 miles, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-021 WHEREAS, IN MILLER COUNTY, on Highway 82, Section 1, from Highway 245 to Highway 237 in Texarkana, a distance of approximately 1.53 miles, traffic volumes continue to increase; and

 WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-022 WHEREAS, IN MISSISSIPPI COUNTY, on Interstate 55, Section 12, from Highway 181 north of Marie to Highway 158, a distance of approximately 9.0 miles, pavement conditions have deteriorated; and

 WHEREAS, patching and grinding work needed to improve the surface of this route is beyond the scope of the District's routine maintenance.

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

2007-023 WHEREAS, IN MONTGOMERY COUNTY, on Highway 70, Section 6, from the Pike County line to the Hot Spring County line, traffic volumes continue to increase; and

 WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-024 WHEREAS, IN POLK COUNTY, on Highway 71, Section 8, from Highway 84 to Highway 246 at Vandervoort, traffic counts continue to increase; and

 WHEREAS, the need exists for increasing capacity and safety on this section of highway.

(Continued)

2007-024 - Continued

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

2007-025

WHEREAS, IN PULASKI COUNTY, on Highway 5, Section 9, from the Saline County line to Otter Creek Road in Little Rock, a distance of approximately 1.26 miles, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-026

WHEREAS, IN SEBASTIAN COUNTY, on Highway 22, Section 1, from Highway 255 at Central City to Highway 96, a distance of approximately 3.02 miles, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-027

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to accommodate a roadway project and to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.

(Continued)

2007-027 - Continued

- 2. All required right-of-way furnished at no cost to the State.
- 3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Sebastian	Barling	Hwy. 22	Fort Smith	Install Flashing Lights on Cantilevers

2007-028

WHEREAS, IN SHARP COUNTY, on Highway 167, Section 19, from Highway 354 to Highway 62/412 in Ash Flat, a distance of approximately 1.0 mile, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-029

WHEREAS, IN WASHINGTON COUNTY, on Highway 16, Section 3, from Highway 71B to Stone Bridge Road in Fayetteville, a distance of approximately 2.68 miles, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway; and

WHEREAS, the City of Fayetteville has agreed to partner with the Department to fund improvements to Highway 16 and will contribute 50 percent of the total cost of the project up to \$5 million.

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

2007-030 WHEREAS, IN WASHINGTON COUNTY, on Highway 112, Section 1, from Highway 112 Spur north in Fayetteville, traffic volumes continue to increase; and

 WHEREAS, the need exists for increasing capacity and safety on this section of highway; and

 WHEREAS, the City of Fayetteville has agreed to partner with the Department to fund improvements to Highway 112 and will contribute 50 percent of the construction cost of the project up to \$1.5 million and 100 percent of the costs associated with right-of-way acquisition and utility adjustments.

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

2007-031 WHEREAS, IN WASHINGTON COUNTY, on Highway 265, Section 2, from the north city limits of Fayetteville to Highway 412 in Springdale, traffic volumes continue to increase; and

 WHEREAS, the need exists for increasing capacity and safety on this section of highway; and

 WHEREAS, the City of Springdale has agreed to partner with the Department to fund improvements to Highway 265 and will contribute 50 percent of the total cost of the project up to \$2.35 million.

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

2007-032 WHEREAS, IN WASHINGTON COUNTY, the Bobby Hopper Tunnel on Interstate 540 has been in service since 1999; and

 WHEREAS, the electronic control systems for operating the tunnel are becoming outdated, requiring frequent maintenance and repair; and

(Continued)

2007-032 - Continued

WHEREAS, Department staff have completed an assessment of the equipment and software needs to restore the operational efficiency of the tunnel control system.

NOW THEREFORE, the Director is authorized to proceed with the necessary activities to provide the appropriate operational control systems for the Bobby Hopper Tunnel as funds become available

2007-033

WHEREAS, IN WHITE COUNTY, on Highway 16, Section 13, between Pangburn and Searcy, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of highway.

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

2007-034

WHEREAS, the Central Office Complex was originally constructed to have four chillers, but currently only has two 20 year old chillers with 210 Tons of capacity each and one 10 year old chiller with 140 Tons of capacity; and

WHEREAS, one of the 210 Ton chillers is currently not working and cannot be repaired due to the unavailability of parts; and

WHEREAS, at least three working chillers are required to cool the Central Office Complex during the peak summer months; and

WHEREAS, replacing the non-working 210 Ton chiller with a new 246 Ton chiller and replacing the 140 Ton chiller that was removed and not replaced several years ago should ensure continuous cooling service for the Complex through the coming seasons;

(Continued)

2007-034 - Continued

NOW THEREFORE, the Director is authorized to complete the work to purchase and install one new 246 Ton chiller and one new 140 Ton chiller in the Boiler Room of the Central Office Complex, including the associated mechanical and control items.

Work to be done by contract forces as a Building Project.

2007-035

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 10, 2007 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020322	02	ASHLEY	HWY. 82-HWY. 133 SPUR (CROSSETT) (S)	133
020355	02	LINCOLN	HWY. 212-HWYS. 11/425 CONNECTOR (GR. & STRS.) (F)	530
030314	03	MILLER	ARKANSAS BLVD.-I-30 (GR. & STRS.) (F)	71
040351	04	CRAWFORD	GEORGIA RIDGE RD.-EAST (WIRE RD.) (MULBERRY) (S)	---
060776	06	GARLAND	HWY. 5-HOT SPRINGS VILLAGE (PASSING LANES) (S)	7
090225	09	BOONE	HWY. 7/HWY. 206 INTERS. IMPVTS. (BOONE CO.) (S)	7 & 206
012016	01 & 06	MONROE & PRAIRIE	I-40 CABLE MEDIAN BARRIER (BISCOE-BRINKLEY) (F)	40
SA3638	08	JOHNSON	JOHNSON COUNTY BASE NO. 3 (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its powers to the Director of Highways and Transportation.

(Continued)

2007-035 - Continued

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. Further, 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.

2007-036

Mary P. "Prissy" Hickerson, Commissioner Emeritus

WHEREAS, ten years have passed since January 1997, and with their passing will cause to expire in January 2007, your term as a Member of the Arkansas State Highway Commission, we the undersigned, your friends and fellow Commissioners, those who will miss your comradeship, sound counsel, and words of encouragement, wish for your future the best of everything. We wish to recognize you for your tireless efforts and acclaim your devotion to the service of this Commission. Your personal contributions over the past ten years have promoted progress and economic growth in this Great State through sound planning and the application of business principles in the planning, construction, and maintenance of our overall State Highway System; and

WHEREAS, because of the imminent loss of the aforementioned knowledge and service to this Commission, these members, acting in their best interest, do herewith, through this instrument, serve formal notice that you are hereby directed and expected to continue to serve this Commission and the State of Arkansas.

NOW THEREFORE, with high esteem, we do hereby bestow upon you, ad infinitum, the title "*Commissioner Emeritus*."

2007-037

WHEREAS, Mary P. "Prissy" Hickerson has served on the Arkansas Highway Commission since January 1997; and

WHEREAS, when Commissioner Hickerson's current term expires in January 2007, she will have served a total of 10 years; and

(Continued)

2007-037 - Continued

WHEREAS, Commissioner Hickerson has been a strong supporter of improvements to the state's highway system; and

WHEREAS, a major project for which Commissioner Hickerson has been an advocate is the improvement of the Highway 71 Corridor (future Interstate 49).

NOW THEREFORE, considering the distinguished service of Commissioner Hickerson to the Arkansas Highway Commission and the importance of the construction of future Interstate 49 to the State Highway System, the Highway Commission hereby honors Commissioner Hickerson by officially naming the portion of Highway 245 (future Interstate 49) from I-30 to the Texas State Line the Hickerson Freeway.

MOTION

Commissioner Prissy Hickerson moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Universal Field Services, Inc., of Tulsa, OK to perform right of way acquisition services for the Bella Vista Bypass.

2007-038

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:50 a.m., January 10, 2007.

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 January 10, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 21, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 21, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-039 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 21, 2007.

2007-040 WHEREAS, the Purchasing Committee has awarded purchases on January 4 and 24, 2007, in the amounts of \$143,751.00 and \$828,158.00, respectively, totaling \$971,909.00, 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.

2007-041 WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2007, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2007 in the amount of \$1,200.00.

2007-042

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2007, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2007 in the amount of \$35,415.00.

2007-043

WHEREAS, the safety of law enforcement officers patrolling roads and highways throughout the United States is of the utmost importance; and

WHEREAS, the technology exists for the in-car video recording of traffic stops and other law enforcement related incidents; and

WHEREAS, this technology would provide for both officer safety and evidentiary purposes for officers of the Arkansas Highway Police Division.

NOW THEREFORE, the Director is authorized to purchase in-car video equipment utilizing drug asset forfeiture funds of the Arkansas Highway Police Division.

2007-044

WHEREAS, the Code of Federal Register 650.313(G) requires periodic bridge inspection refresher training for program managers and team leaders; and

WHEREAS, the Department needs to maintain qualified personnel for the bridge inspection program; and

WHEREAS, the National Highway Institute offers Course Number FHWA-NHI-130053 that meets the training requirements; and

WHEREAS, one hundred percent of the travel and training costs would be reimbursed by the Federal NBIS program under SAFTEA-LU Sec 5204(e).

2007-044 - Continued

NOW THEREFORE, the Director is authorized to proceed with plans to sponsor Bridge Inspection Refresher Training Course Number FHWA-NHI-130053 as funds become available.

2007-045

WHEREAS, the Materials Division routinely monitors and verifies through testing the chemical properties of portland cement, modified portland cement, fly ash, and ground granulated blast-furnace slag; and

WHEREAS, the current method of testing of chemical properties of portland cement, modified portland cement, fly ash, and ground granulated blast-furnace slag takes an experienced chemist extensive time and effort; and

WHEREAS, the Department currently monitors and verifies through testing seventeen (17) domestic sources and eighteen (18) foreign sources of portland cement, five (5) sources of modified portland cement, twenty-one (21) sources of fly ash, and four (4) sources of ground granulated blast-furnace slag; and

WHEREAS, the technology exists that enables this testing to be performed accurately and can be performed in approximately thirty (30) minutes with the analysis by x-ray fluorescence (XRF); and

WHEREAS, the XRF is the preferred method for testing by industry and most state DOTs performing source chemical analysis of portland cement, modified portland cement, fly ash, and ground granulated blast-furnace slag.

NOW THEREFORE, the Director is authorized to advertise, accept bids and to award contracts for the acquisition of XRF testing equipment for the Materials Division Testing Laboratory.

2007-046

WHEREAS, there is a need for accurate and timely crash data to identify high crash rate locations in the State; and

2007-046 - Continued

WHEREAS, the Arkansas State Police is the agency most responsible for recording reports for crashes on the State Highway System; and

WHEREAS, the use of wireless Global Positioning System (GPS) modems would provide the opportunity to identify and report the precise location of a crash by latitude and longitude coordinates; and

WHEREAS, these coordinates can be converted into a highway, section, log mile referencing system that would enhance the crash location process at a savings to the Department.

NOW THEREFORE, the Director is authorized to provide \$200,000 in Federal-aid Safety funds for the purchase of wireless GPS modems for use by the Arkansas State Police during crash investigations. These funds will be made available to the Arkansas State Police upon delivery and confirmation of the modems to the Arkansas State Police Central Headquarters.

2007-047

WHEREAS, Minute Order 1997-113 authorized a feasibility study for a connection between Highway 10 and Highway 96 to improve traffic flow through Greenwood; and

WHEREAS, the City requested that the study be expanded to include the analysis of additional corridors that would connect Highways 10 and 96 to the new location route for Highway 71; and

WHEREAS, the *Greenwood Bypass Study* has been completed and has identified six feasible alternatives that would improve traffic operations and enhance safety in the area.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the Greenwood area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2007-048 WHEREAS, IN BENTON COUNTY, the Mayor of the City of Rogers has requested that the Arkansas State Highway and Transportation Department abandon Highway 102, Section 4; and

 WHEREAS, the City of Rogers has agreed to accept all responsibility for maintenance of Highway 102, Section 4.

 NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 102, Section 4 is hereby removed from the State Highway System as shown on the attached sketch.

2007-049 WHEREAS, IN POPE COUNTY, changes have been made to the drives at Lake Dardanelle State Park; and

 WHEREAS, the new drives meet the criteria set forth in Arkansas Code 27-67-204.

 NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 2.34 miles are hereby to be maintained by the Department as State Highway 600, Section 24, as shown on the attached sketch.

2007-050 WHEREAS, IN VAN BUREN COUNTY, the Mayor of the City of Clinton has requested the extension of Highway 980, Section 40, along Airport Road which leads to the Clinton airport; and

 WHEREAS, the portion of the city street that extends to the airport management office meets all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

 NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the drive totaling 0.26 mile, as shown on the attached sketch, is hereby added to the State Highway System as a part of State Highway 980, Section 40.

2007-051 WHEREAS, the existing Jackson County Area Headquarters facility in Newport on Highway 67 was constructed in 1957; and

2007-051 - Continued

WHEREAS, insufficient area is available at this location to properly accommodate the necessary maintenance activities; and

WHEREAS, suitable property on the west frontage road of Highway 67, approximately 325 feet north of State Highway 384 has become available and has been appraised by the Department.

NOW THEREFORE, the Director is authorized to purchase the property and construct an Area Headquarters facility, including buildings, appurtenances, fencing and related items.

Work to be done by contract and state forces as a Building Project.

2007-052

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 21, 2007 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
020329	02	ARKANSAS	DEWITT-STUTTGART (SEL. SECS.) (SHLDR. REHAB.) (S)	165
020427	02	JEFFERSON	HWY. 63B/46TH AVE. SIGNAL (PINE BLUFF) (S)	63B
020449	02	DESHA	DITCH NO. 6 DRAINAGE IMPVTS. (DUMAS) (S)	54
R30052	03	MILLER	HWY. 71-COUNTRY CLUB ROAD (S)	196
030078	03	HEMPSTEAD	AVE. "A"-WEST OF I-30 (HOPE) (S)	278 & 278B
030285	03	HOWARD	HWY. 369-EAST (S)	26
040435	04	POLK	TRAFFIC SIGNAL MOD. & INTERS. IMPVTS. (PHASE I) (MENA) (S)	71 & 88
040437	04	CRAWFORD	HWY. 64/HWY. 59 INTERS. IMPVTS. (VAN BUREN) (S)	64 & 59
040480	04	WASHINGTON	ILLINOIS RIVER-HWY. 170 (S)	62
061167	06	SALINE	TRAFFIC SIGNAL UPGRADE (PHASE II) (BENTON) (S)	---
061174	06	GARLAND	HWY. 70/HWYS. 7 & 270B SIGNALS VIDEO UPGRADE (HOT SPRINGS) (S)	70, 7 & 270B
080228	08	YELL	BELLEVILLE-EAST & WEST (S)	10

2007-052 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE
080297	08	FAULKNER	HWY. 65/HWY. 287/ELLIOT RD. SIGNAL (FAULKNER CO.) (S)	65 & 287
080302	08	FAULKNER	HWY. 25-WEST (S)	64
090225	09	BOONE	HWY. 7/HWY. 206 INTERS. IMPVTS. (BOONE CO.) (S)	7 & 206
100304	10	MISSISSIPPI	HWY. 181 SOUTH-HWY. 312 (S)	18
100624	10	CRAIGHEAD	HWY. 49/HWY. 49B SIGNAL (SO. OF BROOKLAND) (S)	49 & 49B

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Vice Chairman Carl Rosenbaum moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Bridgefarmer & Associates, Inc., of Dallas, TX, for consultant services for the I-430/I-630 Interchange in Little Rock.

2007-053

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:05 a.m., February 21, 2007.

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 February 21, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 27, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 27, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
John Ed Regenold, Member

2007-054 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:00 p.m., March 27, 2007.

2007-055 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:10 p.m., March 27, 2007.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 11, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 11, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-056 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., April 11, 2007.

2007-057 WHEREAS, the Purchasing Committee has awarded purchases on February 9, 14 and 28, 2007, and March 5, 12 and 20, 2007, in the amounts of \$449,177.18, \$179,990.00, \$644,755.50, \$276,212.50, \$1,986,033.00 and \$157,487.00, respectively, totaling \$3,693,655.18, 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.

2007-058 WHEREAS, Act 66 of the 86th General Assembly of the State of Arkansas provides authorization to increase the tool allowance ten dollars (\$10.00) per month for each mechanic, electrical, plumbing, and mechanical repairer, welder, or body repairer and painter employed by the Arkansas State Highway and Transportation Department who works on highway equipment and facilities effective with the Fiscal Year beginning July 1, 2007; and

WHEREAS, the tool allowance for these employees has not changed since 1993.

2007-058 - Continued

NOW THEREFORE, the tool allowance for eligible Department employees is increased to \$480.00 per year beginning July 1, 2007.

2007-059

WHEREAS, the Federal Highway Administration sponsors the National Summer Transportation Institute, a program to encourage secondary school students to pursue transportation careers; and

WHEREAS, increasing awareness about transportation related careers is important to the transportation industry; and

WHEREAS, the Federal Highway Administration no longer contracts directly with a coordinating University or with a host site but has encouraged state transportation departments to continue the 100% federally funded program; and

WHEREAS, in accordance with the Federal Highway Administration's guidelines for selecting a host site, the Department issued a Request for Proposals; and

WHEREAS, Arkansas Baptist College, a historically black college, has submitted an outstanding proposal that meets the scope of the program and is within the projected budget allowance provided by the Federal Highway Administration.

NOW THEREFORE, the Director is authorized to enter into an agreement with Arkansas Baptist College to host the National Summer Transportation Institute.

2007-060

WHEREAS, Arkansas receives Federal-aid Congestion Mitigation and Air Quality (CMAQ) funds from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, since 1998, a portion of CMAQ funds have been used in cooperative efforts to address air quality issues in Arkansas; and

2007-060 - Continued

WHEREAS, the Central Arkansas Regional Transportation Study (CARTS) has requested \$40,000 and the West Memphis-Marion Area Transportation Study (WMATS) has requested \$138,000 in CMAQ funds for use in planning efforts to address air quality issues; and

WHEREAS, the required matching funds for the Federal-aid CMAQ funds would be committed from local entities; and

WHEREAS, it is in the best interest of the Department to continue planning efforts to address air quality issues with partner agencies and local jurisdictions.

NOW THEREFORE, the Director is authorized to provide CMAQ funds for use by CARTS and WMATS, to enter into appropriate interagency agreements and to participate in coordination activities for air quality planning.

2007-061

WHEREAS, the Arkansas State Highway Commission is required to print and distribute rules and regulations necessary to carry out the codes governing State Highways and the use of motor vehicles; and

WHEREAS, the supply of the manual, *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2005 Edition*, issued jointly by the Arkansas State Highway Commission and the Department of Finance and Administration, is exhausted; and

WHEREAS, revisions to laws and regulations require this manual to be updated; and

WHEREAS, the Arkansas Code Revision Commission has indicated that a state contract exists with Lexis Publishing to compile and print the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2007 Edition*, including an Internet license agreement.

2007-061 - Continued

NOW THEREFORE, the Director is authorized to update the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2005 Edition*, and to collaborate with the Department of Finance and Administration to publish 12,000 copies of the *Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2007 Edition*, including the Internet agreement.

2007-062

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2007-063

WHEREAS, IN BAXTER COUNTY, the County Judge has requested that the Department relinquish Highway 980, Section 48 to Baxter County; and

WHEREAS, Baxter County, through Court Order 2007-29, has agreed to accept all responsibility for maintenance of Highway 980, Section 48.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 980, Section 48 is hereby removed from the State Highway System as shown on the attached sketch.

2007-064

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at this crossing subject to the following conditions:

1. Maintenance of the surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Drew	Collins	Hwy. 35	Arkansas Midland	Upgrade Surface

2007-065

WHEREAS, Regional Intelligent Transportation Systems (ITS) Architectures and Deployment Plans are needed to be eligible for funding of ITS projects from the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA); and

WHEREAS, the Hot Springs Area Metropolitan Planning Organization (HSA-MPO) requires assistance from the Arkansas State Highway and Transportation Department in developing the HSA-MPO Regional ITS Architecture; and

WHEREAS, this work can be funded with Federal-aid State Planning and Research (SPR) funds included in the Planning and Research Division's Work Program and Cost Estimate for Fiscal Year 2007.

NOW THEREFORE, the Director is authorized to enter into an agreement to develop an ITS Regional Architecture and Deployment Plan for the Hot Springs Area Metropolitan Planning Organization's region.

2007-066

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at this crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Lafayette	Lewisville	King St.	Union Pacific	Install Flashing Lights with Gates

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 11, 2007 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020449	02	DESHA	DITCH NO. 6 DRAINAGE IMPVTS. (DUMAS) (S)	54	Y
040460	04	CRAWFORD	HWY. 59/WOOD ST. SIGNAL (VAN BUREN) (S)	59	Y
090148	09	BENTON	HWY. 412-NORTH (S)	59	Y
090239	09	MARION	HWY. 178-EAST & WEST (FLIPPIN) (BASE & SURF.) (F)	62	Y
100631	10	MISSISSIPPI	ARKANSAS WELCOME CENTER (BLYTHEVILLE) (S)	55	Y
SA0748	07	CALHOUN	HWY. 167-WEST (BASE) (S)	---	N
SA1650	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 23 (SEL. SEC.) (S)	---	N
SA2028	07	DALLAS	CO. RD. 21-CO. RD. 25 (SURFACING) (S)	---	N
SA2361	08	FAULKNER	FAULKNER COUNTY OVERLAY NO. 3 (S)	---	N
SA2736	02	GRANT	CO. RD. 434-CO. RD. 51 (OVERLAY) (S)	---	N
SA3446	05	JACKSON	CO. RD. 1 WEST AND NORTH SURFACING (S)	---	N
SA3639	08	JOHNSON	COUNTY ROAD 86 SURFACING (SEL. SEC.) (S)	---	N

2007-067 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA4130	03	LITTLE RIVER	CO. RD. 35 EAST AND WEST (SURFACING) (S)	---	N
SA4264	04	LOGAN	HWY. 60-SOUTH (SURFACING) (S)	---	N
SA5540	03	PIKE	HWY. 301-NORTH (SURFACING) (S)	---	N
SA5635	10	POINSETT	HWY. 14-NORTH (OVERLAY) (S)	---	N
SA6928	05	STONE	STONE COUNTY OVERLAY (SEL. SECS.) (S)	---	N
SA7367	05	WHITE	WHITE COUNTY BASE NO. 3 (S)	---	N
SA7430	01	WOODRUFF	COUNTY ROAD 18-EAST (REPAIR & RESEAL) (S)	---	N

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to have Robert Bergen, previously with Holland & Knight, to represent the Arkansas State Highway Commission, at his new firm of practice K & L Gates, as Toll Road Counsel.

2007-068

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:00 a.m., April 11, 2007.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on March 27, 2007, and April 11, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 23, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 23, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-069 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 23, 2007.

2007-070 WHEREAS, the Purchasing Committee has awarded purchases on April 9, 17 and 30, 2007, and May 4, 9 and 15, 2007, in the amounts of \$397,218.16, \$240,791.00, \$378,650.60, \$29,475.00, \$332,927.00 and \$154,133.95, respectively, totaling \$1,533,195.71, 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.

2007-071 WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

2007-071 - Continued

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the AASHTOWare products.

2007-072

WHEREAS, the Department conducts planning and research activities to meet federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the State Planning and Research (SPR) Work Program and Cost Estimate.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the SPR Work Program and Cost Estimate for Fiscal Year 2008 and enter into any necessary contracts and agreements.

2007-073

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Recreational Trails Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified that the Federal Recreational Trails Program allocation for Arkansas is available.

NOW THEREFORE, the Director is authorized to solicit applications for Recreational Trails Program funding.

2007-074

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Arkansas Highway and Transportation Department spends over \$4 million annually to remove litter from State Highways,

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 to the Keep Arkansas Beautiful Commission for use in conducting the Great Arkansas Cleanup Campaign.

2007-075

WHEREAS, litter along the roadsides continues to be a growing problem for the State of Arkansas; and

WHEREAS, a Task Force was formed in 2003 of state and federal agencies, associations and local governments to seek new strategies to combat the growing litter problem; and

WHEREAS, a Jail-Inmate Litter Pick-up Program was proposed as a means to obtain services to remove litter from the roadsides; and

WHEREAS, a pilot project has been developed that will reimburse counties for providing these services using jail-inmate labor at a minimal cost to the Department and will bring awareness to the problem of littering in our State.

NOW THEREFORE, the Director is authorized, as funds become available, to enter into Jail-Inmate Litter Pick-up Program agreements with counties that have shown interest in working with the Department to improve the appearances of State Highways. The expenditures for this pilot program shall not exceed \$1,000,000.

2007-076

WHEREAS, the Arkansas State Highway Commission executed a Quitclaim Deed to Meredith Miller (Grantee) dated August 23, 2006, recorded in Boone County, Arkansas, records as Instrument #06006927, on September 11, 2006, for the property herein described, pursuant to Minute Order No. 2006-128 dated August 23, 2006; and

WHEREAS, the description appearing on said Quitclaim Deed contained a scrivener's error which was recently discovered by the Grantor; and

WHEREAS, in order to correct the scrivener's error a Correction Quitclaim Deed is required to be executed by the Chairman of the Commission; and

WHEREAS, the correct legal description of the lands intended to be conveyed by the Commission to the Grantee is as follows:

Part of the West Half of the Northwest Quarter of Section 11, Township 18 North, Range 20 West Boone County, Arkansas, more particularly described as follows:

Starting at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 11; thence North 88°24'00" East along the South line thereof a distance of 213.00 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487 for the point of beginning; thence in a Northeasterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 45.71 feet having a chord bearing of North 08°31'20" East a distance of 45.71 feet to a point; thence South 80°24'26" East a distance of 26.70 feet to a point on the Easterly right of way line as established by AHTD Job 9578; thence South 09°35'34" West along said right of way a distance of 94.17 feet to a point; thence South 01°24'51" East along said right of way a distance of 94.23 feet to a point; thence South 08°36'43" East along said right of way a distance of 228.30 feet to a point; thence South 79°34'04" West a distance of 44.77 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 36.92 feet having a chord bearing of North 09°34'03" West a distance of 36.92 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 41.43 feet having a chord bearing of North 07°43'58" West a distance of 41.42 feet to a point; thence in a Northeasterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 303.46 feet having a chord bearing of North 00°20'40" East a distance of 302.69 feet to the POINT OF BEGINNING and containing 0.33 acres, or 14,502 square feet more or less as shown on plans prepared by the AHTD referenced as Job 9578.

Subject to a permanent easement vested in the Commission, described as follows:

Part of the Southwest Quarter of the Northwest Quarter of Section 11, Township 18 North, Range 20 West, Boone County, Arkansas, more particularly described as follows:

2007-076 - Continued

Beginning at a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487 said point being 50.00 feet right of and on a radial line to Centerline Station 31+36.55; thence North 83°14'15" East a distance of 44.75 feet to a point; thence South 08°36'43" East a distance of 39.90 feet to a point to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 9487; thence South 81°17'50" West a distance of 45.36 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,223.24 feet a distance of 41.43 feet having a chord bearing of North 07°43'58" West a distance of 41.42 feet to the POINT OF BEGINNING and containing 0.04 acres, or 1,837 square feet more or less as shown on plans prepared by the AHTD referenced as Job 9578.

GA/ga 8/01/05 Rev. 4/11/07

NOW THEREFORE, a Correction Quitclaim Deed shall be issued to the Grantee and the Chairman of the Commission is hereby authorized and directed to execute and deliver such Correction Quitclaim Deed to the Grantee for and on behalf of this Commission; and, a copy of the deed and this Minute Order shall be recorded in Boone County, Arkansas.

2007-077

WHEREAS, the Commission acquired right of way for Job No. 9423, more commonly known as Kingston – Highway 68, State Highway 21, by Madison County Court Order dated May 25, 1960, which is recorded in the County Court Records of Madison County, Arkansas, in Book R at page 171;

WHEREAS, the District Engineer for District 9 has determined that the area inside the existing right of way is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that the areas of the right of way described below be abandoned and that the boundaries be remonumented to reflect the new right of way limits; the areas of right of way to be abandoned are more particularly described below:

From designated Construction Centerline Station 175+00.00 to Station 175+94.72 of the originally executed Court Order for Job 9423, dated May

25, 1960, and being recorded in County Court Records of Madison County, Arkansas, in Book "R", Pg. 171, inclusive, of said records shall hereby be revised, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN.</u> <u>FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
175+00.00	175+94.72	94.72	Var. 50'-75'	-	Var.

NOTE: In all other respects the original Court Order shall remain in force and effect. The above description is used to reflect the area to be released to Madison County, Arkansas.

NOW THEREFORE, the above-described right of way is hereby released to Madison County; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Madison County, Arkansas; and, the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above-designated tracts. Federal-aid funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired right of way for Job No. 3522, more commonly known as Hope-Prescott Reconstruction Route 67, Section 3, Nevada County, Arkansas, by Nevada County Court Order dated September 21, 1956, which is recorded in the County Court Records of Nevada County in Book Y, Page 84; and

WHEREAS, the District Engineer for District Three (3) has determined that an area inside the existing right of way is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the areas of right of way to be abandoned are more particularly described as follows:

From designated Centerline Station 63+80.5 to Station 81+65.5 of the originally executed Court Order for Job 3522, dated September 21, 1956, and being recorded in County Court Records of Nevada County Court Record Book "Y", page 84, inclusive of said records shall hereby be revised, as follows:

Beginning at the above described point on designated Centerline Station P.C. Station 63+80.5; thence in a Northeasterly direction along a 2° 00' 00" curve to the right a distance of 1745.0 feet to Equation P.T. Station 81+25.5 Back = P.O.T. Station 81+65.5 Ahead; end of Job 3522 and end also this Centerline description.

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

<u>FROM</u> <u>STATION</u>	<u>TO</u> <u>STATION</u>	<u>LIN.</u> <u>FT.</u>	<u>WIDTH</u> <u>LEFT</u>	<u>WIDTH</u> <u>RIGHT</u>	<u>TOTAL</u> <u>WIDTH</u>
63+80.5	66+10.0	229.5	Ex.	Ex.	Ex.
66+10.00	79+58.1	1348.1	65'	Ex.	Var.
79+58.1	Equation: 81+25.5 Bk.= 81+65.5 Ahd.	167.4	Ex.	Ex.	Ex.

NOTE: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, the above described right of way is hereby released to Nevada County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the recorder of Nevada County; and, the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above described tract. Federal-Aid funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired in fee property known as Tract No. 727 from Phil Olinghouse and Loree T. Olinghouse, husband and wife, for Job No. 6593, FAP Number I-30-2 (15) 139, Little Rock-

North Little Rock Expressway, Pulaski County, Arkansas, by Warranty Deed dated July 31, 1961, filed for record on October 5, 1961, in the Circuit Clerk's Office of Pulaski County in Deed Record Book 775 at Page 605; and

WHEREAS, the City of Little Rock, Arkansas, has asked to repurchase a portion of Tract No. 727, approximately 2,447 square feet, (the Cumberland Triangle) and Phil Olinghouse, Jr., of lawful age and unmarried and the only surviving heir at law of Phil Olinghouse and Loree T. Olinghouse, both deceased, has assigned his right to reacquire that portion of Tract No. 727 to the City of Little Rock; and the District Engineer for District Six has determined that the portion of Tract No. 727 described below is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the portion of Tract No. 727, to be transferred to the City of Little Rock is more particularly described as:

Part of Lots 2 and 3 Block 37, of the Original City of Little Rock, Arkansas being more particularly described as follows:

Commencing at a found ½ inch rebar at the Southwest corner of Block 37, Original City of Little Rock, Arkansas; Thence Northerly along the west line of said Block 37 and the Easterly right-of-way of Cumberland Street, a distance of 171.3 feet to the Southwest Corner of the North 29.1 feet of Lot 3 for the point of beginning; Thence continue Northerly along said right-of-way a distance of 69.7 feet to a point 2.0 feet South of the North Curb line of the existing traffic island; Thence along and adjacent to said curb line on a 2.0 feet offset line South 49° 49' 06" East a distance of 18.8 feet to a point; Thence South 52° 03' 40" East a distance of 13.6 feet to a point; Thence South 56° 53' 21" East a distance of 12.4 feet to a point; Thence South 61° 36' 55" East a distance of 11.4 feet to a point; Thence South 62° 45' 47" East a distance of 13.0 feet to a point; Thence South 66° 29' 54" East a distance of 12.4 feet to a point; Thence South 71° 29' 38" East a distance of 9.2 feet to a point; Thence South 85° 34' 01" West a distance of 8.4 feet to a point; Thence South 77° 55' 02" West a distance of 12.6 feet to a point; Thence South 68° 40' 16" West a distance of 12.0 feet to a point; Thence South 60° 29' 10" West a distance of 11.2 feet to a point; Thence South 54° 21' 45" West a distance of 17.3 feet to a point on the South line

2007-079 - Continued

of the North 29.1 feet of said Lot 3 Block 37; Thence West along said South line a distance of 21.5 feet to the point of beginning containing 2447 square feet more or less.

WHEREAS, Tract No. 727 was acquired by the Commission for SEVENTY-TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$72,500.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 727 being offered for sale is TWO THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS (\$2,450.00).

NOW THEREFORE, the above described property is hereby declared surplus and upon receipt of the consideration of \$2,450.00, the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above described property to the City of Little Rock, Arkansas; a copy of this Minute Order shall be recorded in Pulaski County, Arkansas; and, if necessary, the right of way shall be remonumented, and any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2007-080

WHEREAS, IN WASHINGTON COUNTY, the Mayor of the City of Prairie Grove has requested that the Arkansas State Highway and Transportation Department relinquish Highway 156, Section 3 to the City of Prairie Grove; and

WHEREAS, the City of Prairie Grove, through City Ordinance No. 2007-6, has agreed to accept all responsibility for maintenance of Highway 156, Section 3.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 156, Section 3 is hereby removed from the State Highway System as shown on the attached sketch.

2007-081

WHEREAS, Minute Order 2005-042 authorized a study to determine the need for and feasibility of a connecting route between Highway 63 and Highway 18 in southeast Jonesboro that would divert traffic that currently travels through Jonesboro on Highway 18; and

WHEREAS, the Jonesboro Highway 63 – Highway 18 Connector Study has been completed and has identified two feasible alternatives that would improve both local and regional traffic operations and enhance safety in the Jonesboro area.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2007-082

WHEREAS, Minute Order 2005-083 authorized a study to determine the feasibility of an interchange at the Quarry Road overpass of Interstate 40 (I-40) located just west of Lamar in Johnson County; and

WHEREAS, the study titled I-40/Quarry Road Interchange Feasibility Study has been completed and determined that an interchange at this location would not meet the requirements for a new access to the Interstate System.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the study.

2007-083

WHEREAS, IN POPE COUNTY, Interstate 40 between Russellville and Atkins was constructed in the late 1960s; and

WHEREAS, excess property on the north side of Interstate 40, in the area known as Crow Mountain, was acquired because the alignment of the Interstate created uneconomical remnants of certain tracts; and

WHEREAS, Department ownership of this excess property, combined with the rugged terrain, have caused some tracts to be landlocked; and

2007-083 - Continued

WHEREAS, the owners of these landlocked tracts need to be provided an opportunity to access their property; and

WHEREAS, the Department has no use for this excess property, except for tracts that contain archeological sites that should be protected.

NOW THEREFORE, the Director is authorized to initiate the process of selling the excess property that does not contain archeological sites.

2007-084

WHEREAS, a need exists to replace the mainlane guide signs and interchange signs on Interstate 30 from Exit 7 near Mandeville to Exit 111 near Benton; and

WHEREAS, new mainlane guide signs can be purchased through an existing supply contract and the interchange signs and supports can be manufactured by the Department's sign fabrication shop; and

WHEREAS, these signs can be installed by Maintenance Division sign crews.

NOW THEREFORE, the Director is authorized to proceed with a project to replace the mainlane guide signs and interchange signs on Interstate 30 from Exit 7 near Mandeville to Exit 111 near Benton.

2007-085

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 23, 2007 letting,

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110495	01	CRITTENDEN	I-55 CABLE MEDIAN BARRIER (S. OF HWY. 64- JAMES MILL RD.) (F)	55	Y
S10101	01	CROSS	BRUSHY CREEK RELIEF-L'ANGUILLE RIVER (OVERLAY) (S)	64	Y
S10102	01	ST. FRANCIS	PALESTINE-WEST (OVERLAY) (S)	70	Y
S10201	02	CHICOT	CHICOT JUNCTION-EUDORA (OVERLAY) (S)	65	Y

2007-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10301	03	LAFAYETTE	DOOLEY CREEK-CANFIELD (OVERLAY) (S)	29	Y
S10302	03	HEMPSTEAD & NEVADA	HWYS. 29/278 & HWY. 19 (HOPE & PRESCOTT) (SEL. SECS.) (OVERLAY) (S)	29, 278 & 19	Y
S10401	04	LOGAN	HWY. 109-EAST (OVERLAY) (S)	22	Y
S10402	04	WASHINGTON	I-540-HWY. 71B (SPRINGDALE) (OVERLAY) (S)	412	Y
S10501	05	STONE	HWY. 14-NORTH (MTN. VIEW) (OVERLAY) (S)	9	Y
S10502	05	WHITE	BALD KNOB-OVERFLOW CREEK (OVERLAY) (S)	167	Y
S10601	06	SALINE	I-30-HWY. 183 (OVERLAY) (S)	5	Y
S10602	06	HOT SPRING	LONO-NORTH (OVERLAY) (S)	9	Y
S10603	06	PULASKI	LRAFB-CO. RD. 89 (OVERLAY) (S)	107	Y
R70058	07	UNION	HWY. 167 IMPROVEMENTS (JUNCTION CITY) (S)	167	Y
S10701	07	OUACHITA	HWY. 376-BEARDEN (SEL. SECS.) (OVERLAY) (S)	7 & 79	Y
S10702	07	UNION	HWY. 82B & HWY. 167B (EL DORADO) (SEL. SECS.) (OVERLAY) (S)	82B & 167B	Y
S10703	07	COLUMBIA	KELSO ST.-VERDA ST. (MAGNOLIA) (OVERLAY) (S)	82B & 371	Y
S10801	08	MONTGOMERY	HWY. 270-NORTH (OVERLAY) (S)	27	Y
S10802	08	PERRY	HOUSTON-PERRYVILLE (OVERLAY) (S)	60	Y
S10901	09	NEWTON	HWY. 16-MCELROY GAP (OVERLAY) (S)	7	Y
S10902	09	BENTON	I-540-CAVE SPRINGS (OVERLAY) (S)	264	Y
100631	10	MISSISSIPPI	ARKANSAS WELCOME CENTER (BLYTHEVILLE) (S)	55	Y
S11001	10	CRAIGHEAD	BROWNS LANE-STADIUM DR. (JONESBORO) (OVERLAY) (S)	18	Y
S11002	10	MISSISSIPPI	I-55-HWY. 119Y (OSCEOLA) (SEL. SECS.) (OVERLAY) (S)	140	Y
S11003	10	GREENE	HWY. 141-WEST (OVERLAY) (S)	412	Y

2007-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA0345	09	BAXTER	BAXTER COUNTY RESEAL NO. 7 (S)	---	---
SA0749	07	CALHOUN	CO. RD. 24-CO. RD. 37 (BASE) (S)	---	---
SA0842	09	CARROLL	HWY. 187-STARKEY PARK USE AREA (RESEAL) (S)	---	---
SA1142	10	CLAY	HWY. 62-CO. RD. 95 (OVERLAY) (S)	---	---
SA1241	05	CLEBURNE	CO. RD. 244-SOUTH (BASE) (S)	---	---
SA1831	01	CRITTENDEN	CO. RD. 12-HWY. 149 (OVERLAY) (S)	---	---
SA2029	07	DALLAS	OUACHITA CO. LINE-NORTH (SURFACING) (S)	---	---
SA2238	02	DREW	HWY. 425-EAST (SURFACING) (S)	---	---
FA2418	04	FRANKLIN	HWY. 186-EAST (RECONST.) (S)	---	---
SA2443	04	FRANKLIN	HWY. 398-HWY. 23 (SURFACING) (S)	---	---
BR2502	05	FULTON	BENNETTS RIVER STRS. & APPRS. (S)	---	---
SA3039	06	HOT SPRING	SALINE COUNTY LINE-WEST (OVERLAY) (S)	---	---
FA3107	03	HOWARD	CO. RD. 282-WEST (S)	---	---
SA3258	05	INDEPENDENCE	INDEPENDENCE CO. LEVELING AND RESEAL (S)	---	---
SA3535	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 15 (S)	---	---
SA3725	03	LAFAYETTE	CO. RD. 43-HWY. 53 DRAINAGE STRUCTURES (S)	---	---
SA3929	01	LEE	CO. RD. 50-HWY. 1 (BASE & SURFACING) (S)	---	---
FA4105	03	LITTLE RIVER	HANEY CREEK STR. & APPRS. (S)	---	---
SA4336	06	LONOKE	HWY. 381-HWY. 13 BASE & SURFACING NO. 2 (S)	---	---
SA4825	01	MONROE	HWY. 49-WEST (RECONSTRUCTION) (S)	---	---
SA5020	03	NEVADA	PRESCOTT CITY LIMITS-CO. RD. 41 (OVERLAY) (S)	---	---
FA5109	09	NEWTON	BUFFALO RIVER SUPERSTRUCTURE & SURFACING (S)	---	---
SA5334	08	PERRY	HWY. 60-WEST & SOUTH (BASE & SURFACING) (S)	---	---
BR5609	10	POINSETT	DITCH NO. 10 STR. & APPRS. (S)	---	---

2007-085 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA6330	04	SCOTT	SCOTT COUNTY RECONSTRUCTION (SEL. SECS.) (S)	---	---
SA6434	09	SEARCY	HWY. 65-SOUTH (RESEAL) (S)	---	---
SA6542	04	SEBASTIAN	HWY. 252-HWY. 45 (OVERLAY) (S)	---	---
SA6727	05	SHARP	HWY. 230-NORTHEAST (OVERLAY) (S)	---	---
SA7368	05	WHITE	WHITE COUNTY SURFACING NO. 5 (S)	---	---
SA7369	05	WHITE	WHITE COUNTY BASE NO. 4 (S)	---	---
SA7431	01	WOODRUFF	WOODRUFF CO. RESEAL NO. 8 (S)	---	---
SA7432	01	WOODRUFF	HWY. 49-WEST (LEVELING AND RESEAL) (S)	---	---
SA7629	08	CONWAY & PERRY	HWY. 9-CO. RD. 12 (BASE & SURFACING) (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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Commissioner John Ed Regenold moved, Vice Chairman Carl Rosenbuam seconded and the motion passed to find that Union Pacific Railroad blocked public road crossings in West Memphis. Commissioner Madison Murphy and Commissioner Cliff Hoofman would like to go on record as having read the transcript, but abstained from the vote because they were not present at the hearing on this matter on March 27, 2007.

MOTION Commissioner John Ed Regenold moved, Commissioner Cliff Hoofman seconded and the motion passed unanimously to penalize Union Pacific Railroad the maximum of \$500.00 per occurrence for a total of \$2,500.00 for the violations cited in the previous motion.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to sell excess right of way along a portion of I-40 in Pope County, with the exception of those areas needed to preserve designated archaeological sites in the area, and to further encourage staff to work with the FHWA regarding the future preservation of archaeological sites.

MOTION Commissioner Cliff Hoofman moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to authorize the inclusion of a two percent (2%) salary increase for employees in the Fiscal Year 2008 AHTD budget.

MOTION Commissioner Cliff Hoofman moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to authorize merit pay increases of up to 1.5% per AHTD employee pursuant to Act 289 of 2007.

MOTION Commissioner Cliff Hoofman moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to authorize an increase of the annual service recognition payments to AHTD employees of \$300 per qualified employee pursuant to Act 386 of 2007.

MOTION Commissioner Cliff Hoofman moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to approve the Fiscal Year 2007-2008 Departmental Budget as recommended by the Department Staff.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to have the AHTD Staff prepare draft highway construction programs using the AHTD's existing revenue stream plus additional revenues of \$150 million, \$200 million, and \$300 million per year, respectively.

2007-086 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:35 p.m., May 23, 2007.

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 May 23, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 11, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 11, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-087 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 11, 2007.

2007-088 WHEREAS, the Purchasing Committee has awarded purchases on May 31, 2007, and June 18, 2007, in the amounts of \$17,560.00 and \$69,860.00, respectively, totaling \$87,420.00, 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.

2007-089 WHEREAS, a Southeastern Association of State Highway and Transportation Officials (SASHTO) Scholarship has been established to support institutions of higher education in attracting and training students who can contribute to improving transportation systems; and

WHEREAS, the Arkansas State Highway and Transportation Department is a member state of SASHTO, and SASHTO awards scholarship funds to member states.

2007-089 - Continued

NOW THEREFORE, the Director is hereby authorized to notify SASHTO that it is recommended that scholarship funds be provided to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FURTHERMORE, the Director is authorized to enter into an agreement with the study center for the administration of the scholarship funds for research programs deemed beneficial to the Department.

2007-090

WHEREAS, the collection of accurate traffic information is necessary for planning, designing, and maintaining highways; and

WHEREAS, the Department entered into contracts to provide necessary traffic volume counts since 2002 and to provide classification counts and turning movement counts since 2003; and

WHEREAS, work performed under these contracts, which will expire on December 31, 2007, has proven beneficial by supplementing in-house capabilities, allowing the Department's field personnel to perform other critical tasks.

NOW THEREFORE, the Director is authorized to solicit proposals from qualified firms and enter into contracts to provide necessary traffic volume counts, vehicle classification counts, and turning movement counts for the three calendar years 2008 through 2010.

2007-091

WHEREAS, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU) established a new Highway Safety Improvement Program to provide funds to implement projects to reduce fatal and serious injuries on the roadway system; and

WHEREAS, SAFETEA-LU requires each state to develop and implement a Strategic Highway Safety Plan (SHSP) that involves a comprehensive and collaborative approach to highway safety; and

2007-091 - Continued

WHEREAS, an Arkansas Highway Safety Steering Committee comprised of representatives from the engineering, enforcement, education and emergency medical services sectors was created and charged with the responsibility of developing Arkansas' SHSP; and

WHEREAS, Arkansas' SHSP identifies key safety needs and recommends comprehensive strategies to reduce fatalities and serious injuries on the State's roadway system.

NOW THEREFORE, Arkansas' SHSP is hereby adopted as a planning guide for improving highway safety in the State.

2007-092

WHEREAS, a detailed bridge analysis is conducted on the state highway travel routes of all vehicles seeking an overweight permit whose gross weight is 180,000 pounds or greater; and

WHEREAS, a detailed bridge analysis entails costs to the Arkansas State Highway and Transportation Department - to include, but not limited to - administrative, personnel, hardware, software and other engineering-related costs as may be required; and

WHEREAS, Act 639 of the 2007 Regular Session of the 86th General Assembly mandates that an additional fee, not to exceed five hundred dollars (\$500.00), be charged for an overweight vehicle permit when the vehicle's gross weight is 180,000 pounds or greater.

NOW THEREFORE, the Director is authorized to charge an additional fee of two hundred and fifty dollars (\$250.00), for an overweight vehicle permit when the vehicle's gross weight is 180,000 pounds or greater.

2007-093

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

2007-093 - Continued

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2007-094

WHEREAS, in 1990 the Arkansas Highway Commission enacted Minute Order Number 90-368 for the purpose of establishing an official enforcement policy for tri-axle vehicle maximum weight limits; and

WHEREAS, the policy currently reads as follows: "*The legal maximum weight that can be imposed on the highways in Arkansas by a tri-axle not complying with the Bridge Formula is 50,000 pounds*"; and

WHEREAS, at the time the policy was enacted the maximum weight limit for a steering axle was 12,000 pounds as provided in Act 7 of 1983; and

WHEREAS, Act 640 of 2007 amended the maximum weight limit for a steering axle to the amount of the manufacturer's Axle Weight Rating for the front or steering axle or 20,000 pounds whichever is less – or– 12,000 pounds if the vehicle has no plate attached by the manufacturer providing the axle and gross weight ratings.

NOW THEREFORE, the Director is ordered to institute an official enforcement policy that allows a maximum gross weight of 50,000 pounds for a tri-axle vehicle and allows a maximum gross weight on the front or steering axle consistent with the provisions of Act 640 of 2007.

2007-095

WHEREAS, IN CHICOT COUNTY, near Lake Village, Job 020235 removed the weigh station on Highway 65, Section 21 and created a new intersection that rerouted traffic at the junction of Highway 65, Section 21 and Highway 82, Section 11; and

2007-095 - Continued

WHEREAS, a portion of Highway 65, Section 21 was converted to a one-way segment of roadway that allows an unrestricted right turn for southbound Highway 65 traffic; and

WHEREAS, Highway 82, Section 11Y was converted to a one-way segment of roadway that allows an unrestricted turn from Highway 65 northbound to Highway 82 eastbound; and

WHEREAS, the “Y” designation is no longer an accurate description of the one-way segment of roadway.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- Highway 82, Section 11Y, and a portion of Highway 65, Section 21 are hereby absorbed into the intersection of Highway 65 and Highway 82.
- The new portion of roadway, from the south end of Highway 82, Section 11Y to Highway 82, Section 11 is hereby designated as a portion of Highway 65, Section 21.
- The portion of Highway 82, Section 11 from Highway 65, Section 21 to the new portion of roadway is hereby redesignated as a portion of Highway 65, Section 21.

2007-096

WHEREAS, IN PHILLIPS COUNTY, Minute Order 80-225 removed the portion of Highway 44, Section 2 from the Arkansas County Line to Crumrod from the State Highway System; and

WHEREAS, Highway 44 north of Crumrod and Highway 85 south of Crumrod now form a continuous north-south route from Helena-West Helena in Phillips County to Snow Lake in Desha County; and

2007-096 - Continued

WHEREAS, the redesignation of Highway 85 from Crumrod to Snow Lake as Highway 44 would benefit the public by providing a continuously signed route along Highway 44 from Helena-West Helena to Snow Lake.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- Highway 85, Section 2 and Highway 44, Section 2 are hereby redesignated as part of Highway 44, Section 3.
- Highway 85, Section 3 is hereby redesignated as Highway 44, Section 2.

2007-097

WHEREAS, IN HEMPSTEAD COUNTY, the Institutional Drive System at the University of Arkansas Community College at Hope was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.36 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 890, Section 2.

2007-098

WHEREAS, IN VAN BUREN COUNTY, Highway 882, Section 1 was added to the State Highway System in 1952 to provide public access to the vocational school in the City of Clinton; and

WHEREAS, the vocational school is now closed.

2007-098 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 882, Section 1, is hereby removed from the State Highway System as shown on the attached sketch.

2007-099

WHEREAS, IN WHITE COUNTY, Job 050096, Pecan St. Interchange (Beebe) (S), is complete and the interchange is open to traffic; and

WHEREAS, the job reconstructed Pecan Street in the interchange area; and

WHEREAS, the City of Beebe agrees to secure the additional right of way needed for the future widening of Pecan Street and adjust utilities as necessary at no cost to the Arkansas State Highway and Transportation Department; and

WHEREAS, the City of Beebe has passed Ordinance 2007-04 to accept all responsibility for maintenance of the access road beginning at Campbell Drive and continuing to the junction of Evans Lane.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The City of Beebe will take over the maintenance of the access road along Highway 67 from Campbell Drive to Evans Lane.
- The reconstructed portion of Pecan Street through the interchange and the existing city street portion of Pecan Street to the junction of Highway 367 are hereby added to the State Highway System as Highway 367, Section 15 Spur.

2007-100

WHEREAS, IN BRADLEY COUNTY, expansion and growth at the Arkansas Human Development Center in Warren have resulted in the construction of an additional segment of roadway; and

WHEREAS, the segment meets all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961; and

WHEREAS, the changes at the Center have also resulted in the need to delete a drive from the State Maintenance System.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling 0.69 mile, as shown on the attached sketch, are hereby to be maintained as Highway 840, Section 1.

2007-101

WHEREAS, IN CLARK COUNTY, on the campus of Henderson State University, a change has been made to one of the drives on the Institutional Drive System; and

WHEREAS, that drive is no longer maintained by the Department.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling 1.31 miles, as shown on the attached sketch, are hereby to be maintained as Highway 874, Section 1.

2007-102

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossings for safety purposes.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2007-102 - Continued

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Mississippi	Luxora	Hwy. 158/Main St.	BNSF	Install Flashing Lights with Gates
Mississippi	Luxora	Hwy. 158/Calhoun Ave.	BNSF	Install Flashing Lights with Gates

2007-103

WHEREAS, the existing Fire Alarm/Emergency Warning System in the Central Office Complex is approximately 13 years old and components to repair the system are no longer available; and

WHEREAS, replacement of the existing system instead of adding new components to old components should provide for a longer system life and improved functionality.

NOW THEREFORE, the Director is authorized to proceed with the acquisition and installation of a replacement Fire Alarm/Emergency Warning System and all necessary equipment.

Work to be done by contract forces as a Building Project.

2007-104

WHEREAS, the existing District 4 Headquarters facility in Fort Smith is inadequate and obsolete; and

WHEREAS, relocation of the District 4 Headquarters facility has been a priority concern of the Department for a considerable period of time; and

WHEREAS, suitable property, near the intersection of State Highway 22 and U. S. Highway 71 upon its relocation, for a new District 4 Headquarters facility was made available to the Commission, at no cost, by the Fort Chaffee Redevelopment Authority (FCRA), the agency authorized to administer that portion of Fort Chaffee Military Reservation property being released by the Department of the Army for redevelopment; and

WHEREAS, by Minute Order 2002-214, the Arkansas State Highway Commission accepted the terms and conditions of the Quitclaim Deed for conveyance of the property, specifically, that construction on the property would begin within five years for the relocation of the District Four Headquarters Complex.

