

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 20, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 20, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2010-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 20, 2010.

2010-002 WHEREAS, the Purchasing Committee has awarded purchases on December 10 and 21, 2009, and January 6, 2010, in the amounts of \$412,321.75, \$82,240.00, and \$91,942.00, respectively, totaling \$586,503.75, 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.

2010-003 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) Standard Specifications for Transportation Materials is used for assuring the quality of materials in Department construction projects; and

WHEREAS, the development of new materials specifications and major revisions of current material specifications are the primary functions of the annual Subcommittee on Materials meeting; and

2010-003 - Continued

WHEREAS, AASHTO has established a Technical Service Program to allocate travel reimbursement to member states to participate in the annual Materials meeting and support funding for technical writers; and

WHEREAS, AASHTO has invoiced the Department for participation costs to support this program for FY 2010.

NOW THEREFORE, the Director is authorized to pay the invoice amount of \$5,000.

2010-004

WHEREAS, accurate stream flow estimates are needed for the economical design of highway bridges and culverts; and

WHEREAS, the U. S. Geological Survey has proposed the development of the StreamStats program that would provide an improved process of computing stream flow estimates; and

WHEREAS, the U. S. Geological Survey has requested that several State and federal agencies in Arkansas participate in the funding for the development of a StreamStats program to help reduce costs to any single agency.

NOW THEREFORE, the Director is authorized to enter into a cooperative agreement with the U. S. Geological Survey to fund this program. The Department will contribute State funds in the amount of \$40,000 and the U. S. Geological Survey and other State and federal agencies will contribute an additional \$175,000 toward the program development.

2010-005

WHEREAS, Section 1201 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU) requires the Secretary of Transportation to establish a Real-Time System Management Information Program that provides, in all States, the capability to monitor in real-time, the traffic and travel conditions of the major highways of the United States and to share that data with State and Local Governments and the traveling public; and

2010-005 - Continued

WHEREAS, the Arkansas State Highway and Transportation Department has developed a Statewide Intelligent Transportation System (ITS) Strategic Plan to implement a system management program for the Interstate Highway System and appropriate portions of the National Highway System in Arkansas; and

WHEREAS, strategic deployment of dynamic message signs (DMS) is a critical component of Arkansas' system management program; and

WHEREAS, statewide deployment of DMS to supplement the existing signage is needed to fully implement a real-time system management information program.

NOW THEREFORE, the Department is hereby authorized to implement statewide deployment of dynamic message signs as funding becomes available.

2010-006

WHEREAS, the Standard Specifications for Highway Construction, Edition of 2003, was printed pursuant to Minute Order 2002-067; and

WHEREAS, there is a need for an additional 1200 copies of this manual.

NOW THEREFORE, the Director is authorized to proceed with arrangements for printing an additional 1200 copies of the Standard Specifications for Highway Construction, Edition of 2003, for distribution in accordance with Department policy at an appropriate cost per copy.

2010-007

WHEREAS, the Federal Highway Administration (FHWA), in cooperation with American Association of State Highway and Transportation Officials and others, has administered the Manual on Uniform Traffic Control Devices (MUTCD) since 1971; and

2010-007 - Continued

WHEREAS, Commission Minute Order 2004-048, dated April 14, 2004, adopted the latest edition of the MUTCD and all current and future updates, revisions or new editions thereof, approved by the FHWA; and

WHEREAS, the FHWA has published the 2009 Edition of the MUTCD.

NOW THEREFORE, the Director is authorized to provide sufficient copies of the MUTCD, 2009 Edition, for the use of the Department.

2010-008

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 priority to vending machines which are operated by state agencies for the blind, pursuant to the Randolph-Sheppard Act; and

WHEREAS, the Arkansas Department of Human Services, Division of Services for the Blind, has successfully provided vending machine service in Interstate Welcome 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 2010.

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 Welcome Centers and Rest Areas within the State as may be practical.

WHEREAS, the Commission acquired property known as Tract No. 24 from Leon Green and wife, Edna Green, for Job Nos. 3541/030268, Industrial Park Road – Wilson Creek (DeQueen), Sevier County, Arkansas, by Warranty Deed dated April 26, 1962, filed for record on May 2, 1962, in the Circuit