NOW THEREFORE, the Director is authorized to proceed with a project for the design and construction of a District Four Headquarters Complex, including Resident Engineer Office, Area Maintenance Headquarters, Highway Police District Commander's Office, other associated buildings, appurtenances, fencing, landscaping, and other related items.

Work to be done by contract as a Building Project, with some preliminary site preparation work to be done by state forces.

2007-105

WHEREAS, the Arkansas State Highway Commission received bids on the following project at the June 13, 2007 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
001786	5 & 10	JACKSON & CRAIGHEAD	HWY. 37-HWY. 226 (BS. & SURF.) (F)	67 & 226	Y

and

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 11, 2007 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110501	01	CRITTENDEN	HWY. 70/CLEMENT RD. SIGNAL (WEST MEMPHIS) (S)	70	Y
S10103	01	WOODRUFF	HWY. 306-NORTH (OVERLAY) (S)	49	Y
S10104	01	PHILLIPS	HWY. 242-BISCOE ST. (OVERLAY) (S)	49B	Y
S10105	01	LEE	NO. MARIANNA-HWY. 121 (S)	1	Y
020352	02	JEFFERSON	I-530/I-69 CONNECTOR INTERCHANGE (GR. & STRS.) (F)	530	Y
S10202	02	DESHA	HWY. 159-CANAL NO. 43 (OVERLAY) (S)	4	N
S10203	02	ASHLEY	HAMBURG-NORTH (OVERLAY) (S)	425	Y

2007-105 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
R30011	03	NEVADA	HWY. 24-NORTH (S)	53	Y
030078	03	HEMPSTEAD	AVE. "A"-I-30 EB RAMPS (HOPE) (S)	278 & 278B	Y
S10303	03	PIKE	GLENWOOD-EAST & WEST (OVERLAY) (S)	70	Y
S10403	04	FRANKLIN	GAR CREEK-EAST (OVERLAY) (S)	64	Y
S10404	04	SEBASTIAN	HWY. 10S-NORTH (OVERLAY) (S)	71	Y
050162	05	WHITE	SEARCY CITY LIMITS-NORTH (S)	16	Y
S10503	05	IZARD	HWY. 5-HWY. 223 (OVERLAY) (S)	56	Y
S10504	05	WHITE	HWY. 67C-EAST (SEARCY) (OVERLAY) (S)	36	Y
S10505	05	SHARP	LAWRENCE CO. LINE-WEST (OVERLAY) (S)	230	N
S10506	05	INDEPENDENCE	HWY. 69-NORTH (NEWARK) (OVERLAY) (S)	122	N
060878	06	LONOKE	U.P. RAILROAD OVERPASS (CABOT) (S)	- - -	-
S10604	06	PRAIRIE	HWY. 70-HWY. 86 WEST (SEL. SECS.) (OVERLAY) (S)	63	Y
S10605	06	PULASKI	ROOSEVELT RD.-SWEET HOME (OVERLAY) (S)	365	Y
070268	07	CALHOUN	OUACHITA RIVER-BANGS SLOUGH (S)	167	Y
S10704	07	VARIOUS	HWY. 79B-HWY. 97 (OVERLAY) (S)	8	Y
080281	08	MONTGOMERY	CADDO RIVER STREAM BANK RESTORATION (S)	8	Y
080296	08	FAULKNER	I-40/HWY. 25 & HWY. 64 INTCHNG. (BS. & SURF.) (F)	40, 25 & 64	Y
080306	08	FAULKNER	S. CHURCH RD.-HWY. 64 EAST (GR. & STRS.) (VILONIA BYPASS) (S)	64	Y
S10803	08	CONWAY	MORRILTON-NORTH (OVERLAY) (S)	9	Y
S10804	08	POPE	U.P.R.R. OVERPASS-HWY. 7 (RUSSELLVILLE) (OVERLAY) (S)	64	Y
090003	09	BOONE	BURLINGTON-BEAR CREEK SPRINGS (BS. & SURF.) (F)	65	Y
S10903	09	BENTON	DECATUR-GENTRY (OVERLAY) (S)	59	Y
S10904	09	CARROLL	GREEN FOREST-EAST & WEST (SEL. SECS.) (OVERLAY) (S)	62	Y

2007-105 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
100626	10	CRAIGHEAD	HWY. 18 SIGNALS (HWY. 63 FR. RD. & NESTLE RD.) (JONESBORO) (S)	18 & 63	Y
S11004	10	POINSETT	WEONA-PAYNEWAY (OVERLAY) (S)	14	Y
S11005	10	CRAIGHEAD	POINSETT CO. LINE-CARAWAY (OVERLAY) (S)	135	Y
001827	VAR	VARIOUS	I-40 SIGNING (OKLAHOMA STATE LN.-N.L.R.) (F)	40	Y
FA0107	02	ARKANSAS	CO. RD. 43-NORTH (RECONST.) (S)	---	-
SA0132	02	ARKANSAS	CO. RDS. 12 & 151 (OVERLAY) (S)	---	-
SA0237	02	ASHLEY	CO. RD. 461-HWY. 133 (OVERLAY) (S)	---	-
SA0436	09	BENTON	HWY. 59-EAST (SURFACING) (S)	---	-
SA0546	09	BOONE	BOONE COUNTY SURFACING NO. 5 (SEL. SECS.) (S)	---	-
SA0935	02	CHICOT	HWY. 65-SOUTHWEST (BASE & SURFACING) (S)	---	-
SA1242	05	CLEBURNE	CO. RD. 244-SOUTH (SURFACING) (S)	---	-
SA1346	07	CLEVELAND	CLEVELAND COUNTY OVERLAY NO. 5 (S)	---	-
SA1435	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 13 (S)	---	-
BR1907	01	CROSS	PRAIRIE CREEK STR. & APPRS. NO. 2 (S)	---	-
SA1930	01	CROSS	HWY. 1C-HWY. 364 (BASE & SURFACING) (S)	---	-
SA2239	02	DREW	CO. RD. 36-WEST (SURFACING) (S)	---	-
SA2657	06	GARLAND	GARLAND COUNTY OVERLAY NO. 10 (S)	---	-
SA3535	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 15 (S)	---	-
SA4036	02	LINCOLN	HWY. 11-WEST (RECONST. & RESEAL) (S)	---	-
SA4265	04	LOGAN	CO. RD. 6 NORTH & SOUTH (BASE & SURFACING) (S)	---	-
SA4266	04	LOGAN	HWY. 309-SUBIACO CITY LIMITS (RECONSTRUCTION) (S)	---	-
SA4427	09	MADISON	MADISON COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA4538	09	MARION	MARION COUNTY RESEAL NO. 7 (S)	---	-

2007-105 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA4734	10	MISSISSIPPI	MISSISSIPPI CO. INTERSECTION IMPVTS. AND OVERLAY (S)	---	-
BR4905	08	MONTGOMERY	SO. FORK CADDO RIVER STR. & APPRS. NO. 2 (S)	---	-
SA5333	08	PERRY	HWY. 113-EAST (BASE & SURFACING) (S)	---	-
SA5440	01	PHILLIPS	HWY. 49-NORTH (OVERLAY) (S)	---	-
SA5541	03	PIKE	HWY. 195-HWY. 301 (SURFACING) (S)	---	-
SA6331	04	SCOTT	HWY. 378-HWY. 71 RESEAL (S)	---	-
SA6635	03	SEVIER	SEVIER COUNTY RESEAL NO. 13 (S)	---	-
SA7033	07	UNION	CO. RD. 4-SOUTH (SURFACING) (S)	---	-
FA7116	08	VAN BUREN	SCOTLAND-LITTLE RED RIVER PHASE 1 (RECONSTRUCTION) (S)	---	-
SA7274	04	WASHINGTON	CO. RD. 83-WEST & SOUTH (OVERLAY) (S)	---	-
SA7370	05	WHITE	INDEPENDENCE CO. LINE-SOUTH (SURFACING) (S)	---	-

and

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

2007-105 - Continued

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. Further, 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.

MOTION

Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to authorize the staff to advertise for an auction service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted near the end of October 2007, and the subsequent secondary sale(s) to be conducted as necessary on dates mutually agreed to by the selected auction service and the Department.

2007-106

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:50 p.m., July 11, 2007.

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 July 11, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 15, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 15, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member

2007-107 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 15, 2007.

2007-108 WHEREAS, the Purchasing Committee has awarded purchases on July 20, 2007, and August 6, 2007, in the amounts of \$142,301.65 and \$103,146.00, respectively, totaling \$245,447.65, 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.

2007-109 WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

2007-109 - Continued

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2008.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for annual fees for the fiscal year 2008 in the amount of \$6,000.00.

2007-110

WHEREAS, it is necessary for the Department to provide timely engineering surveys for the design and construction of highways and land surveys necessary for the purchase of highway rights of way; and

WHEREAS, in accordance with Minute Order 98-009 passed on January 7, 1998, the Department entered into contracts to conduct on-call surveying services; and

WHEREAS, work performed under these on-call services contracts has been an effective method of producing timely surveying services and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to employ consultant engineering firms and land surveying firms qualified to perform these surveys, as well as to perform photogrammetric services and land title abstract services, as needs are identified for Fiscal Years 2008 through 2010.

2007-111

WHEREAS, the Safe Routes To School (SRTS) Program was created by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005; and

WHEREAS, Federal-aid SRTS Program funding has been provided for Federal Fiscal Years 2005, 2006 and 2007; and

2007-111 - Continued

WHEREAS, Minute Order 2006-052 authorized the solicitation of applications for the SRTS Program in Arkansas; and

WHEREAS, the Department and the Arkansas Safe Routes To School Advisory Committee have reviewed the applications submitted and developed funding recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the sponsors of the recommended projects for the implementation of the projects included in the attached list.

2007-112

WHEREAS, Act 1054 of the Regular Session of the State of Arkansas, 86th General Assembly, 2007, amended Arkansas Code §27-65-107(a) concerning the travel of vehicles with more than two (2) axles in the State of Arkansas; and

WHEREAS, this Act restricts certain trucks on freeways with six (6) or more lanes from traveling in the farthest left lane of the highways and addresses the posting of appropriate signs compliant with the Manual on Uniform Traffic Control Devices and specifications adopted pursuant to Arkansas Code §27-52-104; and

WHEREAS, the Department has identified Interstate 30 from Sevier Street in Benton to Interstate 440 in Little Rock, Interstate 440, and Highway 440 as six (6) lane freeways with a large number of trucks.

NOW THEREFORE, the Director is authorized to erect signs restricting trucks on these freeways from traveling in the farthest left lanes.

2007-113

WHEREAS, in addition to signs installed on state highways by the Department, there are signs which are sometimes installed by cities, counties, and other State and Federal agencies particular to their operations.

NOW THEREFORE, such signing must comply with the following:

Signs installed on AHTD City Limit or County Line Sign Assembly:

- Special designed city limit signs meeting department criteria may be attached to AHTD city limit sign assembly by the City in lieu of standard department city limit signs
- Signs must provide information or recognition specific to the City or County; advertising is prohibited
- Signs advising of prohibited activity must have a City Ordinance or County Resolution in force prohibiting the specific activity
- Signs cannot be of any type or size which is specifically not allowed by the Department
- This policy does not apply to the interstate or other controlled access freeways

Signs installed on independent sign assembly:

- Signs must be specific to the program of the government agency installing the sign; advertising is prohibited
- Signs cannot be of any type or size which is specifically not allowed by the Department
- This policy does not apply to the interstate or other controlled access freeways

2007-114

WHEREAS, Arkansas Highway and Transportation Department (AHTD) employees frequently conduct work on shoulders and travel lanes of state highways; and

WHEREAS, the risks of such work are reduced when passing motorists move to travel lanes as far as safely possible from such workers and their vehicles; and

2007-114 - Continued

WHEREAS, the Arkansas State Highway Commission is vested with authority pursuant to Ark. Code Ann. §27-65-107 to adopt reasonable rules and regulations from time to time for the protection of, and covering, traffic on and in the use of the state highway system; and

WHEREAS, such rules and regulations, pursuant to Ark. Code Ann. §27-65-107, shall have the full force and effect of the law.

NOW THEREFORE, the Arkansas State Highway Commission does hereby order that when an AHTD vehicle is in a travel lane or on the shoulder of a multi-lane state highway and is displaying a flashing or revolving amber light, an approaching motor vehicle operator shall move to a travel lane as far as safely possible from the AHTD vehicle and shall remain in that lane until past the AHTD vehicle.

If changing lanes is not possible or is determined to be unsafe, an approaching motor vehicle operator shall reduce the motor vehicle's speed, proceed with caution, and maintain a reduced speed, appropriate to the road and conditions, until past the AHTD vehicle.

FURTHERMORE, this Minute Order, upon its issuance shall be published, distributed, and posted as provided by Ark. Code Ann. §27-65-107(b)(2).

2007-115

WHEREAS, the Department routing of oversize and overweight vehicles by permit is essential to the safety of the motoring public and to preserving the structural integrity of state bridges and highways; and

WHEREAS, pursuant to Arkansas Highway Commission policy, the Department currently issues a Thirty-Day Permit valid for unlimited statewide travel for petroleum and natural gas field related equipment vehicles; and

WHEREAS, it is deemed to be impractical and beyond the capacity of the Department to evaluate all statewide routes and bridges for structural sufficiency for each Thirty-Day Permit; and

WHEREAS, other permit options currently exist for petroleum and natural gas field related equipment vehicles that would allow for travel and provide an evaluation of routes and bridges for each permit.

NOW THEREFORE, the Arkansas Highway Commission hereby repeals the provisions for a Thirty-Day Permit for petroleum and natural gas field related equipment vehicles as currently contained in the "*Permit Regulations for the Movement of Oversize and Overweight Vehicles.*"

2007-116

WHEREAS, the City of Morrilton has requested an Airspace Permit to use certain highway right of way and other lands located in Conway County, Arkansas, and owned by the Commission, to construct and maintain a planned city park; and

WHEREAS, the lands and right of way to be subject to the Airspace Permit are more particularly described as follows:

Part of the Southeast Quarter of the Southwest Quarter of Section 29, Township 6 North, Range 16 West, Conway County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Center South sixteenth corner Section 29; thence North 88° 35' 01" West along the North line of the Southeast Quarter of the Southwest Quarter of Section 29 a distance of 264.0 feet to a point on the Northwesternly right of way line of State Highway 9 as established by AHTD Job 8595; thence South 01° 25' West along said right of way line a distance of 50.0 feet to a point; thence South 53° 20' East along said right of way line a distance of 86.3 feet to a point; thence South 7° 33' West along said right of way line a distance of 323.0 feet to a point; thence South 28° 12' West along said right of way line a distance of 279.6 feet to a point; thence South 52° 27' West along said right of way line a distance of 277.3 feet to a point; thence South 57° 06' West along said right of way line a distance of 223.0 feet to a point on the west line of the Arkansas Highway Department property acquired by the Conway County Bridge District and recorded Deed record Book 30, page 292, dated March 6, 1920 for the point of beginning; thence North 14° 23' 42" W along said line a distance of 470.07 feet to a point on the North line

of the Arkansas Highway Department property acquired by the Conway County Bridge District and recorded Deed record Book 30, page 292, dated March 6, 1920; thence South 77° 28' 42" West along said North line a distance of 74.00 feet to a point on the East line of the Arkansas Highway Department property acquired by the Conway County Bridge District and recorded Deed record Book 30, page 292, dated March 6, 1920; thence South 03° 52' 54" West along said East line a distance of 430.00 feet to a point; thence South 21° 14' 54" West along said East line a distance of 229.70 feet to a point; thence South 17° 41' 24" East along said East line a distance of 16.48 feet to a point on the Northerly right of way line State Highway 9 as established by AHTD Job 8595; thence North 64° 26' 19" East along said right of way line a distance of 45.40 feet to a point; thence continue North 64° 26' 19" East a distance of 33.00 feet to a point; thence North 38° 43' 43" East a distance of 89.90 feet to a point; thence North 67° 21' 14" East a distance of 108.14 feet to a point; thence North 43° 18' 02" East a distance of 101.59 feet to the POINT OF BEGINNING and containing 2.14 acres, or 93,299 square feet more or less as shown on plans prepared by the AHTD referenced as Job 8595.

GA 6/05/07

WHEREAS, the District Engineer for District 8 has determined that the proposed use will not interfere with the use of the property for highway purposes; and

WHEREAS, a Temporary Airspace Permit has been prepared in accordance with state and federal laws governing real property management, including inter alia, Section 4(f) of the Department of Transportation Act of 1966.

NOW THEREFORE, the Director is authorized to execute a Temporary Airspace Permit authorizing the City of Morrilton to use the above-described property for construction and maintenance of a proposed city park.

WHEREAS, the Commission acquired right of way for Job No. 9220, more commonly known as the Goshen-Hindsville Road Route 45, Section 6, Madison County, Arkansas, by County Court Order dated June 1, 1950, which is recorded in the County Court Records of Madison County, Arkansas; and

WHEREAS, the District Engineer for District 9 has determined that an area inside the existing right of way is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that the area of right of way be abandoned and the right of way boundaries, if necessary, be remonumented to reflect the new right of way limits; the area of right of way to be abandoned are more particularly described below:

From designated Centerline Station 983+92.37 to Station 983+98.65 of the originally executed Court Order for Job 9220, dated June 1, 1950, and being recorded in County Court Records of Madison County, Arkansas, in County Court Record Book "P" page 590, inclusive, of said records shall hereby be revised as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
983+92.37	983+98.65	6.28'	42.50'	50'	92.50'

NOTE: In all other respects the original Court Order shall remain as is.

JHK 6/26/07

NOW THEREFORE, the above-described right of way is hereby released to Madison County; the Chairman of the Commission is authorized and directed to record a copy of this Minute Order with the Recorder of Madison County; and, the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release of the above-designated tract.

WHEREAS, the Commission acquired in fee property known as Tract No. 320R from Robert Whitehead and Margie Whitehead, his wife, for Job No. 3604-3, Miller County, Arkansas, by Warranty Deed dated January 4, 1992, and filed for record on March 10, 1993, in Deed Record Book D-351, page 170 of the deed records of Miller County, Arkansas; and

WHEREAS, Guy Sanders has asked to repurchase Tract No. 320R; Robert Whitehead and Margie Whitehead have assigned their right to reacquire Tract No. 320R to Guy Sanders, and the District Engineer for District 3 has determined that Tract No. 320R is not now, nor in the foreseeable future will be, needed for highway purposes; said tract being more particularly described as follows:

A part of the Northeast Quarter of the Northwest Quarter of Section 4, Township 16 South, Range 28 West, Miller County, Arkansas, more particularly described as follows:

Beginning at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 4; thence South $88^{\circ} 46' 29''$ West along the North line thereof a distance of 311.04 feet to a point on the proposed Northwesterly right of way line of proposed U. S. Highway 245; thence South $33' 32' 48''$ West along said proposed right of way line a distance of 60.57 feet to a point; thence South $33' 55' 31''$ West along said proposed right of way line a distance of 513.79 feet to a point on the West line of said Northeast Quarter of the Northwest Quarter of Section 4; thence North $01^{\circ} 05' 50''$ East along said West line a distance of 483.54 feet to the point of beginning and containing 1.73 acres more or less.

WHEREAS, Tract No. 320R was acquired by the Commission for ONE THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$1,150.00).

NOW THEREFORE, Tract No. 320R is declared surplus; upon receipt of the consideration of ONE THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$1,150.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 320R to Guy Sanders; a copy of the Deed and this Minute Order shall be recorded in Miller County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired in fee property known as Tract No. 2 from Walter W. Bateman and wife, Marg E. Bateman and Walter W. Bateman and E. M. Griffith, Trustees for Rheta Griffith, for Job No. 11542, F-018-1 (4), Brinkley-Jct. U. S. Highway 79, Route 20 Section 1 (currently Route 49, Section 9), Monroe County, Arkansas, by Warranty Deed dated September 14, 1961, filed for record in Deed Record Book 61, page 648, in Circuit Clerk's Office of Monroe County, Arkansas; and

WHEREAS, W. W. Bateman Farms, an Arkansas Partnership, whose partners are all of the heirs at law of the Grantors in the above described Warranty Deed, has asked to repurchase a portion of Tract No. 2, which the District Engineer for District 1 has determined is no longer needed for highway purposes, said portion of Tract No. 2 being more particularly described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 18, Township 1 North, Range 1 West, Monroe County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 18; thence North 88°48' East along the South line thereof a distance of 219.02 feet to a point on the Easterly proposed right of way line of U. S. Highway 49 as established by AHTD Job 11542 for the POINT OF BEGINNING; thence continue South 88°47' West along the South line of the Southwest Quarter of the Northeast Quarter of Section 18, also being the Easterly proposed right of way line of U. S. Highway 49 a distance of 377.54 feet to a point; thence North 38°20' West along said proposed right of way line a distance of 140.05 feet to a point; thence in a Northwesterly direction along said right of way line on a curve to the right having a radius of 1,824.86 feet a distance of 552.32 feet having a chord bearing of North 29°39'45" West a distance of 550.22 feet to a point; thence North 20°59'30" West along said right of way line a distance of 338.57 feet to a point on the Easterly existing right of way line of U. S. Highway 49 as established by AHTD Job 11542; thence South 35°28'30" East along said right of way line a distance of 312.12 feet to a point; thence South 44°08' East along said right of way line a distance of 772.1 feet to a point; thence South 89°57' East along said right of way line a distance of 205.02 feet to a point on the Easterly proposed right of way line of U. S. Highway 49 as established by AHTD Job 11542; thence South 37°00' West along said right of way a distance of 109.68 feet to the POINT OF BEGINNING and containing 3.98 acres, or 173,346 square feet more or less as shown on plans prepared by the AHTD referenced as Job 11542.

GA/ga 10/06/05

WHEREAS, Tract No. 2 was acquired by the Commission for NINE THOUSAND AND NO/100 DOLLARS (9,000.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. §27-67-322, opined that the current fair market value of that portion of Tract No. 2 being offered for sale is TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00).

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to W. W. Bateman Farms; the deed and a copy of this Minute Order shall be recorded in Monroe County, Arkansas, and if necessary, the right of way shall be remonumented. Federal-aid funds, if any, from this disposal shall be credited to Federal Funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired a Permanent Easement over and across property known as Tract No. 1E from Sue Boone Robbins and Leonard D. Robbins, for Job No. B60108, Alcoa Road Interchange, Route I-30 Section 22, Saline County on April 1, 2001, by Warranty Deed filed for record in the Circuit Clerk's Office of Saline County, Arkansas, in Deed Record Book 01 at page 20779 on April 10, 2001; and

WHEREAS, the Commission acquired a Permanent Easement over and across property known as Tract No. 2E from Danny F. Lyons, for Job No. B60108, Alcoa Road Interchange, Route I-30 Section 22, Saline County, by condemnation resulting in a Consent Judgment filed of record on April 11, 2002, in the Circuit Clerk's Office of Saline County, Arkansas, in *Arkansas State Highway Commission vs. Danny F. Lyons and Summit Bank, Mortgagee, Saline County Circuit No. CIV 2001-198-2*; and

WHEREAS, the Commission in Minute Order No. 2005-132 dated September 28, 2005, agreed to release and abandon the Permanent Easements (Tract Nos. 1E and 2E) upon the condition that the City of

Bryant, at its sole expense, provide the right of way to relocate and reconstruct Mt. Carmel Road and its connection to the Interstate 30/Alcoa Road Interchange; and

WHEREAS, the City of Bryant has completed the road relocation as provided in Minute Order No. 2005-132; and

WHEREAS, the District Engineer for District 6 has determined that neither Tract No. 1E nor Tract No. 2E is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that these Permanent Easements be abandoned and relinquished to the former owners; and

WHEREAS, the Permanent Easements (Tract No. 1E and Tract No. 2E) to be abandoned are more particularly described below:

Tract No. 1E

Part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 1 South, Range 14 West, Saline County, Arkansas, more particularly described as follows:

Starting at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 29; thence North $02^{\circ} 27' 28''$ East along the West line thereof a distance of 58.34 feet to a point on the Southeasterly existing right of way line of Alcoa Road; thence South $87^{\circ} 32' 32''$ East along said existing right of way line a distance of 40.00 feet to a point; thence North $02^{\circ} 27' 28''$ East along said existing right of way line a distance of 471.45 feet to the point of beginning; thence continue North $02^{\circ} 27' 28''$ east along said existing right of way line a distance of 23.81 feet to a point; thence North $76^{\circ} 34' 23''$ East a distance of 168.88 feet to a point; thence South $09^{\circ} 49' 59''$ West a distance of 18.88 feet to a point; thence South $74^{\circ} 40' 49''$ West a distance of 168.03 feet to the point of beginning and containing 0.08 acre or 3,369 square feet more or less.

GA/II 2/26/01

Tract No. 2E

Part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 1 South, Range 14 West, Saline County, Arkansas, more particularly described as follows:

2007-120 - Continued

Starting at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 29; thence North 02° 27' 28" East along the West line thereof a distance of 58.34 feet to a point on the Southeasterly existing right of way line of Alcoa Road; thence South 87° 32' 32" East along said existing right of way line a distance of 40.00 feet to a point; thence North 02° 27' 28" East along said existing right of way line a distance of 517.26 feet to the point of beginning; thence continue North 02° 27' 28" East along said existing right of way line a distance of 46.47 feet to a point; thence North 73° 17' 43" East a distance of 153.44 feet to a point; thence South 20° 26' 28" East a distance of 51.33 feet to a point; thence South 75° 43' 56" West a distance of 172.20 feet to the point of beginning and containing 0.18 acre or 7,761 square feet more or less.

GA/II Rev(dh) 04/05/01

NOW THEREFORE, the above-described Permanent Easements (Tract No. 1E and Tract No. 2E) are hereby abandoned and released in accordance with the terms and conditions of Minute Order No. 2005-132 dated September 28, 2005; a copy of this Minute Order shall be recorded in Saline County, Arkansas, and if necessary, the right of way shall be remonumented.

2007-121

WHEREAS, IN HEMPSTEAD COUNTY, a change has been made to one of the drives on the Institutional Drive System maintained by the Department at the University of Arkansas Experiment Station; and

WHEREAS, the District Three office states they no longer maintain the altered drive.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling 0.50 mile, as shown on the attached sketch, are hereby to be maintained as Highway 814, Section 1.

2007-122

WHEREAS, IN COLUMBIA COUNTY, expansion and growth on the campus of Southern Arkansas University have led the University to remove and reconfigure several drives on the Institutional Drive System maintained by the Department; and

2007-122 - Continued

WHEREAS, the District Seven office states they no longer maintain these drives.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling 2.05 miles, as shown on the attached sketch, are hereby to be maintained as Highway 875, Section 1.

2007-123

WHEREAS, IN MISSISSIPPI COUNTY, Minute Order 2005-136 authorized a study to determine the need for and feasibility of an east-west connection, including an overpass of the BNSF Railway main line, for Highway 18 in Blytheville; and

WHEREAS, the Highway 18 Improvements and Railroad Grade Separation Feasibility Study has been completed and has identified feasible alternatives that would improve access and traffic operations and enhance safety by providing an overpass of the BNSF Railway main line.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2007-124

WHEREAS, the Federal Railroad Administration (FRA) and the Federal Highway Administration (FHWA) have approved an 1103(f) grant for a railroad safety project in the South Central High Speed Rail Corridor from Little Rock to the Texas State Line; and

WHEREAS, the below listed railroad crossing was selected by the FRA and the FHWA for the 1103(f) grant funding.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.

2007-124 - Continued

2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Clark	Gurdon	Miller Street	Union Pacific	Install Flashing Signals w/Gates

2007-125

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 15, 2007 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10105	01	LEE	NO. MARIANNA-HWY. 121 (S)	1	Y
030285	03	HOWARD	HWY. 369-EAST (S)	26	N
030341	03	MILLER	HIGHWAY 245/82/19th STREET INTERCHANGE (TEXARKANA) (F)	245	Y
050162	05	WHITE	SEARCY CITY LIMITS-NORTH (S)	16	Y
061205	06	PULASKI	POPLAR ST.-CORNISH ST. (NLR) (S)	70	Y
070268	07	CALHOUN	OUACHITA RIVER-BANGS SLOUGH (S)	167	Y
S10706	07	CLARK	HWY. 51-WEST (OVERLAY) (S)	8	Y
SA0641	07	BRADLEY	BRADLEY CO. SURFACING & RESEAL NO. 6 (S)	---	-
SA0642	07	BRADLEY	HWY. 8-SOUTH (OVERLAY) (S)	---	-
SA1761	04	CRAWFORD	CRAWFORD CO. SURFACING (SEL. SECS.) (S)	---	-
SA2854	10	GREENE	GREENE CO. SURFACING NO. 10 (SEL. SECS.) (S)	---	-
SA3040	06	HOT SPRING	MALVERN CITY LIMITS-EAST (OVERLAY) (S)	---	-
SA3131	03	HOWARD	HWY. 355-SOUTHEAST (SURFACING) (S)	---	-
SA3337	05	IZARD	IZARD COUNTY SURFACING NO. 13 (S)	---	-
SA3843	10	LAWRENCE	HEARD RD.-RAILROAD (OVERLAY) (S)	---	-

2007-125 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA4539	09	MARION	CO. RD. 31-CO. RD. 233 (OVERLAY) (S)	---	-
SA4735	10	MISSISSIPPI	HWY. 61-HWY. 158 INTERSECTION IMPVTS. & OVERLAY (S)	---	-
SA4736	10	MISSISSIPPI	HWY. 239-WEST (OVERLAY) (S)	---	-
SA5849	08	POPE	CO. RD. 12 (SEL. SEC.) (OVERLAY) (S)	---	-
SA7275	04	WASHINGTON	HWY. 265-NORTH (OVERLAY) (S)	---	-
FA7515	08	YELL	KINGSTON-HWY. 28 (PHASE 1) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner John Ed Regenold moved, Vice Chairman Carl Rosenbaum seconded and the motion passed 4-0 to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on October 30, 2007.

2007-126

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., August 15, 2007.

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 August 15, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 19, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 19, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-127 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., September 19, 2007.

2007-128 WHEREAS, the Purchasing Committee has awarded purchases on August 16, 2007, and September 4, 2007, in the amounts of \$57,590.00 and \$98,588.00, respectively, totaling \$156,178.00, 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.

2007-129 WHEREAS, the Department continues to need high quality, high volume printed materials from digital files; and

WHEREAS, two of the Department's existing high speed printers, the Xerox N-135 DocuTech printer and the Xerox DocuCenter 490, and their associated computer processors have reached the end of their useful lives, are obsolete, and need replacement; and

WHEREAS, newer model digital printers can reduce monthly maintenance and overage per copy costs, and a single high-speed printer would be a more efficient use of Department resources.

2007-129 - Continued

NOW THEREFORE, the Director is authorized to purchase a suitable digital printer which is compatible with existing Department printing equipment as a replacement for the Xerox DocuTech and DocuCenter printers listed above.

2007-130 WHEREAS, community leaders in Lawrence and Randolph Counties recognize the importance of a coordinated, efficient and cost-effective freight transportation system; and

WHEREAS, the local officials in these two counties have requested that the Department provide technical assistance in the development of their transportation and freight assets.

NOW THEREFORE, the Director is authorized to provide technical assistance to determine the potential for intermodal transportation in Lawrence and Randolph Counties.

2007-131 WHEREAS, IN WASHINGTON COUNTY, in the City of Fayetteville, local officials have requested a study to determine the appropriate cross section for improvements to Highway 112 along Razorback Road and Maple Street between Highway 180 (Sixth Street) and Garland Avenue; and

WHEREAS, this study will require consultation with officials from the City of Fayetteville and the University of Arkansas due to the impacts on traffic operations in the area.

NOW THEREFORE, the Director is authorized to conduct a study to determine the appropriate cross section for improvements to Highway 112 between Highway 180 and Garland Avenue.

2007-132 WHEREAS, the existing Benton County Area Headquarters facility in Gentry on Highway 59 was constructed in 1959; and

WHEREAS, at this existing location, insufficient area is owned to effectively manage the operation and storage of equipment and materials, and to properly manage runoff and sediment control; and

2007-132 - Continued

WHEREAS, the adjoining property to the south and west of the existing Area Headquarters has become available and has been appraised by the Department.

NOW THEREFORE, the Director is authorized to purchase the property at this site in accordance with State laws and Department practices and procedures.

2007-133

WHEREAS, the 30-ton chiller for the District One Headquarters cooling system was purchased more than 22 years ago and has surpassed its intended life; and

WHEREAS, only one of the chiller's two compressors is functioning and parts for the chiller are hard to locate and the chiller does not have vibration isolators; and

WHEREAS, the system's controls are antiquated and will not support the direct digital control which would allow access to the system via the internet for trouble shooting purposes; and

WHEREAS, it has been determined that the most feasible means of repair is to remove the existing cooling system and replace it with a new, more efficient system.

NOW THEREFORE, the Director is authorized to purchase and install one new 30-ton air cooled chiller, complete with vibration insulators and baffle tank, including the associated mechanical and direct digital control items, for the District One Headquarters.

Work to be done by contract as a Building Project.

2007-134

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 19, 2007 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020399	02	ASHLEY	HWY. 133 NORTH-CO. RD. 411 (S)	82	Y
030342	03	MILLER	NIX CREEK STR. & APPRS. (PRESTON ST.) (TEXARKANA) (S)	---	-

2007-134 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
060920	06	PULASKI	I-40 OVERPASS (HWY. 100) (NLR) (F)	40 & 100	Y
060977	06	PULASKI	MARYLAND AVE.-HWY. 107 (BROCKINGTON RD.)(SHERWOOD)(S)	---	-
090198	09	BOONE	HWY. 65/HWY. 62 INTERSECTION IMPROVEMENT (BELLEFONTE) (S)	65 & 62	Y
100611	10	CRAIGHEAD	VALLEY VIEW-GIBSON (S)	49	Y
100656	10	CRAIGHEAD	HWY. 49/CO. RD. 928 TRAFFIC SIGNAL (CRAIGHEAD CO.) (S)	49	Y
SA0750	07	CALHOUN	HWY. 203-NORTHEAST (BASE) (S)	---	-
SA2030	07	DALLAS	HWY. 167-WEST (SURFACING) (S)	---	-
SA3447	05	JACKSON	JACKSON CO. SURFACING NO. 4 (SEL. SECS.) (S)	---	-
SA3726	03	LAFAYETTE	BODCAW CREEK-WEST (OVERLAY & STRIPING) (S)	---	-
SA5936	06	PRAIRIE	CROSSROAD-EAST (BASE) (S)	---	-
SA6245	06	SALINE	HWY. 70-SOUTH (OVERLAY) (S)	---	-

and

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

2007-134 - Continued

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. Further, 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.

2007-135

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., September 19, 2007.

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 September 19, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 24, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in El Dorado, Arkansas, October 24, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-136 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 12:55 p.m., October 24, 2007.

2007-137 WHEREAS, cotton module trucks bearing the appropriate license and not exceeding nine feet (9') in width, fifty-five feet (55') in length and thirteen feet, six inches (13'6") in height, may currently travel the non-interstate highways of the state twenty-four hours a day without permit; and

WHEREAS, cotton module trucks exceeding the aforementioned maximum dimensions may currently travel the highways of the state during daylight hours when properly permitted pursuant to A.C.A. § 27-35-210 and the *Permit Regulations for the Movement of Oversize and Overweight Vehicles* of the Arkansas Highway Commission; and

NOW THEREFORE, the Director is authorized to allow twenty-four hour a day movement on the non-interstate highways of the state through the current harvest season, for properly permitted, overdimensional cotton module trucks with dimensions not exceeding nine feet, ten inches (9'10") in width, fifty-five feet (55') in length and fourteen feet, six inches (14'6") in height.

2007-138 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:00 p.m., October 24, 2007.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 28, 2007

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 28, 2007. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2007-139 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., November 28, 2007.

2007-140 WHEREAS, the Purchasing Committee has awarded purchases on September 24, 2007, October 5 and 25, 2007, and November 1 and 8, 2007, in the amounts of \$433,250.00, \$30,680.00, \$1,380,618.00, \$623,355.00, and \$604,620.00, respectively, totaling \$3,072,523.00, 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.

2007-141 WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the American Association of State Highway and Transportation Officials and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials; and

2007-141 - Continued

WHEREAS, the Department has received notice that its share of support of the Laboratory for Fiscal Year 2008 (October 1, 2007 to September 30, 2008) is \$15,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2008.

2007-142

WHEREAS, the Arkansas State Highway and Transportation Department operates a Technology Transfer Center through the Federal Highway Administration's Local Technical Assistance Program (LTAP); and

WHEREAS, the Program is responsible for assisting cities and counties in the implementation of transportation related technology with the objective of a safer, more efficient and more economical road and street program; and

WHEREAS, the Arkansas State Highway and Transportation Department benefits from its membership in the National LTAP Association through the receipt of valuable technical and management information for cities and counties.

NOW THEREFORE, the Director is authorized to renew the Department's membership with the National LTAP Association.

2007-143

WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, the maintenance of roadway surfaces and shoulders in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

2007-143 - Continued

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2008 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 to apply asphalt surface treatments and hot mix asphalt leveling as needed.

2007-144

WHEREAS, Minute Order 2007-078 authorized the solicitation of applications for the Recreational Trails Program in Arkansas; and

WHEREAS, American Trails, the primary host of the 2008 National Trails Symposium that will be held in Little Rock, has submitted an application for \$25,000 in Federal-aid Recreational Trails Program funding to assist with the cost of the Symposium; and

WHEREAS, this project is eligible for Federal-aid Recreational Trails Program funds that are set aside for the administration of the program; and

WHEREAS, the Department has a sufficient amount of administrative funds to cover the request of American Trails.

NOW THEREFORE, the Director is authorized to enter into a contract with American Trails to provide \$25,000 in Federal-aid Recreational Trails Program funds on a cost-reimbursable basis.

FURTHERMORE, American Trails will be required to provide a 20% matching ratio for these Federal-aid funds.

2007-145

WHEREAS, the Department collects and stores pavement condition data and right of way imagery to evaluate the performance of roadway sections and to provide a visual record of roadway attributes using an instrumented van called the Automatic Road Analyzer (ARAN); and

WHEREAS, the Federal Highway Administration's reassessment of data reporting requirements for the Highway Performance Monitoring System will require the inclusion of the International Roughness Index, detailed pavement cracking, rutting, faulting, and

2007-145 - Continued

additional geometric data from the Pavement Management System on a statewide basis at an increased frequency; and

WHEREAS, the existing ARAN has been in use since 1993; and

WHEREAS, finding replacement parts to make necessary repairs is becoming increasingly difficult because the ARAN's computer and electronic components have become antiquated; and

WHEREAS, data collection and evaluation systems are available that have proven automated pavement distress identification technologies, provide multiple cameras, high-resolution and digital right of way imagery, and are capable of reporting accurate geometric and location data.

NOW THEREFORE, the Director is hereby authorized to proceed with the purchase of a system designed and manufactured for the purpose of pavement distress identification and evaluation.

FURTHERMORE, the State Planning and Research (SPR) Work Program and Cost Estimate for Fiscal Year 2008, adopted by Minute Order 2007-072, includes the purchase of this system using 80% Federal-aid SPR funds and 20% State match.

2007-146

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Arkansas Safe Routes To School Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified that the Federal Fiscal Year 2008 allocation for the Safe Routes To School Program will be available in the near future.

NOW THEREFORE, the Director is authorized to solicit applications for Safe Routes To School Program funding utilizing the attached timeline.

2007-147

WHEREAS, the Department attempts to offer its employees appropriate benefit options; and

WHEREAS, for many years, employees have been offered automobile and homeowners insurance through payroll deduction; and

WHEREAS, considering the current market conditions, it is believed to be in the best interest of the Department and its employees to look at additional options that may be provided at this time.

NOW THEREFORE, the Department is authorized to request proposals from certified providers of Automobile and Homeowner Insurance through payroll deduction for consideration as the Department's Automobile and Homeowner benefit carrier/s.

2007-148

WHEREAS, the Code of Federal Regulations requires that each State implement a policy for the systematic management of work zone impacts on all Federal-aid highway projects; and

WHEREAS, such policy must address work zone impacts to projects throughout the various stages of project development and implementation; and

WHEREAS, a team composed of representatives of the Department and the Federal Highway Administration has developed such a policy; and

WHEREAS, it is recognized that it may be necessary to update the policy as information is gathered during the implementation process.

NOW THEREFORE, the Director is authorized to implement the Policy for Work Zone Safety and Mobility and to update the policy periodically as necessary.

2007-149

WHEREAS, a Statewide Long-Range Intermodal Transportation Plan for Arkansas, which provided policy guidance for transportation improvements throughout the State, was published in 2002; and

2007-149 - Continued

WHEREAS, the Plan has been updated and includes new requirements under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA – LU); and

WHEREAS, there has been public review of the Plan and the comments received have been considered.

NOWTHEREFORE, the Arkansas Highway Commission hereby adopts the Statewide Long-Range Intermodal Transportation Plan: 2007 Update and authorizes the Director to use this document as a guide for future transportation planning.

2007-150

WHEREAS, the Commission acquired in fee property known as Tract No. 14R from Richard L. Roper and Marilyn Roper, his wife, for Job No. 070159, STP-9440(4), Warren Northeast Bypass, Bradley County, Arkansas, by Warranty Deed dated January 3, 2002, and filed for record on January 18, 2002, in Deed Record Book GI, page 299, of the Deed records of Bradley County, Arkansas; and

WHEREAS, W. G. Rawls and JoAnn Rawls, his wife, have asked to repurchase Tract No. 14R and Richard C. Roper and Marilyn Roper have assigned this right to reacquire Tract No. 14R to W. G. Rawls and JoAnn Rawls, which the District Engineer for District 7 has determined said Tract No. 14R is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 14R to be transferred to W. G. Rawls and wife, JoAnn Rawls is more particularly described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 32, Township 12 South, Range 9 West, Bradley County, Arkansas, more particularly described as follows:

Starting at the Southeast Corner of the Southwest Quarter of the Northeast Quarter of Section 32; thence North 89° 45' 13" West along the South line thereof a distance of 666.25 feet to a point on the Westerly proposed right of way line of Warren Northeast Bypass for the point of beginning; thence continue North 89° 45' 13" West along the South line of the Southwest

Quarter of the Northeast Quarter of Section 32 a distance of 126.02 feet to a point; thence North 00° 14' 09" East a distance of 208.56 feet to a point; thence South 89° 45' 13" East a distance of 65.55 feet to a point on the Westerly proposed right of way line of the Warren Northeast Bypass; thence South 15° 55' 52" East along said proposed right of way line a distance of 217.15 feet to the point of beginning and containing 0.46 acre or 19,977 square feet more or less which includes 0.02 acre or 662 square feet more or less being used as a Permanent Easement.

GA/II 10/18/01

WHEREAS, Tract No. 14R was acquired by the Commission for FOUR THOUSAND NINE HUNDRED AND NO/100 (\$4,900.00).

NOW THEREFORE, the above described property is declared surplus and upon the receipt of FOUR THOUSAND NINE HUNDRED AND NO/100 (\$4,900.00), the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above described property to W. G. Rawls and wife, JoAnn Rawls; a copy of the deed and this Minute Order shall be recorded in Bradley County, Arkansas. Any Federal Aid Funds from this disposal shall be credited to Federal Funds.

WHEREAS, the Commission acquired a permanent construction (drainage) easement known as Tract No. 34-P.C.E. from R. S. Hawkins and Imogene Hawkins, Thomas E. Reed and Ida Lee Reed for Job No. 6969, Highway 70-East (Hot Springs) Garland County, Arkansas, by condemnation, resulting in a Consent Judgment filed of record on May 6, 1977, in the Circuit Clerk's office of Garland County, Arkansas, in Arkansas State Highway Commission vs. R. S. Hawkins and Imogene Hawkins, et al., Garland County Circuit No. CIV 74-186 (case); and

WHEREAS, Sawtooth Oak Properties, LLC, an Arkansas limited liability company, successor in interest to R. W. Hawkins and Imogene Hawkins, et al. by virtue of a Warranty Deed, conveying the underlying fee to Sawtooth Oak Properties, LLC, has agreed to pay the Commission ONE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$1,800.00) for the abandonment by the Commission of a portion of Tract No. 34-P.C.E., such portion to be known as Tract No. 34E-1, which portion is more particularly described as follows:

Part of Lot 19 Oak Tree Park Subdivision to the City of Hot Springs, said Lot 19 being also part of the Southwest Quarter of the Northwest Quarter of Section 10, Township 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows:

Beginning at a point 45 feet right of and perpendicular to Centerline Station 78+00 of U. S. Highway 270 as established by AHTD Job 6969, thence South 36° 07' East a distance of 50.0 feet to a point; thence South 53° 53' West a distance of 45.0 feet to a point; thence North 36° 07' West a distance of 50.0 feet to a point; thence North 53° 53' East a distance of 45.0 feet to the point of beginning and containing 2,250 square feet or 0.05 acres, more or less.

WHEREAS, the District Engineer for District 6 has reviewed the permanent easement and has found that the portion of Tract 34-P.C.E. being abandoned hereby, described above, is not now, nor in the foreseeable future will be, needed for drainage purposes and recommends its abandonment; and

WHEREAS, the Commission acquired Tract No. 34-P.C.E and other lands for a total consideration of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 34-P.C.E. being abandoned as Tract No. 34E-1 by the Commission is ONE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$1,800.00).

NOW THEREFORE, the above-described portion, now Tract No. 34E-1, is declared surplus; upon receipt of the consideration of ONE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$1,800.00), Tract No. 34E-1 described above and now owned by the Commission shall be abandoned and removed from the Commission's Right of Way records; and the Chairman is hereby authorized and directed to do, say, and perform any and all acts, things or deeds necessary or convenient to release said portion as Tract No. 34E-1.

WHEREAS, the Commission acquired a permanent construction easement Tract No. 3-E from Ander-wat, Inc., and Woodrow L. Powell and Hazel Powell, Mortgagees, for Job No. 6696 RF-025-0(36) Hensley, Woodson & Bingham Interchanges Route 65, Pulaski County, Arkansas, by condemnation, resulting in a Consent Judgment, filed of record on April 12, 1983, in the Circuit Clerk's office of Pulaski County, Arkansas, in *Arkansas State Highway Commission vs. Ander-wat, Inc., and Woodrow L. Powell and Hazel Powell, Mortgagees, Pulaski County Circuit Case No. CV 75-3078*; and

WHEREAS, Tract No. 3-E and other property was acquired by the Commission for ONE THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$1,750.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract 3-E being abandoned by the Commission is FOUR HUNDRED AND NO/100 DOLLARS (\$400.00); and

WHEREAS, Terrence L. Garner and Teresita Garner, have agreed to pay the sum of FOUR HUNDRED AND NO/100 DOLLARS (\$400.00) for the release by the Commission of its interest in a portion of Tract No. 3-E which is the highest bid received for said portion of Tract No. 3-E at a public auction held on Tuesday, June 26, 2007, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, in Room 702. The District Engineer for District Six has determined that the portion of Tract No. 3-E is not now, nor in the foreseeable future will be, needed for highway purposes and being more particularly described below:

Part of the Northeast Quarter of the Southwest Quarter of Section 35, Township 1 South, Range 12 West, Pulaski County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 35, thence North 00° 07' East along the East line thereof a distance of 169.3 feet to a point on the Northwesterly proposed right of way line of the Bingham Road Interchange for the point of beginning, thence South 66° 39' West along said proposed right of way line a distance of 181.1 feet to a point, thence South 11° 44' East along said proposed right of way line a distance of 30.4 feet to point, thence South 72° 24' West a

distance of 40.2 feet to a point, thence North 11° 44' West a distance of 65.6 feet to a point, thence North 66° 39' East a distance 230.7 feet to a point on the East line of said Northeast Quarter of the Southwest Quarter, thence South 00° 07' West along a distance of 42.0 feet to the point of beginning and containing 0.23 Acre, more or less.

NOW THEREFORE, the Commission's interest in the above described property is declared surplus; upon receipt of the consideration of FOUR HUNDRED AND NO/100 DOLLARS (\$400.00); the Chairman of the Commission is authorized and directed to execute and deliver a certified and notarized copy of this Minute Order, suitable for recordation, to the purchaser of the Commission's interest in Tract No. 3-E.

WHEREAS, the Commission acquired property known as Tract No. 3XR from Shirley J. McCormack Nickel and husband, Dale Nickel, for Job No. 040151, Nob Hill – Madison County Line (5) Highway 412, Section 2, Washington County, Arkansas, by Warranty Deed dated April 22, 2004, filed for record on May 5, 2004, in the Circuit Clerk's Office of Washington County, Arkansas, as Instrument No. 2004-00017178; and

WHEREAS, Anthony Marroy and wife, Stephanie Marroy, have asked to purchase Tract No. 3XR and Shirley J. McCormack Nickel and Dale Nickel have assigned their right to reacquire Tract No. 3XR to Anthony Marroy and Stephanie Marroy; and

WHEREAS, the District Engineer for District 9 has determined that Tract No. 3XR is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 3XR, Job No. 040151, was acquired by the Commission for FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) and Tract No. 3XR is more particularly described as follows:

Job No. 040151

Tract No. 3XR

Part of the Northwest Quarter of the Northwest Quarter of Section 2, Township 17 North, Range 28 West, Washington County, Arkansas, more particularly described as follows:

Starting at a 1/4" rebar being used as the West 1/16 Corner of Section 2; thence South 02° 01' 04" West along the East line of the Northwest Quarter of the Northwest Quarter of Section 2 a distance of 937.10 feet to a point on the Northerly right of way line of U. S. Highway 412 as established by AHTD Job 9254; thence South 79° 23' 36" West along said right of way line a distance of 679.44 feet to a point; thence North 04° 10' 39" East a distance of 143.48 feet to a point on the Northwesterly right of way line of U. S. Highway 412 as established by AHTD Job 040151 for the point of beginning; thence South 89° 14' 13" West along said right of way line a distance of 203.95 feet to a point; thence North 03° 06' 26" East along said right of way line a distance of 24.46 feet to a point; thence North 84° 15' 10" East along said right of way line a distance of 206.74 feet to a point; thence South 04° 10' 39" West a distance of 42.53 feet to the point of beginning and containing 0.15 acre more or less as shown on the plans prepared by the AHTD referenced as Job 040151.

RER/ras 3/22/04

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Anthony Marroy and wife Stephanie Marroy; a copy of the deed and this Minute Order shall be recorded in the County Records of Washington County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, IN BAXTER COUNTY, a portion of roadway on the State Park Access Road System at Bull Shoals-White River State Park was removed.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 3.83 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 600, Section 3.

2007-155

WHEREAS, IN CONWAY COUNTY, Job 080209, Point Remove Creek Str. & Apprs. (S), is complete and the new portions of Highway 113 are open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The two old portions of Highway 113, Section 6 that were rerouted are hereby removed from the State Highway System.
- The new alignment, as constructed by Job 080209, is hereby added to the State Highway System as a part of Highway 113, Section 6.

2007-156

WHEREAS, IN GREENE COUNTY, the State Park Access Road System at Crowley's Ridge State Park was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by A.C.A. 27-67-204.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 2.21 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 600, Section 6.

2007-157

WHEREAS, IN LAWRENCE COUNTY, the State Park Access Road System at Lake Charles State Park was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by A.C.A. 27-67-204.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.93 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 600, Section 15.

2007-158

WHEREAS, IN POINSETT COUNTY, in the City of Marked Tree, Job 100522 removed the at-grade intersection of Highway 63, Section 8 and Highway 63, Section 8B and constructed a new interchange with an overpass that connects Highway 149, Section 6 to Highway 63, Section 8B; and

WHEREAS, the portion of Highway 63B beginning at the old intersection and continuing to the intersection with Highways 149 and 308 no longer serves the purpose of a State Highway; and

WHEREAS, the City of Marked Tree has passed Ordinance No. 298 to accept all responsibility for maintenance of the portion of Highway 63, Section 8B beginning at the junction of Highways 149, Section 6 and 308, Section 1 and continuing southeast to the former junction of Highway 63, Section 8.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 63, Section 8B beginning at the junction of Highways 149, Section 6 and 308, Section 1 and continuing southeast to the former junction of Highway 63, Section 8 is hereby removed from the State Highway System.
- The portion of Highway 149, Section 6 beginning at Highway 63, Section 8 and continuing to the junction with Highway 63, Section 8B is hereby redesignated as part of Highway 63, Section 8B.

2007-159

WHEREAS, IN POINSETT COUNTY, the State Park Access Road System at Lake Poinsett State Park was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by A.C.A. 27-67-204.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.24 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 600, Section 32.

2007-160

WHEREAS, IN POINSETT COUNTY, the Institutional Drive System at the Arkansas State University Technical Center in Marked Tree was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.41 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 890, Section 4.

2007-161

WHEREAS, IN RANDOLPH COUNTY, the Institutional Drive System at the Black River Technical College in Pocahontas was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.62 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 890, Section 10.

2007-162

WHEREAS, IN BENTON COUNTY, on Highway 12 in the City of Bentonville, widening of this highway from Highway 71B to Greenhouse Road has been identified as an existing need to increase capacity; and

WHEREAS, the City of Bentonville has agreed to partner with the Department and provide \$10.4 million toward the cost of improvements to this section of Highway 12.

NOW THEREFORE, the Director is authorized to enter into a partnering agreement with the City of Bentonville for the development and implementation of a project to widen Highway 12 from Highway 71B to Greenhouse Road as funds become available.

2007-163

WHEREAS, local and regional officials from Arkansas and Mississippi have expressed an interest in an improved connector between Interstate 40 at Brinkley, Arkansas and Interstate 55 near Batesville, Mississippi; and

WHEREAS, in Arkansas, this proposed connector would generally follow the alignment of U. S. Highway 49 from Brinkley to Helena-West Helena; and

WHEREAS, the Delta Regional Authority has provided the Mississippi Department of Transportation with an earmark of \$234,000 to study the need for and feasibility of the proposed connector; and

WHEREAS, the study would include the need for and feasibility of a four-lane bridge across the Mississippi River at Helena-West Helena.

NOW THEREFORE, the Director is authorized to enter into any necessary agreements with the Mississippi Department of Transportation to study the need for and feasibility of an improved connector between Interstate 40 in Arkansas and Interstate 55 in Mississippi, including providing an equal share of any additional funds needed for the study.

2007-164

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossings for safety purposes.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Road</u>	<u>Railroad</u>	<u>Recommendation</u>
Nevada	No. of Emmet	Arkla Street	Union Pacific	Install Flashing Lights with Gates

2007-164 - Continued

<u>County</u>	<u>City</u>	<u>Street/Road</u>	<u>Railroad</u>	<u>Recommendation</u>
Clark	So. of Gurdon	County Road 12	Union Pacific	Install Flashing Lights with Gates

2007-165 WHEREAS, IN PULASKI COUNTY, a traffic operations study has indicated that improvements are needed on Highway 10, Section 8, at the Union Pacific Railroad Viaduct in Little Rock; and

 WHEREAS, these improvements include reconstructing/realigning the road to enhance safety; and

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

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

2007-166 WHEREAS, IN PULASKI COUNTY, trucks hauling long loads leaving the Little Rock Port/Industrial area will require that modifications be made to the intersections of the Interstate 440 interchange ramps to better accommodate turning maneuvers and traffic operations.

 NOW THEREFORE, the Director is authorized to construct the needed intersection modifications as funds become available.

2007-167 WHEREAS, IN BENTON COUNTY, the Benton County Quorum Court, by Resolution No. R-2007-18, has requested the naming of the Little Sugar Creek Bridge on Highway 72 West in honor of John M. Black; and

 WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

2007-167 - Continued

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described bridge in accordance with Commission Policy.

2007-168

WHEREAS, overhead sign OH-040-18-15 located on I-40 Eastbound 100 ft. west of Ingram Boulevard and overhead sign OH-065-62-02 located on I-530 Southbound at the Highway 167 exit were destroyed by accidents; and

WHEREAS, these signs are needed to provide important information to the motoring public; and

WHEREAS, replacement of these structures is beyond the scope of routine maintenance.

NOW THEREFORE, the Director is authorized to proceed with a contract to replace these structures and pursue reimbursement for the cost of the structures.

2007-169

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 28, 2007 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110131	01	MONROE	I-40 OVERPASS (BRINKLEY) (F)	40 & 49	Y
110483	01	ST. FRANCIS	HWY. 1B/DIVISION ST. SIGNAL (FORREST CITY) (S)	1B	Y
030350	03	HEMPSTEAD	I-30 EB RAMPS-NORTH (HOPE) (S)	278	Y
030352	03	LITTLE RIVER	HWY. 71/HWY. 32Y SIGNAL (ASHDOWN) (S)	71 & 32Y	Y
040317	04	SEBASTIAN & CRAWFORD	ARKANSAS RIVER BRIDGE PAINTING (FORT SMITH/VAN BUREN) (S)	64	Y
040431	04	CRAWFORD	I-540-HWY. 64B (S)	64	Y

2007-169 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
040459	04	FRANKLIN	HWY. 64 TRAFFIC SIGNALS UPGRADE (OZARK) (S)	64, 23, & 219	Y
040469	04	SEBASTIAN	HWY. 71/DENVER/MT. ZION SIG. & INTERS. IMPVTS. (GREENWOOD) (S)	71	Y
050095	05	INDEPENDENCE	HWY. 167-HWY. 394 (BATESVILLE) (S)	69	Y
050163	05	WHITE	BRANCH OF CADRON CREEK STR. & APPRS. (S)	36	Y
061039	06	SALINE	HWY. 35 RAILROAD OVERPASS (BENTON) (S)	35 & 183	Y
061156	06	GARLAND	COOPER CREEK STR. & APPRS. (S)	171	N
080255	08	MONTGOMERY	DENBY CREEK STR. & APPRS. (S)	270	Y
080284	08	POPE	HWY. 64-I-40 (WEIR RD.) (RUSSELLVILLE) (S)	326	Y
080286	08	YELL	CARTER CREEK STR. & APPRS. (S)	60	N
090073	09	CARROLL	HWY. 12-EUREKA SPRINGS (PASSING LANE) (S)	23	Y
100609	10	GREENE	HWY. 412-HWY. 135 (S)	49	Y
100645	10	MISSISSIPPI	HWY. 181-HWY. 158 (F)	55	Y
SA7433	01	WOODRUFF	WOODRUFF CO. BASE NO. 2 (SEL. SECS.) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the

2007-169 - Continued

Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Traffic Group of Baltimore, Maryland to conduct traffic volume, classification and intersection turning movement counts.

MOTION Vice Chairman Carl Rosenbaum moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Benham Companies, LLC of Little Rock to provide architectural services for the design of the new District 4 Headquarters facility in Fort Smith.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Westcliffe Technologies of Westcliffe, Colorado to provide Commercial Vehicle Information Systems & Networks (CVISN) System Architect/Program Management Services.

2007-170 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., November 28, 2007.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on October 24, 2007 and November 28, 2007.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 16, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 16, 2008. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2008-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 16, 2008.

2008-002 WHEREAS, the Purchasing Committee has awarded purchases on November 28, 2007, December 6 and 20, 2007, and January 8, 2008, in the amounts of \$27,776.35, \$363,165.00, \$3,422,352.93, and \$1,615,528.35, respectively, totaling \$5,428,822.63, 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.

2008-003 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2008 membership dues in the amount of \$350.00.

2008-004

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2008, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2008 in the amount of \$37,185.00.

2008-005

WHEREAS, the Falling Weight Deflectometer (FWD) is an integral part of the Department's functions related to the evaluation of existing roadways, pavement thickness design, remaining service life of pavements, and weight limit posting analysis; and

WHEREAS, the need exists to expand FWD testing of pavements to provide network level pavement structural condition and remaining service life for use in the Department's Pavement Management System and reporting in the Federal Highway Administration's Highway Performance Monitoring System; and

WHEREAS, the current equipment is unable to keep pace with the needs of the Department.

NOW THEREFORE, the Director is hereby authorized to proceed with the purchase of a Falling Weight Deflectometer system as deemed suitable for the Department's needs.

2008-006

WHEREAS, pavement friction data is used to identify roadway sections with low skid resistance, as an aide in designing improvements to minimize wet weather skidding crashes, and to fulfill reporting requirements to the Federal Highway Administration; and

WHEREAS, the Department's existing pavement friction testing equipment has been in use since 2000 and requires considerable maintenance; and

WHEREAS, an additional pavement friction tester would be beneficial to the Department so that pavement friction data can be collected as needed.

2008-006 - Continued

NOW THEREFORE, the Director is authorized to proceed with the purchase of a vehicle designed and manufactured for the purpose of collection of pavement friction data and calculation of the skid resistance of pavements.

2008-007

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) is proposing on behalf of its member agencies a project to develop a relocation benefits determination and calculation system (Turbo Relocation™); and

WHEREAS, the member agencies of AASHTO and the Federal Highway Administration (FHWA) have identified a need for a software tool to automate the determination and calculation of relocation assistance that is provided to individuals, families, businesses, farms and non-profit organizations displaced as a result of highway construction projects, in conformance with the requirements of the Uniform Act; and

WHEREAS, AASHTO is soliciting voluntary participation in the cooperative effort to develop the Turbo Relocation™ software product; and

WHEREAS, this participation is eligible for 100% Federal-aid SPR funds available in 2008 and 2009.

NOW THEREFORE, the Director is authorized to participate in this cooperative effort and to enter into such agreements as necessary to fulfill the Department's commitment to participate not to exceed \$90,000 in SPR funds.

2008-008

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

2008-008 - Continued

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2008 Highway Map.

2008-009 WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Federal Fiscal Year 2007 Recreational Trails Program; and

WHEREAS, Minute Order 2007-078 authorized the solicitation of applications for the Recreational Trails Program in Arkansas; and

WHEREAS, the Department and the Arkansas Recreational Trails Advisory Committee have reviewed the applications submitted and developed recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the projects included in the attached list.

2008-010 WHEREAS, the Federal Highway Administration sponsors the National Summer Transportation Institute, a program to encourage secondary school students to pursue transportation careers; and

WHEREAS, increasing awareness about transportation related careers is important to the transportation industry; and

WHEREAS, the Federal Highway Administration no longer contracts directly with a coordinating University or with a host site but has encouraged state transportation departments to continue the 100% federally funded program; and

WHEREAS, in accordance with the Federal Highway Administration's guidelines for selecting a host site, the Department issued a Request for Proposals; and

2008-010 - Continued

WHEREAS, Harding University has submitted an outstanding proposal that meets the scope of the program and is within the projected budget allowance provided by the Federal Highway Administration.

NOW THEREFORE, the Director is authorized to enter into an agreement with Harding University to host the National Summer Transportation Institute.

2008-011

WHEREAS, some state highways are posted for weight restrictions below the maximum allowable weight limits allowed by State law; and

WHEREAS, non-divisible loads on non-posted routes may exceed the maximum allowable weights by means of the operator obtaining a permit for each load, and the overweight vehicles are routed along specific highways that are best suited for those weights; and

WHEREAS, there is a need to develop a policy to accommodate a non-divisible overweight load by permit on a weight restricted highway.

NOW THEREFORE, the attached Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways is hereby adopted in order to allow non-divisible overweight loads on weight restricted highways. The payment of a Roadway Maintenance Assessment shall not preclude the payment of customary overweight permit fees.

FURTHERMORE, this policy shall be in effect until December 31, 2008.

2008-012

WHEREAS, IN POINSETT COUNTY, Jobs 100523 and 100547 are complete and the new portions of highways are open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

2008-012 - Continued

- The two portions of Highway 63, Section 9, and the portion of Highway 322, Section 2, that were rerouted by Jobs 100523 and 100547 are hereby removed from the State Highway System.
- The new Highway 63 alignment, as constructed by Jobs 100523 and 100547, is hereby added to the State Highway System as a part of Highway 63, Section 9.
- The new Highway 322 alignment, as constructed by Job 100523, is hereby added to the State Highway System as a part of Highway 322, Section 2.
- The portion of roadway, as constructed by Job 100547, beginning at the south access road and continuing northeast to the junction with Highway 135 is hereby added to the State Highway System as a part of Highway 135, Section 1.

2008-013

WHEREAS, IN PRAIRIE COUNTY, the City of Hazen has agreed to accept all responsibility for maintenance of Highway 63, Section 11 Spur.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 63, Section 11 Spur is hereby removed from the State Highway System as shown on the attached sketch.

2008-014

WHEREAS, IN SEARCY COUNTY, Job RX0021, Bear Creek-Clinton (Passing Lanes) (S), is substantially complete and the new portion of Highway 65 is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

2008-014 - Continued

- The old portion of Highway 65, Section 5 that was rerouted is hereby removed from the State Highway System.
- The new alignment, as constructed by Job RX0021, is hereby added to the State Highway System as a part of Highway 65, Section 5.

2008-015

WHEREAS, IN SEARCY COUNTY, Job R90098, Valley Springs-Buffalo Rvr. (Passing Lanes) (S), is substantially complete and the new portions of Highway 65 are open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The old portions of Highway 65, Section 4 that were rerouted are hereby removed from the State Highway System.
- The new alignment, as constructed by Job R90098, is hereby added to the State Highway System as a part of Highway 65, Section 4.

2008-016

WHEREAS, IN CLARK COUNTY, on Highway 26, Section 4, from the Pike County line east for approximately 6.0 miles, improvements have been made to the drainage structures to accommodate future widening; and

WHEREAS, minor widening and rehabilitation of the roadway will increase capacity and improve safety on this section of highway.

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

2008-017

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossings to accommodate a roadway project and to improve safety.

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

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Crittenden	Near Marion	Hwy. 118	Union Pacific	Install Flashing Lights with Gates/Upgrade Concrete Surface
Lawrence	Sedgwick	Smith Rd.	BNSF	Install Flashing Lights with Gates

2008-018

WHEREAS, IN LITTLE RIVER COUNTY, the Kansas City Southern Railroad has increased train movements and train speeds in the vicinity of Ashdown; and

WHEREAS, the Little River County Judge has requested a study to determine alternatives that could enhance safety and improve traffic operations in the vicinity of Highway 71 and the Highway 32 Bypass as a result of the increased train movements and speeds.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of traffic safety and operational improvements in the vicinity of Highway 71 and the Highway 32 Bypass.

2008-019

WHEREAS, IN LITTLE RIVER COUNTY, additional traffic, especially truck traffic, is expected on Highway 108 west of the City of Foreman; and

2008-019 - Continued

WHEREAS, the Little River County Judge has requested a study of possible improvements on Highway 108 due to the anticipated increase of traffic.

NOW THEREFORE, the Director is authorized to conduct a study to determine possible improvements to enhance traffic flow and safety on Highway 108 in the vicinity of Foreman.

2008-020

WHEREAS, IN PULASKI AND LONOKE COUNTIES, a crash analysis has been completed on Highway 67, Sections 10 and 11 from the Vandenburg Boulevard Interchange in Jacksonville to the Highway 5 Interchange in Cabot; and

WHEREAS, the analysis showed a high rate of median crossover crashes at this location and indicated that a safety improvement is warranted; and

WHEREAS, this improvement, which includes the installation of a median cable barrier, is eligible for Federal-aid Safety funds.

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

2008-021

WHEREAS, IN PULASKI COUNTY, in the City of Jacksonville, local officials have requested a study to determine the need for and feasibility of constructing a new interchange on Highway 67 at Coffelt Road.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of constructing this proposed interchange.

2008-022

WHEREAS, IN PULASKI COUNTY, in the City of Jacksonville, local officials have requested a study to determine the need for and feasibility of capacity improvements to Highway 161.

2008-022 - Continued

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of these proposed improvements.

2008-023

WHEREAS, National Bridge Inspection Standards require the bridges shown to be inspected below the water surface; and

WHEREAS, underwater bridge inspection requires the experienced services of qualified professional engineers and divers; and

WHEREAS, the Arkansas State Highway and Transportation Department does not have the capability of performing this type of inspection.

NOW THEREFORE, the Director is authorized to request Proposals from prospective engineering firms and proceed with the implementation of a project to inspect the underwater portion of these bridges as funds become available.

<u>BRIDGE NO.</u>	<u>RTE./SEC./L.M.</u>	<u>DISTRICT</u>	<u>LOCATION</u>
01253	79/13/8.28	1	WHITE RIVER CLARENDON
05121	165/4/10.35	2	ARK RIVER PENDLETON
A0285	70/4/10.35	3	SELF CREEK DAISY
03609	540/1/11.24	4	ARK RIVER VAN BUREN
05275	64/0/0.00	4	ARK RIVER FORT SMITH
05600	109/3/7.85	4	ARK RIVER NEW SPADRA
A1210	23/6/12.04	4	ARK RIVER OZARK
03300	16/11/7.83	5	GREERS FERRY LAKE
03301	16/11/4.96	5	GREERS FERRY LAKE
05534	122/1/0.54	5	WHITE RIVER OIL TROUGH
05661	167/17/17.25	5	WHITE RIVER BATESVILLE
02768	30/23/140.41	6	ARK RIVER I-30
03929	38/1/18.30	6	WHITE RIVER DES ARC
05705	440/1/5.59	6	ARK RIVER I-440
06179	7/9/4.20	6	LAKE HAMILTON
A2978	70/12/8.52	6	ARK RIVER BROADWAY
05050	9/7/5.33	8	ARK RIVER MORRILTON
05064	7/13/15.32	8	ARK RIVER DARDANELLE
05769	101/1/9.14	9	NORFORK LAKE
05770	62/11/8.76	9	NORFORK LAKE

2008-024

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 16, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030330	03	HEMPSTEAD	HWY. 29B INTERSECTION IMPROVEMENTS (HOPE) (S)	29B	Y
040317	04	SEBASTIAN & CRAWFORD	ARKANSAS RIVER BRIDGE PAINTING (FORT SMITH/VAN BUREN) (S)	64	Y
S10606	06	PULASKI	CORNISH ST.-HWY. 165 (NLR) (S)	70	Y
060839	06	PULASKI	ST. CHARLES BLVD.-HINSON RD. (NAPA VALLEY DR.-LR) (S)	---	-
061039	06	SALINE	HWY. 35 RAILROAD OVERPASS (BENTON) (S)	35 & 183	Y
061200	06	LONOKE	HWY. 89/HWY. 38 SIGNAL (CABOT) (S)	89 & 38	Y
070295	07	OUACHITA	HWY. 79B/HWY. 278B SIGNAL REHAB. (CAMDEN) (S)	79B & 278B	Y
080284	08	POPE	HWY. 64-I-40 (WEIR RD.) (RUSSELLVILLE) (S)	326	Y
080303	08	CONWAY	HWY. 9B/HWY. 132 SIGNAL (MORRILTON) (S)	9B & 132	Y
SA1243	05	CLEBURNE	HWY. 110-NORTH (BASE) (S)	---	-
BR4606	03	MILLER	MCKINNEY BAYOU STR. & APPRS. NO. 2 (S)	---	-

and

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

2008-024 - Continued

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. Further, 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.

2008-025

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., January 16, 2008.

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 January 16, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 5, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 5, 2008. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2008-026 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., March 5, 2008.

2008-027 WHEREAS, the Purchasing Committee has awarded purchases on January 16, 2008, and February 5 and 19, 2008, in the amounts of \$187,397.00, \$1,121,831.50, and \$892,396.65, respectively, totaling \$2,201,625.15, 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.

2008-028 WHEREAS, the Southeastern Association of State Highway and Transportation Officials has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2008, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, it is ordered that the Director is authorized to process for payment the statement for membership dues for the year 2008 in the amount of \$1,200.00.

2008-029

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Recreational Trails Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified that the Fiscal Year 2008 Federal Recreational Trails Program allocation for Arkansas is available.

NOW THEREFORE, the Director is authorized to solicit applications for Recreational Trails Program funding for 2008.

2008-030

WHEREAS, Arkansas receives Federal-aid Congestion Mitigation and Air Quality (CMAQ) funds from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, since 1998, a portion of CMAQ funds have been used in cooperative efforts to address air quality issues in Arkansas; and

WHEREAS, the Central Arkansas Regional Transportation Study (CARTS) has requested \$40,000 and the West Memphis-Marion Area Transportation Study (WMATS) has requested \$138,000 in CMAQ funds for use in planning efforts to address air quality issues; and

WHEREAS, the required matching funds for the Federal-aid CMAQ funds would be committed from local entities; and

WHEREAS, it is in the best interest of the Department to continue planning efforts to address air quality issues with partner agencies and local jurisdictions.

NOW THEREFORE, the Director is authorized to provide CMAQ funds for use by CARTS and WMATS, to enter into appropriate interagency agreements and to participate in coordination activities for air quality planning.

2008-031

WHEREAS, the Arkansas State Highway and Transportation Department was designated by Arkansas Act 192 of 1977 as the State's multimodal transportation planning agency responsible for coordinating the development of statewide transportation plans that includes the Arkansas State Rail Plan and the Directory of Railroads; and

2008-031 - Continued

WHEREAS, the purpose of the Arkansas State Rail Plan is to satisfy Federal Railroad Administration rail planning requirements and to qualify the State's railroads for possible federal funding assistance; and

WHEREAS, the intent of the Directory of Railroads is to be a source of information which could be used for industrial recruitment and regional economic development; and

WHEREAS, significant changes have occurred to the State's rail freight transportation system since the last update to the Arkansas State Rail Plan and a new Arkansas State Rail Plan and Directory of Railroads are needed to document the changes in the State's freight railroad system.

NOW THEREFORE, the Director is authorized to initiate the preparation of a new Arkansas State Rail Plan and Directory of Railroads.

2008-032

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2008.

2008-033

WHEREAS, severe weather conditions, including violent tornadoes and damaging high winds, occurred in this State on February 5, 2008; and

WHEREAS, some employees of the Arkansas State Highway and Transportation Department were adversely affected by these destructive weather conditions and are in need of emergency leave time to respond to the resulting damage and injuries caused by these weather conditions; and

2008-033 - Continued

WHEREAS, on February 14, 2008, the Governor of the State of Arkansas issued Executive Order 08-06 granting up to 40 hours of emergency paid leave to those state employees who suffered the loss of, or substantial damage to, their principal place of residence due to the tornadoes, high winds, rain, and other weather conditions that occurred on February 5, 2008.

NOW THEREFORE, the Director is authorized to grant the provisions of Executive Order 08-06 to the employees of the Arkansas State Highway and Transportation Department that were adversely affected by severe weather conditions on February 5, 2008.

2008-034

WHEREAS, Act 2244 of the 2005 Regular Session of the 85th General Assembly states that the Arkansas State Highway Commission may award the pistol carried by an officer of the Arkansas Highway Police Division to the officer upon his or her retirement or to the officer's spouse if the officer dies while still employed by the Department; and

WHEREAS, the Arkansas State Highway Commission will implement this legislation in the following manner:

1. An officer must have a minimum of 15 years of satisfactory service.
2. Recommendation of the Chief of the Highway Police Division and concurrence of the Director.
3. Upon retirement, an officer will be allowed to obtain his or her pistol by purchasing it from the Department at the current appraised market value of the pistol. This option will also be available to the officer's spouse, if the officer dies while still employed, provided the spouse is eligible under applicable state and federal laws to possess a firearm. This option will not be available to any other individual or family member other than the officer or spouse, as provided above.

4. The current appraised market value of the pistol will be determined and certified, in writing, by the Chief of the Highway Police Division.
5. Approval of the Highway Commission by resolution.
6. Minimum service may be waived under extenuating circumstances.

NOW THEREFORE, the Director is authorized to implement this policy and procedure consistent with this Minute Order.

WHEREAS, IN MARION COUNTY, in the City of Flippin, Job 090239, Hwy. 178 – East & West, is substantially complete and the newly constructed portion of highway is open to traffic; and

WHEREAS, the City of Flippin has passed Ordinance No. 267 accepting the portions of Highway 62, Section 9 lying east of the junction with Highway 178, within its city limits, into the City Street System; and

WHEREAS, Marion County passed Court Order No. 2007-25 agreeing to accept all responsibility for the maintenance of the segments of Highway 62, Section 9 adjacent to the city limits of the City of Flippin, lying southeast of the junction with Highway 178 and north of the junction with the Flippin bypass.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 62, Section 9, beginning at the western junction with the Flippin bypass and continuing north to the junction with Highway 178, Section 1 is hereby redesignated as part of Highway 178, Section 1.

2008-035 - Continued

- The portion of Highway 62, Section 9, beginning at the junction with Highway 178, Section 1 and continuing southeast to the eastern junction with the Flippin Bypass is hereby removed from the State Highway System.
- The portion of roadway constructed by Job 090239 is hereby added to the State Highway System as part of Highway 62, Section 9.

2008-036

WHEREAS, IN SEBASTIAN COUNTY, Job 040111, Cherokee Creek Str. & Apprs., is complete; and

WHEREAS, the job relocated a portion of Highway 252, Section 1 in the City of Huntington; and

WHEREAS, the City of Huntington has passed Ordinance 2007-3 agreeing to accept all responsibility for maintenance of the portion of Highway 252, beginning at the junction with Crescent Avenue and continuing along Washington Avenue and Broadway Street to the junction with Highway 71.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 252, Section 1 beginning at the junction with Crescent Avenue and continuing along Washington Avenue and Broadway Street to the junction with Highway 71, Section 13, in the City of Huntington, is hereby removed from the State Highway System.
- The newly constructed portion of roadway is hereby added to the State Highway System as Highway 252, Section 1.

2008-037

WHEREAS, IN DREW COUNTY, Minute Order 2000-223 authorized a study to evaluate the purpose, need and feasibility of a southern bypass around the City of Monticello; and

WHEREAS, the Monticello Bypass Study has been completed and identified three feasible alternatives to improve traffic flow and enhance safety in Monticello.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2008-038

WHEREAS, IN CRAIGHEAD COUNTY, Minute Order 2007-014 authorized a planning study to determine improvements at the Highway 63 interchanges with Highways 49/1 (Stadium Boulevard), Caraway Road, Highway 1B (Harrisburg Road), and Highways 49/18 (Southwest Drive) in Jonesboro; and

WHEREAS, the Highway 63 Traffic Operations Study has been completed and has identified short-term and long-term improvements for each of these four Highway 63 interchanges that would relieve congestion and enhance safety.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements on Highway 63 and adjacent roadways, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2008-039

WHEREAS, IN LAWRENCE COUNTY, Minute Order 2005-106 authorized a feasibility study of a Highway 63 overpass of the BNSF Railway main line in the City of Ravenden; and

WHEREAS, the Highway 63 Railroad Overpass Feasibility Study has been completed and determined that feasible overpass alternatives exist but construction of an overpass is not warranted at this time.

2008-039 - Continued

NOW THEREFORE, this study is adopted for use as a planning guide.

2008-040

WHEREAS, IN PULASKI COUNTY, Minute Order 2006-067 authorized a study to determine the need for and feasibility of constructing an exit ramp on Highway 67 near Madden Road in Jacksonville; and

WHEREAS, the study titled Highway 67/Vandenburg Boulevard Northbound Exit Ramp Feasibility Study has been completed and determined that an exit ramp at this location is needed and feasible to construct.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2008-041

WHEREAS, IN WHITE COUNTY, Minute Order 2004-021 authorized a feasibility study of an overpass of the Union Pacific Railroad main line to improve traffic flow in the City of Kensett; and

WHEREAS, the Railroad Grade Separation Feasibility Study has been completed and determined that feasible overpass alternatives exist but construction of an overpass is not warranted at this time.

NOW THEREFORE, this study is adopted for use as a planning guide.

2008-042

WHEREAS, Minute Order 2002-199 authorized the Director to proceed with right of way acquisition for the Interstate 69 Connector using only 100% Federal-aid funds; and

2008-042 - Continued

WHEREAS, Congress has provided additional funds specifically earmarked for the development of the Interstate 69 Connector, and these funds are provided at an 80% Federal-aid/20% State matching ratio.

NOW THEREFORE, the Director is authorized to proceed with the development of the Interstate 69 Connector using the Federal-aid earmarked funds as appropriate.

2008-043

WHEREAS, IN NEVADA AND CLARK COUNTIES, a crash analysis has been completed on Interstate 30, Sections 13 and 14; and

WHEREAS, the analysis showed a high rate of wet weather crashes between log mile 55 and log mile 58 in the eastbound direction and between log mile 54 and 58 in the westbound direction and indicated that a safety improvement is warranted; and

WHEREAS, an improvement to provide an overlay to increase the skid resistance in these sections is eligible for Federal-aid Safety funds.

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

2008-044

WHEREAS, IN PULASKI COUNTY, train traffic has periodically blocked the crossings of the Union Pacific Railroad in Hensley; and

WHEREAS, local officials have requested that the Department conduct a study to determine the need for and feasibility of constructing a railroad overpass to enhance traffic flow and safety.

NOW THEREFORE, the Director is authorized to conduct a railroad overpass feasibility study in Hensley.

2008-045

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the March 5, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10105	01	LEE	NO. MARIANNA-HWY. 121 (S)	1	Y
S10106	01	WOODRUFF	CYPRESS BRAKE-HWY. 33 (OVERLAY) (S)	64	Y
S10204	02	DREW & LINCOLN	DREW/LINCOLN CO. LINE-NORTH & SOUTH (SEL. SECS.) (OVERLAY) (S)	425	Y
020430	02	LINCOLN	NORTH GRADY-SOUTH GRADY (BS. & SURF.) (S)	65	Y
020438	02	CHICOT	ARKANSAS WELCOME CENTER (LAKE VILLAGE) (S)	65	Y
S10304	03	HOWARD	MINERAL SPRINGS-NASHVILLE (OVERLAY) (S)	27	Y
030350	03	HEMPSTEAD	I-30 EB RAMPS-NORTH (HOPE) (S)	278	Y
S10405	04	CRAWFORD	HWY. 64-NORTH & SOUTH (OVERLAY) (S)	59	Y
S10507	05	WHITE	HWY. 5-WEST (OVERLAY) (S)	36	Y
S10607	06	GARLAND & HOT SPRING	GULPHA CR.-HWY. 51 (SEL. SECS.) (OVERLAY) (S)	270	Y
S10707	07	UNION	ASHLEY CO. LINE-WEST (SEL. SECS.) (OVERLAY) (S)	82	Y
S10805	08	VAN BUREN	ARCHIE FORK BRIDGE-NORTH (OVERLAY) (S)	65	Y
080255	08	MONTGOMERY	DENBY CREEK STR. & APPRS. (S)	270	Y
080284	08	POPE	HWY. 64-I-40 (WEIR RD.) (RUSSELLVILLE) (S)	326	Y
S10905	09	BOONE	MARION CO. LINE-WEST (OVERLAY) (S)	62	Y
S11006	10	CLAY	RECTOR-NORTH (OVERLAY) (S)	49	Y
100641	10	RANDOLPH	HWY. 67/OLD CO. RD. & HWY. 90/PARK SIGNALS (POCAHONTAS) (S)	67 & 90	Y
001934	02 & 07	LINCOLN, JEFFERSON & CLEVELAND	STEEP BANK CR.-HWY. 212 (GR. & STRS.) (F)	530	Y
SA3640	08	JOHNSON	JOHNSON COUNTY SURFACING NO. 2 (SEL. SECS.) (S)	---	-
SA4638	03	MILLER	HWY. 82-HWY. 196 (RESEALS) (S)	---	-

and

2008-045 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

2008-046

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:55 a.m., March 5, 2008.

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 5, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 16, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 16, 2008. Members present were:

Jonathan Barnett, Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2008-047 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., April 16, 2008.

2008-048 WHEREAS, the Purchasing Committee has awarded purchases on March 3, 20, and 25, 2008, in the amounts of \$879,620.00, \$1,677,242.42, and \$215,135.50, respectively, totaling \$2,771,997.92, 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.

2008-049 WHEREAS, in accordance with the National Environmental Policy Act and other State and Federal environmental laws and regulations, the Department is required to ensure that recommended projects appropriately address social, economic and environmental impacts; and

WHEREAS, it is necessary to provide timely environmental clearance of projects in order to proceed with design and construction; and

WHEREAS, since 2005, on-call services contracts have been used to supplement Department staff in the conduct of the noise and archeological stages of the environmental process; and

2008-049 - Continued

WHEREAS, work performed under these on-call services contracts was found to be an effective method of producing timely studies and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to request proposals, select consulting firms, and enter into any necessary contracts and agreements with the firms for on-call noise and archeological services as needs are identified.

2008-050

WHEREAS, the use of Federal-aid Transportation Enhancement (TE) funds for reimbursement of expenses related to work that streamlines the environmental process was originally authorized in the Transportation Equity Act for the 21st Century (TEA-21) of 1998 and continued in subsequent legislation; and

WHEREAS, the U.S. Army Corps of Engineers is responsible for issuing Section 404 permits for highway construction, maintenance, and operation activities involving waters of the United States, including wetlands; and

WHEREAS, jurisdiction in Arkansas is divided among three Corps of Engineers District Offices and two Division Offices; and

WHEREAS, the Corps of Engineers consolidated permitting authority for Department projects in the Little Rock District; and

WHEREAS, the Little Rock District has assigned a senior level project manager to process Department projects on a full-time basis; and

WHEREAS, the Department has used Federal-aid TE funds and State match since 2003 that has been extremely beneficial to each agency for a streamlined permitting process.

NOW THEREFORE, the Director is authorized to continue the agreement with the Corps of Engineers for the purpose of expediting Department projects subject to the following conditions:

1. Corps of Engineers will supplement existing staff with one senior level, experienced project manager to streamline Department project review and approval.
2. The Department will pay salary, benefits, and overhead including training and travel as needed to support the priority review of Department projects.
3. Corps of Engineers will provide all necessary funds and equipment to support the activities of the employee including, but not limited to, office space, office supplies, and clerical support.

2008-051

WHEREAS, the use of Federal-aid Transportation Enhancement (TE) funds for reimbursement of expenses related to work that streamlines the environmental process was originally authorized in the Transportation Equity Act for the 21st Century (TEA-21) of 1998 and continued in subsequent legislation; and

WHEREAS, the U.S. Fish and Wildlife Service (FWS) is responsible for reviewing highway construction, maintenance, and operation activities for impacts to endangered species through the Endangered Species Act and for impacts to fish and wildlife resources through the Fish and Wildlife Coordination Act; and

WHEREAS, projects and documents submitted by the Department to the FWS for review number in the hundreds annually; and

WHEREAS, the Department has used Federal-aid TE funds and State match since 2003 that has been extremely beneficial to each agency for streamlined coordination activities.

NOW THEREFORE, the Director is authorized to continue the agreement with the FWS for the purpose of expediting Department projects subject to the following conditions:

1. FWS will supplement existing staff with one person to streamline review and approval of Department projects.
2. The Department will pay salary, benefits, and overhead including training and travel as needed to support the priority review of Department projects.
3. FWS will provide all necessary funds and equipment to support the activities of the employee including, but not limited to, office space, office supplies, and clerical support.

2008-052

WHEREAS, the use of Federal-aid Transportation Enhancement (TE) funds for reimbursement of expenses related to work that streamlines the environmental process was originally authorized in the Transportation Equity Act for the 21st Century (TEA-21) of 1998 and continued in subsequent legislation; and

WHEREAS, the Department of Arkansas Heritage (DAH), through its Arkansas Historic Preservation Program, is responsible for archeological reviews of approximately 3,000 projects annually; and

WHEREAS, many of these projects are initiated by the Arkansas State Highway and Transportation Department; and

WHEREAS, the Department has used Federal-aid TE funds and State match since 2001 to fund a position that has been extremely beneficial to each agency for streamlined coordination activities.

NOW THEREFORE, the Director is authorized to continue the agreement with DAH for the purpose of expediting Department projects subject to the following conditions:

1. The Department will pay salary and other salary-related benefits of appropriate staff position(s) to expedite DAH review of Department projects.

2008-052 - Continued

2. DAH will provide all necessary funds and equipment to support the activities of the staff including, but not limited to, office space, office supplies, travel, clerical support, and training.

2008-053

WHEREAS, transportation enhancements to the highway system are of growing interest to cities, counties, state agencies/institutions, and federal agencies; and

WHEREAS, federal transportation enhancement funding, awarded through the highway commission, since the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, for projects to improve the aesthetics of the highway system and to provide other transportation enhancements has resulted in approximately \$56 million in assistance to these local sponsors, and

WHEREAS, cities, counties, state agencies/institutions and federal agencies may request to construct additional transportation enhancements on State Highway rights of way using local funds.

NOW THEREFORE, the Director is authorized to issue permits to qualifying applicants for the construction and/or installation of transportation enhancements on state highway rights of way in accordance with the attached guidelines.

2008-054

WHEREAS, the severe storms and floodings that began on March 18, 2008, and continuing have caused significant damage to state highways, roadway slopes, highway structures and drainage structures; and

WHEREAS, a Federal Disaster Declaration has been proclaimed which includes many counties in Arkansas; and

WHEREAS, as a result of the Declaration, Federal funds are available through the Emergency Relief Program of the Federal Highway Administration (FHWA) for emergency and permanent repair of Federal-aid highway routes.

2008-054 - Continued

NOW THEREFORE, the Director is authorized to enter into necessary contracts with the private sector to repair damage on the highway system and request reimbursement from FHWA for these expenses as well as the Department's force account work as appropriate.

FURTHERMORE, the Director is authorized to provide technical assistance to cities and counties in their damage repair efforts on Federal-aid highway routes, and to request reimbursement for these activities from available Federal programs.

2008-055

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

WHEREAS, the Arkansas Highway and Transportation Department spends approximately \$5 million annually to remove litter from State Highways; and

WHEREAS, the Department's previous contributions to the Keep Arkansas Beautiful Foundation have been helpful in continuing the Great Arkansas Cleanup.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 this year to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

2008-056

WHEREAS, the Commission, in Minute Order No. 2000-087, dated May 17, 2000, did authorize and direct the Chairman to execute a Quitclaim Deed, dated May 17, 2000, recorded in Clark County records in Book 594 at page 334, on July 21, 2000, conveying certain lands to Clark County, Arkansas, which had been declared surplus by the Commission; and

WHEREAS, the legal descriptions appearing in said Quitclaim Deed contain scrivener errors which require correction for the property herein described; and

WHEREAS, the property released to Clark County should be, and is, more particularly described as follows:

Job No. 070119

Part of Tract No. 1

Part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 7 South, Range 19 West, Clark County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 16; thence South $02^{\circ} 53' 33''$ West along the West line thereof a distance of 239.852 meters to a point on the existing Southerly right of way line of State Highway 51; thence South $71^{\circ} 04' 10''$ East along said existing right of way line a distance of 19.816 meters to a point; thence South $77^{\circ} 56' 03''$ East along said existing right of way line a distance of 22.959 meters to a point; thence South $66^{\circ} 55' 36''$ East along said existing right of way line a distance of 30.770 meters to a point on the proposed Southerly right of way line of State Highway 51 for the point of beginning; thence North $83^{\circ} 56' 17''$ East along said proposed right of way line a distance of 11.123 meters to a point; thence South $47^{\circ} 08' 26''$ East along said proposed right of way line a distance of 14.906 meters to a point; thence South $51^{\circ} 39' 35''$ West a distance of 8.960 meters to a point on the existing Southerly right of way line of State Highway 51; thence North $45^{\circ} 51' 01''$ West along said existing right of way line a distance of 20.850 meters to the point of beginning and containing 0.016 hectare or 155 square meters more or less.

JW/II Rev. 8/08/07 (ga)

Part of Tract No. 3

Part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 7 South, Range 19 West, Clark County, Arkansas, more particularly described as follows:

Starting at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 16; thence South $02^{\circ} 53' 33''$ West along the West line thereof a distance of 239.852 meters to a point on the existing Southerly right of way line of State Highway 51; thence South $71^{\circ} 04' 10''$ East along said existing right of way line a distance of 19.816 meters to a point; thence South $77^{\circ} 56' 03''$ East along said existing right of way line a distance of

22.959 meters to a point; thence South 66° 55' 36" East along said existing right of way line a distance of 30.770 meters to a point; thence South 45° 51' 01" East along said existing right of way line a distance of 34.659 meters to a point; thence South 38° 21' 31" East along said existing right of way line a distance of 6.711 meters to a point; thence South 46° 04' 17" East along said existing right of way line a distance of 9.726 meters for the point of beginning; thence North 51° 28' 01" East a distance of 7.677 meters to a point; thence North 53° 13' 11" East a distance of 0.451 meters to a point on the proposed Westerly right of way line of State Highway 51; thence South 39° 47' 49" East along said proposed right of way line a distance of 12.249 meters to a point; thence South 43° 59' 08" East along said proposed right of way line a distance of 72.993 meters to a point on the existing right of way line of State Highway 51; thence North 50° 31' 09" West along said existing right of way line a distance of 52.357 meters to a point; thence North 46° 04' 17" West along said existing right of way line a distance of 34.000 meters to the point of beginning and containing 0.038 hectare or 381 square meters more or less.

JW/ll Rev. 8/8/07 (ga)

NOW THEREFORE, the Chairman of the Commission is authorized and directed to execute a Correction Quitclaim Deed to Clark County, Arkansas, in order to release the interest of the Commission in and to the above-described lands. A copy of the Correction Quitclaim Deed and this Minute Order shall be filed in the Circuit Clerk and Recorder's office for Clark County, Arkansas, upon its execution by the Chairman.

WHEREAS, the Commission acquired in fee property known as Tract No. 1R from James E. Davidson, of lawful age and unmarried, for Job No. 5960, Highway 167/Highway 69, Intersection Improvements (Batesville) Independence County, Arkansas, by Warranty Deed dated April 4, 1992, filed for record on June 5, 1992, in Deed Record Book A-15 at pages 221-222 inclusive, of the deed records of Independence County, Arkansas; and

WHEREAS, Springfield Holdings Group, LLC, has asked to purchase a portion of Tract No. 1R; James E. Davidson has assigned his right to reacquire part of Tract No. 1R to Springfield Holdings Group, LLC, and the District Engineer for District Five has determined that the portion

of Tract No. 1R to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said portion of Tract No. 1R being more particularly described as follows:

Part of the Northwest Quarter of the Southeast Quarter of Section 16, Township 13 North, Range 6 West, Independence County, Arkansas, more particularly described as follows:

Starting at a calculated point being used as the Center East sixteenth corner of Section 16; thence South $01^{\circ} 26' 04''$ West along the East line of the Northwest Quarter of the Southeast Quarter of Section 16 a distance of 22.10 feet to a point on the Southerly right of way line of Arkansas State Highway 69 as established by AHTD Job 5659 Section 1; thence North $89^{\circ} 10' 34''$ West along said right of way line a distance of 165.06 feet to a point on the Easterly right of way line of 16th Street (Platted Sidney Street) as established by the plat of Maxfield's Third Eastern Addition; thence North $88^{\circ} 27' 42''$ West a distance of 50.21 feet to a point on the Southerly right of way line of Arkansas State Highway 69 as established by AHTD Job 5659 Section 1; thence North $89^{\circ} 10' 34''$ West along said right of way line a distance of 79.08 feet to a point; thence North $89^{\circ} 31' 37''$ West along said right of way line a distance of 270.95 feet to a point on the Easterly right of way line of 15th Street (Platted Lee Street); thence South $84^{\circ} 46' 15''$ West a distance of 50.32 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 5659 Section 1; thence North $89^{\circ} 31' 37''$ West along said right of way line a distance of 670.62 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 5960; thence South $02^{\circ} 19' 17''$ West along said right of way line a distance of 3.00 feet to a point; thence continue South $02^{\circ} 19' 17''$ West a distance of 14.98 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 050095 for the point of beginning; thence continue South $02^{\circ} 19' 17''$ West a distance of 75.59 feet to a point; thence North $89^{\circ} 01' 08''$ West a distance of 76.28 feet to a point on the Southerly right of way line of Arkansas Highway 69 as established by AHTD Job 5960; thence North $12^{\circ} 09' 04''$ East along said right of way line a distance of 24.91 feet to a point on the Northerly proposed right of way line of Arkansas Highway 69; thence North $50^{\circ} 48' 51''$ East along said right of way line a distance of 78.82 feet to a point on the Southerly right of way line of Arkansas

Highway 69 as established by AHTD Job 050095; thence North 89° 41' 57" East along said right of way line a distance of 13.00 feet to the point of beginning and containing 0.09 acres more or less as shown on plans prepared by the AHTD referenced as Job 050095.

GA/ga Rev. 1/23/08

WHEREAS, Tract No. 1R was acquired by the Commission for TEN THOUSAND ONE HUNDRED EIGHTY-EIGHT AND NO/100 DOLLARS (\$10,188.00).

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated § 27-67-322, opined that the current fair market value of that portion of Tract No. 1R being offered for sale is NINETEEN THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$19,100.00).

NOW THEREFORE, Part of Tract No. 1R is declared surplus; upon receipt of the consideration of NINETEEN THOUSAND ONE HUNDRED AND NO/100 DOLLARS, (\$19,100.00) the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described portion of Tract No. 1R to Springfield Holdings Group, LLC; a copy of the Deed and this Minute Order shall be recorded in Independence County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to Federal Funds.

FURTHERMORE, the disposal of this property is contingent upon the purchaser's guarantee to provide transportation enhancement-type improvements on this tract to replace the improvements made by the City of Batesville under the Arkansas Transportation Enhancement Program in 1995.

WHEREAS, the Commission acquired right of way for Job No. 10688, Osceola – West, Route 140, Section 2, by Mississippi County Court Order, dated April 23, 1963, which was recorded in the County Court Records of Mississippi County, Arkansas, in Book 16, page 37; and

WHEREAS, the District Engineer for District Ten has determined that an area inside the boundaries of the existing right of way line is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundary be remonumented to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described as follows:

From designated Construction Centerline Station 106+23.3 to Station 108+53.23 of the originally executed Court Order for Job 10688, dated April 23, 1963 and being recorded in County Court Records of Mississippi County, Arkansas, Book "16", Page 37' inclusive of said records shall hereby be revised, for surplus release of Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
106+23.30	108+14.90	191.60	-	100'	-
108+14.90	108+53.23	38.33	-	Var. 100'- 227.07'	-

NOTE: In all other respects the original Court Order shall remain as is.
G.A.:g.a. Typed: 3/10/08

NOW THEREFORE, the above-described right of way is hereby declared surplus and released to Mississippi County, Arkansas; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Mississippi County, Arkansas; and, the right of way shall be remonumented to reflect the new boundaries after the release of the above right of way.

Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2008-059

WHEREAS, the Commission acquired property known as Tract No. 25XR from Charlie Jean Harris Zlobik and Anthony Zlobik, her husband, for Job No. 100304, FAP No. STP-0047(37), Route 18, Section 6, Highway 181 South – Highway 312, Mississippi County, Arkansas, by Warranty Deed filed of record on December 02, 2005, in the Circuit Clerk's Office of Mississippi County, Arkansas, in Book No. 2009, Page 9717; and

WHEREAS, Tract No. 25XR was acquired for SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00); and

WHEREAS, Charlie Jean Harris Zlobik and Anthony Zlobik, her husband, have asked to repurchase Tract No. 25XR, and the District Engineer for District Ten has determined said property is not now, nor in the foreseeable future will be, needed for highway purposes and that Tract No. 25XR being more particularly described as follows:

Part of the Northeast Quarter of the Northwest Quarter of Section 3, Township 14 North, Range 10 East, Mississippi County, Arkansas, more particularly described as follows:

Starting at a point of commencement being used as the North Quarter corner of Section 3; thence South 89° 05' 47" West along the North line of the Northeast Quarter of the Northwest Quarter of Section 3 a distance of 269.03 feet to a point on the Southerly right of way line of Arkansas State Highway 18 as established by AHTD Job 10303; thence South 52° 54' 23" West along said right of way a distance of 58.57 feet to a point; thence South 01° 24' 28" East a distance of 29.06 feet for the point of beginning; thence continue South 01° 24' 28" East a distance of 86.35 feet to a point; thence South 88° 35' 32" West a distance of 75.00 feet to a point; thence North 01° 24' 28" West a distance of 37.58 feet to a point on the Southerly right of way line of Arkansas State Highway 18 as established by AHTD Job 100304; thence North 55° 33' 26" East along said right of way a distance of 89.46 feet to the point of beginning and containing 0.10 acres more or less as shown on plans prepared by the AHTD referenced as Job 100304.

RA/crr 07/21/05

NOW THEREFORE, the above-described property is declared surplus; and upon receipt of the consideration of SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Charlie Jean Harris Zlobik and Anthony Zlobik, her husband; a copy of the deed and this Minute Order shall be recorded in the County Records of Mississippi County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2008-060

WHEREAS, the Commission acquired right of way for Job No. 10213, Pocahontas – West Road, Randolph County by Randolph County Court Order, dated June 28, 1938, which was recorded in the County Court Records of Randolph County, Arkansas, in Book 2, pages 45, inclusive; and

WHEREAS, the District Engineer for District 10 has determined that an area inside the boundaries of the existing right of way line is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundary be remonumented to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described as follows:

From designated Centerline Station 443+00.00 to Station 447+00.00 of the originally executed Court Order for Job 10213, dated June 28, 1938, and being recorded in County Court Records of Randolph County, Arkansas, in County Court Road Record Book “2” Page “45” inclusive, of said records shall hereby be revised as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
443+00.00	447+00.00	400	50'	50'	100'

NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Randolph County.

G.A.:g.a. Typed:11/27/07

NOW THEREFORE, the above-described right of way is hereby released to Randolph County, Arkansas; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Randolph County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the new boundaries as reflected after the release of the above right of way.

Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2008-061

WHEREAS, the Commission acquired property known as Tract No. 26 from James Fussell, Jr.; Lucile F. Mann; Alston Taylor and wife, Lollie Taylor; James F. Taylor and Virginia H. Sample for Job No. 11581, FAP No. F-031-2(5), Forrest City – Caldwell, St. Francis County, Arkansas, by Warranty Deed filed of record on November 06, 1963, in the Circuit Clerk's office of St. Francis County in Deed Record Book No. 259, page 52; and

WHEREAS, Tract No. 26 and other lands were acquired by the Commission for THREE THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$3,300.00); and

WHEREAS, Collier Wright, LLC, has bid the sum of SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00), which is the highest bid received for a portion of Tract No. 26, Job No. 11581, at a public auction held on Thursday, October 25, 2007, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters Building, Little Rock, Arkansas, in Room 702. Three (3) qualified appraisers have opined that the current fair market value of the portion of Tract No. 26 being offered for sale is SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00); and the District Engineer for District One has determined the portion of Tract No. 26 being offered for sale is not now, nor in the foreseeable future will be, needed for highway purposes and being more particularly described as follows:

Being a part of the NE1/4 of the SW1/4, Section 16, T5N-R3E, St. Francis County, Arkansas and more particularly described as follows:

Commencing at a 5/8 inch rebar being used as the Southeast Corner of said NE1/4, SW1/4;

Thence the following courses and distances to 1/2 inch rebar's with plastic caps stamped "PLS 845":

N0°52'00"E - Measured (N0°24'00"E - Recorded) 175.11 feet along the East line of said NE1/4, SW1/4 to point of beginning, said point being at station 71+97.9/145' right based upon the centerline of survey for Job 11581 for Arkansas Highway No. 1 and said point also being the Southeast Corner of right of way property purchased in fee as recorded in Deed Book 259 at Page 52 of the Records of St. Francis County, Arkansas;

Thence from the point of beginning, S72°55'00"W - Measured (72°27'00"W - Recorded) 64.28 feet along the South line of said property recorded in Deed Book 259 at Page 52 to a point, said point being at station 71+97.9/80.72' right based upon the centerline of survey for said Job 11581, said point also being 80.8 feet east of the existing centerline of Arkansas Highway No. 1 as it exists of this date;

Thence N19°59'27"W 76.69 feet along a line 80.0 feet east of and parallel to the existing centerline of Arkansas Highway No. 1 to a point which is 30.0 feet South of the Southern most East bound lane for Barrow Hill Road;

Thence N52°03'17"E 30.86 feet along a line 30.0 feet South of and parallel to said East bound lane;

Thence N80°36'40"E 49.50 feet to a point on the East line of said NE1/4, SW1/4, said point also being on the South right of way line of Barrow Hill Road, and also being the Northwest Corner of property as Recorded in Deed Book 480 at Page 101 of the Records of St. Francis County, Arkansas;

Thence S0°52'00"W - Measured (S0°24'00"W - Recorded) 89.89 feet along the East line of said NE1/4, SW1/4 to the point of beginning, containing a total of 7,007.11 square feet, or 0.16 Acres, more or less and subject to any easements of record, and as shown on a plat prepared by Paul Gunn, PLS 845, dated 1/11/08, and recorded as Document Number 200801220001, at the State Land Surveyor's Office of the Department of Agriculture.

2008-061 - Continued

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00); the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to Collier Wright, LLC; a copy of the deed and this Minute Order shall be recorded in St. Francis County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2008-062

WHEREAS, the Commission acquired, among other lands, a Permanent Construction Easement known as Tract No. 26E-2 from J. Kenneth Van Hook and wife, Dinah R. Van Hook, for Job No. 070074, N.H. – 0070, Highway 82- Highway 63, Route 167, Section 1 (El Dorado), Union County, Arkansas, by condemnation filed for record on August 22, 2006, in Circuit Clerk's Office of Union County, Arkansas, in case *Arkansas State Highway Commission vs. J. Kenneth Van Hook and Dinah R. Van Hook, his wife; Union County Circuit Court Case No. CIV 2006-0361-6*;

WHEREAS, J. Kenneth Van Hook and Dinah R. Van Hook have asked to repurchase Tract No. 26E2. The District Engineer for District 7 has determined that Tract No. 26E2 is not now, nor in the foreseeable future will be, needed for highway purposes and Tract No. 26E2 should be released and J. Kenneth Van Hook and wife, Dinah R. Van Hook should be allowed to repurchase Tract No. 26E2, said tract being more particularly described as follows:

Part of the Northeast Quarter of the Southwest Quarter of Section 34, Township 17 South, Range 15 West, Union County, Arkansas, and being more particularly described as follows:

Starting at a 2" iron pipe found at the West Quarter corner of Section 34; thence, South 88° 56' 54" East a distance of 1312.85 feet to a point; thence, South 0° 47' 17" West a distance of 406.19 feet to a point; thence, North 38° 47' 28" East a distance of 178.61 feet to a point; thence, South 51° 04' 35" East a distance of 433.33 feet to a ¾" iron pipe; thence, South 44° 13' 30" West a distance of 96.18 feet to a point; thence, South 44° 17' 30" West a distance of 74.73 feet to a point and the true point of beginning; thence,

from the point of beginning, South 86° 52' 30" East a distance of 131.83 feet to a point; thence, South 89° 22' 00" East a distance of 57.60 feet to a point in the Westerly right of way line of U. S. Highway 167 as established by AHTD Job No. 070074; thence, with the said Westerly right of way line, South 11° 28' 17" East a distance of 73.06 feet to a point; thence, North 80° 41' 57" West a distance of 182.48 feet to a point; thence, South 46° 16' 17" West a distance of 53.14 feet to a ½" rebar; thence, North 45° 44' 21" West a distance of 49.98 feet to a ½" rebar; thence, North 44° 17' 30" East a distance of 72.35 feet back to the point of beginning and containing 0.32 acres more or less (13,901 sq.ft.).

WHEREAS, Tract No. 26E2 was acquired by the Commission for TWENTY-SIX THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$26,150.00);

NOW THEREFORE, the above described property is declared surplus; upon receipt of the consideration of TWENTY-SIX THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$26,150.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the described property to J. Kenneth Van Hook and wife, Dinah R. Van Hook; a copy of the Quitclaim Deed and this Minute Order shall be recorded in Union County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, the City of Foreman, Arkansas (City) has requested an Airspace Permit to use certain highway right of way, located in Little River County, owned by the Arkansas State Highway Commission (Commission), more particularly described below for the purpose of constructing and maintaining a city park; and

WHEREAS, the City has agreed to bear all of the expense for the construction, maintenance, insurance, staffing and any other expenses connected to or associated with such city park and to hold the Commission, its agents, servants and employees harmless for any liability incurred in connection with such city park; and

WHEREAS, the District Engineer for District 3 has determined that the proposed use of the right of way nor the provisions and stipulations contained herein and in the proposed Airspace Permit will not interfere with the use of the property for highway purposes; such right of way being more particularly described as follows:

Job 3776
Tract 30
Airspace Permit
City of Foreman

Part of the Northeast Quarter of the Southeast Quarter of Section 27, Township 12 South, Range 32 West, Little River County, Arkansas more particularly described as follows:

Starting at a point being used as the South Sixteenth corner of Sections 26 and 27, Township 12 South, Range 32 West; thence North 88° 36' West along the South line of the Northeast Quarter of the Southeast Quarter of Section 27 a distance of 74.9 feet to a point on the Westerly right of way of State Highway 41 as established by AHTD Job 3776; thence North 01° 15' East along said right of way line a distance of 173.6 feet to the point of beginning; thence North 88° 45' West along said right of way line a distance of 60.0 feet to a point; thence North 29° 12' West along said right of way line a distance of 127.1 feet to a point; thence North 16° 43' East along said right of way line a distance of 219.0 feet to a point; thence North 73° 52' East along said right of way line a distance of 69.7 feet to a point; thence South 01° 20' West a distance of 341.5 feet to the point of beginning and containing 0.71 acres or 30,969 square feet more or less.

DH 7/26/07

WHEREAS, after considering the proposal from the City, the Commission finds that it is in the best interest of the public and the Commission to accept the City's proposal and to grant an Airspace Permit to the City containing such provisions and stipulations as the Director and his staff may determine.

NOW THEREFORE, the Commission does hereby authorize and direct the Director of Highways and Transportation to enter into and execute an Airspace Permit with the City of Foreman, containing the conditions, provisions and stipulations authorized in this Minute Order.

2008-064

WHEREAS, IN RANDOLPH COUNTY, the State Park Access Road System at Old Davidsonville State Park was recently updated; and

WHEREAS, the new drives meet all the criteria for inclusion into the State Maintenance System as established by A.C.A. 27-67-204; and

WHEREAS, Highway 166, Section 0 currently terminates inside the State Park; and

WHEREAS, it is logical to end State Highway 166, Section 0 at the boundary of the State Park.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 166, Section 0, beginning at the junction with Highway 361, Section 3 and continuing southeast to its terminus is hereby redesignated as part of Highway 600, Section 29.
- Drives totaling approximately 1.52 miles are hereby to be maintained by the Department as State Highway 600, Section 29.

2008-065

WHEREAS, IN CLARK COUNTY, Minute Order 2003-189 authorized a study to update the findings of the I-30/Country Club Drive Interchange Study conducted in 1994 to determine the need for and feasibility of constructing an interchange at the existing Country Club Drive overpass of Interstate 30 in Arkadelphia; and

WHEREAS, the updated study titled Interstate 30/Country Club Drive Interchange Feasibility Study has been completed and determined that little new development has occurred in the vicinity of the proposed interchange since the 1994 study was conducted and concluded that the proposed interchange is still not feasible at this time due to its high construction cost and low anticipated usage.

NOW THEREFORE, this study is adopted.

2008-066

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing for safety purposes.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Road</u>	<u>Railroad</u>	<u>Recommendation</u>
Arkansas	Stuttgart	College Street	Union Pacific	Upgrade Flashing Lights to Gates

2008-067

WHEREAS, Minute Order 2007-130 authorized technical assistance to determine the potential for intermodal transportation in Lawrence and Randolph Counties; and

WHEREAS, the City of Corning has requested that Clay County be added to the study area.

NOW THEREFORE, the Director is authorized to include Clay County in the technical assistance authorized by Minute Order 2007-130.

2008-068

WHEREAS, IN CRITTENDEN COUNTY, on Interstate 40, Job 110492, I-55 East Intchnng.-Hwy. 130 is programmed to rehabilitate this 1.71-mile section; and

WHEREAS, in addition to improving the pavement condition on this section of Interstate 40, Job 110492 will also address congestion and safety issues in the area by reconstructing and reconfiguring the Interstate 55 East interchange; and

2008-068 - Continued

WHEREAS, Arkansas' Statewide Transportation Improvement Program (STIP) for Fiscal Years 2007 through 2010 includes sufficient funding for this project.

NOW THEREFORE, the Director is authorized to proceed with Job 110492 during this current STIP period.

2008-069

WHEREAS, the City of Newport and the Newport Economic Development Commission have requested assistance from the Commission to partner in the construction of a connector highway between Highway 384 and Highway 18, east of Highway 67; and

WHEREAS, the City of Newport has agreed to provide engineering services, utility relocation and construction of the roadway embankment, drainage structures and erosion control; and

WHEREAS, the City of Newport has also agreed to assume maintenance of approximately four miles of existing State Highway upon completion of the new roadway; and

WHEREAS, the City of Newport has agreed to provide a \$200,000 contribution to the Commission toward the construction of the new roadway; and

WHEREAS, the Commission works with local governments to partner in the development of the highway system.

NOW THEREFORE, the Director is authorized to implement the development and construction of a connector highway between Highway 384 and Highway 18, east of Highway 67 in cooperation with the City of Newport. The new roadway will become a part of the State Highway System. The Department's share of the construction of the new roadway will be limited to base and surfacing, signing, striping, and incidentals through contract and/or state force account.

2008-070

WHEREAS, Minute Order 2007-166 authorized modifications at the Interstate 440/Fourche Dam Pike interchange to better accommodate turning maneuvers and traffic operations for trucks hauling long loads leaving the Industrial area; and

WHEREAS, a recent study of the interchange shows that traffic signals are warranted at the intersections of the Interstate 440 exit ramps and Fourche Dam Pike; and

WHEREAS, this study also shows a need for an additional lane on both exit ramps.

NOW THEREFORE, the Director is authorized to construct the additional lanes on the exit ramps as funds become available.

2008-071

WHEREAS, IN SALINE COUNTY, on Highway 5, Section 8, at Log Mile 3.26, the City of Bryant has requested that the existing drainage structure be replaced in order to reduce flooding to adjacent properties; and

WHEREAS, a review of this request and data provided by the City has indicated the need for additional hydraulic capacity at this location.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction to improve the drainage at this location as funds become available.

2008-072

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 16, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10107	01	CRITTENDEN & CROSS	HWY. 184 W.-HWY. 184 E. (SEL. SECS.) (OVERLAY) (S)	64	Y
S10108	01	CRITTENDEN	PEARCE ST.-HWY. 77 (WEST MEMPHIS) (OVERLAY) (S)	70	Y
110251	01	CRITTENDEN	RUSHING ROAD EXTENSION (WEST MEMPHIS) (S)	- - -	-
S10205	02	ARKANSAS	HWY. 1 (DEWITT) & HWY. 63 (STUTTGART) (OVERLAY) (S)	1 & 63	Y

2008-072 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10206	02	JEFFERSON	HWY. 63-WABBASEKA (OVERLAY) (S)	79	Y
020461	02	ARKANSAS	HWY. 79/HWY. 63 & MAIN ST. SIGNALS (STUTTGART) (S)	79 & 63	Y
020463	02	GRANT	HWY. 167 BYPASS (SHERIDAN) (GR. & STRS.) (S)	167	Y
S10305	03	LITTLE RIVER & SEVIER	HWY. 32 (FOREMAN) & HWY. 71 (DEQUEEN) (OVERLAY) (S)	32 & 71	Y
S10307	03	MILLER	HWY. 237-HWY. 245 (TEXARKANA) (OVERLAY) (S)	71	Y
R30026	03	NEVADA	HWY. 67-ASH ST. (PRESCOTT) (S)	24	Y
S10405	04	CRAWFORD	HWY. 64-NORTH & SOUTH (OVERLAY) (S)	59	Y
S10406	04	POLK	SEVIER CO. LINE-NORTH (OVERLAY) (S)	71	Y
S10407	04	SCOTT	HWY. 28-NORTH (OVERLAY) (S)	71	Y
040467	04	SEBASTIAN	HWY. 22/MEANDERING WAY SIGNAL (FORT SMITH) (S)	22	Y
040484	04	WASHINGTON	I-540 OVERPASS REPAIR (FAYETTEVILLE) (S)	540	Y
S10508	05	FULTON	HWY. 9-EAST (OVERLAY) (S)	62	Y
S10509	05	WHITE	GLAISE CREEK-EAST (OVERLAY) (S)	64	Y
S10608	06	PULASKI	ISOM CREEK-PLEASANT VALLEY DR. (LR) (OVERLAY) (S)	10	Y
S10609	06	PULASKI	HWY. 5-I-430 (LR) (OVERLAY) (S)	300	Y
061184	06	HOT SPRING	HWY. 270/HWY. 51 SIGNAL (HOT SPRING CO.) (S)	270 & 51	Y
061193	06	GARLAND	HWY. 227/MID-AMERICA BLVD. SIGNAL (GARLAND CO.) (S)	227	Y
S10708	07	BRADLEY & CALHOUN	HAMPTON-WARREN (SEL. SECS.) (OVERLAY) (S)	278	Y
070074	07	UNION	HWY. 82-HWY. 63 (S)	167	Y
S10805	08	VAN BUREN	ARCHIE FORK BRIDGE-NORTH (OVERLAY) (S)	65	Y
S10806	08	YELL	SOUTH OF HWY. 307-MOSLEY (OVERLAY) (S)	27	Y
S10807	08	JOHNSON	COAL HILL-HWY. 164 (OVERLAY) (S)	64	Y

2008-072 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080255	08	MONTGOMERY	DENBY CREEK STR. & APPRS. (S)	270	Y
S10906	09	BAXTER	HWY. 62-HWY. 178 (MTN. HOME) (OVERLAY) (S)	5	Y
S10907	09	MARION	SEARCY CO. LINE-NORTH (OVERLAY) (S)	14	Y
S11008	10	RANDOLPH	CURRENT RIVER EAST & WEST (OVERLAY) (S)	67	Y
S11009	10	GREENE	HWY. 135-WEST (PARAGOULD) (OVERLAY) (S)	412	Y
SA0346	09	BAXTER	BAXTER COUNTY RESEAL NO. 8 (S)	---	-
SA0935	02	CHICOT	CO. RD. 280-WEST AND SOUTH (BASE & SURF.) (S)	---	-
SA1244	05	CLEBURNE	HWY. 110-NORTH (SURFACING) (S)	---	-
SA1651	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 24 (SEL. SEC.) (S)	---	-
SA2362	08	FAULKNER	FAULKNER COUNTY OVERLAY NO. 4 (S)	---	-
SA2539	05	FULTON	BEXAR-EAST (UNION RD.) BASE (S)	---	-
SA2737	02	GRANT	CO. RD. 54-CO. RD. 52 (BASE & SURFACING) (S)	---	-
SA2855	10	GREENE	HWY. 49-WEST (OVERLAY) (S)	---	-
SA2935	03	HEMPSTEAD	HWY. 278-HWY. 174 (SEL. SECS.) (OVERLAY) (S)	---	-
FA3113	03	HOWARD	DILLARD CREEK-CO. RD. 282 (SURFACING) (S)	---	-
SA3132	03	HOWARD	HOWARD COUNTY RESEAL NO. 2 (S)	---	-
SA3448	05	JACKSON	INDEPENDENCE CO. LINE-SOUTH (BASE & SURF.) (S)	---	-
BR3709	03	LAFAYETTE	DORCHEAT BAYOU RELIEF STR. & APPRS. NO. 2 (S)	---	-
SA4267	04	LOGAN	HWY. 10-CO. RD. 16 BASE & SURFACING (S)	---	-
SA4639	03	MILLER	FOUKE CITY LIMITS-CO. RD. 24 (RESEAL) (S)	---	-
SA5636	10	POINSETT	CO. RD. 60-HWY. 214 (OVERLAY) (S)	---	-
SA5727	04	POLK	POLK COUNTY OVERLAY (SEL. SECS.) (S)	---	-

2008-072 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA6332	04	SCOTT	SCOTT COUNTY RESEAL (SEL. SECS.) (S)	---	-
BR6505	04	SEBASTIAN	JAMES FORK CR. STR. & APPRS. (S)	---	-
SA6929	05	STONE	HWY. 5-WEST (SURFACING) (S)	---	-
SA7371	05	WHITE	HWY. 385-HWY. 13 (BASE & SURFACING) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Major George K. Coffman honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty years and eleven days; and

RESOLUTION - Continued

WHEREAS, Major Coffman retired from the Department on December 16, 2006; and

WHEREAS, His service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Major Coffman has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, The Arkansas State Highway Commission, during its regular meeting on April 16, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Major George K. Coffman to purchase his Glock Model 22, .40 caliber duty pistol, serial number 002AHP.

RESOLUTION

WHEREAS, First Lieutenant Jan Weinberg honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-six years, eight months and twenty-five days; and

WHEREAS, First Lieutenant Weinberg retired from the Department on December 11, 2006; and

WHEREAS, His service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, First Lieutenant Weinberg has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, The Arkansas State Highway Commission, during its regular meeting on April 16, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes First Lieutenant Jan Weinberg to purchase his Glock Model 22, .40 caliber duty pistol, serial number 080AHP.

RESOLUTION WHEREAS, Sergeant Robert Scott honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of eighteen years and twenty-one days; and

 WHEREAS, Sergeant Robert Scott retired from the Department on January 19, 2007; and

 WHEREAS, His service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

 WHEREAS, Sergeant Scott has made formal request that his duty pistol be retired with him and remain in his possession.

 NOW THEREFORE, BE IT RESOLVED, The Arkansas State Highway Commission, during its regular meeting on April 16, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant Robert Scott to purchase his Glock Model 22, .40 caliber duty pistol, serial number 073AHP.

MOTION Commissioner John Ed Regenold moved, Commissioner Madison Murphy seconded and the motion passed 4-0 to accept the Staff's recommendation to enter into negotiations with Infrastructure Engineers, Inc., of St. Cloud, Florida, to perform underwater bridge inspections on selected bridges.

MOTION Commissioner John Ed Regenold moved, Commissioner Madison Murphy seconded and the motion passed 4-0 to accept the Staff's recommendation to enter into negotiations with the following firms for on-call surveying services:

- Jewell Engineers, Inc. ----- Little Rock, AR
- Florence & Hutcheson, Inc. ----- Little Rock, AR
- Crafton Tull Sparks ----- Rogers, AR
- NTB Associates, Inc. ----- Little Rock, AR
- Consolidated Land Services, Inc. ----- Mountain Home, AR
- Garver Engineers, LLC ----- Little Rock, AR
- Ouachita-Saline Surveying, Inc. ----- Arkadelphia, AR
- Associated Engineering and Testing LLC ----- Jonesboro, AR
- Hall Surveying & Engineering, Inc. ----- Texarkana, AR

MOTION

Commissioner Cliff Hoofman moved, Commissioner Madison Murphy seconded and the motion passed 4-0 to accept the Staff's recommendation to offer automobile and homeowners insurance to employees on a payroll deduction basis through Gleason Insurance, LLC, of Maumelle, AR.

2008-073

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:05 p.m., April 16, 2008.

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 April 16, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 10, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 10, 2008. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member

2008-074 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., June 10, 2008.

2008-075 WHEREAS, the Purchasing Committee has awarded purchases on April 8 and 21, 2008, and May 1 and 8, 2008, in the amounts of \$174,609.00, \$272,767.96, \$67,850.00 and \$237,907.00, respectively, totaling \$753,133.96, 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.

2008-076 WHEREAS, the Arkansas Wireless Information Network (AWIN) is an interoperable wireless communication system for state, county and municipal law enforcement agencies, emergency responders and other Arkansas public service entities; and

WHEREAS, the safety of the officers of the Highway Police Division working outside of AWIN radio equipped patrol units or weigh station facilities would be substantially increased by equipping them with portable, handheld AWIN radios.

2008-076 - Continued

NOW THEREFORE, the Director is hereby authorized to purchase portable, handheld AWIN radios as funds become available.

2008-077 WHEREAS, by virtue of their law enforcement duties and responsibilities, the officers of the Highway Police Division are subjected daily to numerous risks and hazards; and

WHEREAS, Highway Police officers are currently equipped with body armor vests which have reached the age when the protective material has been known to weaken and become less effective; and

WHEREAS, body armor vests with enhanced resistance are now available for the protection of these officers.

NOW THEREFORE, the Director is hereby authorized to purchase this protective equipment as funds become available.

2008-078 WHEREAS, severe weather conditions, including violent tornadoes and damaging high winds, have occurred several times in this State since January 1, 2008; and

WHEREAS, some employees of the Arkansas State Highway and Transportation Department have been adversely affected by these destructive weather conditions and have taken personal leave time to respond to the resulting damage and injuries caused by these weather conditions; and

WHEREAS, on May 5, 2008, the Governor of the State of Arkansas issued Executive Order 08-09 granting up to 40 hours of emergency paid leave to those state employees who suffered the loss of, or substantial damage to, their principal place of residence due to the tornadoes, high winds, rain, and other weather conditions that have occurred since January 1, 2008.

NOW THEREFORE, the Director is authorized to grant the provisions of Executive Order 08-09 to the employees of the Arkansas State Highway and Transportation Department that have been adversely affected by severe weather conditions since January 1, 2008.

2008-079

WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the AASHTOWare products.

2008-080

WHEREAS, litter continues to be a growing problem along Arkansas roadsides; and

WHEREAS, the Governor for the State of Arkansas has proposed a Paroled Prisoner Litter Pick-up Program as a method to remove litter from the roadsides in exchange for early release from the State Prison System; and

WHEREAS, the Governor's staff, the Department of Corrections, and the Department of Community Corrections are formulating a program that will provide up to 60 days of early release for non-violent prison inmates in exchange for an agreement that the selected inmates will pick up litter along State Highways for a minimum period of time each week; and

WHEREAS, these agencies have requested assistance from the Arkansas State Highway and Transportation Department for determining the most suitable routes for these assignments, providing signs, vests and litter bags, and removing the bagged trash to a landfill.

NOW THEREFORE, the Director is authorized to enter into a Memorandum of Agreement with the Department of Community Corrections to provide this assistance in order to improve the appearances of State Highways.

2008-081

WHEREAS, it is necessary for the department to provide timely design services for selected projects in order to proceed with construction; and

2008-081 - Continued

WHEREAS, the Department currently has on-call contracts to conduct indefinite delivery design services; and

WHEREAS, these on-call contracts have been found to be an effective method of producing timely design services and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm or firms, and enter into any necessary on-call contracts as needs are identified.

2008-082

WHEREAS, the Department conducts planning and research activities to meet Federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the State Planning and Research (SPR) Work Program and Cost Estimate.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the SPR Work Program and Cost Estimate for Fiscal Year 2009 and enter into any necessary contracts and agreements.

2008-083

WHEREAS, all state Assistant District Bridge Inspectors are required to successfully complete a comprehensive bridge training course within two and a half years of attaining their position; and

WHEREAS, there are now sixteen Assistant District Bridge Inspectors that are required to attend this course; and

WHEREAS, the Department needs to maintain qualified personnel to fill future bridge inspector positions; and

WHEREAS, the two week comprehensive bridge inspection training course number FHWA-NHI-130055 "Safety Inspection of In-Service Bridges" is available to be held in state.

2008-083 - Continued

NOW THEREFORE, the Director is authorized to proceed with plans to hold the two week bridge inspection training course number FHWA-NHI-130055 "Safety Inspection of In-Serve Bridges" as funds become available.

2008-084

WHEREAS, cotton module trucks bearing the appropriate license and not exceeding nine feet (9') in width, fifty-five feet (55') in length and thirteen feet, six inches (13'6") in height, may currently travel the non-interstate highways of the state twenty-four hours a day without permit; and

WHEREAS, cotton module trucks exceeding the aforementioned maximum dimensions may currently travel the highways of the state during daylight hours when properly permitted pursuant to A.C.A. § 27-35-210 and the *Permit Regulations for the Movement of Oversize and Overweight Vehicles* of the Arkansas Highway Commission; and

NOW THEREFORE, the Director is authorized to allow twenty-four hour a day movement on the non-interstate highways of the state, for properly permitted, overdimensional cotton module trucks with dimensions not exceeding nine feet, ten inches (9'10") in width, fifty-five feet (55') in length and fourteen feet, six inches (14'6") in height.

2008-085

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 1XR in fee from Billy R. Anderson and Lilly B. Anderson, husband and wife, Grantors, for Job No. 100306, FAP Number STP-0016(44), Hwy. 158-St. Francis River, Craighead County, Arkansas, by Warranty Deed dated November 4, 2005, filed for record on November 4, 2005, in Deed Record Book 132 at Pages 606 through 608, inclusive in the Circuit Clerk's office of Craighead County, Arkansas; and

WHEREAS, the above named Grantors assigned their rights to re-acquire Tract No. 1XR to Larry Lorren, Jr. on March 7, 2008; and

WHEREAS, Larry Lorren, Jr. has asked to repurchase Tract No. 1XR which the District Engineer for District Ten has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired Tract No. 1XR for THIRTY-FOUR THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$34,200.00), which tract is more particularly described as follows:

Part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 14 North, Range 6 East, Craighead County, Arkansas, more particularly described:

Starting at a 1 ¼ inch pipe being used as the center Quarter corner of Section 20; thence South 00° 07' 48" East along the West line of the Southeast Quarter of Section 20 a distance of 2,608.51 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 10730; thence South 87° 29' 27" East along said right of way line a distance of 198.81 feet to a point; thence North 84° 23' 03" East along said right of way line a distance of 212.26 feet to a point; thence South 84° 36' 30" East along said right of way line a distance of 490.45 feet to a point; thence South 85° 48' 51" East along said right of way line a distance of 506.46 feet to a point; thence South 86° 56' 44" East along said right of way line a distance of 1,063.82 feet to a point; thence North 00° 11' 51" East a distance of 13.82 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 100306 for the point of beginning; thence continuing North 00° 11' 52" East a distance of 134.68 feet to a point; thence South 87° 21' 22" East a distance of 170.86 feet to a point on the Westerly right of way line of Arkansas State Highway 135 as established by AHTD Job 10416; thence South 00° 11' 12" West along said right of way line a distance of 106.01 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 100306; thence South 35° 20' 51" West along said right of way line a distance of 35.38 feet to a point; thence North 86° 55' 38" West along said right of way line a distance of 150.55 feet to the point of beginning and containing 0.52 acres more or less as shown on plans prepared by the AHTD referenced as Job 100306.

AJ/crr 10/13/05

2008-085 - Continued

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of THIRTY-FOUR THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$34,200.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Larry Lorren, Jr.; the Deed and a copy of this Minute Order shall be recorded in Craighead County, Arkansas, and, if necessary, the right of way shall be remonumented. Any Federal-aid funds from this disposal shall be credited to Federal Funds or otherwise credited as permitted by Federal Law.

2008-086

WHEREAS, the Arkansas State Highway Commission owns property in Crawford County, Arkansas, which is part of a residual tract of land acquired by the Commission in conjunction with Job No. R40013-2 in April, 1992, and which property is now contiguous to Hurricane Creek Bridge and Couch Branch and said property has been heretofore designated as Tract No. 222-S-2R, for identification purposes in connection with Job No. R40013-2; and

WHEREAS, Job No. 040026, Hurricane Creek Bridge and Couch Branch Bridge Structures & Approaches, Crawford County, Arkansas, requires additional right of way along the front and contiguous to Tract No. 222-S-R2, Job R40013-2, said additional right of way is designated as Tract No. 4 for Job No. 040026 and is more fully described below:

Part of the Southeast Quarter of the Southeast Quarter of Section 29, Township 11 North, Range 30 West, Crawford County, Arkansas, more particularly described as follows:

Commencing at a quarter inch by one inch Steel Bar being used as the East Sixteenth corner of Section's 29 and 32; thence South $76^{\circ} 54' 30''$ East a distance of 23.58 feet to a point which is the locally accepted East Sixteenth corner of Section's 29 and 32; thence South $86^{\circ} 47' 19''$ East along the South line of the Southeast Quarter of the Southeast Quarter of Section 29 a distance of 782.24 feet more or less to a point on the centerline of Couch Branch; thence North $55^{\circ} 07' 41''$ West along said centerline a distance of 43.02 feet more or less to a point; thence North $21^{\circ} 37' 48''$ West along said centerline a distance of 142.38 feet more or less to a point on the centerline of Arkansas State Highway 282 to the POINT OF BEGINNING; thence in

2008-086 - Continued

a Northwesterly direction along said centerline on a curve to the right having a radius of 181.89 feet a distance of 64.88 feet having a chord bearing of North 72° 10' 56" West a distance of 64.54 feet to a point on the Westerly right of way line of Arkansas State Highway 282 as established by AHTD Job 040026; thence North 28° 02' 11" East along said right of way line a distance of 46.00 feet to a point on the Northerly right of way line of Arkansas State Highway 282 as established by AHTD Job 040026; thence South 89° 48' 13" East along said right of way line a distance of 46.66 feet more or less to a point on the centerline of Couch Branch; thence South 06° 29' 15" West along said centerline a distance of 60.58 feet more or less to the POINT OF BEGINNING and containing 0.07 acres or 2,990 square feet more or less as shown on the plans prepared by the AHTD referenced as Job 040026.

RA 3/5/08

NOW THEREFORE, the character of the above-described property is hereby changed from a residual tract, a capital asset owned by the Commission, to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's Office of Crawford County, Arkansas, and, if necessary, the right of way remonumented.

2008-087

WHEREAS, the Commission acquired right of way for Job No. 593/5640, Highway 167, by Independence County Court Order, dated October 26, 1928, which was recorded in the County Court Records of Independence County, Arkansas, in Book T, page 344; and

WHEREAS, the District Engineer for District Five has determined that an area inside the boundaries of the existing right of way line is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundary be remonumented to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described as follows:

Part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 13 North, Range 6 West, Independence County, Arkansas, more particularly described as follows:

Starting at a iron pin being used as the North Quarter corner Sections 16 & 21; thence South 88° 26' 00" East along the South line of the Southwest Quarter of the Southeast Quarter of Section 16 a distance of 77.75 feet to a point on the Easterly right of way line of U. S. Highway 167 as established by AHTD Job 593; thence North 01° 29' 00" East along said right of way line a distance of 87.29 feet to a point on the Easterly right of way line of U. S. Highway 167 as established by AHTD Job 5640 for the point of beginning; thence North 40° 42' 30" West along said right of way line a distance of 43.39 feet to a point; thence North 03° 31' 00" West along said right of way line a distance of 173.59 feet to a point; thence North 01° 01' 00" West along said right of way line a distance of 245.99 feet to a point; thence North 01° 29' 00" East along said right of way line a distance of 81.55 feet to a point; thence North 01° 31' 02" West along said right of way line a distance of 95.52 feet to a point to a point on the Southerly railroad right of way line of the Union Pacific Railroad; thence South 56° 19' 00" East along said railroad right of way line a distance of 20.57 feet to a point; thence South 54° 47' 00" East along said railroad right of way line a distance of 51.21 feet to a point on the Easterly right of way line of U. S. Highway 167 as established by AHTD Job 593; thence South 01° 29' 00" West along said right of way line a distance of 588.38 feet to the POINT OF BEGINNING and containing 0.64 acres, or 27,816 square feet more or less as shown on plans prepared by the AHTD referenced as Job 5640.

GA 2/28/08

NOW THEREFORE, the above-described right of way is hereby declared surplus and released to Independence County, Arkansas; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Independence County, Arkansas; and, the right of way shall be remonumented to reflect the new boundaries after the release of the above right of way.

Federal-Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired property known as Tract No. 11R from Thelma Diamond Alexander and Lavan Alexander, her husband, and Harriett Diamond Thompson, a single person, for Job No. 030314, NH 9414 (15), HPP-1514 (3), Arkansas Blvd.-I-30 (Gr. & Strs.) Route 71, Section 3, Miller County, Arkansas, by Warranty Deed dated

January 22, 2007, and filed for record on February 9, 2007, in the Circuit Clerk's Office of Miller County, Arkansas, in Book 2007 at Page 869; and

WHEREAS, there have been various inquiries concerning the purchase of a portion of Tract No. 11R and the District Engineer for District Three has determined that the portion of Tract No. 11R being sought for purchase, being more particularly described below, is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the portion of Tract No. 11R which the District Engineer agrees should be declared surplus is described as follows:

Part of the Northeast Quarter of the Southwest Quarter of Section 9, Township 15 South, Range 28 West, Miller County, Arkansas, more particularly described as follows:

Commencing at a point being used as the Center Quarter Corner of Section 9; thence South $02^{\circ} 38' 37''$ West along the East line of the Northeast Quarter of the Southwest Quarter of Section 9 a distance of 378.35 feet to the point of beginning; thence continue South $02^{\circ} 38' 37''$ West along said East line a distance of 825.45 feet to a point; thence North $88^{\circ} 29' 52''$ West a distance of 664.62 feet to a point on the East line of Colville Addition; thence North $01^{\circ} 55' 56''$ East along said East line a distance of 490.01 feet to a point on the Southerly right of way line of Relocated U. S. Highway 71 as established by AHTD Job 030314; thence North $57^{\circ} 33' 32''$ East along said right of way line a distance of 352.57 feet to a point; thence North $71^{\circ} 43' 22''$ East along said right of way line a distance of 409.03 feet to the point of beginning and containing 10.50 acres or 457,240 square feet more or less as shown on plans prepared by the AHTD referenced as Job 030314.

WHEREAS, Tract No. 11R was acquired by the Commission for THIRTY-FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$34,700.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated §27-67-322, opined that the current fair market value of that portion of Tract No. 11R being offered for sale is THIRTY-THREE THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$33,600.00).

2008-088 - Continued

NOW THEREFORE, the Commission does hereby declare the above-described property surplus and the Director is hereby authorized and directed to offer for sale said property in accordance with the requirements of Arkansas Code Annotated §§ 27-67-321 & 322 et seq., and under the terms and conditions as may be required.

2008-089

WHEREAS, the Commission acquired property known as Tract Nos. 27 and 28 from the Flowers Bakery of Texarkana, LLC, an Arkansas Limited Liability Company, for Job No. 030341, NH-9414(18), Hwy. 245/82/19th Street Interchange, Miller County, Arkansas, by Warranty Deed dated February 6, 2007, filed for record on March 6, 2007, in the Circuit Clerk's Office of Miller County in Deed Record Book 2007 at page 1467, and

WHEREAS, the Flowers Bakery of Texarkana, LLC, has asked to repurchase a portion of Tract No. 28 and the District Engineer for District Three has determined that the portion of Tract No. 28, being more particularly described below is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the portion of Tract No. 28 which the Flowers Bakery of Texarkana, LLC, has asked to repurchase is described or follows:

Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 15 South, Range 28 West, Miller County, Arkansas, and being more particularly described as follows:

Starting at a 3½" aluminum capped Arkansas Geological Commission Section Corner Reestablishment monument found at the Southwest corner of Section 16, Township 15 South, Range 28 West; thence, with the South line of Section 16, South 87° 47' 51" East a distance of 1,462.34 feet to a point on the Proposed Easterly right of way line of Arkansas Highway 245 as established by AHTD Job 030341 and the true point of beginning; thence, from the point of beginning and with the said Easterly right of way line of Arkansas Highway 245, North 17° 32' 07" West a distance of 338.99 feet to a point on the Easterly right of way line of Arkansas Highway 245 as established by AHTD Job 3604-2; thence, with said right of way line, North 8° 06' 32" West a distance of 184.87 feet to a point on

2008-089 - Continued

the Easterly right of way line of Arkansas Highway 245 as established by AHTD Job 030341; thence, with the said Easterly right of way line of Arkansas Highway 245, South 14° 12' 42" East a distance of 522.24 feet back to the point of beginning and containing 0.12 acres more or less (5,132 sq.ft.).

GA 3/27/08

WHEREAS, Tract Nos. 27 and 28 were acquired by the Commission for \$9,700.00; and

WHEREAS, three qualified appraisers have, in accordance with the requirements of Ark. Code Ann. § 27-67-322, opined that the current fair market value of that portion of Tract No. 28 being offered for sale is SEVEN HUNDRED AND NO/100 DOLLARS (\$700.00).

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of SEVEN HUNDRED AND NO/100 DOLLARS (\$700.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to the Flowers Bakery of Texarkana, LLC; a copy of the deed and this Minute Order shall be recorded in the County Records of Miller County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

2008-090

WHEREAS, the Commission acquired right of way for Job No. 6457, Lonsdale East Road (US Hwy 70) by Saline County Court Order, dated March 1, 1955, which was recorded in the County Court Records of Saline County, Arkansas, in Book P, page 357, inclusive; and

WHEREAS, the District Engineer for District Six has determined that an area inside the boundaries of the existing right of way line is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that this area of right of way be abandoned and the right of way boundary be remonumented to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described as follows:

From designated Construction Centerline Station 119+50.00 to Station 122+00.00 of the originally executed Court Order for Job 6457, dated March 1, 1955, and being recorded in County Court Records of Saline County, Arkansas, Book "P", Page 357, inclusive of said records shall hereby be revised for right of way surplus release as follows:

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
119+50.00	122+00.00	250	150	-	-

NOTE: In all other respects the original Court Order shall remain as is.
G.A.:g.a. Typed: 2/29/08

NOW THEREFORE, the above-described right of way is hereby declared surplus and released to Saline County, Arkansas; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Saline County, Arkansas; and, the right of way shall be remonumented to reflect the new boundaries after the release of the above right of way.

Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2008-091

WHEREAS, IN DREW COUNTY, Job 020286, Hwy. 35 West-Hwy. 425 Connection, is substantially complete and the newly constructed portion of roadway is open to traffic; and

WHEREAS, the City of Monticello has passed Ordinance No. 749 accepting the portion of Highway 35, Section 7 beginning at the City Limits and continuing southeast to the junction with Highway 425 into the City Street System; and

WHEREAS, Drew County has passed Court Order No. 2008-9 agreeing to accept all responsibility for the maintenance of the segment of Highway 35, Section 7 beginning at the junction with the new portion of

2008-091 - Continued

highway built by Job 020286 and continuing southeast to the Monticello City Limits.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 35, Section 7, beginning at the junction with the highway constructed by Job 020286 and continuing southeast to the junction with Highway 425 is hereby removed from the State Highway System.
- The portion of roadway constructed by Job 020286 is hereby added to the State Highway System as part of Highway 35, Section 7.

2008-092

WHEREAS, IN FAULKNER COUNTY, the new interchange that connects Interstate 40 with Highway 64 west of Highway 25, built by Jobs 080223 and 080296, is open to traffic.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the portion of roadway beginning at the junction with Highway 64, Section 8 and continuing north to the westbound Interstate 40 entrance ramp is hereby added to the State Highway System as Highway 64, Section 8 Spur as shown on the attached sketch.

2008-093

WHEREAS, IN GARLAND COUNTY, Job 061135, Ouachita River-Shady Grove Road, is open to traffic; and

WHEREAS, the job relocated a portion of Highway 128, Section 10 in the City of Hot Springs; and

WHEREAS, the City of Hot Springs has passed Ordinance No. 5627 agreeing to accept all responsibility for maintenance of the

2008-093 - Continued

portion of Highway 128, known locally as Carpenter Dam Road, that joins the newly constructed portion of Highway 128 at each end.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 128, Section 10, known locally as Carpenter Dam Road, that joins the newly constructed portion of Highway 128 at each end, in the City of Hot Springs, is hereby removed from the State Highway System.
- The newly constructed portion of roadway is hereby added to the State Highway System as a part of Highway 128, Section 10.

2008-094

WHEREAS, IN JOHNSON COUNTY, Minute Order 2004-082 authorized a feasibility study to identify potential improvements on two sections of Highway 103 in the City of Clarksville; and

WHEREAS, the Highway 103 Improvements Study has been completed and has identified feasible alternatives that would alleviate traffic congestion and enhance safety.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area, and the Director is authorized to proceed with environmental studies, surveys, design, right-of-way acquisition, and construction as funds become available.

2008-095

WHEREAS, IN CRAWFORD COUNTY, the City of Van Buren has requested a study of a possible interchange at the North 16th Street overpass of Interstate 40 in Van Buren; and

2008-095 - Continued

WHEREAS, construction of an interchange on Interstate 40 at North 16th Street could improve access for Van Buren and Crawford County.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of constructing an interchange on Interstate 40 in the vicinity of the North 16th Street overpass.

2008-096

WHEREAS, in Crawford County, the City of Van Buren has requested a study to evaluate the relocation of the Interstate 40 eastbound off-ramp at the Highway 59 interchange; and

WHEREAS, relocation of the off-ramp to connect to the frontage road could improve safety and reduce congestion on Highway 59 in the vicinity of the Interstate 40 interchange.

NOW THEREFORE, the Director is authorized to conduct an access improvement feasibility study for the Interstate 40 interchange with Highway 59 in the City of Van Buren.

2008-097

WHEREAS, IN CRITTENDEN COUNTY, on Highway 147, Section 1, the U. S. Army Corps of Engineers, Memphis District, proposes the alteration of the Ten Mile Bayou Cutoff Ditch structure and approaches as necessitated by the enlargement of Ten and Fifteen Mile Bayous, a unit of the St. Francis Basin Project; and

WHEREAS, the Corps of Engineers proposes to enter into a cost reimbursable contract for the Department to handle preliminary engineering, construction, and construction engineering of the alteration.

NOW THEREFORE, the Director is authorized to negotiate and execute a contract with the Corps of Engineers for the project subject to 100% reimbursement of all costs by the Corps of Engineers.

The Director is further authorized to execute the necessary deeds and easements as may be required by the project.

2008-098

WHEREAS, IN FAULKNER COUNTY, at the intersection of Highway 36, Section 1, and Highway 107, Section 4, south of Enola, an investigation of traffic operations has been conducted and the need for widening and other improvements has been identified.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this intersection as funds become available.

2008-099

WHEREAS, IN POINSETT COUNTY, the Fiscal Year 2008 Consolidated Appropriations Act included \$980,000 in 100% Federal-aid for an access road along Future Interstate 555; and

WHEREAS, the next step in the development of the proposed access road would be to conduct environmental and location studies.

NOW THEREFORE, the Director is authorized to engage the services of a consultant to conduct the necessary studies.

2008-100

WHEREAS, it has been determined that the hazards at the below listed railroad crossings warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Road/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Pope	Atkins	Ave. 5	Union Pacific	Install Flashing Signals with Gates
Pope	Near Atkins	Co. Rd. 217	Union Pacific	Install Flashing Signals with Gates

2008-101

WHEREAS, in the West Memphis metropolitan area and the Little Rock metropolitan area, Motorist Assistance Patrols (MAP) were established to provide assistance to stranded motorists and facilitate incident management during the construction of projects in the Interstate Rehabilitation Program (IRP); and

WHEREAS, IRP construction projects have been substantially completed in the West Memphis metropolitan area; and

WHEREAS, IRP and other freeway construction projects will be completed in the Little Rock metropolitan area within the foreseeable future; and

WHEREAS, Federal-aid funds are no longer available for the MAP.

NOW THEREFORE, the Director is authorized to discontinue the MAP in the West Memphis metropolitan area and reassign the MAP personnel to other crews.

FURTHERMORE, the Director is authorized to discontinue the MAP in the Little Rock metropolitan area on Saturdays and Sundays, and scale back the Monday through Friday service as the current construction work on Highway 67 between Interstate 40 and Kiehl Avenue is completed. Upon completion of the Highway 67 work, the Director is authorized to discontinue the MAP in the Little Rock metropolitan area and reassign the MAP personnel to other crews.

2008-102

WHEREAS, IN SEVIER COUNTY, the Quorum Court of Sevier County, by Resolution No. 2008-4, has identified Highway 71, from Highway 70 West and Highway 41 in DeQueen to Highway 70 East, the Trooper Louis Bryant Memorial Highway; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

2008-102 - Continued

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described section of Highway 71 in accordance with Commission Policy.

2008-103 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the June 10, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10109	01	MONROE	HWY. 17 N.-HWY. 17 S. (OVERLAY) (S)	79	Y
S10110	01	LEE	HWY. 79-SOUTH (OVERLAY) (S)	334	N
S10111	01	CRITTENDEN	HWY. 77-14TH STREET (WEST MEMPHIS) (OVERLAY) (S)	70	Y
S10207	02	GRANT	HWY. 167-EAST & WEST (SHERIDAN) (OVERLAY) (S)	270	Y
S10208	02	DREW	HWY. 425-EAST (MONTICELLO) (SEL. SECS.) (OVERLAY) (S)	278	Y
S10209	02	GRANT	SALINE CO. LINE-SHERIDAN (SEL. SECS.) (OVERLAY) (S)	35	Y
020465	02	DESHA	DRAINAGE CANAL NO. 19 STR. & APPRS. (S)	138	Y
S10306	03	PIKE	SALEM-EAST & WEST (OVERLAY) (S)	70	Y
S10408	04	SEBASTIAN	PRAIRIE CREEK-NORTH & SOUTH (SEL. SECS.) (OVERLAY) (S)	71	Y
S10510	05	INDEPENDENCE	HWY. 69-HWY. 167 (BATESVILLE) (OVERLAY) (S)	69B	Y
S10511	05	CLEBURNE	HWY. 16-NORTH (OVERLAY) (S)	25	Y
050159	05	INDEPENDENCE	HWY. 233 SOUTH-HWY. 69 (BATESVILLE) (S)	167 & 69	Y
S10610	06	LONOKE	HWY. 31-NORTH (OVERLAY) (S)	89	Y
061155	06	SALINE	BRANCH OF DEPOT CREEK STR. & APPRS. (EDISON AVE.-BENTON) (S)	35	Y
S10709	07	COLUMBIA	MAGNOLIA-WELCOME (SEL. SECS.) (OVERLAY) (S)	371	Y
070074	07	UNION	HWY. 82-HWY. 63 (S)	167	Y
070294	07	CLARK	CLARK COUNTY AREA HEADQUARTERS (GUM SPRINGS) (S)	26	Y

2008-103 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
S10805	08	VAN BUREN	ARCHEY FORK BRIDGE-NORTH (OVERLAY) (S)	65	Y
S10808	08	FAULKNER	HAMLET-HWY. 107 (OVERLAY) (S)	64	Y
080305	08	FAULKNER	HWY. 64 WEST-S. CHURCH RD. (GR. & STRS.) (VILONIA BYPASS) (S)	64	Y
S10908	09	MADISON	HUNTSVILLE-NORTH (OVERLAY) (S)	23	Y
S10909	09	SEARCY	LESLIE-EAST (OVERLAY) (S)	66	N
S10910	09	BENTON	ROGERS-PEA RIDGE (OVERLAY) (S)	94	Y
090178	09	BENTON	HWY. 72 WIDENING & HWY. 112/8TH ST. INTERS. IMPVTS. (BENTONVILLE) (S)	72 & 112	Y
090215	09	BAXTER	HWY. 62/HWY. 178 E. SIGNAL (BAXTER CO.) (S)	62 & 178	Y
090256	09	SEARCY	HWY. 65 FLOOD DAMAGE REPAIR (2008) (S)	65	Y
S11007	10	LAWRENCE	RAVENDEN-BLACK RIVER (SEL. SECS.) (OVERLAY) (S)	63	Y
FA0106	02	ARKANSAS	CO. RD. 33-EAST (RECONST.) (S)	---	-
SA0547	09	BOONE	COUNTY ROADS 93 & 288 (SURFACING) (S)	---	-
SA0643	07	BRADLEY	BRADLEY CO. SURFACING & RESEAL NO. 7 (S)	---	-
SA0751	07	CALHOUN	HWY. 203-NORTHEAST (SURFACING) (S)	---	-
SA1347	07	CLEVELAND	CLEVELAND COUNTY RESEAL NO. 9 (S)	---	-
SA1437	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 14 (S)	---	-
SA1547	08	CONWAY	HWY. 154-CO. RD. 5 (REPAIR) (S)	---	-
SA2240	02	DREW	CO. RD. 376-SOUTH (SURFACING) (S)	---	-
SA2539	05	FULTON	BEXAR-EAST (UNION RD.) BASE (S)	---	-
SA2855	10	GREENE	HWY. 49-WEST (OVERLAY) (S)	---	-
SA3133	03	HOWARD	HWY. 27-NORTH (SURFACING) (S)	---	-
SA3259	05	INDEPENDENCE	INDEPENDENCE CO. LEVELING & RESEAL NO. 2 (S)	---	-
SA3536	02	JEFFERSON	JEFFERSON COUNTY OVERLAY NO. 16 (S)	---	-

2008-103 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
BR3709	03	LAFAYETTE	DORCHEAT BAYOU RELIEF STR. & APPRS. NO. 2 (S)	---	-
SA4037	02	LINCOLN	HWY. 425-EAST (RECONST. & RESEAL) (S)	---	-
SA4428	09	MADISON	MADISON COUNTY (BASE & SURFACING) NO. 2 (S)	---	-
SA4737	10	MISSISSIPPI	MISSISSIPPI COUNTY OVERLAY (SEL. SECS.) (S)	---	-
SA4826	01	MONROE	HWY. 79-NORTH (RECONSTRUCTION) (S)	---	-
SA4927	08	MONTGOMERY	MONTGOMERY CO. RESEAL NO. 11 (S)	---	-
SA5335	08	PERRY	HWY. 113-WEST (OVERLAY) (S)	---	-
SA5542	03	PIKE	HWY. 27-CO. RD. 18 (SURFACING) (S)	---	-
SA5850	08	POPE	POPE COUNTY SURFACING NO. 16 (S)	---	-
SA5938	06	PRAIRIE	CROSSROAD-EAST (SURFACING) (S)	---	-
SA6041	06	PULASKI	L.R. CITY LIMITS-WEST (KANIS RD.) (OVERLAY) (S)	---	-
SA6246	06	SALINE	HWY. 167-HWY. 367 (OVERLAY) (S)	---	-
SA6333	04	SCOTT	SCOTT COUNTY RESEAL (SEL. SECS.) NO. 2 (S)	---	-
SA6435	09	SEARCY	SEARCY COUNTY RESEAL (SEL. SECS.) (S)	---	-
SA6856	01	ST. FRANCIS	ST. FRANCIS COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA6857	01	ST. FRANCIS	CO. RD. 10-SOUTH (RESEAL) (S)	---	-
SA6930	05	STONE	STONE COUNTY BASE (SEL. SECS.) (S)	---	-
SA7276	04	WASHINGTON	HWY. 16-SOUTH (OVERLAY) (S)	---	-
FA7315	05	WHITE	GLAISE CREEK STR. & APPRS. NO. 2 (S)	---	-
SA7372	05	WHITE	CO. RD. 136-EAST (BASE & SURFACING) (S)	---	-
SA7434	01	WOODRUFF	WOODRUFF CO. SURFACING (SEL. SECS.) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION WHEREAS, Corporal Doyle Crouch honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-eight years, one month and five days; and

WHEREAS, Corporal Crouch retired from the Department on January 5, 2006; and

WHEREAS, His service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Corporal Crouch has made formal request that his duty pistol be retired with him and remain in his possession.

RESOLUTION - Continued

NOW THEREFORE, BE IT RESOLVED, The Arkansas State Highway Commission, during its regular meeting on June 10, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Corporal Doyle Crouch to purchase his Glock Model 22, .40 caliber duty pistol, serial number 030AHP.

RESOLUTION WHEREAS, Captain Joe Black honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-five years, one month and two days; and

WHEREAS, Captain Black retired from the Department on January 3, 2008; and

WHEREAS, His service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Captain Black has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, The Arkansas State Highway Commission, during its regular meeting on June 10, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Captain Joe Black to purchase his Glock Model 22, .40 caliber duty pistol, serial number 115AHP.

MOTION Commissioner John Ed Regenold moved, Commissioner Cliff Hoofman seconded and the motion passed 4-0 to approve the Fiscal Year 2008-2009 Departmental Budget as recommended by the Department Staff. (Commissioner Madison Murphy was absent.)

2008-104

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:30 p.m., June 10, 2008.

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 June 10, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 30, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 30, 2008. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2008-105 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 30, 2008.

2008-106 WHEREAS, the Purchasing Committee has awarded 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.

2008-107 WHEREAS, the Arkansas Wireless Information Network (AWIN) is a multi-phased program to leverage new and existing wireless resources to create a statewide interoperable wireless communication system for state, county and municipal emergency responders and other Arkansas public service entities; and

WHEREAS, the AWIN system has been established by the State of Arkansas under guidelines of the United States Department of Homeland Security to meet interoperability standards for emergency communications; and

2008-107 - Continued

WHEREAS, officers and units of the Arkansas Highway Police (AHP) Division are currently equipped with mobile and portable AWIN radios that are utilized as AHP's primary communications network; and

WHEREAS, AWIN dispatch consoles would provide enhanced functionality and performance of the AWIN system for AHP officers and telecommunications operators.

NOW THEREFORE, the Director is authorized to install and integrate AWIN dispatch consoles in the AHTD Telecommunications Center as funds become available.

2008-108

WHEREAS, the Interstate 69 Corridor has been designated as a Corridor of the Future by the United States Department of Transportation through the Federal Highway Administration; and

WHEREAS, Arkansas, acting as lead state for the Interstate 69 Steering Committee, has received \$800,000 in Federal-aid Transportation, Community, and System Preservation funds through the Corridors of the Future Program; and

WHEREAS, these funds are to be used to develop an Innovative Financing Study for the Interstate 69 Corridor.

NOW THEREFORE, the Director is authorized to proceed with action necessary to complete the Interstate 69 Innovative Financing Study, including requesting proposals, selecting a consulting firm or firms, and entering into necessary contracts on behalf of the Interstate 69 Steering Committee.

2008-109

WHEREAS, the Department was authorized by Arkansas Act 192 of 1977 to administer United States Department of Transportation funds and any other funds available for public transportation assistance; and

WHEREAS, the Federal Transit Administration apportions funds annually to the State of Arkansas for providing capital equipment and operating grants to organizations serving the transportation needs of urbanized and nonurbanized areas, elderly individuals and individuals with disabilities, and welfare recipients and other low income persons; and

WHEREAS, the Governor of Arkansas has designated the Arkansas Highway and Transportation Department as the recipient of Federal Transit Administration funds for these programs.

NOW THEREFORE, the Director is hereby authorized to develop and implement a program of projects for these designated Federal funds and enter into the necessary grant agreement awards and contracts to expend these funds for the support of public transportation programs.

2008-110

WHEREAS, the Department is required to mitigate and monitor wetland and stream impacts resulting from highway construction, maintenance, and operation activities, pursuant to Federal regulations included within the Clean Water Act and the National Environmental Policy Act; and

WHEREAS, the Department presently administers over 3,000 acres committed to wetland mitigation.

NOW THEREFORE, the Director is authorized to continue with providing the required mitigation and monitoring of wetland and stream impacts resulting from highway construction, maintenance, and operation activities.

2008-111

WHEREAS, the Department, in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville, has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC provides the Department with important research and training services; and

2008-111 - Continued

WHEREAS, the MBTC has also identified needs in the area of graduate research assistance; and

WHEREAS, the Department's Transportation Research Assistantship Program benefits both the Department and the MBTC in the area of graduate research assistance.

NOW THEREFORE, the Director is authorized to enter into an agreement with the MBTC to conduct the following studies.

- Accelerated Characterization of Full-Scale Reinforced Flexible Pavement Models Using a Vibroseis (Shaker Truck)
- Examining the Effects of Mixer Type on the Properties of Ultra-High Performance Concrete

FURTHERMORE, the Director is authorized to provide appropriate assistance to the MBTC through the Department's Transportation Research Assistantship Program.

2008-112

WHEREAS, the Department's "Operation Wildflower" program encourages sponsors to donate wildflower seed for highway right of way projects; and

WHEREAS, the "Operation Wildflower" program contributes to the Department's mission to provide "aesthetically pleasing" roadsides; and

WHEREAS, the costs incurred by the Department for participating in a wildflower program are eligible for Federal-aid Transportation Enhancement funds.

NOW THEREFORE, the Director is authorized to continue with an Enhancement project to fund salaries, travel, materials, equipment, and other costs associated with the "Operation Wildflower" program.

2008-113

WHEREAS, the Safe Routes To School (SRTS) Program was created by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005; and

WHEREAS, Federal-aid SRTS Program funding has been provided for Federal Fiscal Year 2008; and

WHEREAS, Minute Order 2007-146 authorized the solicitation of applications for Arkansas' 2008 SRTS Program; and

WHEREAS, the Department and the Arkansas Safe Routes To School Advisory Committee have reviewed the applications submitted and developed funding recommendations.

NOW THEREFORE, the Director is authorized to enter into necessary agreements and contracts for the implementation of the projects included in the attached list.

2008-114

WHEREAS, IN MADISON COUNTY, Job 9836, Richland Creek Bridge, and Job R90031, Hwy. 74 – South, realigned portions of Highway 303, Section 0.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The old portions of Highway 303, Section 0 that were rerouted are hereby removed from the State Highway System.
- The new alignment, as constructed by Jobs 9836 and R90031, is hereby added to the State Highway System as a part of Highway 303, Section 0.

2008-115

WHEREAS, IN GARLAND and SALINE COUNTIES, Job 60109, Hot Springs-I-30 (Add'l Lanes), has been programmed to widen Highway 70 from the end of the present four lane divided section east of Hot Springs to the junction with Interstate 30 near Benton, a distance of approximately 18 miles; and

2008-115 - Continued

WHEREAS, traffic volumes on this section of Highway 70 continue to increase, especially with the recent opening of Highway 70 from Highway 270 to Highway 70 East in Hot Springs.

NOW THEREFORE, the Director is authorized to update the purpose and need for the project, including a determination of the most appropriate cross section, and proceed with surveys, environmental clearance, design, right of way acquisition, utility adjustments and construction of needed improvements as funds become available.

2008-116

WHEREAS, IN GREENE COUNTY, on Highway 135, Section 5, requests have been received regarding the replacement of the Cache River (Bridge No. 02541, Log Mile 13.76) and the Cache River Relief (Bridge No. 00932, Log Mile 13.91) structures; and

WHEREAS, improvements to these structures qualify for funding under the Federal-aid Bridge Replacement and Rehabilitation program.

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

2008-117

WHEREAS, it has been determined that the hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2008-117 - Continued

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Jefferson	Near Redfield	Kearney Rd.	Union Pacific	Install Flashing Signals with Gates

2008-118

WHEREAS, IN LONOKE COUNTY, on Highway 67, Section 11, the City of Cabot has requested the relocation of the Highway 67 southbound exit ramp at Highway 5; and

WHEREAS, the Department has conducted a study and determined this improvement is needed; and

WHEREAS, Lonoke County has committed \$250,000 toward the project and the City of Cabot has proposed to commit, through Metroplan, \$150,000 toward the project.

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

FURTHERMORE, the Department will be responsible for design, contract award, and construction inspection, and the local partners will be responsible for any other costs in excess of \$400,000, including any costs for right-of-way acquisition and utility relocation.

2008-119

WHEREAS, IN RANDOLPH COUNTY, Job 100608, Park St.-Hwy. 90 (Pocahontas), calls for the removal of Bridge 01871, commonly known as the Marrs Creek Bridge, on Highway 67; and

WHEREAS, the Mayor of Pocahontas has requested that the Department transfer this historic bridge to the City of Pocahontas for transportation use as a pedestrian and bicycle bridge; and

WHEREAS, the City of Pocahontas has adopted a release of title dated April 19, 2007 holding the Arkansas State Highway and Transportation Department, its officers and employees harmless from any

2008-119 - Continued

action of any kind; agreeing to prohibit vehicular traffic on the bridge in perpetuity; and assuming responsibility for maintenance of the bridge in consideration for transfer of the bridge to the City.

NOW THEREFORE, the Director is authorized to release the Marris Creek Bridge to the City of Pocahontas upon completion of Job 100608.

2008-120

WHEREAS, the Arkansas Building Authority (ABA) has identified the need for the rehabilitation and construction of selected parking areas within the State Capitol Complex; and

WHEREAS, ABA has requested that the Department provide the engineering services for plan development and construction oversight.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of a project. Construction costs for the project will be funded by the Arkansas Building Authority.

2008-121

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 30, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030321	03	MILLER	HWY. 245 INTERCHANGE-CO. RD. 294 (S)	196	Y
060497	06	PULASKI	BEAR PAW DRIVE-BROCKINGTON ROAD (S)	107	Y
070322	07	CLARK	HWY. 51-HWY. 182 SAFETY IMPVTS. (S)	30	Y
S10809	08	VAN BUREN	CONWAY CO. LINE-NORTH & WEST (OVERLAY) (S)	9 & 336	Y
080315	08	FAULKNER	HWY. 365/HWY. 89 W. SIGNAL RECONST. (MAYFLOWER) (S)	365 & 89	Y
080336	08	POPE	HWY. 7 FLOOD DAMAGE REPAIR (2008) (S)	7	Y
090179	09	BENTON	GREENHOUSE RD.-HWY. 71B (BENTONVILLE) (S)	102	Y

2008-121 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
090255	09	MADISON & NEWTON	HWYS. 16, 43 & 103 FLOOD DAMAGE REPAIR (2008) (S)	16, 43 & 103	Y
090259	09	SEARCY	HWYS. 27, 74 & 377 FLOOD DAMAGE REPAIR (2008) (S)	27, 74 & 377	N
100401	10	CRAIGHEAD & LAWRENCE	HWY. 226-HWY. 230 (GR. & STRS.) (F)	67	Y
S11101	05 & 10	JACKSON & CRAIGHEAD	EAST OF CRAIGHEAD CO. LINE-WEST (SEL. SECS.) (OVERLAY) (S)	226	Y
FA0106	02	ARKANSAS	CO. RD. 33-EAST (RECONST.) (S)	---	-
SA0548	09	BOONE	BOONE COUNTY SURFACING NO. 6 (SEL. SECS.) (S)	---	-
SA0843	09	CARROLL	CARROLL CO. RESEAL NO. 6 (S)	---	-
SA1832	01	CRITTENDEN	CO. RDS. 2 & 305 OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA2444	04	FRANKLIN	HWY. 186-WEST (OVERLAY) (S)	---	-
SA3041	06	HOT SPRING	HOT SPRING COUNTY RESEAL NO. 3 (SEL. SECS.) (S)	---	-
FA3318	05	IZARD	CO. RD. 66-SOUTH (RECONST.) (PHASE 1) (S)	---	-
BR3408	05	JACKSON	CACHE RIVER STR. & APPRS. NO. 2 (S)	---	-
SA3537	02	JEFFERSON	JEFFERSON COUNTY SURFACING (S)	---	-
SA3844	10	LAWRENCE	SEDGWICK-NORTH REPAIR & OVERLAY (S)	---	-
SA3930	01	LEE	LAGRANGE-SOUTH (BASE & SURFACING) (S)	---	-
SA4540	09	MARION	MARION COUNTY RESEAL NO. 8 (SEL. SECS.) (S)	---	-
SA4738	10	MISSISSIPPI	MANILA WEST AND NORTH (OVERLAY) (S)	---	-
SA4739	10	MISSISSIPPI	HWY. 18-HWY.137 (OVERLAY) (S)	---	-
SA5441	01	PHILLIPS	MARVELL CITY LIMITS-SOUTH (OVERLAY) (S)	---	-
SA5543	03	PIKE	CO. RD. 6 (SWEET HOME) EAST & WEST (SURF.) (S)	---	-
BR5708	04	POLK	LEWIS CREEK STR. & APPRS. (S)	---	-

2008-121 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA5850	08	POPE	POPE COUNTY SURFACING NO. 16 (S)	---	-
SA6435	09	SEARCY	SEARCY COUNTY RESEAL (SEL. SECS.) (S)	---	-
FA6611	03	SEVIER	SEVIER COUNTY DRAINAGE IMPROVEMENTS (S)	---	-
SA7277	04	WASHINGTON	HWY. 59-EAST AND NORTH (RESEAL) (S)	---	-
SA7373	05	WHITE	HWY. 167-EAST (BASE & SURFACING) (S)	---	-
SA7435	01	WOODRUFF	HWY. 37-WEST (SURFACING) (S)	---	-
EF7502	08	YELL	CO. RD. 18 SLOPE REPAIR AND OVERLAY (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Captain Joe Black honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-five years, one month and two days; and

WHEREAS, Captain Black retired from the Department on January 3, 2008; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Captain Black has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on June 10, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Captain Joe Black to purchase his Glock Model 22, .40 caliber duty pistol, serial number 015AHP.

RESOLUTION

WHEREAS, Sergeant Elaine Sims honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of seventeen years, five months and twenty-nine days; and

WHEREAS, Sergeant Sims retired from the Department on June 4, 2008; and

WHEREAS, her service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Sims has made formal request that her duty pistol be retired with her and remain in her possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on July 30, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant Elaine Sims to purchase her Glock Model 22, .40 caliber duty pistol, serial number 133AHP.

RESOLUTION

WHEREAS, Sergeant Jacky Simmons honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-nine years, four months and twenty-eight days; and

WHEREAS, Sergeant Simmons retired from the Department on August 29, 2006; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Simmons has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on July 30, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant Jacky Simmons to purchase his Glock Model 22, .40 caliber duty pistol, serial number 099AHP.

MOTION

Commissioner John Ed Regenold moved, Commissioner Cliff Hoofman seconded and the motion passed unanimously to have the Staff develop solutions to resolve problems regarding the movement of farm equipment.

MOTION

Vice Chairman Carl Rosenbaum moved, Commissioner Madison Murphy seconded and the motion carried unanimously to authorize the Staff to advertise for an auction service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted near the end of October 2008, and the subsequent secondary sale(s) to be conducted as necessary on dates mutually agreed to by the selected auction service and the Department.

MOTION

Vice Chairman Carl Rosenbaum moved, Commissioner John Ed Regenold seconded and the motion carried unanimously to commend the Retirement Board on their favorable return on its investments for FY 2007-2008.

2008-122

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:50 a.m., July 30, 2008.

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 July 30, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 9, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 9, 2008. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2008-123 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., September 9, 2008.

2008-124 WHEREAS, the Purchasing Committee has awarded purchases on July 24, 2008, August 4 and 11, 2008, and September 2, 2008, in the amounts of \$79,708.00, \$109,732.00, \$151,280.00 and \$93,500.00, respectively, totaling \$434,220.00, 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.

2008-125 WHEREAS, the Department has for a number of years maintained memberships in the Arkansas Transit Association, the South West Transit Association, American Association of State Highway and Transportation Officials' (AASHTO) Multi-State Technical Assistance Program, and the Community Transportation Association of America and these memberships are highly beneficial to the Department.

2008-125 - Continued

NOW THEREFORE, IT IS ORDERED, that the Director is authorized to process payment for the annual membership dues in the amounts of \$200 to the Arkansas Transit Association, \$250 to the South West Transit Association, \$5,000 to AASHTO's Multi-State Technical Assistance Program, and \$250 to the Community Transportation Association of America.

2008-126

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedites or augments the prequalification process for new products introduced to the marketplace and is used to evaluate a number of common construction materials and manufactured products; and

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2009.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for annual fees for the fiscal year 2009 in the amount of \$7,500.00.

2008-127

WHEREAS, Arkansas relies heavily on money from the federal Highway Trust Fund (HTF) for the construction of state highways, county roads, and city streets; and

WHEREAS, the amount of money currently in the HTF combined with the revenue flowing into the HTF from the federal motor fuels tax is not sufficient to fulfill funding commitments made to the states under SAFETEA-LU; and

WHEREAS, the U. S. Department of Transportation announced late last week that previously pledged funding for the states from the HTF would be significantly reduced beginning this week; and

WHEREAS, there is legislation pending before the U. S. Congress that would temporarily correct this funding shortfall by transferring approximately \$8 billion from the General Fund to the HTF; and

WHEREAS, passage of this legislation would allow states to continue using the federal funds already authorized for construction projects in all stages of development, as well as those already awarded to contract; and

WHEREAS, failure on the part of Congress to act in a timely manner will result in the loss of nearly 5,000 jobs related to roadway construction in Arkansas, as well as having a negative impact on the safety and mobility of our citizens by delaying much needed roadway improvements.

NOW THEREFORE, the Arkansas State Highway Commission wishes to go on record as strongly encouraging Congress to pass the necessary legislation to correct the HTF shortfall as soon as possible, and for the President to immediately sign the legislation.

WHEREAS, the Department was authorized by Arkansas Act 192 of 1977 to administer funds available for public transportation assistance from the United States Department of Transportation, the State of Arkansas, and any other sources; and

WHEREAS, the Department has for a number of years administered the TransLease Program, which provides for the purchase of vans for qualified entities utilizing an interest free loan that is repaid in installments over the useful life of the vehicle; and

WHEREAS, the Arkansas General Assembly appropriates funds to the Department for providing capital equipment and operating assistance to organizations serving the transportation needs of urbanized

2008-128 - Continued

and nonurbanized areas, elderly individuals, individuals with disabilities, welfare recipients, and other low income persons.

NOW THEREFORE, the Director is authorized to continue the TransLease Program and to develop and implement programs and enter into the necessary grant agreement awards and contracts to expend designated funds for the support of public transportation programs.

2008-129

WHEREAS, the recruitment and retention of engineering professionals is essential to the Department; and

WHEREAS, Minute Order 2008-111 authorized the Department to provide appropriate transportation research assistantship positions to the Mack-Blackwell Transportation Center (MBTC) at the University of Arkansas for research and training services for the Department; and

WHEREAS, the criteria for the Assistantship Program were last authorized by Minute Order 2006-122; and

WHEREAS, there is a need to revise the Assistantship Program criteria in order to provide consistency with the requirements of the advanced degree programs offered by the University of Arkansas and with the Department's educational requirements for engineering professionals.

NOW THEREFORE, the Director is authorized to provide appropriate assistance to the MBTC through the Department's Transportation Research Assistantship Program using the attached revised criteria.

2008-130

WHEREAS, Arkansas Code Annotated 27-35-103 and 27-65-107 (14) and Commission Minute Order No. 84-342 authorizes the Commission and the Department's District Engineers to establish reduced weight limits and post appropriate signs on any route on the State Highway System; and

WHEREAS, during some periods of the year, road conditions are favorable and such that reduced weight limits can be temporarily increased.

NOW THEREFORE, the Director is authorized to implement a policy to temporarily increase the reduced weight limits on all weight restricted routes, up to but not exceeding the maximum statutory axle and gross weight limits established by Arkansas Code Annotated 27-35-203, to allow travel for the following vehicles having an origin or final destination on said posted route(s):

- Vehicles, or combinations of vehicles, with five (5) axles hauling unfinished and unprocessed farm products, forest products or other products of the soil; and
- Vehicles, or combinations of vehicles, which vehicles or combinations of vehicles have a total outside width in excess of 102" but not exceeding 108" used for hauling compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing or transformation from its compacted state; and

FURTHERMORE, upon evidence of objectionable pavement deterioration attributed to these increased load weights, the Department's District Engineers are authorized to reinstate the previous weight restrictions in order to limit further deterioration.

WHEREAS, the Department, in accordance with Minute Orders 92-489, 2001-213, 2003-160, and 2005-058, has developed programs for signing for public attractions which are considered to be beneficial to directing motorist to significant public attractions; and

WHEREAS, the Department of Parks and Tourism is an active partner in this effort and is supportive of this program; and

NOW THEREFORE, the Director is authorized to continue the public attractions signing program in accordance with the attached revised Policy for Erection of Specific Services Signs (Logos).

WHEREAS, the Arkansas State Highway Commission owns property in Benton County, Arkansas, which is situated contiguous to Highway 412, Benton County, Arkansas; and

WHEREAS, Job No. 090241 Oklahoma State Line - Washington Street, Route 412, Section 1, Benton County, Arkansas, requires additional right of way along Highway 412, said additional right of way is designated as Tract No. 13 for this project, and is more fully described below:

Part of the Fractional South Half of the Southwest Quarter of Section 1, Township 17 North, Range 34 West, Benton County, Arkansas, more particularly described as follows:

Commencing at a Railroad Spike being used as the Quarter Corner of Section 1; thence North $02^{\circ} 37' 44''$ East along the East line of the Fractional South Half of the Southwest Quarter of Section 1 a distance of 604.88 feet to a point on the Southerly right of way line of State Highway 412 as established by AHTD Job 9376; thence North $88^{\circ} 48' 08''$ West along said right of way line a distance of 88.69 feet to a point; thence North $84^{\circ} 08' 42''$ West along said right of way line a distance of 190.17 feet to a point; thence North $88^{\circ} 43' 27''$ West along said right of way line a distance of 240.58 feet to a point; thence North $88^{\circ} 50' 05''$ West along said right of way line a distance of 223.26 feet to the POINT OF BEGINNING; thence South $07^{\circ} 05' 20''$ West a distance of 10.25 feet to a point on the Southerly right of way line of State Highway 412 as established by AHTD Job 090241; thence North $89^{\circ} 15' 46''$ West along said right of way line a distance of 194.00 feet to a point; thence South $64^{\circ} 35' 34''$ West along said right of way line a distance of 4.34 feet to a point; thence North $01^{\circ} 18' 22''$ East a distance of 13.59 feet to a point on the Southerly right of way line of State Highway 412 as established by AHTD Job 9376; thence South $88^{\circ} 50' 05''$ East along said right of way line a distance of 198.91 feet to the POINT OF BEGINNING and containing 0.05 acres more or less as shown on plans prepared by the AHTD referenced as Job 090241.

DCM 4-1-08

NOW THEREFORE, the character of the above-described property is changed from property owned by the Commission as a capital asset to that of right of way; a copy of this Minute Order shall be recorded in the Circuit Clerk and Recorder's office of Benton County, Arkansas, and the right of way remonumented.

WHEREAS, the Commission acquired property for Job No. 060774, more commonly known as Highway 5 Scenic Overlook, Route 5, Section 7, by Saline County Court Order dated March 20, 1996, which is recorded in the county court records of Saline County, Arkansas, in Book X at pages 620 – 625, inclusive; and

WHEREAS, the District Engineer for District 6 has determined that a portion of the area inside the Scenic Overlook area is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such area be abandoned and the right of way boundaries be remonumented to reflect the limits of the right of way after the abandonment of the scenic overlook property.

The area to be abandoned by the Commission is more particularly described as follows:

Starting at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of Section 28, Township 1 South, Range 16 West, Saline County, Arkansas; thence South 77° 33' 40" East a distance of 592.8983 meters to a point being designated as Survey Centerline Station 0+00.0; thence South 49° 11' 45" East a distance of 40.002 meters to a point being designated as Survey P.I. Station 0+40.002 as surveyed by the Arkansas State Highway Commission for point of beginning of Job 060744 and begin also this centerline description.

Beginning at the above described point on designated Survey P.I. Station 0+40.002; thence South 48° 06' 05" East along said centerline a distance of 57.922 meters to P.C. Station 0+97.924; thence in a Northwesterly direction along a curve to the Right having a radius of 11.0 meters a distance of 17.235 meters to P.T. Station 1+15.159; thence South 41° 40' 46" West along said centerline a distance of 0.043 meters to P.C. Station 1+15.202; thence in a Northwesterly direction along a curve to the Right having a radius of 11.0 meters a distance of 17.279 meters to P.T. Station 1+32.481; thence North 48° 19' 13" West along said centerline a distance of 31.82 meters to Station 1+64.3 end of Job 060744 and end also this centerline description.

The width of the right of way conveyed to the left and right of the herein above-described centerline shall be as follows:

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
0+04.002	0+26.622	22.62	Existing	Right of Way	

2008-133 - Continued

<u>FROM STATION</u>	<u>TO STATION</u>	<u>LIN. FT.</u>	<u>WIDTH LEFT</u>	<u>WIDTH RIGHT</u>	<u>TOTAL WIDTH</u>
0+26.622	0+12.699	13.923	Existing R/W	Var 11.794- 132.089	Var
0+12.699	1+64.3	151.601	Existing R/W	Var 132.089- Ex R/W	Var

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NOTE: In all other respects the original Court Order shall remain as is. This description is to be used to reflect the area to be released to Saline County, Arkansas.

NOW THEREFORE, the above-described property is hereby declared surplus and released to Saline County, Arkansas; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Saline County, Arkansas; and, the property shall, if necessary, be remonumented to reflect the new boundaries after the release of the above property. Federal-Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2008-134

WHEREAS, IN ASHLEY AND BRADLEY COUNTIES, Job 001941, Johnsville-Hwy. 133, realigned a portion of Highway 8, Section 12 and two portions of Highway 8, Section 13, and lengthened a portion of Highway 160, Section 10; and

WHEREAS, Bradley County has passed Court Order No. C-2008-64 agreeing to accept all responsibility for the maintenance of the segment of Highway 8, Section 12 beginning at the junction with Highway 160 and continuing north to the new portion of highway built by Job 001941.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 8, Section 12 beginning at the junction with Highway 160, Section 9 and continuing northeast to the junction with the new portion of roadway built by Job 001941 is hereby redesignated as part of Highway 160, Section 9.
- The portion of Highway 8, Section 12 and the two portions of Highway 8, Section 13 that were rerouted are hereby removed from the State Highway System. The rerouted portion of Highway 8, Section 12 that was not obliterated is hereby transferred to Bradley County in accordance with Court Order No. C-2008-64.
- The three new realigned portions of roadway, as constructed by Job 001941, are hereby added to the State Highway System as a part of Highway 8, Sections 12 and 13.
- The portion of roadway constructed by Job 001941 that begins at the junction with Highway 160, Section 10 and terminates at the junction with Highway 8 is hereby added to the State Highway System as part of Highway 160, Section 10.

2008-135

WHEREAS, Minute Order 2004-102 authorized studies to determine the potential for intermodal transportation and for enhanced freight storage and distribution capabilities for the Texarkana Region; and

WHEREAS, the Texarkana Region Freight Transportation Study (Shippers' Survey) has been prepared to present the results of a survey of shippers in the Texarkana Region to determine current and anticipated usage of freight modes and local freight transportation issues and needs.

NOW THEREFORE, the Director is authorized to publish and distribute copies of the Texarkana Region Freight Transportation Study (Shippers' Survey).

2008-136

WHEREAS, IN CRITTENDEN COUNTY, on Interstate 55 from James Mill Road to Highway 63, a distance of approximately nine miles, the Department has identified the need to install a median cable barrier; and

WHEREAS, Federal-aid Rural Safety Innovation Program (RSIP) funds have been made available through the United States Department of Transportation's Delta Region Transportation Development Program for rural safety projects in the Delta Region; and

WHEREAS, the Department has been notified that \$1,540,786 in Federal-aid RSIP funds has been approved to install a median cable barrier on Interstate 55 from James Mill Road to Highway 63; and

WHEREAS, these Federal-aid funds require a 20% State match; and

WHEREAS, additional Federal-aid Safety funds and State match may be required to complete the project.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of this safety project.

2008-137

WHEREAS, surface runoff into the Stokes Creek drainage has caused siltation in Lake Hamilton near the McCleod Street interchange on U. S. Highway 270 in Hot Springs; and

WHEREAS, the Department has received complaints in recent years regarding this siltation causing an objectionable obstruction in the Stokes Creek Bay of the lake; and

WHEREAS, the Department has conducted an analysis of the possible siltation that could have been attributable to the construction of U. S. Highway 270; and

WHEREAS, funds are available from Acts 1516 and 1753 of 2007 for repairs, drainage and various renovations.

NOW THEREFORE, the Director is authorized to implement a project to repair the drainage by removing an appropriate amount of

2008-137 - Continued

siltation from the Stokes Creek Bay of Lake Hamilton that could be attributable to erosion from the construction of U. S. Highway 270.

2008-138 WHEREAS, IN PULASKI COUNTY, on Interstate 440, inspection of the Arkansas River Bridge has revealed a need for rehabilitation work on the substructure; and

WHEREAS, this work is beyond the scope of normal bridge maintenance, and qualifies for funding under the Federal-aid Bridge Replacement and Rehabilitation program.

NOW THEREFORE, the Director is authorized to proceed with the development and implementation of a project for this rehabilitation as funds become available.

2008-139 WHEREAS, overhead sign OH-065-60-05 located on I-530 Northbound 2.37 miles south of the I-30 interchange was destroyed by an accident; and

WHEREAS, this sign is needed to provide important information to the motoring public; and

WHEREAS, replacement of this structure is beyond the scope of routine maintenance;

NOW THEREFORE, the Director is authorized to proceed with a contract to replace this structure and pursue reimbursement for the cost of the structure.

2008-140 WHEREAS, a Welcome Center is currently under construction on I-55 near Blytheville and will be completed in early 2009; and

WHEREAS, the existing rest areas located at Bardstown and Hilton on I-55 have both exceeded their service life, are in poor condition, and will no longer be needed after the opening of the new Welcome Center near Blytheville; and

2008-140 - Continued

WHEREAS, there is a need for additional truck parking along I-55 in this area.

NOW THEREFORE, upon the opening of this new facility, the Director is authorized to close the two existing rest areas, remove the buildings that are in place, and make the necessary improvements to convert these facilities into truck parking areas as funds become available.

2008-141

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 9, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110489	01	LEE	HWY. 121-UNION PACIFIC RR OVERPASS (S)	1	Y
020465	02	DESHA	DRAINAGE CANAL NO. 19 STR. & APPRS. (S)	138	N
004938	04	WASHINGTON	WEST FORK-SOUTH (BRS. & APPRS.) (S)	71	Y
061209	06	PULASKI	HWY. 67/MAIN ST. INTCHNG. SIGNALS RECONST. (JACKSONVILLE) (S)	67	Y
SA0752	07	CALHOUN	CO. RD. 37-SOUTH (DRAINAGE & BASE) (S)	---	-
SA1054	07	CLARK	CLARK COUNTY OVERLAY NO. 4 (SEL. SECS.) (S)	---	-
BR3709	03	LAFAYETTE	DORCHEAT BAYOU RELIEF STR. & APPRS. NO. 2 (S)	---	-
SA4131	03	LITTLE RIVER	LITTLE RIVER COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA4337	06	LONOKE	CO. RD. 71-NORTH (OVERLAY) (S)	---	-
BR5610	10	POINSETT	BAYOU DEVIEW STR. & APPRS. NO. 2 (S)	---	-
FA6611	03	SEVIER	SEVIER COUNTY DRAINAGE IMPROVEMENTS (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION Commissioner John Ed Regenold moved, Commissioner Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on October 28, 2008, and any other necessary sale(s).

MOTION Commissioner Madison Murphy moved, Vice Chairman Carl Rosenbaum seconded and the motion carried unanimously to accept the Staff's recommendation for the proposed 2009-2011 biennium budget for presentation to the legislature.

2008-142 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:25 p.m., September 9, 2008.

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 September 9, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 19, 2008

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 19, 2008. Members present were:

Jonathan Barnett, Chairman
Carl S. Rosenbaum, Vice Chairman
R. Madison Murphy, Member
John Ed Regenold, Member
Cliff Hoofman, Member

2008-143 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., November 19, 2008.

2008-144 WHEREAS, the Purchasing Committee has awarded purchases on September 9, 15 and 29, 2008, and October 2, 15 and 28, 2008, in the amounts of \$393,085.00, \$224,705.75, \$76,038.55, \$175,697.87, \$86,274.00, and \$115,970.00, respectively, totaling \$1,071,771.17, 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.

2008-145 WHEREAS, the AASHTO Materials Reference Laboratory (AMRL) is operated by the American Association of State Highway and Transportation Officials (AASHTO) and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing materials; and

2008-145 - Continued

WHEREAS, the Department has received notice that its share of support of the Laboratory for Fiscal Year 2009 (October 1, 2008 to September 30, 2009) is \$18,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support of the AASHTO Materials Reference Laboratory for Fiscal Year 2009.

2008-146

WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, the maintenance of roadway surfaces and shoulders in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2009 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 to apply asphalt surface treatments and hot mix asphalt leveling as needed.

2008-147

WHEREAS, the Department has taken possession of the new Automatic Road Analyzer (ARAN) pavement performance data collection vehicle; and

WHEREAS, the ARAN is used to collect pavement performance data and imagery on the State Highway System at or near highway speeds; and

WHEREAS, the ARAN will be driven approximately 22,000 miles per year to collect this data and imagery; and

WHEREAS, the ARAN is a sophisticated and expensive data collection vehicle and the need exists to protect this investment.

2008-147 – Continued

NOW THEREFORE, the Director is authorized to proceed with the procurement of insurance adequate to replace the ARAN in the event of accidental loss.

2008-148 WHEREAS, it is necessary for the Department to provide a load rating and gusset plate analysis for steel truss bridges in the state; and

WHEREAS, it is important to complete this analysis in a timely manner; and

WHEREAS, consultants are available on an on-call basis to supplement Department staff for the analysis of steel truss bridges.

NOW THEREFORE, the Director is authorized to request proposals, select a consultant firm or firms, and enter into any necessary on-call contracts as needs are identified.

2008-149 WHEREAS, the Department utilizes the American Association of State Highway and Transportation Officials' (AASHTO) AASHTOWare software products to manage highway contracts from project estimation through letting, award and construction; and

WHEREAS, the Department has and makes available AASHTO's Trns*port Expedite software for contractors to use in preparing electronic bids; and

WHEREAS, expanded use of electronic bidding is available through the Bid Express system for electronic internet bidding; and

WHEREAS, the Bid Express system integrates with current AASHTOWare software and provides additional tools to eliminate mistakes and make the bidding process more efficient.

NOW THEREFORE, the Director is authorized to implement internet bidding for highway construction contracts using Bid Express.

2008-150

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Federal Fiscal Year 2008 Recreational Trails Program; and

WHEREAS, Minute Order 2008-029 authorized the solicitation of applications for the Recreational Trails Program in Arkansas; and

WHEREAS, the Department and the Arkansas Recreational Trails Advisory Committee have reviewed the applications submitted and developed recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the projects included in the attached list.

2008-151

WHEREAS, Section 404 of the Clean Water Act, administered through the United States Corps of Engineers, requires compensatory mitigation for unavoidable, adverse impacts to wetlands and waters of the United States, including streams, resulting from highway construction, maintenance, and operation activities; and

WHEREAS, mitigation is most ecologically beneficial and cost effective when located in the same watershed as the area of impact; and

WHEREAS, approved Mitigation Areas are not currently available to the Department within each of the 60 watersheds within the State.

NOW THEREFORE, the Director is authorized to proceed with planning, acquisition, and development of Mitigation Areas, with assisting others in the development of Mitigation Areas, or with purchasing credits from Mitigation Areas that have been approved by the Corps of Engineers, subject to the following conditions:

1. Development of an acceptable mitigation plan for establishing each Mitigation Area.
2. Development of an acceptable cost per credit unit and purchase agreement prior to the purchase of credits from a Mitigation Area, and

3. Approval by the Federal Highway Administration.

2008-152

WHEREAS, the Commission acquired property known as Tract No. 16 from the City of Rogers, Arkansas, for Job No. 090064, NH-004 (23) Rogers – Avoca, U. S. Highway 62, City of Rogers Airport, Benton County, Arkansas, by Warranty Deed filed of record on April 9, 2002, as Instrument No. 02062952 in the circuit clerk's office of Benton County, Arkansas; and

WHEREAS, the City of Rogers has asked to repurchase a portion of Tract No. 16 and the District Engineer for District Nine has determined that said property is not now, nor in the foreseeable future will be, needed for highway purposes and the portion of Tract No. 16 which the City of Rogers has asked to repurchase is more particularly described as follows:

Part of the Southeast Quarter of the Northwest Quarter and part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 20 North, Range 29 West, Benton County, Arkansas, more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of the Northwest Quarter of Section 31, Township 20 North, Range 29 West 5th Principal Meridian, Benton County, Arkansas; thence South 87° 07' 44" East along the South line of the Southeast Quarter of the Northwest Quarter of Section 31 a distance of 703.60 feet to a point on the Northwesterly existing right of way line of U. S. Highway 62; thence North 37° 45' 38" East along said existing right of way line a distance of 149.37 feet to a point on the Northwesterly proposed right of way line of U. S. Highway 62; thence North 36° 55' 26" East along said proposed right of way line a distance of 280.44 feet to a point; thence North 37° 47' 50" East along said proposed right of way line a distance of 591.15 feet to the POINT OF BEGINNING; thence North 03° 12' 42" West along said right of way line a distance of 152.40 feet to a point; thence South 87° 11' 41" East along said right of way line a distance of 61.03 feet to a point; thence South 62° 30' 26" East along said right of way a distance of 55.90 feet to a point; thence South 39° 35' 14" West along said right of way line a distance of 160.08 feet to the point of beginning and containing 0.21 acre more or less or 9,000 square feet more or less.

2008-152 - Continued

WHEREAS, Tract No. 16 was acquired by the Commission for FIFTEEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$15,500.00) and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated § 27-67-322, opined that the current fair market value of that portion of Tract No. 16 being offered for sale is ONE THOUSAND AND NO/100) DOLLARS (\$1,000.00).

NOW THEREFORE, Part of Tract No. 16 is declared surplus; upon receipt of the consideration of ONE THOUSAND AND NO/100 DOLLARS, (\$1,000.00) the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described portion of Tract No. 16 to the City of Rogers, Arkansas; a copy of the Deed and the Minute Order shall be recorded in Benton County and, if necessary, the right of way shall be remonumented. Any Federal Funds from this disposal shall be credited to Federal Funds.

2008-153

WHEREAS, the Commission acquired in fee property known as Tract No. 7R from Julia Cary, single; Nina Madden, single; Olan L. Goad and Irma Lee Goad, husband and wife, for Job No. 100401, FAP Number NH-1638(1) Highway 226 – Highway 230, Craighead & Lawrence Counties, Arkansas, by Warranty Deed filed for record on January 9, 2008, in Deed Record Book 765 at Page 329, of the deed records of Craighead County, Arkansas; and

WHEREAS, Dumey Contracting, Inc. has asked to purchase Tract No. 7R; Julia Cary, single; Nina Madden, single; and Olan L. Goad and Irma Lee Goad, husband and wife, have assigned their right to reacquire Tract No. 7R to Dumey Contractors, Inc, and the District Engineer for District Ten has determined that Tract No. 7R, to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said Tract No. 7R being more particularly described as follows:

Part of the West half of the Northwest Quarter of Section 20, Township 14 North, Range 1 East, Craighead County, Arkansas more particularly described as follows:

Beginning at a found 18 millimeter (3/4 inch) Rebar being used as the Quarter Corner of Sections 19 and 20; thence North 00°49'38" East along the West line of the Southwest Quarter of the Northwest Quarter of Section 20 a distance of 154.266 meters (506.12 feet) to a point on the Northwesterly right of way line of Relocated U. S. Highway 67 as established by AHTD Job 100401 for the point of beginning; thence continue North 00°49'38" East along the West line of the West Half of the Northwest Quarter of Section 20 a distance of 659.590 meters (2,164.00 feet) to the common corner of Sections 17,18,19 and 20; thence South 89°25'48" East along the North line of the Northwest Quarter of the Northwest Quarter of Section 20 a distance of 352.480 meters (1,156.34 feet) to a point on the Northwesterly right of way line of Relocated U. S. Highway 67 as established by AHTD Job 100401; thence along said Northwesterly right of way line the following 5 courses: South 30°17'02" West a distance of 321.988 meters (1,056.39 feet) to a point; thence South 28°35'15" West a distance of 144.437 meters (473.87 feet) to a point; thence South 29°37'59" West a distance of 97.030 meters (318.34 feet) to a point; thence South 26°52'16" West a distance of 102.144 meters (335.12 feet) to a point; thence South 25°39'26" West a distance of 83.963 meters (275.47 feet) to the point of beginning containing 11.229 hectares more or less or 112,295 square meters more or less or 27.75 acres more or less or 1,208,733 square feet more or less as shown on plans referenced as AHTD Job 100401.

JHK Rev 11/5/08 jhk

WHEREAS, Tract No. 7R was acquired by the Commission for the sum of ELEVEN THOUSAND EIGHT HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$11,875.00).

NOW THEREFORE, Tract No. 7R is declared surplus; upon receipt of the consideration of ELEVEN THOUSAND EIGHT HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$11,875.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described Tract No. 7R to Dumey Contracting, Inc; the deed and a copy of this Minute Order shall be recorded in Craighead County, Arkansas, and if necessary, the right of way boundary shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, the Commission acquired property for Job No. 10452, St. Francis River Bridge and Approach, U. S. Highway 412, Section 9, by Greene County Court Order dated March 26, 1955, which is recorded in the county court records of Greene County, Arkansas, in Book 548 at page 19; and

WHEREAS, the District Engineer for District Ten has determined that a portion of the area inside of the right of way area is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such area described below be abandoned and the right of way boundaries be, if necessary, remonumented to reflect the new right of way limits.

SUPPLEMENTAL REVISED
CENTERLINE DESCRIPTION
JOB No. 10452
ST. FRANCIS RIVER BRIDGE & APPROACH
U. S. HWY. 412
GREENE COUNTY

From designated Construction Centerline Station 52+99.32 to Station 59+85.04 of the originally executed Court Order for Job No. 10452, dated March 26, 1955, and being recorded in county court records of Greene County, Arkansas, in Book 19 at Page 548, inclusive, of said records shall hereby be revised, for additional Right of Way, as follows:

Part of Lot 4 of Section 4, Township 16 North, Range 7 East, Greene County, Arkansas, more particularly described as follows:

Starting at a 3 inch brass disk on an iron pipe being used as the common corner of Sections 4, 5, 32 and 33; thence South 01° 50' 56" East along the West line of the Northwest Quarter of Section 4 a distance of 517.848 meters (1,698.97 feet) to a point on the Southwesterly right of way line of U. S. Highway 412 as established by AHTD Job 10457; thence South 59° 30' 08" East along said right of way line a distance of 47.108 meters (154.55 feet) to a point; thence in a Southeasterly direction along said right of way line on a curve to the left having a radius of 891.510 meters (2,924.89 feet) a distance of 67.280 meters (220.73 feet) having a chord bearing of South 61° 39' 51" East a distance of 67.264 meters (220.68 feet) to a point; thence South 63° 49' 34" East along said right of way line a distance of 42.798 meters (140.41 feet) to a point; thence South 26° 10' 26" East along said right of way line a distance of 6.096 meters (20.00 feet) to a point; thence South 63° 49' 34" East along said right of way line a distance

of 64.935 meters (213.04 feet) to a point on the Southwesterly right of way line of U. S. Highway 412 as established by AHTD Job 10452; thence South 63° 49' 34" East along said right of way line a distance of 56.777 meters (186.28 feet) to the point of beginning; thence North 26° 14' 35" East a distance of 29.370 meters (96.36 feet) to a point; thence South 63° 45' 25" East a distance of 209.000 meters (685.69 feet) to a point; thence South 26° 14' 34" West a distance of 23.022 meters (75.53 feet) to a point on the Southwesterly right of way line of U.S. Highway 412 as established by AHTD Job 10452; thence North 63° 49' 34" West along said right of way line a distance of 65.880 meters (216.14 feet) to a point; thence South 26° 10' 26" West along said right of way line a distance of 6.096 meters (20.00 feet) to a point; thence North 63° 49' 34" West along said right of way line a distance of 143.128 meters (469.58 feet) to the point of beginning and containing 0.571 hectares more or less (1.41 acres more or less) as shown on plans prepared by the AHTD referenced as Job 100451.

JHK Rev 7/21/08 (ga)

NOTE: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, the above-described property is hereby declared surplus and released to Greene County, Arkansas; the Right of Way Division is authorized and directed to record this Minute Order with the Circuit Clerk and Recorder of Greene County, Arkansas. Federal-Aid Funds, if any, from the disposal shall be credited to federal funds or otherwise used or credited as provided by Federal law.

WHEREAS, the Commission acquired in fee property known as Tract No. 19R from Elva Whitehorn, survivor of an estate by the entirety with Warren L. Whitehorn, deceased, for Job No. 060584, East Riverfront/Broadway Connection, State Highway 100, Pulaski County, Arkansas, by Warranty Deed dated January 10, 1997, filed for record on January 31, 1997, as Instrument 97-7423 of the deed records of Pulaski County, Arkansas; and

WHEREAS, Tract No. 19R was acquired by the Commission for the sum of TWO HUNDRED AND NO/100 DOLLARS (\$200.00); and

WHEREAS, Ronny W. Brown and wife, Judith Kay Brown, have asked to purchase Tract No. 19R; Elva Whitehorn has assigned her right to reacquire Tract No. 19R to Ronny W. Brown and wife, Judith Kay Brown, and the District Engineer for District Six has determined that Tract No. 19R to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said Tract No. 19R being more particularly described as follows:

Part of Lot 5, Block 7, Riverside Addition to the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows:

Beginning at the Southeast Corner of Lot 5, Block 7, Riverside Addition; thence South $85^{\circ} 09' 37''$ West along the South line of Lot 5 a distance of 43.00 feet to the Southwest Corner of Lot 5; thence North $04^{\circ} 30' 10''$ West along the West line of Lot 5 a distance of 58.81 feet to a point on the Southerly proposed right of way line of Relocated State Highway 100; thence North $54^{\circ} 10' 47''$ East along said proposed right of way line a distance of 50.33 feet to a point on the East line of Lot 5; thence South $04^{\circ} 30' 10''$ east along the East line of Lot 5 a distance of 84.72 feet to the point of beginning and containing 3,085 square feet more or less.

NOW THEREFORE, the above-described property is declared surplus; and upon receipt of the consideration of TWO HUNDRED AND NO/100 DOLLARS (\$200.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the above-described property to Ronny W. Brown and Judith Kay Brown, husband and wife; a copy of the deed and this Minute Order shall be recorded in the deed records of Pulaski County, Arkansas; and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal funds.

WHEREAS, the Commission acquired right of way for Job No. 9124, St. Joe – Buffalo River Road R-65-S-4-C, by Searcy County Court Order, dated February 7, 1931, which was recorded in the county court records of Searcy County, Arkansas, in Book 12 at page 431; and

WHEREAS, the District Engineer for District Nine has determined that an area inside the boundaries of the existing right of way line is not now, nor in the foreseeable future will be, needed for highway

purposes and recommends that this area of right of way be abandoned and the right of way boundary be remonumented to reflect the new right of way limits; the area of the right of way to be abandoned is more particularly described as follows:

Part of the North Half of the Southwest Quarter of Section 26, Township 16 North, Range 17 West, Searcy County, Arkansas, more particularly described as follows:

Starting at a calculated corner being used as the Southwest sixteenth corner Section 26; thence South $88^{\circ} 28' 12''$ East along the South line of the Northeast Quarter of the Southwest Quarter of Section 26 a distance of 74.46 feet to a point on the Northeasterly right of way line of U. S. Highway 65 as established by AHTD Job 9124; thence in a Northerly direction along said right of way line along a curve to the Left having a radius of 615.85 feet a distance of 305.92 feet to a point on the Easterly proposed right of way line as established by AHTD Job R90098 for the point of beginning; thence North $44^{\circ} 27' 48''$ West along said right of way line a distance of 200.79 feet to a point; thence North $45^{\circ} 32' 12''$ East along said right of way line a distance of 65.58 feet to a point on the Northeasterly right of way line of U. S. Highway 65 as established by AHTD Job 9124; thence in a Southeasterly direction along said right of way line on a curve to the right having a radius of 615.85 feet a distance of 212.27 feet having a chord bearing of South $26^{\circ} 22' 30''$ East a distance of 211.23 feet to the POINT OF BEGINNING and containing 0.18 acres, or 7,871 square feet more or less as shown on plans prepared by the AHTD referenced as Job R90098.

GA 8/11/08

NOTE: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, the above-described right of way is hereby declared surplus and released to Searcy County, Arkansas; the Right of Way Division is directed and authorized to record a copy of this Minute Order with the Recorder of Searcy County, Arkansas; and, the right of way shall be remonumented to reflect the new boundaries after the release of the above right of way.

2008-156 - Continued

Federal Aid Funds, if any, from this disposal shall be credited to Federal funds or otherwise used or credited as provided by Federal law.

2008-157

WHEREAS, IN WOODRUFF COUNTY on County Road No. 32, a contract was awarded on July 30, 2008, to Salt Creek Paving & Construction Co., Inc. for Job No. SA7435, State Aid Job, Hwy. 37 – West (Surfacing) (S); and

WHEREAS, Woodruff County forces performed widening work in preparation for the awarding of this project. Since this work has been performed, the widened areas have become unstable due to moisture and soil conditions that have prevented the work required under this contract to be completed; and

WHEREAS, the work required to stabilize the widened areas is the responsibility of Woodruff County and cannot be completed during this construction season; and

WHEREAS, seasonal limitations contained in the Department's specifications now prevent the application of the planned surfacing on the project; and

WHEREAS, the Honorable Wm. Burl Simmons, Jr., Woodruff County Judge, has requested that the contract be terminated and the project be re-advertised at a later date; and

WHEREAS, Salt Creek Paving and Construction Co., Inc. has been able to perform only minimal work due to the condition of the widened areas; and

WHEREAS, Salt Creek Paving and Construction Co., Inc. has agreed that the project should be terminated.

NOW THEREFORE, IT IS ORDERED, as allowed by and in accordance with the terms of the contract and the specifications, Job No. SA7435 shall be terminated effective on the contract fixed completion date. Salt Creek Paving and Construction Co., Inc. shall be paid for the

2008-157 - Continued

work performed, which includes construction sign installation and mobilization, and the Director is authorized to re-advertise the project at a later date.

2008-158 WHEREAS, IN DESHA COUNTY, at the McGehee Airport, the access drive included on the State Maintenance System as Highway 980, Section 23, is shown to be 0.95 mile; and

WHEREAS, a review of the drive revealed that a portion does not meet the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the portion of the drive totaling 0.13 mile, as shown on the attached sketch, is hereby deleted from the State Maintenance System.

2008-159 WHEREAS, IN FAULKNER COUNTY, changes to the Institutional Drive System maintained by the Department at the University of Central Arkansas in Conway were recently reviewed; and

WHEREAS, the review revealed that certain drives no longer meet the criteria for inclusion in the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.41 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 876, Section 1.

2008-160 WHEREAS, IN LEE COUNTY, changes to the Institutional Drive System maintained by the Department at the Lon Mann Cotton Research Station have been reviewed.

WHEREAS, the review revealed that an additional drive meets all the criteria for inclusion into the State Maintenance System as

2008-160 - Continued

established by Commission Policy 4201 on August 2, 1961, while certain drives no longer meet this criteria.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.60 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 811, Section 1.

2008-161

WHEREAS, IN WHITE COUNTY, Job 050032, Highway 16 Safety Improvements, realigned portions of Highway 16, Section 13.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The old portions of Highway 16, Section 13 that were rerouted are hereby removed from the State Highway System.
- The new alignment, as constructed by Job 050032, is hereby added to the State Highway System as a part of Highway 16, Section 13.

2008-162

WHEREAS, IN HEMPSTEAD COUNTY, Minute Order 2001-181 authorized a study to determine the feasibility of constructing an interchange at Interstate 30 and County Road 2 in Hempstead County.

WHEREAS, the Interstate 30/County Road 2 Interchange Feasibility Study has been completed and concluded that the new interchange is not feasible at this time due to the high cost and low anticipated usage.

WHEREAS, the study did identify other feasible alternatives to improve access to industrial facilities along County Road 2.

NOW THEREFORE, this study is adopted as a planning guide for future improvements in the area.

2008-163

WHEREAS, Minute Order 2005-105 authorized a study of the feasibility of an eastern bypass to enhance traffic operations on Highway 167 in Batesville and to reduce travel delays to motorists traveling through the area; and

WHEREAS, a western bypass was also analyzed to ensure that all possible alternatives for a bypass were evaluated; and

WHEREAS, the Batesville Bypass Feasibility Study has been completed and has identified three feasible alternatives that would improve traffic operations and enhance safety in the Batesville area.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area.

2008-164

WHEREAS, Minute Order 2005-013 authorized studies of several roadway facilities that could possibly reduce traffic flow problems and improve access in the City of Searcy; and

WHEREAS, the Transportation Improvement Study – City of Searcy has been prepared that analyzed an east-west route in northern Searcy that could connect Highways 36 West, 16 and 67; and

WHEREAS, the study also evaluated possible improvements for the Highway 67 Frontage Road and Brantley Road to enhance industrial development.

NOW THEREFORE, the study is adopted as a planning guide for future improvements in the area.

FURTHERMORE, the Director is authorized to proceed with environmental studies, surveys, design, right of way acquisition, and construction of the northern Searcy connector route as funds become available.

2008-165

WHEREAS, Act 1680 of the 2007 Regular Session of the Arkansas General Assembly appropriated \$150,000 from the General Improvement Fund to the Arkansas State Highway and Transportation Department, of which \$40,000 has been funded; and

2008-165 - Continued

WHEREAS, the funds are to be used for intermodal facilities and infrastructure projects for the Southeast Arkansas Regional Intermodal Facilities Authority; and

WHEREAS, the Southeast Arkansas Regional Intermodal Facilities Authority has indicated their desire to use the \$40,000 included in Act 1680 as local match funds for Job 020466, S.E. Arkansas Intermodal Facility (Wilmar), which will construct an access road on the Authority's property.

NOW THEREFORE, the Director is authorized to use the \$40,000 General Improvement Funds to match Federal-aid dollars for Job 020466.

2008-166

WHEREAS, it has been determined that hazards at the below listed railroad crossing warrant installing active warning devices.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street/Hwy.</u>	<u>Railroad</u>	<u>Recommendation</u>
Faulkner	Conway	Solid Waste Dr.	Union Pacific	Install Flashing Signals with Gates

2008-167

WHEREAS, IN GRANT AND JEFFERSON COUNTY, on Interstate 530, Sections 4 and 5, from south of the Pulaski County line to the Jefferson interchange, a distance of approximately 7.4 miles, the need for roadway improvements has been determined.

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

2008-168

WHEREAS, the District 1 Headquarters at Wynne is experiencing roof leaks in the Administrative Office Area; and

WHEREAS, the roofs on the Administrative Office Area, Shop Area and the Stock Room Area are approximately twenty-four years old and in poor condition; and

WHEREAS, it has been determined that the most feasible means of repair is to remove the existing built-up roofs and replace them with new roofs.

NOW THEREFORE, the Director is authorized to replace the roofs on the Administrative Office Area, Shop Area and the Stock Room Area at the District 1 Headquarters facility.

Work to be done by contract as a Building Project.

2008-169

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 19, 2008 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110469	01	MONROE	CYPRESS CREEK STR. & APPRS. (S)	79	Y
110492	01	CRITTENDEN	I-55 EAST INTCHNG.-HWY. 131 (F)	40	Y
110499	01	CRITTENDEN	TEN MILE DITCH STR. & APPRS. (AVONDALE CR.) (W. MEMPHIS) (S)	---	-
020353	02	JEFFERSON	I-530-STEEP BANK CR. (GR. & STRS.) (F)	530	Y
020467	02	JEFFERSON	IMBEAU BAYOU STR. & APPRS. (11 TH AVE.) (PINE BLUFF) (S)	---	-
030322	03	NEVADA	PRESCOTT RAILROAD OVERPASS (S)	371	Y

2008-169 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
040477	04	SCOTT	HWY. 71/HWY. 96/HUNTINGTON AVE. SIGNAL (MANSFIELD) (S)	71 & 96	Y
040483	04	SEBASTIAN	I-540/HWY. 253/HWY. 271 SIGNALS (FORT SMITH) (S)	540, 253 & 271	Y
040510	04	SCOTT	HWY. 28 FLOOD DAMAGE REPAIR (2008) (S)	28	N
040513	04	CRAWFORD	HWY. 59 FLOOD DAMAGE REPAIR (2008) (S)	59	Y
040515	04	SEBASTIAN	HWY. 252 FLOOD DAMAGE REPAIR (2008) (S)	252	N
040526	04	SEBASTIAN	DISTRICT 4 R.E. OFFICE (FORT SMITH) (S)	71	Y
061198	06	PULASKI	I-430/I-630 INTERCHANGE MODIFICATIONS (PHASE I) (F)	430 & 630	Y
061217	06	GARLAND	HWY. 70 EAST INTCHNG. (HOT SPRINGS) (PH. II) (S)	70	Y
070309	07	DALLAS	DRY CREEK STR. & APPRS. (S)	9	Y
080177	08	CONWAY, POPE, JOHNSON & YELL	DISTRICT 8 BRIDGE PAINTING (PHASE II) (S)	VAR	Y
080199	08	FAULKNER	HWY. 266-FLEMING ST. (HWY. 65B) (CONWAY) (S)	65B	Y
080316	08	FAULKNER	HWY. 65/PICKLES GAP RD. SIGNAL (FAULKNER CO.) (S)	65	Y
090229	09	CARROLL	GREEN FOREST-EAST (S)	62	Y
100674	10	LAWRENCE	HWY. 230-HWY. 63 (CL., GRU. & FENCING) (F)	67	Y
012053	VAR	VARIOUS	SHOULDER RUMBLE STRIPS (SEL. SECS.) (STATEWIDE) (S)	VAR	Y
012085	01 & 06	CRITTENDEN, SALINE & PULASKI	I-40 & I-530 OVERHEAD SIGNS & SUPPORTS REPLACEMENT (S)	40 & 530	Y
SA0437	09	BENTON	BENTON CO. (GAILEY HOLLOW RD.) SURFACING (S)	---	-
FA0619	07	BRADLEY	CO. RD. 69-CO. RD. 4 PHASE 1 (RECONST.) (S)	---	-
SA0753	07	CALHOUN	HWY. 160-NORTH (DRAINAGE & BASE) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Second Lieutenant Joe Upton honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-four years, one month and eight days; and

WHEREAS, Second Lieutenant Upton retired from the Department on October 3, 2008; and

WHEREAS, His service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Second Lieutenant Upton has made formal request that his duty pistol be retired with him and remain in his possession.

RESOLUTION - Continued

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on November 19, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Second Lieutenant Joe Upton to purchase his Glock Model 22, .40 caliber duty pistol, serial number 053AHP.

RESOLUTION WHEREAS, Captain Gary East honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-four years, eight months and two days; and

 WHEREAS, Captain East retired from the Department on September 9, 2008; and

 WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

 WHEREAS, Captain East has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on November 19, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Captain Gary East to purchase his Glock Model 22, .40 caliber duty pistol, serial number 014AHP.

RESOLUTION WHEREAS, PFC Tommy Cariker honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-five years, nine months and eight days; and

 WHEREAS, PFC Cariker retired from the Department on September 22, 2003; and

 WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

RESOLUTION - Continued

WHEREAS, PFC Cariker has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on November 19, 2008, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes PFC Tommy Cariker to purchase his Glock Model 22, .40 caliber duty pistol, serial number 155AHP.

MOTION Commissioner Cliff Hoofman moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the firm of Bowlby & Associates, Inc., of Franklin, TN to provide on-call noise abatement study and design services.

MOTION Commissioner Cliff Hoofman moved, Commissioner Madison Murphy seconded and the motion carried unanimously to accept the Staff's recommendation to enter into negotiations with the firms of Panamerican Consultants, Inc. of Memphis, TN, and Historic Preservation Associates, LLC of Fayetteville, AR to provide on-call archeological services.

MOTION Commissioner Cliff Hoofman moved, Commissioner John Ed Regenold seconded and the motion carried unanimously to accept the Staff's recommendation to enter into negotiations with the firms of Florence & Hutcheson of Nashville, TN, Garver Engineers, LLC of Little Rock, AR, and Jacobs Carter Burgess of Little Rock, AR to provide on-call design services.

MOTION Commissioner John Ed Regenold moved, Commissioner Cliff Hoofman seconded and the motion carried unanimously to accept the Staff's recommendation to enter into negotiations with the firm of Jacobs Carter Burgess of Little Rock, AR to provide services for the environmental studies of an access road along U. S. Highway 63 (Future Interstate 555) between Payneway and Marked Tree in Poinsett County.

MOTION Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to direct the Staff to take the necessary steps to pursue the removal of permanently placed trash receptacles from state highway rights of way.

MOTION Chairman Jonathan Barnett resigned as Chairman of the Arkansas State Highway Commission. Mr. Barnett will remain a member of the Commission until his term expires in January of 2009. Commissioner Madison Murphy moved, Commissioner John Ed Regenold seconded and the motion passed to elect Vice Chairman Carl S. Rosenbaum as Chairman of the Arkansas State Highway Commission.

MOTION Commissioner John Ed Regenold moved, Commissioner Jonathan Barnett seconded and the motion passed to elect Commissioner Madison Murphy as Vice Chairman of the Arkansas State Highway Commission.

2008-170 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., November 19, 2008.

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 November 19, 2008.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 7, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 7, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Jonathan Barnett, Member

2009-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 7, 2009.

2009-002 WHEREAS, the Purchasing Committee has awarded purchases on November 24, 2008, and December 5, 8 and 15, 2008, in the amounts of \$2,153,732.94, \$1,392,157.31, \$168,097.00, and \$1,325,292.00, respectively, totaling \$5,039,279.25, 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.

2009-003 WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2009 Highway Map.

2009-004

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts have identified selected routes in need of resurfacing in order to extend the useful life of these roadways.

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing program for 2009.

2009-005

WHEREAS, a Southeastern Association of State Highway and Transportation Officials (SASHTO) Scholarship has been established to support institutions of higher education in attracting and training students who can contribute to improving transportation systems; and

WHEREAS, the Arkansas State Highway and Transportation Department is a member state of SASHTO, and SASHTO awards scholarship funds to member states.

NOW THEREFORE, the Director is hereby authorized to notify SASHTO that it is recommended that scholarship funds be provided to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FURTHERMORE, the Director is authorized to enter into an agreement with the study center for the administration of the scholarship funds for research programs deemed beneficial to the Department.

2009-006

WHEREAS, the goal of the Disadvantaged Business Enterprise (DBE) Supportive Services (SS) Program is to provide services and activities that are designed to increase the total number of active DBE firms participating in the highway program and to contribute to the growth and eventual self-sufficiency of individual minority businesses; and

WHEREAS, this is done by identifying, assisting, and promoting DBEs capable of performing work on federal-aid highway construction projects as contractors, subcontractors, and suppliers; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users has allocated funds for the DBE/SS Program; and

2009-006 - Continued

WHEREAS, the current contract with a DBE/SS vendor is expiring and continuation of the DBE/SS Program will be beneficial to the Department.

NOW THEREFORE, the Director is authorized to issue a Request for Proposals to retain the services of a qualified consultant to continue the DBE/SS Program contingent upon the availability of funds.

2009-007

WHEREAS, the On-the-Job Training/Supportive Services (OJT/SS) Program provides meaningful training opportunities for minorities, women and the disadvantaged on federal-aid highway projects; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users has allocated funds for the OJT/SS Program; and

WHEREAS, the current contract with an OJT/SS vendor is expiring and continuation of the OJT/SS Program will be beneficial to the Department.

NOW THEREFORE, the Director is authorized to issue a Request for Proposals to retain the services of a qualified consultant to continue the OJT/SS Program contingent upon the availability of funds.

2009-008

WHEREAS, the Arkansas Highway Police (AHP) Division deploys officers in police pursuit vehicles statewide to enforce state laws and the rules, regulations and policies of the Arkansas State Highway Commission; and

WHEREAS, AHP's current fleet of police pursuit vehicles contains thirty-eight (38) vehicles whose mileage exceeds, or will exceed, one hundred thousand miles within the current state fiscal year; and

WHEREAS, oversize and overweight permit fees, collected pursuant to the provisions of Arkansas Code Annotated §27-35-210 – Permits for Special Cargoes - which are designated for the operations and

2009-008 - Continued

maintenance of the AHP Division, are available for the purchase of police pursuit vehicles.

NOW THEREFORE, the Director is authorized to purchase up to thirty-eight (38) replacement police pursuit vehicles for use by the AHP Division utilizing available oversize and overweight permit fees.

2009-009

WHEREAS, the Arkansas Highway Police (AHP) Division administers a federal grant program funded by the Federal Motor Carrier Safety Administration (FMCSA) to conduct new entrant safety audits on startup interstate motor carriers; and

WHEREAS, the AHP has five (5) Safety Auditors assigned to travel statewide to conduct new entrant safety audits; and

WHEREAS, one hundred percent (100%) federal funding is available through the aforesaid grant program to provide vehicles to the AHP Safety Auditors.

NOW THEREFORE, the Director is authorized to purchase five (5) vehicles for statewide use by the AHP Safety Auditors utilizing FMCSA federal grants funds.

2009-010

WHEREAS, some state highways are posted for weight restrictions below the maximum allowable weight limits allowed by State law; and

WHEREAS, a policy to accommodate a non-divisible overweight load by permit on a weight restricted highway was developed and implemented in 2008; and

WHEREAS, the "Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways" adopted by Minute Order 2008-011 proved to be a successful method for recovering damage costs to weight restricted highways when overweight load permits are issued.

2009-010 - Continued

NOW THEREFORE, this policy is extended and shall be in effect until December 31, 2009.

2009-011 WHEREAS, it is the responsibility of the Department to ensure that the highways are maintained in a condition suitable for use by the traveling public; and

WHEREAS, it may be necessary at times to limit the amount of weight that can be carried by a single load on some highways.

NOW THEREFORE, the attached "Process for Establishing a Weight Restriction on a Non-weight Restricted Highway" is adopted by the Commission and shall be used by the Department to evaluate and assign weight restrictions on certain highways as may be necessary.

2009-012 WHEREAS, the relocation of sections of highway from the immediate vicinity of accredited school facilities sometimes requires revision of the access to these facilities.

NOW THEREFORE, the Director is authorized to coordinate with local officials to erect appropriate signage, as necessary, to provide safe and convenient direction to the facility as a result of the highway relocation.

2009-013 WHEREAS, IN BOONE COUNTY, Job 090004, Hwy. 65/Hwy. 62 Interchange, is substantially complete and the newly constructed portions of roadways are open to traffic; and

WHEREAS, the Boone County Quorum Court has passed Court Order No. 2008-20 accepting the old portions of Highway 62, Section 6 and Highway 65, Section 1 into the Boone County Road System.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

2009-013 - Continued

- The portion of Highway 65, Section 1 bypassed by Job 090004 is hereby removed from the State Highway System.
- The portion of Highway 62, Section 6 bypassed by Job 090004 is hereby removed from the State Highway System.
- The new highway constructed by Job 090004 beginning at the junction with the old portion of Highway 65 and continuing north to the existing Highway 65 alignment is hereby added to the State Highway System as part of Highway 65, Section 1.
- The new highway beginning at the existing location of Highway 62 and carrying eastbound Highway 62 traffic southbound to Highway 65, is hereby added to the State Highway System as a part of Highway 62, Section 6.
- The portion of roadway beginning at the junction with Highway 62, Section 6 and continuing approximately 0.14 mile to the junction with Highway 65 is hereby added to the State Highway System as Highway 62, Section 6Y.
- The portion of roadway beginning at the junction with Highway 65, Section 1 and carrying northbound Highway 65 traffic westbound to Highway 62 is hereby added to the State Highway System as Highway 62, Section 6X.
- The portion of roadway beginning at the junction with Highway 65, Section 1 and carrying southbound Highway 65 traffic westbound to Highway 62 is hereby added to the State Highway System as Highway 65, Section 1Y.

2009-014

WHEREAS, IN CRAWFORD COUNTY, Lake Fort Smith State Park was closed January 1, 2002 to permit the City of Fort Smith to perform necessary work for expanding the lake, which serves as their water supply; and

2009-014 - Continued

WHEREAS, Minute Order 2002-040 removed Highway 600, Section 20, at Lake Fort Smith State Park, from the Highway System; and

WHEREAS, the new State Park Access Road System at Fort Smith State Park was recently constructed and the new drives meet all the criteria for inclusion into the State Maintenance System as established by A.C.A. 27-67-204; and

WHEREAS, Shepherd Springs Road connects Highway 71 with the State Park and in accordance with A.C.A. 27-67-204 shall become a State Highway.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- Shepherd Springs Road beginning at the junction with Highway 71, Section 15 and ending at the entrance to Lake Fort Smith State Park shall be added to the State Highway System as Highway 400, Section 1.
- Drives totaling approximately 3.11 miles are hereby to be maintained by the Department as State Highway 600, Section 20.

2009-015

WHEREAS, IN LONOKE COUNTY, the City of Cabot has requested that the Department transfer a portion of Highway 38, Section 0 to the City and add the new portion of roadway constructed by Job 060878 to the State Highway System as part of Highway 38.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer and receipt of an appropriate ordinance from the City, the following changes are hereby made to the State Highway System as shown on the attached sketch.

2009-015 - Continued

- The portion of Highway 38, Section 0 beginning at the junction with Highway 89 and continuing northeast to the junction with the portion of roadway constructed by Job 060878 is hereby removed from the State Highway System.
- The new roadway constructed by Job 060878 is hereby added to the State Highway System as a part of Highway 38, Section 0.

2009-016

WHEREAS, IN CRAIGHEAD COUNTY, Job 100412, Hwy. 67 – Hwy. 49 on Highway 226 calls for the removal of Bridges M2403 and M2407, commonly known as the Cache River Bridge and the Bayou DeView Bridge; and

WHEREAS, the Mayor of Jonesboro has requested that the Department transfer Bridges M2403 and M2407 to the City of Jonesboro for transportation uses as pedestrian bridges; and

WHEREAS, the City of Jonesboro shall agree to adopt a release of title holding the Department, its officers, and employees harmless from any action of any kind; to prohibit vehicular traffic on the bridges in perpetuity; and to assume responsibility for maintenance and inspection of the bridges in consideration for the transfer of the bridges to the City of Jonesboro.

NOW THEREFORE, the Director is authorized to release the bridges commonly known as the Cache River Bridge and the Bayou DeView Bridge (Bridges M2403 and M2407) to the City of Jonesboro upon completion of Job 100412.

2009-017

WHEREAS, IN HEMPSTEAD COUNTY, Job 030152, Hope – Emmet Strs. & Apprs. On Highway 67 requires the removal of Bridge 01630, commonly known as the Terre Rouge Creek Bridge; and

2009-017 - Continued

WHEREAS, the Mayor of Greenwood has requested that the Department transfer Bridge 01630 to the City of Greenwood for transportation use as a pedestrian bridge; and

WHEREAS, the City of Greenwood shall agree to adopt a release of title holding the Department, its officers and employees harmless from any action of any kind; to prohibit vehicular traffic on the bridge in perpetuity; and to assume responsibility for maintenance and inspection of the bridge in consideration for the transfer of the bridge to the City of Greenwood; and

NOW THEREFORE, the Director is authorized to release the bridge commonly known as the Terre Rouge Creek Bridge (Bridge 01630) to the City of Greenwood upon completion of Job 030152.

2009-018

WHEREAS, IN NEWTON COUNTY, Job 009784, Buffalo River Br. & Apprs. (Pruitt) on Highway 7 requires the removal of Bridge 01689, commonly known as the Buffalo River Bridge; and

WHEREAS, the U. S. Department of the Interior, National Park Service, Buffalo National River has requested that the Department transfer Bridge 01689 to the National Park Service for transportation use as a pedestrian bridge; and

WHEREAS, the National Park Service shall agree to adopt a release of title holding the Department, its officers and employees harmless from any action of any kind; to prohibit vehicular traffic on the bridge in perpetuity; and to assume responsibility for maintenance and inspection of the bridge in consideration for the transfer of the bridge to the National Park Service; and

NOW THEREFORE, the Director is authorized to release the bridge commonly known as the Buffalo River Bridge (Bridge 01689) to the National Park Service upon completion of Job 009784.

2009-019

WHEREAS, IN HOT SPRING COUNTY, on Interstate 30, Section 21, near log mile 95.7, landslides continue to affect the Interstate pavement; and

WHEREAS, removal of material to the north of the Interstate and drainage improvements have been recommended to resolve the slide problem.

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

2009-020

WHEREAS, IN LAWRENCE COUNTY, on Highway 63, Section 3, from Black Rock to Portia, a distance of approximately 3.5 miles, traffic counts continue to increase; and

WHEREAS, the need exists for increasing capacity and safety on this section of the Highway 63/Highway 412 corridor; and

WHEREAS, the structures on this section of highway qualify for Federal-aid Bridge Replacement and Rehabilitation Program funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of projects as needed to widen the roadway and structures along this section of Highway 63 as funds become available.

2009-021

WHEREAS, access management is an effective tool to maintain the safe and efficient operation of roadways by preserving their ability to carry traffic; and

WHEREAS, Highway 265 is an important north-south principal arterial through Fayetteville and Northwest Arkansas; and

WHEREAS, the Department is developing plans to widen Highway 265 in the City of Fayetteville under Job 040440, Hwy. 45-City Limits (Fayetteville) P.E.; and

WHEREAS, the City of Fayetteville, the Northwest Arkansas Metropolitan Planning Organization, and the Department are cooperatively developing an access management plan for the Highway 265 corridor.

2009-021 - Continued

NOW THEREFORE, the Director is authorized to enter into necessary agreements to implement the access management plan for Highway 265 from Highway 45 north to the City Limits in Fayetteville.

2009-022

WHEREAS, IN UNION COUNTY, the El Dorado City Council and the Quorum Court of Union County, by City Resolution No. 1316 and County Resolution 390 have identified Highway 167 from Highway 82 north to Highway 167B as the Veterans Highway; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2002-213; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2002-213.

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described section of Highway 167 in accordance with Commission Policy.

RESOLUTION

WHEREAS, Sergeant James Clark honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-one years, two months and twelve days; and

WHEREAS, Sergeant Clark retired from the Department on December 22, 2008; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Clark has made formal request that his duty pistol be retired with him and remain in his possession.

RESOLUTION - Continued

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on January 7, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant James Clark to purchase his Glock Model 22, .40 caliber duty pistol, serial number 024AHP.

2009-023 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 7, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020465	02	DESHA	DRAINAGE CANAL NO. 19 STR. & APPRS. (S)	138	N
030290	03	HEMPSTEAD	HWY. 29B-SPRUCE ST. (GREENWOOD ST.) (HOPE) (S)	---	-
040474	04	WASHINGTON	W. FORK WHITE RIVER STR. & APPRS. (FAYETTEVILLE) (S)	---	-
040482	04	POLK	TRAFFIC SIGNAL MOD. & INTERS. IMPVTS. (PHASE II) (MENA) (S)	71, 88, & 8	Y
060529	06	LONOKE	HWY. 70-NORTH (CARLISLE) (S)	13	Y
060686	06	GARLAND	HWY. 7 SOUTH-HWY. 270 (HIGDON FERRY RD.) (HOT SPRINGS) (S)	88	Y
080283	08	VAN BUREN	HWY. 65B SOUTH-HWY. 336 (CLINTON) (S)	65	Y
090234	09	BENTON	HWY. 71B/ROBINSON AVE. SIGNAL (LOWELL) (S)	71B	Y
090257	09	SEARCY	HWY. 333 FLOOD DAMAGE REPAIR (2008) (S)	333	N
090262	09	NEWTON	HWY. 7 FLOOD DAMAGE REPAIR (2008) (S)	7	Y
100649	10	CRAIGHEAD	HWY. 49/SCHOOL ST. SIGNAL (BROOKLAND) (S)	49	Y
100650	10	GREENE	HWY. 49/HWY. 358/MCDANIEL RD. SIGNAL (PARAGOULD) (S)	49 & 358	Y
100658	10	MISSISSIPPI	HWY. 61/BYRUM RD./ARMORY DR. SIGNAL (BLYTHEVILLE) (S)	61	Y

and

2009-023 - Continued

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

2009-024

JONATHAN BARNETT
Commissioner Emeritus

WHEREAS, ten years have passed since January 1999, and with their passing will cause to expire in January 2009, your term as a Member of the Arkansas State Highway Commission, we the undersigned, your friends and fellow Commissioners, those who will miss your comradeship, sound counsel, and words of encouragement, wish for your future the best of everything. We wish to recognize you for your tireless efforts and acclaim your devotion to the service of this Commission. Your personal contributions over the past ten years have promoted progress and economic growth in this Great State through sound planning and the application of business principles in the planning, construction, and maintenance of our overall State Highway System; and

2009-024 - Continued

WHEREAS, because of the imminent loss of the aforementioned knowledge and service to this Commission, these members, acting in their best interest, do herewith, through this instrument, serve formal notice that you are hereby directed and expected to continue to serve this Commission and the State of Arkansas.

NOW THEREFORE, with high esteem, we do hereby bestow upon you, ad infinitum, the title "*Commissioner Emeritus.*"

2009-025

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:55 a.m., January 7, 2009.

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 January 7, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 25, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 25, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2009-026 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 25, 2009.

2009-027 WHEREAS, the Purchasing Committee has awarded purchases on January 13, 26 and 30, 2009, and February 5 and 6, 2009, in the amounts of \$341,387.00, \$3,297,211.38, \$291,161.25, \$27,672.80, and \$854,144.46, respectively, totaling \$4,811,576.89, 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.

2009-028 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas State Highway and Transportation Department for departmental membership dues for the year 2009, which membership is regarded as being highly beneficial to the Department.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for membership dues for the year 2009 in the amount of \$47,134.00.

2009-029

WHEREAS, the Department currently manages a crawler tractor (bulldozer) fleet that consists of ten machines of varying ages and conditions; and

WHEREAS, these crawler tractors are in constant use in roadway maintenance operations; and

WHEREAS, two of these machines have surpassed their expected life and are experiencing mechanical problems for which the repair costs would exceed their estimated value.

NOW THEREFORE, the Director is authorized to purchase two replacement crawler tractors as funds become available.

2009-030

WHEREAS, the United States Code of Federal Regulations requires that all sampling and testing of materials used in highway construction and maintenance be executed by qualified testing personnel, and that all contractor, vendor, and state testing used for acceptance decisions shall be performed at qualified laboratories; and

WHEREAS, the Mack-Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville established the Center for Training Transportation Professionals (CTTP) in July 1996 (Minute Order 96-127) to provide training and certification of Department and contractor technicians; and

WHEREAS, there is a need to continue the certification of Department and contractor technicians by the CTTP.

NOW THEREFORE, the Director is hereby authorized to renew a three-year agreement with the MBTC to continue the training and certification courses as mutually agreed upon by the Department and the CTTP.

2009-031

WHEREAS, Arkansas receives Federal-aid Congestion Mitigation and Air Quality (CMAQ) funds from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, since 1998, a portion of CMAQ funds have been used in cooperative efforts to address air quality issues in Arkansas; and

2009-031 - Continued

WHEREAS, the Central Arkansas Regional Transportation Study (CARTS) has requested \$40,000 and the West Memphis-Marion Area Transportation Study (WMATS) has requested \$100,000 in CMAQ funds for use in planning efforts to address air quality issues; and

WHEREAS, the required matching funds for the Federal-aid CMAQ funds would be committed from local entities; and

WHEREAS, it is in the best interest of the Department to continue planning efforts to address air quality issues with partner agencies and local jurisdictions.

NOW THEREFORE, the Director is authorized to provide CMAQ funds for use by CARTS and WMATS, to enter into appropriate interagency agreements and to participate in coordination activities for air quality planning.

2009-032

WHEREAS, Section 1201 of the American Recovery and Reinvestment Act of 2009 requires that the Governor of each State certify to the Secretary of Transportation that the State will maintain its efforts with regard to State funding for the types of projects that are funded by the appropriation; and

WHEREAS, as part of this certification, the amount of funds the State planned to expend from State sources from the date of enactment of the Act through September 30, 2010 must be reported; and

WHEREAS, it is the intent of the Arkansas Highway Commission that funds received from the American Recovery and Reinvestment Act of 2009 will be used as additional funds for transportation projects and will not be used to supplant existing sources of funding.

NOW THEREFORE, the Director is authorized to transmit a request to the Governor to certify that Arkansas will maintain its efforts to expend State funds for transportation projects through September 30, 2010 as planned.

2009-033

WHEREAS, it is considered appropriate to implement a formal policy for monumenting and signing commemorative highways and bridges.

WHEREAS, a monument or sign may be requested by any person, group, agency, or jurisdiction, hereafter referred to as “sponsor.”

NOW THEREFORE, the following policy will be utilized for the monumenting and signing of commemorative highways and bridges:

Highways and bridges may be named for persons, groups or themes provided:

- Documented support for the naming, acceptable to the Commission, is provided. This documentation may come in the form of resolutions from the governing body/s of the jurisdiction/s in which the facility is located, or in other appropriate forms.
- A monument will be allowed as follows:
 - The supporting jurisdiction may furnish an appropriate metal plaque at no cost to the Department. The Department will mount the plaque, in an appropriate location, in a concrete mounting.
 - The location of the mounting will be determined by the Department in consultation with the sponsoring jurisdiction.
- A roadside sign will be allowed as follows:
 - The sponsoring jurisdiction may request a roadside sign permit from the Commission. This permit will be requested by letter to the Director of Highways and Transportation. The request will include the appropriate supporting resolutions.
 - The sign request will require the approval of the Commission, by Minute Order, authorizing the Director to issue a sign permit.

- The cost of the sign and installation of the sign will be the responsibility of the sponsoring jurisdiction.
 - The sign size, color, configuration and message will be as approved in the sign permit.
 - The number of signs will generally be limited to one sign in each direction near each end of the named section of highway or approach to the named bridge.
 - The sponsoring jurisdiction will be responsible for the maintenance of the permitted signs. Failure to properly maintain the sign will be cause for revocation of the sign permit.
- On highways which have previously been named for an individual, group or theme, the Commission may name a bridge, tunnel or specific section of the previously named route for another individual, group or theme, provided that all other appropriate provisions of this policy have been met or if otherwise deemed appropriate by the Commission.

2009-034

WHEREAS, the Arkansas State Police (ASP) has requested the Department to erect signs on one-mile sections of State Highway on or near where ASP officers were killed in the line of duty as part of the State Police Officer Memorial Highway Dedication Program; and

WHEREAS, Commission policy currently provides for monumenting and signing of commemorative highways and bridges.

NOW THEREFORE, the Director is authorized to erect appropriate signs, with language agreed upon by the ASP and the Department, to recognize those officers who are identified by the ASP in the Police Officers Memorial Highway Dedication Program.

2009-035

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU) requires each state to develop and implement a Strategic Highway Safety Plan (SHSP) that involves a comprehensive and collaborative approach to highway safety; and

WHEREAS, Minute Order 2007-091 adopted Arkansas' SHSP as a planning guide for improving highway safety in the State; and

WHEREAS, one emphasis area identified in Arkansas' SHSP is to reduce the number of head-on crashes; and

WHEREAS, head-on crashes occur from time to time on Interstates and other freeways as a result of wrong-way travel on these fully access controlled routes.

NOW THEREFORE, the Director is authorized to conduct an annual analysis, beginning with the 2009 reporting period, of all reported wrong-way crashes on Interstate highways and other freeways that are a part of the state highway system to determine whether the installation of additional traffic control devices is warranted and feasible to reduce the possibility of future wrong-way crashes.

FURTHERMORE, any additional traffic control devices installed as a result of the annual analysis will conform to the Manual on Uniform Traffic Control Devices for Street and Highways, which is approved by the Federal Highway Administrator as the National Standard in accordance with Title 23 U. S. Code, Sections 109(d), 114(a), 217, 315, and 402(s), 23 CFR 655, and 49 CFR 1.48(b)(8), 1.48(b)(33), and 1.48(c)(2), and is the manual adopted by the Arkansas Highway Commission pursuant to Arkansas Code Annotated Section 27-52-104.

2009-036

WHEREAS, the Arkansas State Highway Commission has heretofore adopted and published policies and procedures pertaining to employment practices and work rules; and

WHEREAS, the policies of the Highway Commission are continually being adopted, revised and updated for the benefit of employees and the Department; and

2009-036 - Continued

WHEREAS, such changes in said policies are necessary and desirable.

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2009-037

WHEREAS, the Arkansas State Highway Commission owns property in Carroll County, Arkansas, held as a capital asset, being part of the former Area Maintenance Headquarters in Carroll County; and

WHEREAS, Job No. 9463, F-030-2(3) West Berryville – Green Forest, Highway 62 Carroll County, requires additional right of way along the front of and contiguous to the former Area Maintenance Headquarters in Carroll County, said additional right of way is designated as a portion of Tract No. 32 for Job No. 9463 and is more fully described as follows:

Part of the Fractional Northwest Quarter 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 a point being used as the Northeast Corner of Section 25; thence North 87° 38' West along the North line thereof a distance of 163.1 feet to a point on the Northeasterly right of way line of U. S. Highway 62 as established by AHTD Job 9463; thence South 21° 36' East along said right of way line a distance of 186.7 feet to the point of beginning; thence continue South 21° 36' East a distance of 288.4 feet to a point; thence North 89° 06' West a distance of 21.6 feet to a point on the Northeasterly right of way line of U. S. Highway 62 as established by AHTD Job 9134; thence North 21° 36' West along said right of way line a distance of 282.7 feet to a point; thence North 75° 53' East a distance of 20.2 feet to the point of beginning and containing 0.13 acres, more or less, as shown on plans prepared by the AHTD referenced as Job 9463.

DCM 10/19/07

2009-037 - Continued

NOW THEREFORE, the designation of the above described property is hereby changed from capital asset to that of right of way; a copy of this Minute Order is to be recorded in the Circuit Clerk and Recorder's office of Carroll County, Arkansas, and, if necessary, the right of way remonumented.

2009-038

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, Frank Campbell has bid the sum of ONE HUNDRED FIFTY-EIGHT THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$158,600.00) which is the highest bid received for the portion of the former Maintenance Headquarters at public auction held on Wednesday, December 10, 2008, on site in Berryville, Arkansas. Three (3) qualified appraisers have opined that the current fair market value of the portion of the former Maintenance Headquarters is ONE HUNDRED FIFTY-EIGHT THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$158,600.00); 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 Northwest Quarter 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, all in Carroll County, Arkansas, more particularly described as follows:

2009-038 - Continued

Starting at the Common corner Sections 19 & 30, Township 20 North, Range 24 West; thence South 08° 00' 00" East along the East line of the Fractional Northwest Quarter of the Northwest Quarter of Section 30 a distance of 121.0 feet for the point of beginning; thence North 84°17' 00" East a distance of 232.80 feet to a point; thence South 08° 00' 00" East a distance of 291.60 feet to a point; thence South 83° 47' 20" West a distance of 226.74 feet to a point on the Westerly right of way line of U. S. Highway 412 as established by AHTD Job 9463; thence North 28° 42' 00" West along said right of way line a distance of 288.02 feet to a point; thence North 67° 44' 00" East a distance of 98.87 feet to the POINT OF BEGINNING and containing 1.87 acres, or 81,335 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 9134.

GA 11/26/07

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of ONE HUNDRED FIFTY-EIGHT THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$158,600.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to Frank Campbell; 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 Funds.

2009-039

WHEREAS, the Arkansas State Highway Commission executed a Quitclaim Deed to Lyles Enterprises, Inc. (Grantee) dated May 24, 2006. The Quitclaim Deed was not recorded in Craighead County, Arkansas, conveying the property herein described, pursuant to Minute Order No. 2006-080 dated May 24, 2006; and

WHEREAS, the description appearing in the original Minute Order and Quitclaim Deed contained a scrivener's error which was recently discovered by the Grantor; and

WHEREAS, in order to correct the scrivener's error a Correction Quitclaim Deed is required to be executed by the Chairman of the Commission; and

2009-039 - Continued

WHEREAS, the correct legal description of the land intended to be conveyed by the Commission to the Grantee is as follows:

Job No. 100306

Part of Tract No. 25

Part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 14 North, Range 6 East, Craighead County, Arkansas, more particularly described as follows:

Starting at a $\frac{3}{4}$ inch iron pipe being used as the center Quarter corner of Section 21; thence South $01^{\circ} 05' 13''$ East along the West line of the Southeast Quarter of Section 21 a distance of 2,609.73 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 10730; thence South $87^{\circ} 36' 08''$ East along said right of way line a distance of 425.16 feet to a point; thence North $00^{\circ} 11' 03''$ West a distance of 11.50 feet for the point of beginning; thence continue North $00^{\circ} 11' 03''$ West a distance of 8.01 feet to a point on the Northerly right of way line of Arkansas State Highway 18 as established by AHTD Job 100306; thence South $87^{\circ} 35' 41''$ East along said right of way line a distance of 124.23 feet to a point; thence South $00^{\circ} 34' 32''$ East a distance of 8.01 feet to a point; thence North $87^{\circ} 35' 41''$ West a distance of 124.28 feet to the point of beginning and containing 0.02 acres, more or less, as shown on plans prepared by the AHTD referenced as Job 100306.

GA/ga Rev. 12/02/08 (ga)

NOW THEREFORE, a Correction Quitclaim Deed shall be issued to the Grantee and the Chairman of the Commission is hereby authorized and directed to execute and deliver such Correction Quitclaim Deed to the Grantee for and on behalf of this Commission; and, this Minute Order and Correction Deed shall be recorded in Craighead County, Arkansas.

2009-040

WHEREAS, IN POLK COUNTY on Highway 270, Section 1, an Original Contract dated September 30, 2003 was awarded to Glover Construction Company, Inc. for Job No. 040353, FAP No. 9990, Highway 272 – Highway 71 (Resurf. & Shldrs.) (S); and

2009-040 - Continued

WHEREAS, the Contractor has failed to refund money due the Commission as a result of the determination of the final pay quantities for this project; and

WHEREAS, the Contractor was notified by Certified Mail dated December 16, 2008 that unless money due the Commission was refunded within 30 days of receipt of said letter, the project would be placed in default in accordance with Subsection 108.08 of the Standard Specifications; and

WHEREAS, the payment has not been received.

NOW THEREFORE, IT IS ORDERED that the right of Glover Construction Company, Inc., to proceed on Job No. 040353 is hereby terminated, and the Deputy Director and Chief Engineer is authorized to arrange for fulfillment of the contract obligations in accordance with the plans and specifications and in compliance with the terms and conditions of the contract and bond.

2009-041

WHEREAS, IN DREW COUNTY, in the City of Monticello, the one-way couplet around the town square is currently included in the State Highway System as part of Highway 278, Section 15; and

WHEREAS, the redesignation of the western leg of the town square as Highway 83, Section 2X will benefit the public by providing a continuous highway connection for traffic traveling southbound on Highway 83 that desires to continue south along Highway 83 or east to Highway 278; and

WHEREAS, Highway 278, Section 15 includes a one-way portion of roadway that carries traffic eastbound and is paralleled by a one-way city street for westbound traffic, which is currently signed as Highway 278; and

WHEREAS, the redesignation of portions of East McCloy Avenue, West McCloy Avenue, and North Hyatt Street as State Highway 278 would benefit the public by providing a westbound couplet for Highway 278; and

WHEREAS, the City of Monticello has passed Ordinance 751 releasing the right of way along the aforementioned roadways.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 278, Section 15, beginning at the junction with Highway 83, Section 2 and continuing one block west to the junction with North Church Street is hereby redesignated as part of Highway 278, Section 15X.
- The portion of Highway 278, Section 15 (N. Church), beginning at the junction with McCloy Avenue and continuing south to the junction with Highway 278, Section 15 is hereby redesignated as Highway 83, Section 2X.
- The portion of roadway locally known as East McCloy Avenue beginning at the junction with Highway 278 and continuing west to the junction with Highway 83 is hereby added to the State Highway System as part of Highway 278, Section 15X.
- The portion of roadway locally known as West McCloy Avenue beginning at the junction with Highway 83 (N. Church) and continuing west to the junction with North Hyatt Street and then south one block along North Hyatt Street to the junction with Highway 278 is hereby added to the State Highway System as part of Highway 278, Section 15X.

WHEREAS, IN GARLAND COUNTY, the Institutional Drive System maintained by the Department at the Hot Springs Rehabilitation Center was recently reviewed; and

2009-042 - Continued

WHEREAS, the review revealed that certain drives do not meet the criteria for inclusion in the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.62 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 887, Section 1.

2009-043

WHEREAS, IN JEFFERSON COUNTY, the Institutional Drive System maintained by the Department at the University of Arkansas at Pine Bluff was recently reviewed; and

WHEREAS, the review revealed that an additional drive meets all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while certain drives no longer meet this criteria.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.11 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 878, Section 1.

2009-044

WHEREAS, IN JEFFERSON COUNTY, the Institutional Drive System maintained by the Department at the Department of Correction – Diagnostic Unit was recently reviewed; and

WHEREAS, the review revealed a portion of a drive that was obliterated and an additional portion of roadway that meets the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 1.36 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 833, Section 2.

2009-045

WHEREAS, IN JEFFERSON COUNTY, the Institutional Drive System maintained by the Department at the Arkansas Department of Community Correction was recently reviewed; and

WHEREAS, the review revealed that portions of drives no longer exist.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.94 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 833, Section 1.

2009-046

WHEREAS, IN MADISON COUNTY, Job 090116, Washington Co. Line – Hwy. 45, is substantially complete and the newly constructed portion of roadway is open to traffic; and

WHEREAS, the City of Hindsville has passed Ordinance 1-2008 accepting the portion of Highway 295, Section 3S beginning at the City Limits and continuing east to the junction with Highway 412 into the City Street System; and

WHEREAS, Madison County has passed Court Order No. 2008-28 agreeing to accept all responsibility for the maintenance of the segment of Highway 295, Section 3S beginning at the junction with Highway 295 and continuing east to the Hindsville City Limits and the portion of Highway 412 beginning at the junction with the new roadway built by Job 090116 and continuing east to the junction with Highway 45.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 412, Section 3 that junctions at both ends with the Hindsville Bypass constructed by Job 090116 is hereby redesignated as part of Highway 412, Section 3B.
- The portion of Highway 412, Section 3 that junctions with the Hindsville Bypass and continues east along the roadway that junctions with Highway 45 is hereby removed from the State Highway System.

2009-046 - Continued

- The bypassed portion of Highway 412, Section 3 that lies between the Washington County Line and Highway 295, Section 3 is hereby removed from the State Highway System.
- The new highway constructed by Job 090116 is hereby added to the State Highway System as part of Highway 412, Section 3.
- Highway 295, Section 3S is hereby removed from the State Highway System.

2009-047

WHEREAS, Minute Order 2006-136 authorized a study to determine the need for and feasibility of highway improvements in the City of Mena; and

WHEREAS, the Mena Traffic Improvement Study has been completed and concluded that the construction of a bypass as part of Future I-49 and improvements to Highway 8 are feasible.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area.

2009-048

WHEREAS, community leaders in Clark, Montgomery and Pike Counties recognize the importance of rail transportation to support their existing industries and the need for a regional approach to develop freight transportation assets; and

WHEREAS, local officials have requested that the Department prepare a railroad line and bridge study of the Caddo Valley Railroad that operates in the area and provide technical assistance in organizing a regional intermodal freight facility authority.

NOW THEREFORE, the Director is authorized to prepare a railroad line and bridge study for the Caddo Valley Railroad and to provide technical assistance in forming a regional intermodal freight facility authority for Clark, Montgomery and Pike Counties.

2009-049

WHEREAS, the environmental clearance for Job 001938, Co. Rd. 35-Hwys. 11/425 Connector P.E., which is a part of the connector route from Pine Bluff to Future Interstate 69, required the issuance of a permit by the U. S. Army Corps of Engineers because of impacts to streams regulated under Section 404 of the Clean Water Act; and

WHEREAS, the permit requires mitigation for impacts to the streams within the limits of the projects to be constructed under Job 001938; and

WHEREAS, Minute Order 2008-151 authorized the purchase of credits from Mitigation Areas that have been approved by the Corps; and

WHEREAS, the Lower Cut-off Creek Mitigation Bank, which is owned and operated by The Natural Resources Investment Group, LLC, was approved by the Corps of Engineers on September 22, 2008; and

WHEREAS, the Lower Cut-off Creek Mitigation Bank is the only stream mitigation bank site available for use within the impact area for Job Number 001938.

NOW THEREFORE, the Director is authorized to purchase stream mitigation credits from The Natural Resources Investment Group's Lower Cut-off Creek Mitigation Bank to fulfill the requirements of the U. S. Army Corps of Engineers' permit for Job 001938.

2009-050

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to accommodate a roadway project and to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2009-050 - Continued

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Craighead	Jonesboro	Hwy. 351 (Industrial Drive)	BNSF	Install Flashing Lights with Gates

2009-051 WHEREAS, IN CRITTENDEN COUNTY, Minute Order 2005-119 authorized the Director, in cooperation with the Department of Parks and Tourism, to proceed with the design and construction of a new West Memphis Welcome Center; and

 WHEREAS, local officials in the area have expressed interest in relocating the Welcome Center to the common section of Interstates 40 and 55 in West Memphis; and

 WHEREAS, relocation of the Welcome Center will require Interstate ramp and highway relocations to accommodate traffic operations.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of the ramp and highway relocations needed to improve access to the relocated facility, as funds become available.

2009-052 WHEREAS, IN INDEPENDENCE COUNTY, a crash analysis was completed at the intersection of Highway 69 and Highway 122 near Newark; and

 WHEREAS, the crash analysis revealed that safety enhancements are warranted at this intersection; and

 WHEREAS, these enhancements include installing flashing beacons on the “Stop Ahead” signs on the Highway 122 approaches and installing channelized islands at the intersection; and

 WHEREAS, these enhancements are eligible for Federal-aid Safety funds.

2009-052 - Continued

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

2009-053

WHEREAS, it is important to have cooperation among highway department agencies, as well as law enforcement officers, during incidents on or around the Mississippi River Bridges connecting the states of Arkansas and Tennessee; and

WHEREAS, at incident scenes, there is the need to facilitate joint efforts to protect public safety, promote safe and orderly flow of traffic, protect the safety of emergency responders, and restore the roadway to full capacity as soon as possible following an incident; and

WHEREAS, an Interagency Memorandum of Understanding has been established between the Arkansas State Highway and Transportation Department, the Arkansas State Police, the Tennessee Department of Safety, and the Tennessee Department of Transportation.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to execute this Memorandum of Understanding relative to incidents on the highway bridges over the Mississippi River connecting Arkansas and Tennessee.

2009-054

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 25, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
R20092	02	DESHA	SOUTH GOULD-HWY. 159 (NO. DUMAS) (S)	65	Y
020467	02	JEFFERSON	IMBEAU BAYOU STR. & APPRS. (11 TH AVE.) (PINE BLUFF) (S)	---	-
061206	06	SALINE	HWY. 183 STRS. REMOVAL (E. OF BAUXITE & S. OF BRYANT) (S)	183	Y
080204	08	POPE	I-40-SOUTH (RUSSELLVILLE BYPASS) (GR. & STRS.) (S)	247	Y
100608	10	RANDOLPH	PARK ST.-HWY. 90 (POCAHONTAS) (S)	62 & 67	Y

2009-054 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
FA1106	10	CLAY	SOUTH FORK BIG CREEK STR. & APPRS. (S)	---	-
SA4739	10	MISSISSIPPI	HWY. 18-HWY. 137 (OVERLAY) (S)	---	-
EF5802	08	POPE	ILLINOIS BAYOU RELIEF BRIDGE SCOUR REPAIR (S)	---	-
SA7129	08	VAN BUREN	VAN BUREN COUNTY RESEAL NO. 3 (SEL. SECS.) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Corporal Alice Murphy honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of nineteen years, three months and twenty-four days; and

RESOLUTION - Continued

WHEREAS, Corporal Murphy retired from the Department on December 8, 2005; and

WHEREAS, her service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Corporal Murphy has made formal request that her duty pistol be retired with her and remain in her possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on February 25, 2009 at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Corporal Alice Murphy to purchase her Glock Model 22, .40 caliber duty pistol, serial number 169AHP.

MOTION

Commissioner John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion carried unanimously to accept the Staff's recommendation for proposed rehabilitation projects to be included in the April 8, 2009 letting using funds from the American Recovery and Reinvestment Act of 2009.

2009-055

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m., February 25, 2009.

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 February 25, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 13, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 13, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2009-056 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., March 13, 2009.

2009-057 WHEREAS, Title XII of the American Recovery and Reinvestment Act of 2009 (ARRA) has provided additional funds to the Federal Highway Administration for Highway Infrastructure Investment; and

WHEREAS, Arkansas has received its apportionment of the ARRA funds.

NOW THEREFORE, the Director is authorized to program funds received under the American Recovery and Reinvestment Act of 2009 for projects shown on the attached list.

FURTHERMORE, the Director is authorized to program these projects to make optimum use of the ARRA funds.

2009-058 WHEREAS, Title XII of the American Recovery and Reinvestment Act of 2009 (ARRA) has provided the Office of the Secretary of Transportation with \$1.5 billion for Supplemental Discretionary Grants for a National Surface Transportation System; and

2009-058 - Continued

WHEREAS, these funds are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region; and

WHEREAS, the proposed Bella Vista Bypass is a key link in the section of Congressionally-designated High Priority Corridor 1, also known as Future Interstate 49, from Interstate 40 at Alma to Interstate 44 at Kansas City, Missouri; and

WHEREAS, the Missouri Department of Transportation has indicated their willingness to submit an application for the proposed Bella Vista Bypass.

NOW THEREFORE, the Director is authorized to prepare and submit a joint application with the Missouri Department of Transportation for the proposed Bella Vista Bypass as a candidate project for the Supplemental Discretionary Grants for a National Surface Transportation System.

2009-059

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., March 13, 2009.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 8, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 8, 2009. Members present were:

R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2009-060 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., April 8, 2009.

2009-061 WHEREAS, the Purchasing Committee has awarded purchases on February 12, 2009, and March 4, 13 and 25, 2009, in the amounts of \$611,301.50, \$1,094,434.60, \$159,212.00, and \$447,341.69, respectively, totaling \$2,312,289.79, 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.

2009-062 WHEREAS, the Department has used the American Association of State Highway and Transportation Officials' (AASHTO) AASHTOWare Survey Data Management Systems (SDMS) software for all engineering and land survey data collection, processing and archiving since 1990; and

WHEREAS, the processed data is used in the design of roadways and in the development of plans for right of way acquisition; and

WHEREAS, AASHTO no longer supports the software and does not intend to provide an updated version; and

2009-062 - Continued

WHEREAS, there is no commercially available software that is based on the AASHTO SDMS data format, and to convert the existing surveying data collection systems would be costly to the Department due to purchasing the new system, training personnel, and developing new quality control and quality assurance procedures; and

WHEREAS, there is a need for the Department to develop an updated version of the software based on the AASHTO SDMS data structure and AASHTOWare SDMS data collection and processing functions.

NOW THEREFORE, the Director is authorized to proceed with contracting the development, maintenance and support of an updated version of the survey data collection and processing software.

2009-063

WHEREAS, the Federal Highway Administration sponsors the National Summer Transportation Institute, a program to encourage secondary school students to pursue transportation careers; and

WHEREAS, increasing awareness about transportation related careers is important to the transportation industry; and

WHEREAS, the Federal Highway Administration has encouraged state transportation departments to continue the 100% federally funded program; and

WHEREAS, in accordance with the Federal Highway Administration's guidelines for selecting a host site, the Department issued a Request for Proposals; and

WHEREAS, the University of Arkansas at Little Rock has submitted a proposal that meets the scope of the program and is within the projected budget allowance provided by the Federal Highway Administration.

NOW THEREFORE, the Director is authorized to enter into an agreement with the University of Arkansas at Little Rock to host the National Summer Transportation Institute.

2009-064

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Recreational Trails Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified that the Fiscal Year 2009 Federal Recreational Trails Program allocation for Arkansas is available.

NOW THEREFORE, the Director is authorized to solicit applications for Recreational Trails Program funding for 2009.

2009-065

WHEREAS, IN CRITTENDEN COUNTY, Job 110337, Hwy. 147 - I-55, is complete and the newly constructed portions of roadways are open to traffic; and

WHEREAS, the Crittenden County Quorum Court has passed Court Order No. 2009-5 accepting an old portion of Highway 64, Section 17 into the Crittenden County Road System.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 64, Section 17 beginning at the junction with Highway 147, Section 2 and continuing north to the new portion of roadway constructed by Job 110337 is hereby redesignated as part of Highway 147, Section 2.
- The new portion of roadway constructed by Job 110337 that connects Highway 147, Section 2 to Highway 64, Section 17 is hereby added to the State Highway System as part of Highway 147, Section 2.
- The portion of Highway 64, Section 17 beginning at the junction with the redesignated portion of Highway 147, Section 2 and continuing north to the junction with Highway 64 is hereby removed from the State Highway System.

2009-065 - Continued

- The portion of Highway 64, Section 17 beginning at the junction with Highway 147, Section 2 and continuing east to the new portion of roadway constructed by Job 110337 is hereby removed from the State Highway System.
- The new portion of roadway constructed by Job 110337 that junctions at both ends with the bypassed portion of Highway 64 is hereby added to the State Highway System as part of Highway 64, Section 17.

2009-066

WHEREAS, IN HOWARD COUNTY, Job 030285, Hwy. 369 - East, realigned portions of Highway 26, Section 1 and lengthened Highway 369, Section 1.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The old portions of Highway 26, Section 1 that were rerouted are hereby removed from the State Highway System.
- The new alignment, as constructed by Job 030285, is hereby added to the State Highway System as a part of Highway 26, Section 1.
- The new portion of roadway connecting Highway 369 to Highway 26 is hereby added to the State Highway System as a part of Highway 369, Section 1.

2009-067

WHEREAS, Minute Order 2006-034 authorized the Department to contract with a consulting firm to conduct a study to determine the feasibility of extending the Interstate 69 Connector from Highway 278 near Monticello to Interstate 20 in Louisiana; and

2009-067 - Continued

WHEREAS, the Interstate 69 Connector Extension Feasibility Study has been completed and the analysis has determined that feasible alternatives exist for the extension of the Interstate 69 Connector to Interstate 20 in Louisiana although no imminent need was found for this corridor.

NOW THEREFORE, this study is adopted for use as a planning guide for scheduling future improvements in the area.

2009-068

WHEREAS, IN FAULKNER COUNTY, a railroad corridor study was conducted by the Department, the City of Conway, and the Union Pacific Railroad that recommended several railroad crossing improvements; and

WHEREAS, these improvements include the construction of a new Elm Street railroad crossing and the conversion of the existing College Avenue railroad crossing for pedestrian use only; and

WHEREAS, the Union Pacific Railroad has agreed to participate in 30 percent of the cost for these improvements; and

WHEREAS, the City of Conway and the Union Pacific Railroad have agreed to close the Deer Street, Independence Avenue and Davis Street railroad crossings at their own expense.

NOW THEREFORE, the Director is authorized to proceed with construction of the new Elm Street railroad crossing and improvements to the College Avenue railroad crossings subject to the following conditions:

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

2009-068 - Continued

<u>County</u>	<u>City</u>	<u>Street</u>	<u>Recommendations</u>
Faulkner	Conway	Elm St. and College Ave.	Install flashing lights with gates and install surface (Elm Street); Install pedestrian signals (College Ave.)

2009-069 WHEREAS, Act 497 of 2009 designated Highway 67 in Northeast Arkansas as “Rock ‘n’ Roll Highway 67.”

NOW THEREFORE, the Highway Commission hereby designates Highway 67 through Jackson, Lawrence, Randolph and Clay Counties as “Rock ‘n’ Roll Highway 67.”

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2009-070 WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossing to accommodate a roadway project and to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossing subject to the following conditions:

1. Maintenance of the signal devices and surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Sebastian	Fort Smith	Hwy. 45	Fort Smith Railroad	Install Flashing Lights on Cantilevers; Upgrade Surface

2009-071

WHEREAS, crash analyses have identified several locations in the State with a high frequency of median crossover crashes; and

WHEREAS, these locations include the segment of Interstate 540 from the Highway 265 and Highway 112 Interchange in Washington County to the Highway 62 and Highway 102 Interchange in Benton County and the segment of Interstate 30 from Sevier Street to Highway 70 in Saline County; and

WHEREAS, median cable barriers have been shown to reduce median crossover crashes; and

WHEREAS, the installation of median cable barriers is eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of safety projects to install median cable barriers at these locations as funds become available.

2009-072

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 8, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110503	01	MONROE	ROC ROE & WHITE RIVER RELIEF STRS. & APPRS. (CLARENDON) (F)	79	Y
110516	01	CRITTENDEN	I-55 CABLE MEDIAN BARRIER (JAMES MILL RD.-HWY. 63) (F)	55	Y
110520	01	MONROE	HWY. 241-NORTH (REHAB.) (S)	49	Y
110521	01	CRITTENDEN	HWY. 50-HWY. 70 (REHAB.) (S)	79	Y
020467	02	JEFFERSON	IMBEAU BAYOU STR. & APPRS. (11TH AVE.) (PINE BLUFF) (S)	---	-
020469	02	JEFFERSON	HWY. 365/WHITE HALL RD./COLONIAL PK. DR. SIG. (WHITE HALL) (S)	365	Y
020490	02	LINCOLN	STAR CITY-NORTH & SOUTH (SEL. SECS.) (REHAB.) (S)	425	Y
020494	02	ARKANSAS	HWY. 79C-HWY. 165 (SEL. SECS.) (REHAB.) (S)	79	Y
030367	03	PIKE	KIRBY-EAST (REHAB.) (S)	70	Y
030370	03	LITTLE RIVER	ASHDOWN-WILTON (REHAB.) (S)	71	Y

2009-072 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030372	03	LAFAYETTE & MILLER	RED RIVER-EAST & WEST (REHAB.) (S)	82	Y
040466	04	SEBASTIAN	I-540 DRAINAGE IMPVTS. (L.M. 2.12) (FT. SMITH) (S)	540	Y
040475	04	WASHINGTON	LITTLE SANDY CREEK STR. & APPRS. (SHADY GROVE RD.) (SPRINGDALE) (S)	---	-
040516	04	CRAWFORD	HWY. 71 FLOOD DAMAGE REPAIR (2008) (S)	71	Y
040537	04	WASHINGTON	HWY. 112-I-540 (REHAB.) (S)	412	Y
040539	04	LOGAN	CANE CREEK-PEDEE CREEK (REHAB.) (S)	22	Y
040542	04	POLK	HWY. 8-SOUTH & NORTH (REHAB.) (S)	71	Y
040543	04	CRAWFORD	ALMA-EAST (REHAB.) (S)	64	Y
050201	05	STONE	ROCKY BAYOU CREEK-EAST (REHAB.) (S)	14	Y
050203	05	INDEPENDENCE & WHITE	PLEASANT PLAINS-SOUTH (REHAB.) (S)	167	Y
050204	05	CLEBURNE	GREERS FERRY DAM-SOUTH (REHAB.) (S)	25	Y
061185	06	PULASKI	HWY. 440-REDMOND RD. (PH. II) (F)	67	Y
061246	06	LONOKE	PULASKI CO. LINE-EAST (REHAB.) (S)	70	Y
061247	06	HOT SPRING	GLEN ROSE-SOUTH (REHAB.) (S)	67	Y
061248	06	PRAIRIE	HWY. 63-HWY. 33 (REHAB.) (S)	70	Y
070330	07	DALLAS	CALHOUN CO. LINE-NORTH (REHAB.) (S)	79	Y
070332	07	CALHOUN	HAMPTON-SOUTH (SEL. SECS.) (REHAB.) (S)	167	Y
080309	08	YELL	OLA-CENTERVILLE (PASSING LANES) (S)	7	Y
080354	08	FAULKNER	HWY. 25 S.-NORTH & SOUTH (REHAB.) (S)	65	Y
080355	08	YELL	MICKLES-EAST & WEST (REHAB.) (S)	10	Y
080357	08	FAULKNER	I-40 OFF RAMP-ON RAMP (CONWAY) (REHAB.) (S)	65	Y

2009-072 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
090267	09	BOONE	MISSOURI STATE LINE-SOUTH (REHAB.) (F)	65	Y
100691	10	MISSISSIPPI	I-55-WEST (BLYTHEVILLE) (REHAB.) (S)	18	Y
100693	10	MISSISSIPPI	HWY. 119Y-WEST & EAST (OSCEOLA) (REHAB.) (S)	140	Y
100695	10	RANDOLPH	HWY. 90-NORTH (POCAHONTAS) (REHAB.) (S)	67	Y
100697	10	CRAIGHEAD	HWY. 91-HWY. 226 (JONESBORO) (REHAB.) (S)	63	Y
SA1763	04	CRAWFORD	CRAWFORD COUNTY OVERLAY (SEL. SECS.) (S)	---	-
SA2241	02	DREW	COUNTY RD. 15 OVERLAY (SEL. SEC.) (S)	---	-
SA2363	08	FAULKNER	FAULKNER COUNTY OVERLAY NO. 5 (S)	---	-
FA2607	06	GARLAND	LITTLE MAZARN CREEK STR. & APPRS. (S)	---	-
SA3930	01	LEE	LAGRANGE-SOUTH (SURFACING) (S)	---	-
SA6247	06	SALINE	HWY. 367-EAST (LORANCE RD.) (OVERLAY) (S)	---	-
BR6305	04	SCOTT	SQUARE ROCK CREEK STRS. & APPRS. (S)	---	-
SA6543	04	SEBASTIAN	HWY. 22-HWY. 96 (OVERLAY) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Sergeant James Boyce honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty years, three months and eleven days; and

WHEREAS, Sergeant Boyce retired from the Department on February 27, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Boyce has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on April 8, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant James Boyce to purchase his Glock Model 22, .40 caliber duty pistol, serial number 111AHP.

RESOLUTION

WHEREAS, Sergeant Benton Fincher served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-four years, eleven months and twenty-one days; and

WHEREAS, Sergeant Fincher retired from the Department on March 11, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Fincher has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on April 8, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant Benton Fincher to purchase his Glock Model 22, .40 caliber duty pistol, serial number 105AHP.

RESOLUTION

WHEREAS, Corporal Randall Harrison honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-seven years, seven months and twenty-three days; and

WHEREAS, Corporal Harrison retired from the Department on March 3, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Corporal Harrison has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on April 8, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Corporal Randall Harrison to purchase his Glock Model 22, .40 caliber duty pistol, serial number 183AHP.

MOTION

Commissioner John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed 4-0 to enter into negotiations with the firms of Jacobs Engineering Group, Inc. – Little Rock, AR; TranSystems – St. Louis, MO, and The LPA Group Incorporated – Little Rock, AR for consultant services for on call services for the analysis of steel truss bridge superstructures.

MOTION

Following a discussion of Act 374 of 2009 which established the “Arkansas Blue Ribbon Committee on Highway Finance,” Vice Chairman Madison Murphy accepted the appointment to serve on the Blue Ribbon Committee. This appointment was made in accordance with Section 1 (b)(3) of Act 374.

2009-073

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:35 p.m., April 8, 2009.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meetings on March 13, 2009, and April 8, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 20, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 20, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2009-074 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., May 20, 2009.

2009-075 WHEREAS, the Purchasing Committee has awarded purchases on April 6, 13 and 16, 2009, and May 11, 2009, in the amounts of \$259,328.64, \$229,387.34, \$110,070.00, and \$32,749.28, respectively, totaling \$631,535.26, 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.

2009-076 WHEREAS, the Department utilizes automated planning, design, proposal management, letting and bid management, and construction pay estimate management systems to provide technical support in the development of highway projects; and

WHEREAS, the American Association of State Highway and Transportation Officials' AASHTOWare software products provide the needed systems required by the Department.

2009-076 - Continued

NOW THEREFORE, the Director is authorized to enter into the annual licensing agreement for the AASHTOWare products.

2009-077

WHEREAS, the Research Correlation Service of the Transportation Research Board, National Research Council, collects research information relating to transportation; and

WHEREAS, this information is reviewed, compiled, maintained and disseminated to subscribing agencies through various methods including printed reports, literature searches and abstracts; and

WHEREAS, all states participate in this program which also supports the Transportation Research Board's core activities; and

WHEREAS, the Department's participation rate has been approved by AASHTO members and the Transportation Research Board Executive Committee; and

WHEREAS, the Federal Highway Administration has created a pooled fund study to provide a mechanism for state transportation departments to support the TRB's core program and services.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary to fulfill the Department's commitment to this important program.

2009-078

WHEREAS, in 1991, the Department developed an Equipment Operators Competition to enhance the training and skills of the many employees that operate various pieces of road maintenance equipment around the state on a daily basis; and

WHEREAS, this competition became known as the Equipment Operators Roadeo; and

WHEREAS, in 2003, the Mississippi DOT challenged the AHTD to an interstate competition between state winners of their respective roadeo events; and

2009-078 - Continued

WHEREAS, this competition has grown to five states competing in the Southeast Regional Roadeo competition with each state, in-turn, serving as host state for the annual event; and

WHEREAS, the Southeast Regional Roadeo organizing committee has requested the Arkansas State Highway and Transportation Department to serve as the 2009 host state.

NOW THEREFORE, the Department is authorized to serve as the host for the 2009 Southeast Regional Roadeo competition.

2009-079

WHEREAS, the Department conducts planning and research activities to meet Federal regulations and to provide timely and useful information; and

WHEREAS, this work is conducted using Federal and State funds identified in the State Planning and Research (SPR) Work Program and Cost Estimate.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and implement the SPR Work Program and Cost Estimate for Fiscal Year 2010 and enter into any necessary contracts and agreements.

2009-080

WHEREAS, Minute Order 2009-004 authorized a resurfacing program for 2009 depending on the availability of funds; and

WHEREAS, Federal funds are being used from the American Recovery and Reinvestment Act of 2009 (ARRA) for resurfacing or rehabilitating selected routes meeting the federal standard guidelines; and

WHEREAS, the Districts have also identified other resurfacing and rehabilitating needs beyond those implemented with ARRA funds.

2009-080 - Continued

NOW THEREFORE, depending on the availability of State funds, the Director is authorized to proceed with an additional resurfacing and rehabilitation program for 2009 to address needs not previously met in the ARRA program.

2009-081 WHEREAS, the Great Arkansas Cleanup is an important anti-litter program which contributes to the appearance of the State's highways; and

 WHEREAS, the Arkansas Highway and Transportation Department spends over \$5 million annually to remove litter from State Highways; and

 WHEREAS, the Department's previous contributions to the Keep Arkansas Beautiful Foundation have been helpful in continuing the Great Arkansas Cleanup.

 NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 this year to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

2009-082 WHEREAS, numerous requests for traffic signals on the State Highway System are received by the Department from local government jurisdictions across the State; and

 WHEREAS, there is a need to consistently regulate the installation of these signals; and

 WHEREAS, guidelines have been developed to facilitate the permitting and funding of these locally sponsored traffic signal projects.

 NOW THEREFORE, the attached Guidelines for Permitting and Funding Traffic Signals for Locally Sponsored Projects is hereby adopted and the Director is authorized to implement the guidelines and to provide updates to the guidelines periodically as necessary.

2009-083

WHEREAS, Minute Order 2004-049 adopted the Arkansas Primary Highway Network (APHN) as a system that provides for interstate and regional movement, for linkages to population centers, for critical service, and for other high traffic routes; and

WHEREAS, Minute Order 2004-049 further provides for the periodic revision of the APHN to address changing conditions; and

WHEREAS, Arkansas continues to have the 12th largest highway system in the nation, and the cost of construction and maintenance materials has risen dramatically since the prior adoption of the APHN; and

WHEREAS, the APHN has been revised to account for current traffic volumes and cost information; and

WHEREAS, the revised APHN accounts for approximately 47% of the state highway mileage and carries approximately 89% of all travel on the highway system.

NOW THEREFORE, the revised Arkansas Primary Highway Network is hereby adopted.

FURTHERMORE, the Arkansas Primary Highway Network should continue to be revised periodically to address changing conditions.

2009-084

WHEREAS, the Arkansas State Highway System is a vital tool for the movement of people and goods through and around the State; and

WHEREAS, a Four-Lane Grid System has been developed as part of the State Highway System; and

WHEREAS, this Four-Lane Grid System provides for safe and efficient interstate and intrastate movement of people and goods, including connectivity to population centers and to other regional transportation facilities within Arkansas and in neighboring states; and

WHEREAS, development of this Four-Lane Grid System would also contribute to the economic competitiveness of the State, thus enhancing the quality of living and working environments for Arkansans.

2009-084 - Continued

NOW THEREFORE, the Four-Lane Grid System is adopted as a guide for future development of the Arkansas State Highway System as funds become available.

2009-085

WHEREAS, IN POLK COUNTY on Highway 270, Section 1, an Original Contract dated September 30, 2003 was awarded to Glover Construction Company, Inc. for Job No. 040353, FAP No. 9990, Hwy. 272 – Hwy. 71 (Resurf. & Shldrs.) (S); and

WHEREAS, Glover Construction Company, Inc. was defaulted by Minute Order 2009-040 for failure to refund money due the Commission as a result of the final pay quantities for this project; and

WHEREAS, the Contractor has since remitted the money due to the Commission and returned a signed Release dated April 7, 2009.

NOW THEREFORE, IT IS ORDERED that Glover Construction Company, Inc. be reinstated as a Prequalified Bidder provided the Contractor meets all requirements of Section 102 of the Standard Specifications for Highway Construction, Edition of 2003.

2009-086

WHEREAS, Minute Order 2006-009 authorized the Director to dispose of Department owned property at 6409 Bluebird Lane in Little Rock; and

WHEREAS, this property is adjacent to Department property that serves as a greenspace along Interstate 630; and

WHEREAS, upon further evaluation it has been determined that it would be in the best interest of the Department to retain this property.

NOW THEREFORE, the Director is authorized to dispose of the building and other improvements and make the property a part of the Interstate 630 greenspace corridor.

2009-087

WHEREAS, IN PULASKI COUNTY, the Institutional Drive System maintained by the Department at the State Capitol was recently reviewed; and

WHEREAS, the review revealed that an additional drive meets all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while certain drives no longer meet this criteria.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 2.58 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 809, Section 1.

2009-088

WHEREAS, IN PULASKI COUNTY, the Institutional Drive System maintained by the Department at the University of Arkansas at Little Rock was recently reviewed; and

WHEREAS, the review revealed that certain drives no longer meet the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.96 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 873, Section 2.

2009-089

WHEREAS, IN CRITTENDEN COUNTY, on Highway 131, Section 3 and Highway 147, Section 1, the U. S. Army Corps of Engineers, Memphis District, proposes the alteration of three Fifteen Mile Bayou structures and approaches as necessitated by the enlargement of Ten and Fifteen Mile Bayous, a unit of the St. Francis Basin Project; and

WHEREAS, the Corps of Engineers proposes to enter into a cost reimbursable contract for the Department to handle preliminary engineering, construction, and construction engineering of the alteration.

NOW THEREFORE, the Director is authorized to negotiate and execute a contract with the Corps of Engineers for the project subject to 100% reimbursement of all costs by the Corps of Engineers.

2009-089 - Continued

The Director is further authorized to execute the necessary deeds and easements as may be required by the project.

2009-090

WHEREAS, Minute Order 2008-151 authorized the Director to purchase credits from Mitigation Areas that have been approved by the Corps of Engineers; and

WHEREAS, the environmental clearance for Job 070288, Fordyce-Hwy. 273, which is a part of the Highway 167 corridor, required the issuance of a permit by the U. S. Army Corps of Engineers because of impacts to streams regulated under Section 404 of the Clean Water Act; and

WHEREAS, on-site stream mitigation is available for a portion of the required stream mitigation; and

WHEREAS, the balance of stream mitigation credits must be acquired from an off-site source; and

WHEREAS, the work plan for The Nature Conservancy Arkansas Field Office's Middle Fork Saline River restoration project has been approved by the Corps of Engineers and a Nationwide Section 404 Permit has been issued to implement the restoration project; and

WHEREAS, the Middle Fork Saline River restoration project is the only stream mitigation available for use within the geographic impact area for Job 070288 and within the time constraints mandated by the Individual Section 404 permit issued to the Department for Job 070288.

NOW THEREFORE, the Director is authorized to purchase the required stream mitigation credits from The Nature Conservancy Arkansas Field Office's Middle Fork Saline River restoration project to fulfill the requirements of the U. S. Army Corps of Engineers' permit for Job 070288.

2009-091

WHEREAS, IN GARLAND COUNTY, a crash analysis was completed on Highway 5, Section 6 from the intersection of Highway 7 to Balboa Gate Entrance at Hot Springs Village; and

2009-091 - Continued

WHEREAS, the crash analysis revealed that safety improvements are needed along this highway segment; and

WHEREAS, these improvements may include realigning the roadway and installing turn lanes at selected locations; and

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

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

2009-092

WHEREAS, IN MADISON COUNTY, a crash analysis was conducted at the intersection of Highway 412 and Highway 45 near Hindsville; and

WHEREAS, the crash analysis revealed that safety improvements are needed at this intersection; and

WHEREAS, these improvements may include realigning the roadway; and

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

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

2009-093

WHEREAS, the Northwest Arkansas Regional Transportation Study's 2030 Regional Transportation Plan for Metropolitan Northwest Arkansas includes an eastern north-south study corridor from Fayetteville to Rogers; and

2009-093 - Continued

WHEREAS, officials with the Northwest Arkansas Regional Planning Commission have expressed concern that vacant land that is currently available for future roadway construction is becoming developed and have requested the consideration of a study of this north-south corridor.

NOW THEREFORE, the Director is authorized to proceed with a study of a north-south corridor from Highway 16 in southeast Fayetteville to Highway 62 in northeast Rogers with consideration of possible connections and alternatives.

2009-094

WHEREAS, IN MISSISSIPPI COUNTY, the Dyess City Council and the Quorum Court of Mississippi County, by City Resolution No. 2008-4 and County Resolution No. R2009-05, have identified Highway 297 from Highway 14 South to the intersection with Mississippi County Road 956 as the Johnny Cash Highway; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2009-033; and

WHEREAS, this proposal meets the criteria for commemorative signing in accordance with Minute Order 2009-033.

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above described section of Highway 297 in accordance with Commission Policy.

2009-095

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 20, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110518	01	ST. FRANCIS	CALDWELL-COLT (REHAB.) (S)	1	Y
110519	01	PHILLIPS	HWY. 49-HWY. 242 (HELENA-W. HELENA) (REHAB.) (S)	49B	Y
020326	02	ARKANSAS	U.P. RAILROAD OVERPASS (STUTTGART) (S)	165	Y
020418	02	DREW	HWY. 35-HWY. 293 STRS. & APPRS. (S)	278	Y

2009-095 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020492	02	CHICOT	LITTLE LAKE BAYOU-HWY. 82 (REHAB.) (S)	65	Y
020493	02	ASHLEY	HWY. 52/425-WEST (REHAB.) (S)	82	Y
030368	03	NEVADA	PRESCOTT-SOUTH (REHAB.) (S)	67	Y
030369	03	HEMPSTEAD	HAZEL ST.-GREENWOOD ST. (HOPE) (REHAB.) (S)	278	Y
030371	03	SEVIER	DEQUEEN-WEST (REHAB.) (S)	70	Y
030373	03	HEMPSTEAD	HWY. 332-OZAN (REHAB.) (S)	278	Y
040439	04	SEBASTIAN	HWY. 59-HWY. 255 (S)	22	Y
040441	04	FRANKLIN	BRANCH OF MULBERRY RIVER STR. & APPRS. (NO. OF PARADISE) (S)	23	Y
040457	04	SEBASTIAN	TAYLOR AVE.-HWY. 22 (STRS.) (F)	71	Y
040538	04	FRANKLIN	CHARLESTON-EAST (REHAB.) (S)	22	Y
040540	04	SCOTT	HWY. 28-NORTH (REHAB.) (S)	71	Y
040541	04	SEBASTIAN	I-540-EAST (FT. SMITH) (REHAB.) (S)	22	Y
050053	05	IZARD	HWY. 69-OZARKA COLLEGE (COLLEGE DR.) (MELBOURNE) (S)	---	-
050178	05	IZARD	MELBOURNE-BROCKWELL (PASSING LANES & STRS.) (S)	9	Y
050200	05	WHITE	OVERFLOW CREEK-NORTH (REHAB.) (S)	167	Y
050202	05	WHITE	JACKSON CO. LINE-NORTH (REHAB.) (S)	167	Y
050205	05	INDEPENDENCE	BLACK RIVER-WEST (REHAB.) (S)	69	Y
061185	06	PULASKI	HWY. 440-REDMOND RD. (PH. II) (F)	67	Y
061239	06	PULASKI	I-430/I-630 INTERCHANGE MODIFICATIONS (PHASE II) (F)	430 & 630	Y
061245	06	PULASKI	I-30-HWY. 67 PATCHING (REHAB.) (F)	40	Y
061249	06	LONOKE & PULASKI	HWY. 386-HWY. 391 (REHAB.) (S)	165	Y
070329	07	OUACHITA	OUACHITA RIVER-NORTH (SEL. SECS.) (REHAB.) (S)	79	Y
070331	07	CLEVELAND	KINGSLAND-RISON (REHAB.) (S)	79	Y
080318	08	MONTGOMERY	PIKE CO. LINE-HOT SPRING CO. LINE (PASSING LANES) (S)	70	Y

2009-095 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080353	08	VAN BUREN	ARCHEY FORK BRIDGE-NORTH (REHAB.) (S)	65	Y
080356	08	POPE	J STREET-HWY. 326 (RUSSELLVILLE) (REHAB.) (S)	7	Y
090266	09	BENTON	SILOAM SPRINGS-EAST (REHAB.) (F)	412	Y
100403	10	LAWRENCE	HWY. 230-HWY. 63 (GR. & STRS.) (F)	67	Y
100664	10	CRAIGHEAD	HWY. 141/PARKER RD. SIGNAL (JONESBORO) (S)	141	Y
100690	10	GREENE	REYNOLDS RD.-HWY. 49B (PARAGOULD) (REHAB.) (S)	412	Y
100692	10	CLAY	HWY. 328-MISSOURI STATE LINE (REHAB.) (S)	67	Y
100694	10	LAWRENCE	HWY. 67B N.-HWY. 67B S. (WALNUT RIDGE) (REHAB.) (S)	412	Y
100696	10	POINSETT	CRAIGHEAD CO. LINE-HWY. 69 (REHAB.) (S)	63	Y
FA0108	02	ARKANSAS	CO. RD. 33-EAST (SURFACING) (S)	---	-
SA0547	09	BOONE	COUNTY ROADS 93 & 288 (SURFACING) (S)	---	-
SA1245	05	CLEBURNE	HWY. 5-HWY. 25 (OVERLAY) (S)	---	-
SA2738	02	GRANT	HWY. 35-WEST NO. 2 (OVERLAY) (S)	---	-
SA2856	10	GREENE	GREENE CO. SURFACING NO. 11 (SEL. SECS.) (S)	---	-
SA3260	05	INDEPENDENCE	HWY. 87-SOUTH (OVERLAY) (S)	---	-
SA3261	05	INDEPENDENCE	INDEPENDENCE CO. LEVELING AND RESEAL NO. 3 (S)	---	-
SA3727	03	LAFAYETTE	LAFAYETTE COUNTY RESEAL NO. 5 (S)	---	-
SA4268	04	LOGAN	LOGAN COUNTY SURFACING (SEL. SECS.) NO. 2 (S)	---	-
SA5338	08	PERRY	CO. RD. 62 OVERLAY (SEL. SEC.) (S)	---	-
SA5544	03	PIKE	PIKE COUNTY OVERLAY (SEL. SECS.) (S)	---	-
BR6107	10	RANDOLPH	FOURCHE RIVER STR. & APPRS. (S)	---	-
FA6705	05	SHARP	PINE CREEK STRS. & APPRS. (S)	---	-
SA6931	05	STONE	STONE COUNTY OVERLAY (SEL. SECS.) NO. 2 (S)	---	-
SA7374	05	WHITE	HWY. 11-WEST (BASE & SURFACING) (S)	---	-
SA7375	05	WHITE	CO. RD. 70-BASE & SURFACING (SEL. SEC.) (S)	---	-

2009-095 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA7436	01	WOODRUFF	WOODRUFF CO. REPAIR & RESEAL (SEL. SECS.) (S)	---	-
SA7526	08	YELL	CO. RD. 23 OVERLAY (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Sergeant Shawn Foust honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of sixteen years, four months and one day; and

RESOLUTION - Continued

WHEREAS, Sergeant Foust retired from the Department on April 13, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Foust has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on May 20, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant Shawn Foust to purchase his Glock Model 22, .40 caliber duty pistol, serial number 025AHP.

RESOLUTION

WHEREAS, Sergeant Ross Martin honorably served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-five years, two months and eleven days; and

WHEREAS, Sergeant Martin retired from the Department on May 12, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Martin has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on May 20, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Sergeant Ross Martin to purchase his Glock Model 22, .40 caliber duty pistol, serial number 063AHP.

MOTION Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to approve the Fiscal Year 2009-2010 Department Budget as recommended by the Department Staff.

MOTION Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into a contract with Arkansas DBE Contractors Association of Little Rock, Arkansas for consultant services for DBE supportive services.

MOTION Commissioner John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into a contract with The Office of Human Concern of Rogers, Arkansas for consultant services for On-the-Job Training (OJT) supportive services.

2009-096 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:35 p.m., May 20, 2009.

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 May 20, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 8, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 8, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2009-097 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 8, 2009.

2009-098 WHEREAS, the Purchasing Committee has awarded 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.

2009-099 WHEREAS, it is necessary that patrol vehicles used by the Arkansas Highway Police (AHP) Division be equipped with highly visible lighting for the safety of the officers and the motoring public; and

WHEREAS, the current lighting equipment is comprised of halogen light bar systems that are of an age that costly repairs are needed; and

WHEREAS, up-to-date LED technology has proven to be more efficient in both the degree of increased safety and the economical benefits related to its maintenance.

2009-099 - Continued

NOW THEREFORE, the Director is authorized to purchase a sufficient number of LED light bar systems for AHP patrol vehicles utilizing AHP Drug Asset Forfeiture Funds.

2009-100

WHEREAS, Minute Order 2003-129 authorized the Director to purchase the necessary equipment and services for surveying, mapping, and inventorying purposes to make use of the Arkansas High Accuracy Reference Network (Arkansas HARN) and the Department's Continuous Operating Reference Stations (AHTD CORS) established by National Geodetic Survey (NGS) Branch of the National Oceanic and Atmospheric Administration; and

WHEREAS, the Department plans to continue and expand use of the Arkansas HARN and AHTD CORS for use with the Global Positioning System (GPS) to establish additional AHTD CORS and elevation bench marks; and

WHEREAS, this data will be provided to NGS as requested and will be used by the Department for design and land surveys, construction management and other uses which include, but are not limited to, collection of planning and environmental data and pavement, bridge, right of way, and sign inventories; and

WHEREAS, GPS and elevation data collection can increase productivity, help the Department reduce staff levels, allow more accurate and timely retrieval of historical data, and also provide the most precise data that can be used in planning, design, and operations.

NOW THEREFORE, the Director is authorized to continue and expand the use of the Arkansas HARN and AHTD CORS and elevation bench marks through the purchase of the necessary equipment and services for surveying, mapping, and inventorying purposes.

2009-101

WHEREAS, the Department was authorized by Act 192 of 1977 to administer United States Department of Transportation funds and any other funds available for public transportation assistance; and

2009-101 - Continued

WHEREAS, the Governor of Arkansas has designated the Arkansas Highway and Transportation Department as the recipient of Federal Transit Administration (FTA) funds for these programs; and

WHEREAS, the FTA requires that a state must provide for a fair and equitable distribution of funds and regularly assess the changing mobility needs of the state; and

WHEREAS, the Department has not conducted a statewide needs assessment since 1992 to review the public, human services, and intercity transportation needs within the State.

NOW THEREFORE, the Director is hereby authorized to develop and implement a request for proposals and enter into the necessary grant agreement and contracts for consultant services to assess statewide needs and identify opportunities to expand public and intercity transportation services.

2009-102

WHEREAS, statewide travel demand models are being used throughout the nation to enhance transportation planning; and

WHEREAS, some of the benefits of a statewide travel demand model include providing estimates of future passenger and freight travel demand, assisting in the development and evaluation of large transportation projects, forecasting rural and intercity travel patterns, facilitating work zone and detour analysis, and assessing emergency preparedness for disaster planning; and

WHEREAS, funding for Phase I of the development of a statewide travel demand model is included in the Fiscal Year 2010 State Planning and Research (SPR) Work Program and Cost Estimate.

NOW THEREFORE, the Director is authorized to proceed with the necessary steps to engage the services of a consultant to develop a Statewide Travel Demand Model for Arkansas.

2009-103

WHEREAS, the U. S. Department of Transportation has a national vision for high-speed and intercity rail that includes ensuring safe and efficient transportation choices, building a foundation for economic competitiveness, promoting energy efficiency, enhancing environmental quality and supporting interconnected, livable communities; and

WHEREAS, in Arkansas there is a high-speed passenger rail corridor from Little Rock to Texarkana designated as the South Central High-Speed Rail Corridor; and

WHEREAS, the Passenger Rail Investment and Improvement Act of 2008 required a feasibility study to consider extending high-speed passenger rail service from Little Rock to Memphis; and

WHEREAS, the Federal Railroad Administration (FRA) will conduct the feasibility study; and

WHEREAS, the FRA is accepting applications for funding under the High-Speed Intercity Passenger Rail Program established by the American Recovery and Reinvestment Act of 2009; and

WHEREAS, funding under this program is available for planning activities.

NOW THEREFORE, the Director is authorized to apply for funds for appropriate studies in the Texarkana to Memphis corridor.

FURTHERMORE, if funds are received, the Director is authorized to take the necessary actions to engage the services of a consulting firm to conduct the study, which should include the impacts of high-speed rail on Arkansas' highway system.

2009-104

WHEREAS, the Department, in conjunction with the Mack Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville, has identified needs in the area of research, training, and technology transfer; and

WHEREAS, the MBTC has the facilities and capabilities to conduct studies in the area of research, training, and technology transfer.

NOW THEREFORE, the Director is authorized to enter into an agreement with the MBTC to conduct the following studies.

2009-104 - Continued

- Practical Recommendations for Evaluation and Mitigation of Soil Liquefaction in Arkansas
- AHTD Cracking Protocol Application with Automated Distress Survey for Design and Management
- Rapid Condition Screening of Bridges by Falling Weight Deflectometer

2009-105

WHEREAS, the Research Advisory Committee Region II states of the American Association of State Highway and Transportation Officials (AASHTO) are developing a collaborative research program called the Southeast Transportation Consortium; and

WHEREAS, the Consortium is intended to encourage coordination among members states and provide resources and management of collaborative studies; and

WHEREAS, the Consortium intends to address high priority transportation research topics of common interest to the Research Advisory Committee Region II states and for which expertise exists with the region; and

WHEREAS, the program is intended to supplement research activities and to reduce duplication of research; and

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary for this important program.

2009-106

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Arkansas Safe Routes To School Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified that the Fiscal Year 2009 Federal Safe Routes To School Program allocation for Arkansas is available.

NOW THEREFORE, the Director is authorized to solicit applications for Safe Routes To School Program funding.

2009-107

WHEREAS, Section 1511 of the American Recovery and Reinvestment Act of 2009 requires each State to certify that the infrastructure investment has received the full review and vetting required by law and that the investment is an appropriate use of taxpayer dollars; and

WHEREAS, Minute Order 2009-057 authorized the Director to submit the Section 1511 certification for projects in Arkansas to be funded under the ARRA; and

WHEREAS, this certification and associated list of projects was forwarded to the Federal Highway Administration on March 2, 2009; and

WHEREAS, revisions to the list of projects are now needed.

NOW THEREFORE, the Director is authorized to submit the Section 1511 certification for the attached revised list of projects in Arkansas to be funded under the American Recovery and Reinvestment Act of 2009.

2009-108

WHEREAS, Act 1396 of the 2009 Regular Session of the 87th General Assembly authorizes the State Highway Commission to issue special permits under certain conditions to towing businesses for the operation of wreckers or towing vehicles when the operation of the vehicle or combination of vehicles exceeds the maximum size and weight limitations imposed by law; and

WHEREAS, the Act authorizes the State Highway Commission, through the Director of State Highways and Transportation, to issue a special permit valid for one single trip or for a one-year period upon payment of a permit fee not to exceed five hundred dollars.

NOW THEREFORE, the Director is authorized to charge a permit fee of five hundred dollars per wrecker or towing vehicle for a one-year special permit pursuant to Act 1396 of the 2009 Regular Session of the 87th General Assembly.

2009-109

WHEREAS, IN POLK COUNTY, the Institutional Drive System maintained by the Department at Rich Mountain Community College was recently reviewed; and

WHEREAS, the review revealed that additional drives meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while certain other drives no longer meet this criteria.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.43 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 890, Section 19.

2009-110

WHEREAS, IN POPE COUNTY, the Institutional Drive System maintained by the Department at Arkansas Tech University was recently reviewed; and

WHEREAS, the review revealed a new drive that meets all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while one drive no longer meets this criteria.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 3.60 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 872, Section 1.

2009-111

WHEREAS, IN SALINE COUNTY, the Institutional Drive System maintained by the Department at the Alexander Human Development Center was recently reviewed; and

WHEREAS, the review revealed a new drive that meets all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while certain other drives no longer meet this criteria.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 0.88 mile, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 845, Section 1.

2009-112

WHEREAS, Highway 82 is an important east-west corridor on the National Highway System across south Arkansas, connecting High Priority Corridor 1/72 (Highway 71/Future Interstate 49) and High Priority Corridor 18 (Future Interstate 69); and

WHEREAS, Highway 82 is also a part of the Four-Lane Grid System adopted by Minute Order 2009-084; and

WHEREAS, a plan is needed to determine the scope of improvements needed in this corridor.

NOW THEREFORE, the Director is authorized to proceed with a corridor improvement study of Highway 82 through the State of Arkansas.

2009-113

WHEREAS, the Arkansas Purple Heart Trail Committee of the Military Order of the Purple Heart (MOPH) has requested that Interstate 540/U. S. Highway 71 from Interstate 40 to the Missouri State Line be designated a part of the "National Purple Heart Trail"; and

WHEREAS, the Commission believes that such designation is appropriate to honor the significant sacrifice made by MOPH members; and

WHEREAS, the Arkansas Veterans Coalition and the Arkansas Department of Veterans Affairs support this designation and signage.

NOW THEREFORE, the Highway Commission hereby designates Interstate 540/U. S. Highway 71 from Interstate 40 to the Missouri State Line as a part of the "National Purple Heart Trail."

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2009-114

WHEREAS, IN CRITTENDEN COUNTY, there is a need for an additional, seismically sound bridge across the Mississippi River between the West Memphis, Arkansas area and the Memphis, Tennessee area; and

WHEREAS, the Memphis Metropolitan Planning Organization has approved \$5,000,000 to conduct an environmental impact statement (EIS) for a new bridge; and

WHEREAS, the Tennessee Department of Transportation has committed to providing \$500,000 in matching funds for the EIS.

NOW THEREFORE, the Director is authorized to enter into the appropriate agreements to contribute up to \$500,000 in matching funds for an environmental impact statement for a new Mississippi River crossing in the West Memphis area.

2009-115

WHEREAS, IN JOHNSON COUNTY, the Highway 103 Improvement Study, adopted by Minute Order 2008-094, identified a need for improvements to Highway 103 near Interstate 40 in the City of Clarksville; and

WHEREAS, local officials of the City of Clarksville are considering additional alternatives to alleviate traffic congestion on Highway 103 and to provide alternate access from developing areas of Clarksville south of Interstate 40 to the Johnson Regional Medical Center north of Interstate 40.

NOW THEREFORE, the Director is authorized to assist the City of Clarksville in studying additional alternatives to alleviate congestion on Highway 103 and to provide alternate access to the Johnson Regional Medical Center.

2009-116

WHEREAS, Act 1443 of the 2009 Regular Session of the Arkansas General Assembly provided \$100,000 to the Department for grants to counties and municipalities for operating, construction, improvements, renovation and maintenance of public roadways; and

WHEREAS, in IZARD COUNTY, Job 050053, Hwy. 69-Ozarka College (College Dr.) (Melbourne), has been awarded based on bids received at the May 20, 2009 bid letting; and

2009-116 - Continued

WHEREAS, in Saline County, Job 061233, Hwy. 183/Roya Lane Signal (Bryant), is scheduled to be let to contract in Fiscal Year 2009; and

WHEREAS, the Cities of Melbourne and Bryant are required to provide funding to match the Federal-aid funds being used for these projects; and

WHEREAS, the Cities have previously provided local funds for these projects; and

WHEREAS, additional funding is needed for the local matching shares.

NOW THEREFORE, the Director is authorized to use a portion of the funds provided by Act 1443 of 2009 for additional local match on Jobs 050053 and 061233.

2009-117

WHEREAS, IN PIKE COUNTY, at locations along Highway 19, Section 6, and Highway 195, Section 6, an inspection has revealed that the stream bank of the Little Missouri River adjacent to the roadway in these areas is being eroded; and

WHEREAS, the erosion is threatening the highway embankment at these locations; and

WHEREAS, action is necessary to repair the eroded areas and prevent additional erosion and potential damage to the roadway.

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

2009-118

WHEREAS, IN PULASKI AND FAULKNER COUNTIES, traffic congestion is being experienced on Interstate 40 between the City of Conway and the remainder of the Little Rock–North Little Rock–Conway metropolitan area; and

2009-118 - Continued

WHEREAS, continued growth of traffic volumes is expected to lead to worsening congestion; and

WHEREAS, a plan is needed to determine the scope of improvements in this corridor.

NOW THEREFORE, the Director is authorized to proceed with a study of needed improvements on Interstate 40 from Interstate 430 through the City of Conway.

2009-119

WHEREAS, IN PULASKI AND LONOKE COUNTIES, traffic congestion is being experienced on Highway 67 from Redmond Road in Pulaski County through the City of Cabot in Lonoke County; and

WHEREAS, continued growth of traffic volumes is expected to lead to worsening congestion; and

WHEREAS, the current design of the two-way frontage road system with button-hook ramps is no longer sufficient to meet traffic needs; and

WHEREAS, a plan is needed to determine the scope of improvements in this corridor.

NOW THEREFORE, the Director is authorized to conduct a study of needed improvements in the Highway 67 corridor from Redmond Road in the City of Jacksonville through the City of Cabot.

2009-120

WHEREAS, IN SALINE COUNTY, Highway 5 is the primary alternative highway route to Interstate 30 between the Benton and Bryant areas and the City of Little Rock; and

WHEREAS, traffic congestion is occurring in this corridor and forecast to increase in the future; and

WHEREAS, development along the corridor is rapidly occurring in a manner that may limit the options available for future improvements; and

2009-120 - Continued

WHEREAS, a plan is needed to determine the scope of improvements in this corridor.

NOW THEREFORE, the Director is authorized to conduct a study of needed improvements in the Highway 5 corridor between the Pulaski/Saline County Line and Interstate 30 in Benton.

2009-121 WHEREAS, the storms of May 10, 2008 struck the City of Stuttgart, resulting in a tornado causing millions of dollars worth of damage to the City; and

WHEREAS, the Department's maintenance headquarters facility located in Stuttgart was severely damaged during these storms; and

WHEREAS, the existing site of this Arkansas County Area Headquarters is located in the middle of Stuttgart's business district; and

WHEREAS, the existing property is inadequate in size; and

WHEREAS, this area headquarters facility is needed to continue maintenance operations in that area of the District.

NOW THEREFORE, the Director is authorized to obtain the necessary property and to design and construct a new area headquarters facility in Arkansas County including appurtenances, fuel storage tanks, fencing and related items.

Work to be done by contract and state forces as a Building Project.

2009-122 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 8, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110526	01	WOODRUFF	BAYOU DEVIEW-CROSS CO. LINE (OVERLAY) (S)	64	Y
020417	02	ARKANSAS	LAGRUE BAYOU & RELIEF STRS. & APPRS. (S)	33	N

2009-122 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020491	02	CHICOT	BIG BAYOU-LAKE VILLAGE (SEL. SECS.) (OVERLAY) (S)	82	Y
030354	03	MILLER	CO. RD. 2-DODDRIDGE (GR. & MDS) (F)	71	Y
030374	03	SEVIER	KING-POLK CO. LINE (OVERLAY) (S)	71	Y
040546	04	CRAWFORD	HWY. 162-WEST & EAST (OVERLAY) (S)	64	Y
040547	04	FRANKLIN	HWY. 217-WEST & EAST (OVERLAY) (S)	22	Y
050209	05	FULTON	TOWN CREEK-WEST (OVERLAY) (S)	62	Y
061245	06	PULASKI	I-30-HWY. 67 PATCHING (REHAB.) (F)	40	Y
061258	06	SALINE	GARLAND CO. LINE-CROWS (SEL. SECS.) (OVERLAY) (S)	5	N
070334	07	COLUMBIA	HWY. 82-SOUTH (OVERLAY) (S)	79	Y
080319	08	FAULKNER	HWY. 64/ROOSTER RD./LOWER RIDGE RD. SIGNAL (FAULKNER CO.) (S)	64	Y
080361	08	MONTGOMERY	HOVELL BRANCH-NORTH (OVERLAY) (S)	27	Y
090270	09	BAXTER	NORFORK LAKE-FULTON CO. LINE (OVERLAY) (S)	62	Y
100700	10	CLAY & RANDOLPH	CURRENT RIVER-HWY. 211 (GRINDING) (S)	67	Y
100701	10	POINSETT	HWY. 308-LEPANTO (SEL. SECS.) (OVERLAY) (S)	135	Y
SA0133	02	ARKANSAS	ARKANSAS CO. RESURFACING NO. 3 (SEL. SECS.) (S)	---	-
SA0238	02	ASHLEY	HWY. 425-CO. RD. 81 (OVERLAY) (S)	---	-
FA0620	07	BRADLEY	CO. RD. 69-CO. RD. 4 PHASE 2 (RECONST.) (S)	---	-
SA1143	10	CLAY	HWY. 139-NIMMONS (OVERLAY) (S)	---	-
SA1348	07	CLEVELAND	CLEVELAND COUNTY OVERLAY NO. 6 (S)	---	-
SA1349	07	CLEVELAND	HWY. 189-SOUTH SURFACING (S)	---	-
SA1438	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 15 (S)	---	-
SA1549	08	CONWAY	CO. RD. 5-SOUTH (REHABILITATION) (S)	---	-
SA2128	02	DESHA	DESHA CO. SURFACING NO. 13 (SEL. SECS.) (S)	---	-
SA2658	06	GARLAND	HWY. 298-SOUTH RESEAL (S)	---	-

2009-122 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA2936	03	HEMPSTEAD	HWY. 32-CO. RD. 217 (SURFACING) (S)	---	-
SA3042	06	HOT SPRING	CO. RD. 60 SURFACING (SEL. SEC.) (S)	---	-
SA3134	03	HOWARD	HWY. 70-DIERKS LAKE (RESEAL) (S)	---	-
SA3135	03	HOWARD	CO. RD. 284-NASHVILLE CITY LIMITS (SURFACING) (S)	---	-
SA3136	03	HOWARD	HWY. 278-NASHVILLE CITY LIMITS (OVERLAY) (S)	---	-
SA3538	02	JEFFERSON	HWY. 65-HWY. 199 (SEL. SECS.) (SURFACING) (S)	---	-
SA3641	08	JOHNSON	JOHNSON CO. SURFACING & RESEAL (SEL. SECS.) (S)	---	-
FA4017	02	LINCOLN	HWY. 425-HWY. 11 (REHAB.) (S)	---	-
SA4338	06	LONOKE	HWY. 13-PRAIRIE COUNTY LINE (SURFACING) (S)	---	-
SA4640	03	MILLER	MILLER COUNTY OVERLAY (SEL. SECS.) (S)	---	-
SA4641	03	MILLER	COUNTY ROAD 10 RESEAL NO. 2 (S)	---	-
SA4928	08	MONTGOMERY	MONTGOMERY COUNTY RESEAL NO. 12 (S)	---	-
SA5247	07	OUACHITA	OUACHITA CO. OVERLAY NO. 11 (SEL. SECS.) (S)	---	-
SA5441	01	PHILLIPS	MARVELL CITY LIMITS-SOUTH (OVERLAY) (S)	---	-
SA5442	01	PHILLIPS	CO. RD. 3 RESEAL (SEL. SEC.) (S)	---	-
SA5545	03	PIKE	HWY. 19-CO. RD. 5 (SURFACING) (S)	---	-
SA5851	08	POPE	COUNTY ROAD 55 OVERLAY (SEL. SEC.) (S)	---	-
SA6042	06	PULASKI	HWY. 107-CO. RD. 687 (OVERLAY) (S)	---	-
SA6932	05	STONE	STONE COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA7034	07	UNION	HWY. 15-COLUMBIA CO. LINE (SURFACING) (S)	---	-
SA7278	04	WASHINGTON	HWY. 74-RICHLAND CREEK (RESEAL) (S)	---	-
SA7376	05	WHITE	CO. RD. 35-WEST (BASE & SURFACING) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

MOTION

Commissioner John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion passed unanimously to authorize the staff to advertise for an auction service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted near the end of October 2009, and the subsequent secondary sale(s) to be conducted as necessary on dates mutually agreed to by the selected auction service and the Department.

2009-123

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., July 8, 2009.

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 July 8, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 19, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 19, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2009-124 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:00 p.m., August 19, 2009.

2009-125 WHEREAS, the Purchasing Committee has awarded purchases on August 5 and 6, 2009, in the amounts of \$190,121.00, and \$165,182.00, respectively, totaling \$355,303.00, 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.

2009-126 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2009 membership dues in the amount of \$360.00.

2009-127

WHEREAS, the Member Departments of the American Association of State Highway and Transportation Officials (AASHTO) continue to support a National Transportation Product Evaluation Program (NTPEP); and

WHEREAS, NTPEP test data expedite or augment the prequalification process for new products introduced to the marketplace and are used to evaluate a number of common construction materials and manufactured products; and

WHEREAS, Arkansas State Highway and Transportation Department utilizes NTPEP test results for acceptance of many products; and

WHEREAS, AASHTO has invoiced the Arkansas State Highway and Transportation Department for annual participation costs to support NTPEP in fiscal year 2010.

NOW THEREFORE, IT IS ORDERED that the Director is authorized to process for payment the statement for annual fees for fiscal year 2010 in the amount of \$7,500.00.

2009-128

WHEREAS, Entergy Arkansas, Inc. provides all electrical power service to the Central Office Complex; and

WHEREAS, Entergy Arkansas, Inc. has developed a program in cooperation with the Arkansas Public Service Commission to provide energy assessments to large commercial and industrial energy users and rate reduction incentives to implement any identifiable peak demand saving measures; and

WHEREAS, an energy assessment for the Large Commercial and Industrial Energy Solutions Program is available with no cost or obligations by the user; and

WHEREAS, the Department is currently developing a Strategic Energy Plan in accordance with the Governor's Executive Order 09-07 and would find the results of an energy assessment very useful.

2009-128 - Continued

NOW THEREFORE, the Director is authorized to enter into an agreement with Entergy Arkansas, Inc. to provide an energy assessment for the Central Office Complex as a tool in the development of the Department's Strategic Energy Plan.

2009-129

WHEREAS, modernizing legacy computer applications and infrastructure increases the efficiency, effectiveness, and economy of information technology services supporting administrative, engineering, and enforcement activities; and

WHEREAS, staff augmentation services are available by state contract through the Department of Finance and Administration – Office of State Procurement to supplement Computer Services Division staff for programming, database administration, and other information technology work.

NOW THEREFORE, the Director is authorized to procure staff augmentation services, as needs are identified.

2009-130

WHEREAS, the Department's new Automatic Road Analyzer (ARAN) data collection vehicle is used to collect pavement performance data on the state maintained highway system; and

WHEREAS, Deighton Corporation's dTIMS CT asset management software suite is used to maintain current and historical pavement performance data; and

WHEREAS, dTIMS CT software, when fully implemented, will allow the Department's Pavement Management Section to produce timely network level condition projections with various budget scenarios, recommend construction projects, and be in the position to include pavement preservation treatments in the Pavement Management System; and

WHEREAS, the Department currently owns and maintains a single seat license of dTIMS CT in the Pavement Management Section; and

WHEREAS, the Department would benefit from the full implementation of the dTIMS CT software and providing various levels of access to the dTIMS CT software by multiple users within the Department; and

WHEREAS, the State Planning and Research (SPR) Work Program Cost Estimate for Fiscal Year 2010, adopted by Minute Order 2009-079, includes funding for the implementation of dTIMS CT software and the purchase of additional software licenses using 80% Federal-aid SPR funds and 20% State match.

NOW THEREFORE, the Director is authorized to proceed with contracts to fully implement the dTIMS CT software and purchase an upgrade from the existing single seat license to a dTIMS CT Server license that supports multiple concurrent users.

2009-131

WHEREAS, Section 1511 of the American Recovery and Reinvestment Act of 2009 requires each State to certify that the infrastructure investment has received the full review and vetting required by law and that the investment is an appropriate use of taxpayer dollars; and

WHEREAS, Minute Order 2009-057 authorized the Director to submit the original Section 1511 certification for projects in Arkansas to be funded under the ARRA; and

WHEREAS, this certification and associated list of projects was revised by Minute Order 2009-107; and

WHEREAS, revisions to the list of projects are again needed.

NOW THEREFORE, the Director is authorized to submit the Section 1511 certification for the attached revised list of projects in Arkansas to be funded under the American Recovery and Reinvestment Act of 2009.

2009-132

WHEREAS, the Arkansas State Highway Commission is required to print and distribute rules and regulations necessary to carry out the codes governing State Highways and the use of motor vehicles; and

WHEREAS, the supply of the manual, Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2007 Edition, issued jointly by the Arkansas State Highway Commission and the Department of Finance and Administration, is exhausted; and

WHEREAS, revisions to laws and regulations require this manual to be updated; and

WHEREAS, the Arkansas Code Revision Commission has indicated that a state contract exists with Lexis Publishing to compile and print the Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2009 Edition, including an Internet license agreement.

NOW THEREFORE, the Director is authorized to update the Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2007 Edition, and to collaborate with the Department of Finance and Administration to publish 12,000 copies of the Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2009 Edition, including the Internet agreement.

2009-133

WHEREAS, the Commission acquired property known as Tract No. 10XR from Jack C. Horton and Debra L. Horton, husband and wife, for Job No. R90096 Highway 178 – East & West (Flippin)(F), Marion County, Arkansas, by warranty deed dated October 9, 2003, filed for record on October 22, 2003, in the Circuit Clerk's office of Marion County, Arkansas; and

WHEREAS, Tract No. 10XR was acquired by the Commission for the sum of FIVE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$5,800.00); and

WHEREAS, Karlton G. Hudson and Coyla D. Hudson have asked to repurchase Tract No. 10XR; Jack C. Horton and Debra L. Horton have assigned their rights to re-acquire Tract No. 10XR to Karlton G. Hudson and Coyla D. Hudson, husband and wife, and the District Engineer for District Nine has determined that Tract No. 10XR is not now, nor in the

foreseeable future will be, needed for highway purposes; said Tract No. 10XR being more particularly described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 28, Township 19 North, Range 15 West, Marion County, Arkansas, more particularly described as follows:

Starting at a Point of Commencement being used as the Center Quarter corner of Section 28; thence North $01^{\circ} 23' 22''$ East along the West line of the Southwest Quarter of the Northeast Quarter of Section 28 a distance of 163.11 feet to a point on the Northerly right of way line of Relocated U. S. Highway 62 as established by AHTD Job R90096 for the point of beginning; thence continue North $01^{\circ} 23' 22''$ East along said West line a distance of 40.15 feet to a point on the Centerline of County Road # 113; thence North $70^{\circ} 40' 51''$ East along said centerline a distance of 198.20 feet to a point; thence North $60^{\circ} 00' 25''$ East along said centerline a distance of 341.93 feet to a point; thence North $70^{\circ} 51' 13''$ East along said centerline a distance of 9.98 feet to a point; thence South $00^{\circ} 15' 52''$ East a distance of 258.31 feet to a point on the Northerly right of way line of Relocated U. S. Highway 62 as established by AHTD Job R90096; thence South $68^{\circ} 22' 28''$ West along said right of way line a distance of 206.79 feet to a point; thence North $79^{\circ} 46' 08''$ West along said right of way line a distance of 307.43 feet to the point of beginning and containing 1.94 acres or 84,507 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job R90096.

RA 8/19/03

NOW THEREFORE, the above described property is declared surplus; upon receipt of the consideration of FIVE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$5,800.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying Tract No. 10XR, more particularly described above, to Karlton G. Hudson and Coyla D. Hudson, husband and wife, a copy of the deed and this Minute Order shall be recorded in Marion County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2009-134

WHEREAS, IN BENTON COUNTY, Job 090154, Gentry-South, is substantially complete; and

WHEREAS, the job relocated a portion of Highway 59, Section 1; and

WHEREAS, Benton County has passed Resolution E 2008-488 agreeing to accept all responsibility for maintenance of the bypassed portion of Highway 59 that joins the newly constructed portion of Highway 59 at each end.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 59, Section 1 that was bypassed is hereby removed from the State Highway System.
- The newly constructed portion of roadway is hereby added to the State Highway System as a part of Highway 59, Section 1.

2009-135

WHEREAS, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 provided Federal-aid funds to repair and rehabilitate Class II and Class III railroad infrastructure damaged by hurricanes, floods and other natural disasters in areas declared Federal disaster zones after January 1, 2008; and

WHEREAS, the Federal Railroad Administration (FRA) is administering the Federal funds under the Railroad Rehabilitation and Repair Grant (RRRG) program; and

WHEREAS, applications for grants are to be made by the Department of Transportation of any eligible state; and

WHEREAS, an application for RRRG funds was submitted to the FRA through the Department for the Missouri and Northern Arkansas (MNA) Railroad, a Class II railroad, for 2008 flood damage to their rail line; and

WHEREAS, the Department received notification from FRA that the MNA project was selected for funding; and

WHEREAS, the amount granted, \$737,292, is 80% of the total project cost and the MNA will be responsible for the 20% match with no funds being provided by the Department.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements for the project.

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossings to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the signal devices, gates, and surfaces performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Street</u>	<u>Railroad</u>	<u>Recommendation</u>
Cross	Wynne	11 th Street	Union Pacific	Install Flashing Lights and Gates
Polk	Near Hatfield	County Road 38	Kansas City Southern	Install Flashing Lights and Gates
Pulaski	North Little Rock	Crystal Hill Road	Union Pacific	Install Flashing Lights and Gates

2009-137

WHEREAS, IN FAULKNER COUNTY, in the vicinity of the Interstate 40 crossing of Faulkner County Road 663 (Grassy Lake Road), frequent high water overtops Faulkner County Road 663 and restricts access to a local residential area and to the Game and Fish Commission's Bell Slough Wildlife management area; and

WHEREAS, Faulkner County Road 663 cannot be raised due to clearance restrictions of the Interstate 40 overpass; and

WHEREAS, it has been proposed to extend the east frontage road along Interstate 40 to connect to and raise the existing Faulkner County Road 663 east of the Interstate 40 overpass.

NOW THEREFORE, the Director is authorized to assist in this effort by providing technical advice and engineering assistance in the design and construction oversight activities, as appropriate.

2009-138

WHEREAS, IN MARION COUNTY on Highway 125, Section 2, the Peel Ferry tugboats operating on Bull Shoals Lake have been in use in the State in excess of 40 years and are in need of replacement; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 (ARRA) provided Ferry Boat Discretionary Program funds for boats and terminal facilities for ferry operation under the control of the State or other public agency in compliance with 23 U.S.C. 129(c); and

WHEREAS, Arkansas has received an allocation of Ferry Boat Discretionary Program funds for replacement of the Peel Ferry tugboats.

NOW THEREFORE, the Director is authorized to proceed with replacement of the Peel Ferry tugboats using funds received under the American Recovery and Reinvestment Act of 2009.

2009-139

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provided Federal-aid funds for construction projects that improve the structure of a rail line; and

WHEREAS, \$332,500 was designated for the Ouachita Railroad for a railroad bridge rehabilitation project (Project); and

2009-139 - Continued

WHEREAS, the Federal Railroad Administration (FRA) is administering the Federal funds under the Rail Line Relocation and Improvement (RLRI) program; and

WHEREAS, RLRI funds are distributed to states through a grant from the FRA; and

WHEREAS, the FRA has requested that the Department provide technical assistance and oversight to the Ouachita Railroad Project and no funds will be provided by the Department for the Project.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements and to provide technical assistance and oversight for the Ouachita Railroad Project by the Department.

2009-140

WHEREAS, IN VAN BUREN COUNTY, at the intersection of Highway 65, Section 8, and Highway 92, Section 3, in Bee Branch, an investigation of traffic operations has been conducted and the need for intersection improvements has been identified.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this intersection as funds become available.

2009-141

WHEREAS, IN OUACHITA COUNTY, Highway 7, Section 3, an area of the roadway has settled within the town of Camden; and

WHEREAS, an investigation has determined that this section of highway is failing due to excessive water and a collapsed, disjointed corrugated metal pipe beneath the roadway.

NOW THEREFORE, the Director is authorized to replace the existing, damaged corrugated metal pipe culvert with a larger reinforced concrete pipe culvert, and make the necessary roadway improvements to stabilize this portion of the highway utilizing a maintenance contract.

2009-142

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 19, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020425	02	GRANT	NO. MILLERVILLE-SHERIDAN BYPASS (S)	167	Y
020448	02	DESHA & LINCOLN	HWY. 65 IMPROVEMENTS (GOULD) (S)	65	Y
040458	04	SEBASTIAN	CO. RD. 8-CUSTER BLVD. (GR. & STRS.) (F)	71	Y
040472	04	LOGAN	FRANKLIN CO. LINE-PARIS (PASSING LANES) (S)	22	Y
040495	04	SEBASTIAN	HEARTSILL CREEK STR. & APPRS. (WEST DENVER ST.) (GREENWOOD) (S)	---	-
040514	04	FRANKLIN	HWY. 23 FLOOD DAMAGE REPAIR (2008) (S)	23	Y
050011	05	IZARD	KNOB CREEK STRS. & APPRS. (S)	9	Y
061137	06	GARLAND	SHADY GROVE RD.-NORTH OF HWY. 270 (HOT SPRINGS) (S)	128	Y
061233	06	SALINE	HWY. 183/ROYA LANE SIGNAL (BRYANT) (S)	183	Y
061237	06	PULASKI	I-440 ARKANSAS RIVER BR. SUBSTR. REHAB. (F)	440	Y
008818	08	POPE	LITTLE CREEK & ILLINOIS BAYOU STRS. & APPRS. (S)	164	N
080142	08	FAULKNER	SALEM RD. RR OVERPASS (CONWAY) (F)	---	-
090202	09	CARROLL	ALPENA-WEST (PASSING LANES) (F)	412	Y
012069	04 & 09	WASHINGTON & BENTON	I-540 INTERCHANGES SHORT-TERM IMPVTS. (F)	540 & 71	Y
SA0347	09	BAXTER	BAXTER CO. OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA0936	02	CHICOT	HWY. 159-CO. RD. 7 (BASE) (S)	---	-
SA1652	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 25 (SEL. SECS.) (S)	---	-
FA1912	01	CROSS	HWY. 163-WEST PHASE I (RECONSTRUCTION) (S)	---	-
SA1931	01	CROSS	HWY. 1-NORTHWEST (REPAIR & OVERLAY) (S)	---	-
SA2364	08	FAULKNER	FAULKNER COUNTY OVERLAY NO. 6 (S)	---	-

2009-142 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA2659	06	GARLAND	CO. RD. 54-CO. RD. 1483 (OVERLAY) (S)	---	-
BR2909	03	HEMPSTEAD	NORTH FORK OZAN CREEK BR. & APPRS. (S)	---	-
SA4132	03	LITTLE RIVER	COUNTY ROAD 11 SURFACING (SEL. SEC.) (S)	---	-
SA5127	09	NEWTON	HWY. 74-SOUTH (REHABILITATION) (S)	---	-
SA5248	07	OUACHITA	HWY. 387-SOUTH (OVERLAY) (S)	---	-
SA5336	08	PERRY	PERRY COUNTY BASE (SEL. SECS.) (S)	---	-
SA5637	10	POINSETT	HWY. 1-HWY. 49 OVERLAY (SEL. SECS.) (S)	---	-
SA5729	04	POLK	POLK COUNTY OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA5937	06	PRAIRIE	HWY. 86-WEST (BASE) (S)	---	-
FA6013	06	PULASKI	LEOPARD CREEK STRS. & APPRS. (S)	---	-
SA7279	04	WASHINGTON	FAYETTEVILLE CITY LIMITS EAST & NORTH (OVERLAY) (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Corporal Michael Bounds served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-two years, eight months and twenty-three days; and

WHEREAS, Corporal Bounds retired from the Department on April 29, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Corporal Bounds has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on August 19, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Corporal Michael Bounds to purchase his Glock Model 22, .40 caliber duty pistol, serial number 101AHP.

MOTION

Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions to conduct the AHTD's annual equipment auction on October 27, 2009, and any other necessary sale(s).

MOTION

Commissioner John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion passed unanimously to direct the Staff to finalize the joint Arkansas/Missouri ARRA Discretionary Grant Application for the Bella Vista Bypass Project as a toll project in Arkansas and a pay-as-you-go project in Missouri and to submit the joint application in accordance with the provisions of the program.

2009-143

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:45 p.m., August 19, 2009.

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 August 19, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 14, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 14, 2009. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member (via teleconference)

2009-144 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., October 14, 2009.

2009-145 WHEREAS, the Purchasing Committee has awarded purchases on September 8 and 23, 2009, and October 5, 2009, in the amounts of \$97,125.00, \$50,344.00, and \$145,145.00, respectively, totaling \$292,614.00, 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.

2009-146 WHEREAS, in consideration of the continuing need for maintaining the roadways of the State Highway System; and

WHEREAS, the maintenance of roadway surfaces and shoulders in many locations is such that routine maintenance cannot provide the desired quality of service; and

WHEREAS, it is necessary to place an asphalt seal on many miles of the highway system annually to extend the life and preserve the surface of the roadway system.

2009-146 - Continued

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2010 described as the "ANNUAL SEALING PROGRAM" in the amount of \$8,000,000 to apply asphalt surface treatments and hot mix asphalt leveling as needed.

2009-147

WHEREAS, the Military Order of the Purple Heart has developed a national program for the designation of a continuous network of major highways as the "National Purple Heart Trail"; and

WHEREAS, the Tennessee and the Oklahoma Departments of Transportation have already designated Interstate 40 across their states as elements of the "National Purple Heart Trail"; and

WHEREAS, Interstate 40 across Arkansas has previously been designated the Veterans Memorial Highway, and

WHEREAS, the Arkansas Department of the Military Order of the Purple Heart has requested that the Arkansas State Highway and Transportation Department add the designation of "National Purple Heart Trail" to the Veterans Memorial Highway designation.

NOW THEREFORE, the Arkansas Highway Commission hereby designates Interstate 40 from the Oklahoma State Line to the Tennessee State Line as an element of the "National Purple Heart Trail".

FURTHERMORE, the Director is authorized to install appropriate roadside signs noting such designation at strategic locations along the route.

2009-148

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

WHEREAS, the Newton County Sheriff's Office, the Searcy County Sheriff's Office and the Arkansas Department of Correction have requested that the body armor be transferred to them for use in their operations and/or training.

2009-148 - Continued

NOW THEREFORE, the Director is authorized to transfer outdated body armor to the Newton County Sheriff's Office, the Searcy County Sheriff's Office and the balance to Arkansas Department of Correction.

2009-149 WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Federal Fiscal Year 2009 Recreational Trails Program; and

 WHEREAS, Minute Order 2009-064 authorized the solicitation of applications for the Recreational Trails Program in Arkansas; and

 WHEREAS, the Department and the Arkansas Recreational Trails Advisory Committee have reviewed the applications submitted and developed recommendations.

 NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for the implementation of the projects included in the attached list.

2009-150 WHEREAS, Section 1511 of the American Recovery and Reinvestment Act of 2009 requires each State to certify that the infrastructure investment has received the full review and vetting required by law and that the investment is an appropriate use of taxpayer dollars; and

 WHEREAS, Minute Order 2009-057 authorized the Director to submit the original Section 1511 certification for projects in Arkansas to be funded under the ARRA; and

 WHEREAS, this certification and associated list of projects was revised by Minute Orders 2009-107 and 2009-131; and

 WHEREAS, revisions to the list of projects are again needed.

2009-150 - Continued

NOW THEREFORE, the Director is authorized to submit the Section 1511 certification for the attached revised list of projects in Arkansas to be funded under the American Recovery and Reinvestment Act of 2009.

2009-151

WHEREAS, the Department's Project Oversight Plan, dated October 1, 1993, and revised December 3, 2001, sets forth the standard and procedures adopted by the Arkansas State Highway Commission and the Federal Highway Administration (FHWA) for administering projects for which the Department has project oversight; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005 altered the FHWA's role from full project oversight and approval to program oversight and some targeted project level approval; and

WHEREAS, Department and FHWA staffs have worked together to produce a Stewardship and Oversight Agreement to prescribe their respective roles in the administration of the Federal-aid highway program in Arkansas.

NOW THEREFORE, the Director is hereby authorized to enter into the Stewardship and Oversight Agreement with the FHWA.

FURTHERMORE, the Director is authorized to amend the Agreement as necessary to assure continued efficient operation of the Arkansas Highway System.

2009-152

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 37R, Job No. 100496, in fee from Wava C. Potter, single, life estate holder; James David Potter, single, a Remainderman and Harvey Eugene Potter, Remainderman and his wife, Linda Potter, Grantors, for Job No. 100496, FAP NH-0028(32) Highway 141 - Paragould (U. S. Highway 412) Greene County, Arkansas, by Warranty Deed dated September 25, 2003, filed for record October 2, 2003, as Document No. 200310180 in the Circuit Clerk's office of Greene County, Arkansas; and

WHEREAS, the above-named Grantors assigned their rights to re-acquire Tract No. 37R, Job No. 100496, to Alan Winberry and wife, Linda Winberry, on July 14, 2004; and

WHEREAS, Alan Winberry and wife, Linda Winberry, have asked to re-purchase Tract No. 37R which the District Engineer for District Ten (10) has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired Tract No. 37R, Job No. 100496, for the sum of TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250) which property is more particularly described as follows:

Part of the Northwest Quarter of the Southeast Quarter of Section 27, Township 17 North, Range 4 East, Greene County, Arkansas, more particularly described as follows:

Beginning at a point of commencement being used as the Southeast 1/16 corner of Section 27; thence North 89° 49' 28" West along the South line of the Northwest Quarter of the Southeast Quarter of Section 27 a distance of 242.09 feet to a point on the Southerly right of way line of U. S. Highway 412 as established by AHTD Job 100496; thence North 66° 57' 49" East along said right of way line a distance of 263.70 feet to a point on the East line of the Northwest Quarter of the Southeast Quarter of Section 27; thence South 00° 19' 07" West along said East line a distance of 103.93 feet to the point of beginning and containing 0.28 acre or 12,580 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 100496.

RA/ras 08/20/03
jhk 08/12/09

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described property to Alan Winberry and wife, Linda Winberry; the Quitclaim Deed and a copy of this Minute Order shall be recorded in Greene County, Arkansas, and if necessary, the right of way shall be

2009-152 - Continued

remonumented. Any Federal-Aid Funds from this disposal shall be credited to Federal funds or otherwise credited as permitted by Federal Law.

2009-153

WHEREAS, the Arkansas State Highway Commission (Commission) owns property in Marion County, Arkansas, designated as Tract 4-R acquired by Warranty Deed from Bennett C. Nofsinger and wife, Juanita L. Nofsinger, in conjunction with Job No. 9783; and which is contiguous to Highway 62-B; and

WHEREAS, Job No. R90097, Highway 62B – Flippin By Pass, Route 62, requires additional right of way along Highway 62-B, contiguous to Tract No. 4-R, Job No. 9783, which is designated as Tract No. 8, for Job No. R90097, said property being more particularly described below:

Part of the Northeast Quarter of the Northwest Quarter of Section 27, Township 19 North, Range 15 West, Marion County, Arkansas, more particularly described as follows:

Commencing at a 2 inch pipe being used as the Quarter corner of the Sections 22 and 27; thence South 01° 19' 49" West along the East line of said Northeast Quarter of the Northwest Quarter of Section 27 a distance of 721.96 feet to a point on the Southeasterly right of way line of U. S. Highway 62 as established by AHTD Job 9783 for the POINT OF BEGINNING; thence continue South 01° 19' 49" West along the East line of the Northeast Quarter of the Northwest Quarter of Section 27 a distance 22.15 feet to a point on the Southeasterly right of way line of U. S. Highway 62 as established by AHTD Job R90097; thence South 52° 24' 31" West along said right of way line a distance of 257.49 feet to a point; thence South 17° 18' 35" East along said right of way line a distance 42.68 feet to a point on the Northerly right of way line of U. S. Highway 62B as established by AHTD Job 9188; thence South 74° 04' 19" West along said right of way line a distance of 56.18 feet to a point on the Southeasterly right of way line of U. S. Highway 62 as established by AHTD Job 9783; thence North 36° 18' 55" West along said right of way line a distance of 43.78 feet to a point; thence North 55° 09' 05" East along said right of way line a distance of 218.58 feet to a point; thence North 50° 54' 13" East

2009-153 - Continued

along said right of way line a distance of 117.84 feet to a point; thence North 46° 57' 38" East along said right of way line a distance of 1.31 feet to the point of beginning and containing 0.18 acres, more or less, as shown on plans prepared by the AHTD referenced as Job R90097.

WHK

2009 August 06

NOW THEREFORE, the character of the above-described property is hereby changed from surplus property designated as Tract No. 4-R, Job No. 9783 to that of right of way, hereafter designated as a part of Tract No. 8, Job No. R90097; a copy of this Minute Order shall, if required, be recorded in the Circuit Clerk and Recorder's office of Marion County, Arkansas, and the right of way shall, if necessary, be remonumented.

2009-154

WHEREAS, the Commission acquired in fee property known as Tract No. 43, Job No. 080133, from Dale L. Kaufman and wife, Jeana Kaufman, et al., in Pope County, Arkansas, by condemnation, filed of record on May 22, 2000, in the Circuit Clerk's office of Pope County, Arkansas, in *Arkansas State Highway Commission vs. Dale L. Kaufman and Jeana Kaufman, husband and wife, et al., Pope County Circuit No. CIV 2000-179*; and

WHEREAS, Dale L. Kaufman and Jeana Kaufman have asked to repurchase a portion of Tract No. 43, which the District Engineer for District Eight (8) has determined is not now, nor in the foreseeable future will be, needed for highway purposes, said portion of Tract No. 43 being more particularly described as follows:

Part of the Southwest Quarter of the Northwest Quarter of Section 28, Township 8 North, Range 20 West, Pope County, Arkansas, more particularly described as follows:

Starting at a 3 inch Brass Cap being used as the North sixteenth corner Sections 28 & 29; thence South 87° 52' 42" East along the North line of the Southwest Quarter of the Northwest Quarter of Section 28 a distance of 283.09 feet to a point on the Westerly right of way line of State Highway 7 as established by AHTD Job 080133 for the point of beginning; thence South 51° 21' 16" East along the Westerly proposed right of way line of

State Highway 7 a distance of 27.30 feet to a point; thence South 30° 41' 54" East along said right of way line a distance of 23.85 feet to a point; thence South 02° 24' 02" West along said right of way line a distance of 54.57 feet to a point; thence South 02° 17' 15" West along said right of way line a distance of 109.44 feet to a point on the Westerly right of way line of State Highway 7 as established by AHTD Job 080133; thence North 10° 00' 50" West along said right of way line a distance of 163.79 feet to a point; thence North 02° 19' 32" East along said right of way line a distance of 40.17 feet to the POINT OF BEGINNING and containing 0.08 acres, or 3,682 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 080133.

GA 11/19/08

WHEREAS, Tract No. 43, Job No. 080133, was acquired by the Commission for TWELVE THOUSAND NINE HUNDRED THIRTY-EIGHT AND NO/100 DOLLARS (\$12,938.00); and

WHEREAS, Dale L. Kaufman and Jeana Kaufman have covenanted and agreed to reimburse the Commission for all costs incurred by the Commission for the acquisition of said portion of Tract No. 43, Job No. 080133, being the sum of SEVEN THOUSAND FIFTY AND NO/100 DOLLARS (\$7,050.00).

NOW THEREFORE, the portion of Tract No. 43, Job No. 080133, described above is declared surplus; and upon the receipt of SEVEN THOUSAND FIFTY AND NO/100 DOLLARS (\$7,050.00) the Chairman of the Commission is hereby authorized and directed to execute a quitclaim deed conveying the above-described portion of Tract No. 43 to Dale L. Kaufman and Jeana Kaufman; a copy of this Minute Order shall be recorded in Pope County, Arkansas, and if necessary, the right of way shall be re-monumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property for Job No. 6767 known as Part of Lot 8, Block 6, Cunningham's Addition to the City of Little Rock, Arkansas, in fee from the City of Little Rock, Arkansas, by Warranty Deed dated August 19, 1965, filed for record on September 22, 1965, in the Deed Record Book

934 at Page 181, in the Circuit Clerk's office of Pulaski County, Arkansas;
and

WHEREAS, the City of Little Rock, Arkansas, has assigned its right to re-acquire the portion of Lot 8, Block 6 of Cunningham's Addition to the City of Little Rock, Arkansas, to be declared surplus, to the Central Arkansas Library System; and

WHEREAS, the Central Arkansas Library System, through its authorized representatives, has asked to re-purchase a portion of Lot 8, Block 6 of Cunningham's Addition to the City of Little Rock, which the District Engineer for District Six (6) has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired, in addition to other land, the portion of Lot 8, Block 6 of Cunningham's Addition to the City of Little Rock for ONE AND NO/100 DOLLAR (\$1.00); and

WHEREAS, the description of the property to be declared surplus is more particularly set forth as follows:

Part of Lot 8, Block 6 of Cunningham's Addition to the City of Little Rock, Pulaski County, Arkansas.

All that part of Lot 8, Block 6 and a 10 foot alley of Cunningham's Addition lying South of the Southerly right of way of Interstate 630 and containing 0.15 acres, more or less, as referenced on sheet 5 of the Right of Way plans dated July, 1965, for Job 6767 (Job 6784 East-West Expressway Right of Way Maps), prepared by Garver and Garver Consulting Engineers.

jhk 9/15/09

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of ONE AND NO/100 DOLLAR (\$1.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the above-described property to the Central Arkansas Library System; the Deed and this Minute Order shall be recorded in the Pulaski County Circuit Clerk's office and if necessary, the right of way shall be remonumented. Any Federal-Aid Funds from this disposal shall be credited to Federal funds or otherwise credited as permitted by Federal Law.

2009-156

WHEREAS, the Commission acquired property known as Tract No. 59 from Roe Martin and wife, Amanda Martin for Job No. 6611, Route 67-70 Section, 11, Saline County, Arkansas, by Warranty Deed filed of record on February 12, 1958, in the Circuit Clerk's office of Saline County, Arkansas; and

WHEREAS, Tract No. 59 was acquired by the Commission for ONE THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$1,950); and

WHEREAS, Glen Buchanan, Trustee of the Glen W. Buchanan Revocable Trust, has bid the sum of FOUR THOUSAND EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$4,850), which is the highest bid received for a portion of Tract No. 59, Job No. 6611, at a public auction held on Wednesday, August 5, 2009, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Complex Headquarters, Little Rock, Arkansas, in Room 702. Three (3) qualified appraisers have opined that the current fair market value of the portion of Tract No. 59 being offered for sale is FOUR THOUSAND EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$4,850); and the district Engineer for District Six (6) has determined that the portion of Tract No. 59 being offered for sale is not now, nor in the foreseeable future will be needed for highway purposes, said portion of Tract No. 59 being offered for sale being more particularly described as follows:

That part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 1 South, Range 15 West, Saline County, Arkansas, described as follows:

Commencing at a Railroad Rail accepted as the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 35; Thence South $02^{\circ} 14' 37''$ West, 353.10 feet along the east line of said Southeast Quarter of the Southeast Quarter; Thence North $87^{\circ} 33' 09''$ West, 412.00 feet to a mark in the center of a 5"x5" concrete right of way monument found on the right of way of Congo Road as established by AHTD Job 6611, being the Point of Beginning; Thence the following courses and distances to set #5 rebars w/plastic caps stamped "Rasburry Surveying James A. Rasburry, PLS# 1506": South $28^{\circ} 56' 01''$ West, 229.63 feet along said right of way to a point; Thence leaving said right of way North $56^{\circ} 40' 08''$ East, 113.08 feet along the right of way as established by this release to a point; Thence North $41^{\circ} 00' 47''$ East, 52.17 feet along said right of way to point; Thence North $08^{\circ} 19' 23''$ East, 99.15 feet along said

right of way to a point; Thence North 87°33'09"West, 32.00 feet to the Point of Beginning, containing 0.22 acres, more or less, and as shown the plat by James A. Rasburry, PLS 1506, filed as Instrument Number 200904290030, dated 04/29/2009 at the Land Survey Division of the Arkansas Agriculture Department.

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of FOUR THOUSAND EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$4,850), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying said property to Glen Buchanan, Trustee of the Glen W. Buchanan Revocable Trust; the Quitclaim Deed and a copy of this Minute Order shall be recorded in Saline County, Arkansas, and if necessary, the right of way shall be re-monumented. Any Federal-Aid funds from this disposal shall be credited to Federal Funds.

2009-157

WHEREAS, the Commission acquired property by Easement for Job No. 4864 from the City of Fayetteville, Arkansas (City), for the purpose of constructing and maintaining a public highway and public sidewalks, said Easement being dated November 23, 1982, and recorded in the Circuit Clerk's office in Washington County, Arkansas, on January 18, 1983, in Deed Record Book No. 1072 at page 168; and

WHEREAS, the District Engineer for District Four has determined that a portion of the Easement area is not now, nor in the foreseeable future will be, needed for highway purposes and recommends that such area of the easement be abandoned and released to the City and the right of way boundaries be, if necessary, remonumented to reflect the limits of the right of way after the abandonment and release of the portion of the easement to the City; and

WHEREAS, the area of the Easement to be abandoned by the Commission and released to the City is more particularly described as follows:

Part of the West Half of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 20; thence South 87° 42' East along the North line of said Southwest Quarter of the Northeast Quarter a distance of 1228.32 feet to a point on the proposed Westerly right of way line of Proposed State Highway 16 for the POINT OF BEGINNING; thence North 02° 25' East along said proposed right of way line a distance of 398.47 feet to a point; thence North 05° 05' 47" East along said proposed right of way line a distance of 52.45 feet to a point; thence North 10° 12' 08" East along said proposed right of way line a distance of 47.46 feet to a point on the Southwesterly railroad right of way line of the Burlington Northern, Inc.; thence South 18° 27' 20" East along said right of way line a distance of 59.50 feet to a point; thence South 15° 44' 20" East along said railroad right of way line a distance of 97.99 feet to a point; thence South 15° 44' 40" East along said railroad right of way line a distance of 94.26 feet to a point on the proposed Easterly right of way line of said Proposed State Highway 16; thence South 02° 25' West along said proposed right of way line a distance of 1535.11 feet to a point on the existing Northerly right of way line of said State Highway 16; thence North 87° 41' 45" West along said existing right of way line a distance of 48.86 feet to a point; thence North 87° 27' 36" West along said existing right of way line a distance of 66.14 feet to a point on said proposed Westerly right of way line of Proposed State Highway 16; thence North 08° 10' 51" East along said proposed right of way line a distance of 248.92 feet to a point; thence North 02° 25' East along said proposed right of way line a distance of 300.00 feet to a point; thence North 08° 53' 35" West along said proposed right of way line a distance of 101.98 feet to a point; thence North 13° 43' 35" East along said proposed right of way line a distance of 101.98 feet to a point; thence North 02° 25' East along said proposed right of way line a distance of 527.80 feet to the point of beginning and containing 3.55 acres, more or less.

Less and except

Part of the West Half of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 20; thence South 87° 42' East along the North

line of said Southwest Quarter of the Northeast Quarter a distance of 1228.32 feet to a point on the proposed Westerly right of way line of Proposed State Highway 16 for the POINT OF BEGINNING; thence North 02° 25' East along said proposed right of way line a distance of 398.47 feet to a point; thence North 05° 05' 47" East along said proposed right of way line a distance of 52.45 feet to a point; thence North 10° 12' 08" East along said proposed right of way line a distance of 47.46 feet to a point on the Southwesterly railroad right of way line of the Burlington Northern, Inc.; thence South 18° 27' 20" East along said right of way line a distance of 59.50 feet to a point; thence South 15° 44' 20" East along said railroad right of way line a distance of 97.99 feet to a point; thence South 15° 44' 40" East along said railroad right of way line a distance of 94.26 feet to a point on the proposed Easterly right of way line of said Proposed State Highway 16; thence South 02° 25' West along said proposed right of way line a distance of 1535.11 feet to a point on the existing Northerly right of way line of said State Highway 16; thence North 87° 41' 45" West along said existing right of way line a distance of 48.86 feet to a point; thence North 87° 27' 36" West along said existing right of way line a distance of 66.14 feet to a point on said proposed Westerly right of way line of Proposed State Highway 16; thence North 08° 10' 51" East along said proposed right of way line a distance of 10.30 feet to a point; thence North 23° 16' 43" East along said proposed right of way line a distance of 34.59 feet to a point; thence North 02° 22' 56" East along said proposed right of way line a distance of 89.18 feet to a point; thence North 08° 10' 51" East along said proposed right of way line a distance of 116.50 feet to a point; thence North 02° 25' East along said proposed right of way line a distance of 300.00 feet to a point; thence North 08° 53' 35" West along said proposed right of way line a distance of 61.12 feet to a point; thence North 02° 22' 56" East along said proposed right of way line a distance of 79.90 feet to a point; thence North 13° 43' 35" East along said proposed right of way line a distance of 61.36 feet to a point; thence North 02° 25' East along said proposed right of way line a distance of 527.80 feet to the point of beginning and containing 3.53 acres, more or less.

Total area to be released being 0.02 acres, more or less

jhk 7/27/09

NOTE: In all other respects the Easement shall remain as is.

NOW THEREFORE, the above-described portion of the Easement is hereby declared surplus, released and abandoned to the City of Fayetteville, Arkansas; the Right of Way Division is hereby authorized and directed to record a copy of this Minute Order in the Circuit Clerk's office of Washington County, Arkansas; and the right of way shall, if necessary, be remonumented to reflect the new boundaries of the Easement after the release and abandonment of the above-described portion of the Easement to the City.

2009-158

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 32 in fee from The Razorback Foundation, Inc., a Nonprofit Arkansas Corporation (Foundation), Grantor, for Job No. 040039, Highway 71-15th Street (Fayetteville) Washington County, Arkansas, by Warranty Deed dated June 12, 1995, filed for record on April 1, 2005, as Instrument No. 95034373 in the Circuit Clerk's office of Washington County, Arkansas; and

WHEREAS, the Commission acquired property known as Tract Nos. 1, 13 and 14 in fee from the Board of Trustees of the University of Arkansas (University) for Job No. 040399 North of Highway 16-Highway 180, Washington County, Arkansas, by Warranty Deed dated January 26, 2006, filed for record on February 7, 2006, as Instrument No. 2006-00005223 in the Circuit Clerk's office of Washington County, Arkansas; and

WHEREAS, the Foundation has assigned its right to reacquire Tract No. 32 to the University; and

WHEREAS, the University has asked to purchase a portion of Tract No. 32, Job No. 040039 and to re-purchase a portion of Tract No. 1, Job No. 040399, which the District Engineer for District Four has determined are not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired Tract No. 32, Job No. 040039 from the Foundation for THREE THOUSAND AND NO/100 DOLLARS, (\$3,000) and acquired Tract Nos. 1, 13 and 14, Job No. 040399, from the University for SEVENTY-ONE THOUSAND FOUR HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$71,475); and

WHEREAS, three (3) qualified appraisers have opined that the portion of Tract No. 32, Job No. 040039, to be declared surplus has a current market value of ONE THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS (\$1,450); and the portion of Tract No. 1, Job No. 040399, to be declared surplus has a current market value of SIX THOUSAND SEVEN HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$6,725); and

WHEREAS, the portions of Tract No. 32, Job No. 040039 and Tract No. 1, Job No. 040399, to be declared surplus are more particularly described as follows:

A Part of Tract No. 32, Job No. 040039
Part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a the Northeast corner of Section 20; thence North $87^{\circ} 01' 25''$ West along the North line thereof a distance of 103.34 feet to a point on the Westerly existing right of way of State Highway 16; thence South $02^{\circ} 34' 22''$ West along said existing right of way line a distance of 127.54 feet to a point; thence South $02^{\circ} 44' 15''$ West along said existing right of way line a distance of 400.14 feet to a point; thence South $14^{\circ} 02' 46''$ West along said existing right of way line a distance of 102.07 feet to a point; thence South $08^{\circ} 31' 06''$ East along said existing right of way line a distance of 101.86 feet to a point; thence South $02^{\circ} 42' 16''$ West along said existing right of way line a distance of 61.12 feet to a point on the Westerly proposed right of way line of State Highway 16 for the POINT OF BEGINNING; thence continue South $02^{\circ} 42' 16''$ West along said right of way line a distance of 239.18 feet to a point; thence South $08^{\circ} 36' 24''$ West along said right of way line a distance of 248.66 feet to a point on the Northerly existing right of way line of West 15th Street; thence North $87^{\circ} 27' 33''$ West along said existing right of way line a distance of 49.81 feet to a point on the Westerly proposed right of way line of said Proposed State Highway 16 ; thence North $53^{\circ} 32' 17''$ East along said proposed right of way line a distance of 58.07 feet to a point; thence North $07^{\circ} 18' 42''$ East along said proposed right of way line a distance of 250.80 feet to a point; thence North $02^{\circ} 44' 16''$ East along said existing right of way line a distance of 200.00 feet to a

point; thence South 87° 15' 44" East along said proposed right of way line a distance of 10.10 feet to the point of beginning and containing 0.13 acres more or less.

Less and Except

Part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a the Northeast corner of Section 20; thence North 87° 01' 25" West along the North line thereof a distance of 103.34 feet to a point on the Westerly existing right of way of State Highway 16; thence South 02° 34' 22" West along said existing right of way line a distance of 127.54 feet to a point; thence South 02° 44' 15" West along said existing right of way line a distance of 400.14 feet to a point; thence South 14° 02' 46" West along said existing right of way line a distance of 102.07 feet to a point; thence South 08° 31' 06" East along said existing right of way line a distance of 101.86 feet to a point; thence South 02° 42' 16" West along said existing right of way line a distance of 61.12 feet to a point on the Westerly proposed right of way line of State Highway 16 for the POINT OF BEGINNING; thence continue South 02° 42' 16" West along said right of way line a distance of 239.18 feet to a point; thence South 08° 36' 24" West along said right of way line a distance of 120.79 feet to a point on the Westerly right of way line of State Highway 16 as established by AHTD Job 040039; thence North 02° 46' 08" East along said right of way line a distance of 133.81 feet to a point; thence North 07° 18' 42" East along said right of way line a distance of 25.61 feet to a point; thence North 02° 44' 16" East along said right of way line a distance of 200.00 feet to a point; thence South 87° 15' 44" East along said right of way line a distance of 10.10 feet to the point of beginning and containing 0.07 acres more or less as shown on plans referenced as AHTD Job 040039.

Less and Except

Part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a the Northeast corner of Section 20; thence North 87° 01' 25" West along the North line thereof a distance of 103.34 feet to a point on the

Westerly existing right of way of State Highway 16; thence South 02° 34' 22" West along said existing right of way line a distance of 127.54 feet to a point; thence South 02° 44' 15" West along said existing right of way line a distance of 400.14 feet to a point; thence South 14° 02' 46" West along said existing right of way line a distance of 102.07 feet to a point; thence South 08° 31' 06" East along said existing right of way line a distance of 101.86 feet to a point; thence South 02° 42' 16" West along said existing right of way line a distance of 400.30 feet to a point; thence South 08° 36' 24" West along said right of way line a distance of 237.38 feet to a point on the Westerly right of way line of Arkansas State Highway 16 as established by AHTD Job 040039 for the POINT OF BEGINNING; thence continue South 08° 36' 24" West along said right of way line a distance of 11.55 feet to a point on the Northerly existing right of way line of West 15th Street; thence North 87° 27' 33" West along said right of way line a distance of 15.93 feet to a point on the Westerly right of way line of Arkansas State Highway 16 as established by AHTD Job 040039; thence North 59° 11' 28" East along said right of way line a distance of 20.41 feet to a point; North 23° 39' 55" East along said right of way line a distance of 0.28 feet to the point of beginning and containing 90 square feet more or less as shown on plans referenced as AHTD Job 040039.

Total area to be released being 0.06 acres more or less.
7/27/09 jhk

A Part of Tract No. 1, Job No. 040399
Part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Northeast 1/16 corner of Section 20 said point also being on the Easterly right of way line of Arkansas State Highway 112 as established by AHTD Job 040399; thence North 87° 01' 44" West along the North line of the Southwest Quarter of the Northeast Quarter of Section 20 a distance of 102.58 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 4864 point of beginning; thence South 02° 45' 12" West along said right of way line a distance of 505.72 feet to a point; thence South 02° 47' 40" West along said right of way line a distance of

21.95 feet to a point; thence South 14° 03' 54" West along said right of way line a distance of 101.98 feet to a point; thence South 08° 33' 17" East along said right of way line a distance of 101.98 feet to a point; thence South 02° 39' 40" West along said right of way line a distance of 60.86 feet to a point; thence North 87° 14' 42" West along said right of way line a distance of 10.10 feet to a point; thence South 02° 45' 18" West along said right of way line a distance of 200.00 feet to a point; thence South 07° 19' 45" West along said right of way line a distance of 250.80 feet to a point; thence South 52° 00' 31" West along said right of way line a distance of 12.40 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 040399; thence North 05° 57' 33" East along said right of way line a distance of 300.53 feet to a point; thence North 02° 20' 14" East along said right of way line a distance of 151.00 feet to a point; thence North 02° 43' 00" East along said right of way line a distance of 138.00 feet to a point; thence North 03° 45' 53" East along said right of way line a distance of 328.05 feet to a point; thence North 01° 50' 52" East along said right of way line a distance of 329.69 feet to a point on the North line of the Southwest Quarter of the Northeast Quarter of Section 20; thence South 87° 01' 44" East along said North line a distance of 23.24 feet to the point of beginning and containing 0.47 acres more or less as shown on plans prepared by the AHTD referenced as Job 040399.

Less and Except

Part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Northeast 1/16 corner of Section 20 said point also being on the Easterly right of way line of Arkansas State Highway 112 as established by AHTD Job 040399; thence North 87° 01' 44" West along the North line of the Southwest Quarter of the Northeast Quarter of Section 20 a distance of 102.58 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 4864 for the POINT OF BEGINNING; thence South 02° 45' 12" West along said right of way line a distance of 505.72 feet to a point; thence South 02° 47' 40" West along said right of way line a distance of 21.95 feet to a point; thence South 14° 03' 54" West along said

right of way line a distance of 61.35 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 040399; thence North 02° 43' 23" East along said right of way line a distance of 587.88 feet to a point on the North line of the Southwest Quarter of the Northeast Quarter of Section 20; thence South 87° 01' 44" East along said North line a distance of 12.36 feet to the point of beginning and containing 0.16 acres more or less as shown on plans prepared by the AHTD referenced as Job 040399.

Less and Except

Part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the Northeast 1/16 corner of Section 20 said point also being on the Easterly right of way line of Arkansas State Highway 112 as established by AHTD Job 040399; thence North 87° 01' 44" West along the North line of the Southwest Quarter of the Northeast Quarter of Section 20 a distance of 102.58 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 4864; thence South 02° 45' 12" West along said right of way line a distance of 527.67 feet to a point; thence South 14° 03' 54" West along said right of way line a distance of 101.98 feet to a point; thence South 08° 33' 17" East along said right of way line a distance of 40.86 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 040399 for the POINT OF BEGINNING; thence continue South 08° 33' 17" East along the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 4864 a distance of 61.12 feet to a point; thence South 02° 39' 40" West along said right of way line a distance of 60.86 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 040039; thence North 87° 14' 42" West along said right of way line a distance of 10.10 feet to a point; thence South 02° 45' 18" West along said right of way line a distance of 200.00 feet to a point; thence South 07° 19' 45" West along said right of way line a distance of 22.51 feet to a point on the Westerly right of way line as established by AHTD Job 040399; thence North 02° 43' 23" East along said right of way line a distance of 343.23 feet to the point of beginning and containing 0.03 acres

2009-158 - Continued

more or less as shown on plans prepared by the AHTD referenced as Job 040399.

Total area to be released being 0.28 acres more or less.
jkh 8/5/09

NOW THEREFORE, the above-described portion of Tract No. 32, Job No. 040039 and the above-described portion of Tract No. 1, Job No. 040399, are hereby declared surplus and upon the receipt of EIGHT THOUSAND ONE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$8,175), (representing ONE THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS [\$1,450] for the purchase price of the portion of Tract No. 32, Job No. 040039 and SIX THOUSAND SEVEN HUNDRED TWENTY-FIVE AND NO/100 DOLLARS [\$6,725] representing the purchase price of the portion of Tract No. 1, Job No. 040399); the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the above-described property to the Board of Trustees of the University of Arkansas; the Deed and a copy of this Minute Order shall be recorded in Washington County, Arkansas, and if necessary, the right of way shall be remonumented. Any Federal-aid funds from this disposal shall be credited to Federal Funds or otherwise credited as permitted by Federal law.

2009-159

WHEREAS, IN JACKSON AND CRAIGHEAD COUNTIES, a new portion of fully controlled access roadway was built by Jobs 050020 and 050021, Hwy. 18 – North, Job 050022, Hwy. 37 – South, Job 050023, Hwy. 18 – Hwy. 37, and Jobs 001785 and 001786, Hwy. 37 – Hwy. 226.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- The portion of Highway 226, Section 1 beginning at the junction with Highway 67, Section 15 and continuing east to the newly constructed Highway 226 connection is hereby removed from the State Highway System.

- The newly constructed Highway 226 connector is hereby added to the State Highway System as part of Highway 226, Section 1.
- The portion of Highway 67, Section 15 beginning at the junction with Highway 18, Section 1 and continuing north to the junction with Highway 226, Section 1 is hereby redesignated as part of Highway 367, Section 21.
- The new controlled access roadway is hereby added to the State Highway System as a part of Highway 67, Section 15.

2009-160

WHEREAS, IN CONWAY COUNTY, on Highway 124, Section 4, from Highway 9 to the west for approximately 1.8 miles, the current condition of the pavement recently resulted in this section of highway being restricted to vehicles weighing 64,000 pounds or less; and

WHEREAS, Southwestern Energy Company (SEECO) has requested that the weight restriction be removed on this section of highway to better facilitate natural gas exploration and production activities in the area; and

WHEREAS, analysis has shown that an overlay depth of at least four inches is needed to allow the weight restriction to be removed; and

WHEREAS, SEECO has indicated their willingness to provide the cost of an overlay on this section of Highway 124.

NOW THEREFORE, the Director is authorized to enter into an agreement with Southwestern Energy Company to provide an overlay on Highway 124 from Highway 9 to the west for approximately 1.8 miles.

FURTHERMORE, this agreement will include, but not be limited to, the following provisions:

- The Department will be responsible for preliminary engineering, advertising the project for bids, awarding the contract, and construction engineering;
- SEECO will be responsible for the cost of construction and construction engineering;
- Upon receipt of bids for the project, SEECO will provide to the Department the contract amount and the estimated amount for construction engineering as their concurrence in the award of the contract;
- Due to the possibility of changes in conditions such as weather and the volume and weight of traffic using the route, no guarantee can be made of the life of the improvements; and
- In order to maintain this section of highway without weight restrictions in the future, additional funds may be required from SEECO and/or other entities other than the Department for work that is considered beyond routine maintenance.

2009-161

WHEREAS, a joint agreement for inspection and maintenance of the Interstate 40 Bridge over the Mississippi River exists between the Arkansas State Highway and Transportation Department (AHTD) and the Tennessee Department of Transportation (TDOT); and

WHEREAS, AHTD has been unable to access and visually inspect the inside of the upper connections of the main steel tied-arch truss; and

WHEREAS, AHTD and TDOT agree that a Consultant is needed to clean and inspect this portion of the bridge; and

WHEREAS, TDOT currently has an on-call contract with a Consultant that can perform this work; and

2009-161 - Continued

WHEREAS, the agreement between AHTD and TDOT is to share the cost of such work on a 50/50 basis.

NOW THEREFORE, the Director is authorized to proceed on a reimbursement basis to TDOT to use consultant services to clean and inspect the main steel tied-arch span of the I-40 Mississippi River Bridge.

2009-162

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 14, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110506	01	CRITTENDEN	HWY. 64-SOUTH (MARION) (S)	118	Y
110512	01	ST. FRANCIS	HWY. 1/HWY. 306 SIGNAL (COLT) (S)	1 & 306	Y
020424	02	GRANT	SALINE RIVER-NO. MILLERVILLE (S)	167	Y
030349	03	MILLER	HWY. 245-HWY. 237 (TEXARKANA) (S)	82	Y
040442	04	WASHINGTON	BALLARD CREEK STR. & APPRS. (S)	59	Y
040498	04	WASHINGTON	HWY. 16/HWY. 74 SIGNAL (ELKINS) (S)	16 & 74	Y
050175	05	CLEBURNE	HWY. 110 EAST-SUNNY MEADOW (HEBER SPRINGS) (S)	25B	Y
061171	06	PULASKI	JACKSONVILLE CATO RD.-BAYOU METO (S)	107	Y
070297	07	UNION	CHAMPAGNOLLE RD.-HWY. 7S (BS. & SURF.) (S)	167 & 7	Y
070311	07	CLARK	HWY. 67 TRAFFIC SIGNALS (ARKADELPHIA) (S)	67 & 51	Y
090197	09	CARROLL	OSAGE CREEK STR. & APPRS. (S)	21	Y
100703	10	CRAIGHEAD	HWY. 226-HWY. 1B (JONESBORO) (GRINDING) (S)	63	Y
001992	01 & 10	CRITTENDEN & POINSETT	MARKED TREE-I-55 STRUCTURES REPLACEMENT (F)	63	Y
FA0404	09	BENTON	OSAGE CREEK STR. & APPRS. (S)	---	-
SA1931	01	CROSS	HWY. 1-NORTHWEST (REHABILITATION) (S)	---	-
SA3931	01	LEE	HWY. 121-CO. RD. 402 (OVERLAY) (S)	---	-
BR6401	09	SEARCY	CALF CREEK STR. & APPRS. (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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. Further, 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.

RESOLUTION

WHEREAS, Patrol Officer First Class Wayne Campbell served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-six years and five months; and

WHEREAS, Patrol Officer First Class Campbell retired from the Department on September 1, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Patrol Officer First Class Campbell has made formal request that his duty pistol be retired with him and remain in his possession.

RESOLUTION - Continued

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on October 14, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Patrol Officer First Class Wayne Campbell to purchase his Glock Model 22, .40 caliber duty pistol, serial number 093AHP.

RESOLUTION

WHEREAS, Corporal Martin Nunnery served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of eighteen years, six months and twenty-five days; and

WHEREAS, Corporal Nunnery retired from the Department on September 1, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Corporal Nunnery has made formal request that his duty pistol be retired with him and remain in his possession.

NOW THEREFORE, BE IT RESOLVED, the Arkansas State Highway Commission, during its regular meeting on October 14, 2009, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes Corporal Martin Nunnery to purchase his Glock Model 22, .40 caliber duty pistol, serial number 175AHP.

2009-163

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:45 p.m., October 14, 2009.

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 October 14, 2009.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 9, 2009

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 9, 2009. Members present were:

Carl S. Rosenbaum, Chairman
John Ed Regenold, Member
Dick Trammel, Member

2009-164 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., December 9, 2009.

2009-165 WHEREAS, the Purchasing Committee has awarded purchases on October 19 and 28, 2009, November 12, 2009, and December 2, 2009, in the amounts of \$637,903.00, \$1,585,921.93, \$972,920.00, and \$76,282.00, respectively, totaling \$3,273,026.93, 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.

2009-166 WHEREAS, this Department has for a number of years maintained a membership in the American Road and Transportation Builders Association with material benefit from the service and publications resulting therefrom.

NOW THEREFORE, IT IS ORDERED that the Director be authorized to process for payment the statement for Year 2010 membership dues in the amount of \$370.00.

2009-167

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

WHEREAS, the services of the AMRL 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 AMRL is now combined with the Cement and Concrete Reference Laboratory (CCRL) and the AASHTO Accreditation Program (AAP); and

WHEREAS, the Department has received notice that its share of support to these programs for Fiscal Year 2010 (October 1, 2009 to September 30, 2010) is \$20,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support for these AASHTO programs for Fiscal Year 2010.

2009-168

WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into necessary contracts and agreements for printing the 2010 Highway Map.

2009-169

WHEREAS, certain highway segments critical to the movement of traffic and goods represent priority needs for improvement; and

WHEREAS, the Districts are identifying selected routes in need of resurfacing or rehabilitating in order to extend the useful life of these roadways.

2009-169 - Continued

NOW THEREFORE, depending on the availability of funds, the Director is authorized to proceed with a resurfacing and rehabilitation program for 2010.

2009-170 WHEREAS, some state highways are posted for weight restrictions below the maximum allowable weight limits allowed by State law; and

 WHEREAS, a policy to accommodate a non-divisible overweight load by permit on a weight restricted highway was developed and implemented in 2008; and

 WHEREAS, the “Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways” adopted by Minute Order 2008-011 proved to be a successful method for recovering damage costs to weight restricted highways and was extended by Minute Order 2009-010 until December 31, 2009; and

 WHEREAS, an evaluation is underway to determine if the Roadway Maintenance Assessment payments by the permit applicants have been adequate to recover damage costs on the weight restricted highways.

 NOW THEREFORE, the current agreements with permit holders set to expire on December 31, 2009 may be extended until March 31, 2010 for completion of the evaluation and establishment of a new and appropriate Roadway Maintenance Assessment schedule.

2009-171 WHEREAS, Section 1511 of the American Recovery and Reinvestment Act of 2009 requires each State to certify that the infrastructure investment has received the full review and vetting required by law and that the investment is an appropriate use of taxpayer dollars; and

 WHEREAS, Minute Order 2009-057 authorized the Director to submit the original Section 1511 certification for projects in Arkansas to be funded under the ARRA; and

2009-171 - Continued

WHEREAS, this certification and associated list of projects was revised by Minute Orders 2009-107, 2009-131 and 2009-150; and

WHEREAS, revisions to the list of projects are again needed.

NOW THEREFORE, the Director is authorized to submit the Section 1511 certification for the attached revised list of projects in Arkansas to be funded under the American Recovery and Reinvestment Act of 2009.

2009-172

WHEREAS, the 87th General Assembly of the Arkansas Legislature adopted Act 848 to establish the State Police Officer Highway Dedication Program to honor officers killed on active duty within the State of Arkansas; and

WHEREAS, the Act provides for the Arkansas State Highway and Transportation Department to designate a one-mile portion of a highway for each officer to be honored as a Trooper Memorial Highway by placing and maintaining appropriate identifying signs; and

WHEREAS, the Department of Arkansas State Police has identified the officers to be honored and have suggested locations for the segments of the Trooper Memorial Highway.

NOW THEREFORE, the Director is authorized to implement the State Police Officer Highway Dedication Program in accordance with the provisions of Act 848 of 2007 and as amended by Act 483 of 2009.

2009-173

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property known as Tract No. 3 from Deltic Timber Corporation, et al., for Job No. 030313/030353, L.A. Line – Doddridge (U. S. Highway 71 Relocation) Miller County, Arkansas, by condemnation, resulting in a Consent Judgment filed of record on May 22, 2009, in the Circuit Clerk's office of Miller County, Arkansas, in *Arkansas State Highway Commission vs. Deltic Southwest Timber Company, et al., Miller County Circuit CV No. 2009-136-3* (case); and

WHEREAS, as a result of said condemnation proceeding and obtaining the Consent Judgment described below, the Commission did acquire all of the minerals in and under the hereinafter described real property, including all oil, gas, distillates, condensates, salt water and its component parts, and all other hydrocarbons; and

WHEREAS, as a condition of the condemnees executing the Consent Judgment for the consideration offered by the Commission, it was agreed that the mineral interests acquired by the Commission in the condemnation action would be re-conveyed to Deltic Timber Corporation at no cost;

And, WHEREAS, the lands acquired by the Commission in and under which the mineral interests are located is more particularly described as follows:

TRACT NO. 3:

Part of the East Half of the Southeast Quarter of Section 9, Township 20 South, Range 27 West, Miller County, Arkansas, and being more particularly described as follows;

Beginning at a 3 ½" Arkansas Geological Commission reestablishment monument at the Southeast corner of Section 9, Township 20 South, Range 27 West; thence, with the South line of Section 9, North 88° 13' 35" West a distance of 121.93 feet to a point in the Westerly right of way line of U. S. Highway 71 Relocation as established by AHTD Job No. 030313; thence, with the said Westerly right of way line, North 6° 54' 22" East a distance of 58.96 feet to a point; thence, continuing with the said Westerly right of way line, North 17° 01' 25" East a distance of 301.44 feet to a point; thence, continuing with the said Westerly right of way line, North 3° 05' 17" East a distance of 320.84 feet to a point; thence, continuing with the said Westerly right of way line, North 7° 24' 06" West a distance of 200.16 feet to a point; thence, continuing with the said Westerly right of way line, North 1° 38' 18" East a distance of 590.60 feet to a point; thence, continuing with the said Westerly right of way line, North 5° 04' 04" East a distance of 222.22 feet to a point; thence, continuing with the said Westerly right of way line, North 2° 15' 00" West a distance of 959.18 feet to a point in the North line of the Southeast Quarter of Section 9; thence, with the said North line of the Southeast Quarter, South 87° 54' 29" East a distance of

2009-173 - Continued

126.74 feet to the Northeast corner of the Southeast Quarter of Section 9; thence, with the East line of Section 9, South 1° 58' 00" West a distance of 2636.47 feet back to the point of beginning and containing 4.39 acres, more or less, (191,140 sq. ft.).

NOW THEREFORE, all of the mineral interest acquired by the Commission in and under the above-described lands, including all oil, gas, distillate, condensate, salt water and its component parts, and all other hydrocarbons, which do not interfere with the surface use for highway purposes, of such lands are hereby declared surplus and the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described mineral interests to Deltic Timber Corporation; a copy of the deed and this Minute Order shall be recorded in Miller County, Arkansas.

2009-174

WHEREAS, IN MISSISSIPPI COUNTY, the County Judge has requested that the Department transfer 0.75 mile of Highway 18, Section 7 to the County.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the last 0.75 mile of Highway 18, Section 7 is hereby removed from the State Highway System as shown on the attached sketch.

2009-175

WHEREAS, IN BENTON COUNTY, on Highway 43, Section 0, local officials from the City of Siloam Springs have requested a study to determine the need for and the feasibility of a proposed overpass of the Kansas City Southern Railway, which is located east of the Highway 43/Highway 264 intersection.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and the feasibility of the proposed railroad overpass.

2009-176

WHEREAS, IN FRANKLIN COUNTY, a portion of Highway 23, Section 7 has been designated by the U. S. Forest Service as the Pig Trail Scenic Byway; and

WHEREAS, the Pig Trail is one of the most historic roads in the Ozark Mountains and is nationally recognized as one of the top scenic drives in the United States; and

WHEREAS, there are no scenic overlooks and limited viewing opportunities along this section of the Pig Trail.

NOW THEREFORE, the Director is authorized to conduct a study, in cooperation with the U. S. Forest Service, to locate a scenic vista on Highway 23 between Cass and the Madison County line and to construct the vista as funds become available.

2009-177

WHEREAS, it has been determined that improvements are warranted at the below listed railroad crossings to accommodate a roadway project and to improve safety.

NOW THEREFORE, the Director is authorized to proceed with improvements at the crossings subject to the following conditions:

1. Maintenance of the surface performed by the Railroad Company at no cost to the State.
2. All required right-of-way furnished at no cost to the State.
3. Appropriate program approval by the Federal Highway Administration.

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Independence	Near Batesville	Hwy. 167	Midwest Lime	Upgrade Concrete Surface
Independence	Near Batesville	Hwy. 233	Missouri and Northern Arkansas	Relocate and Upgrade Concrete Surface

2009-178

WHEREAS, IN PULASKI COUNTY, Highway 10 is the primary highway route to Interstate 430 from northwestern Little Rock and areas to the west; and

WHEREAS, traffic congestion is occurring in this corridor and is forecast to worsen in the future; and

WHEREAS, development along the corridor is rapidly occurring that may limit the options available for future improvements; and

WHEREAS, a plan is needed to determine the scope of future improvements in this corridor.

NOW THEREFORE, the Director is authorized to conduct a study of needed improvements to relieve congestion in the Highway 10 corridor from Interstate 430 to the west.

2009-179

WHEREAS, IN WASHINGTON COUNTY, a crash analysis has been completed on Interstate 540, Section 4, from the north end of the Bobby Hopper Tunnel to the Winslow Interchange, a distance of 3.5 miles; and

WHEREAS, the analysis showed a high rate of wet surface condition crashes between log mile 41.50 and log mile 45.00, in both northbound and southbound lanes, and indicated that a safety improvement is warranted; and

WHEREAS, and improvement to cut transverse grooves in the pavement to improve the surface friction and increase the skid resistance in this section is eligible for Federal-aid Safety funds.

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

2009-180

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the December 9, 2009 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030353	03	MILLER	LA LINE-CO. RD. 2 (GR. & MDS) (F)	71	Y
030362	03	HEMPSTEAD	HWY. 278/HWY. 29/SHOVER RD. SIGNAL (HOPE) (S)	278 & 29	Y
030363	03	HOWARD	HWY. 371 SIGNALS REHAB. (NASHVILLE) (S)	371, 27, 278 & 980	Y
061253	06	PULASKI	35TH/36TH STREETS NOISE BARRIER WALL (I-40) (NLR) (S)	40	Y
070288	07	DALLAS	FORDYCE-HWY. 273 (S)	167	Y
090241	09	BENTON	OKLAHOMA STATE LINE-WASHINGTON ST. (F)	412	Y
100644	10	POINSETT	HWY. 163-EAST STRS. & APPRS. (S)	214	N
100646	10	LAWRENCE	PORTIA-HWY. 63B (F)	63	Y
BR2309	08	FAULKNER	LITTLE CYPRESS CREEK STR. & APPRS. (S)	---	-
BR3903	01	LEE	CO. RD. 138 DITCH STRS. & APPRS. (S)	---	-

and

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 Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain of its 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

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any projects deemed to be in the best interests of the State. Further, 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.

MOTION

Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed 3-0 to direct the Staff to look into having some future Commission meetings at other locations around the state. It was amended to have the Staff coordinate with the Staff of the Blue Ribbon Committee on Highway Finance on their meeting schedules since they will also be scheduling meetings around the state.

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IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m., December 9, 2009.

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 December 9, 2009.

Lindy H. Williams
Commission Secretary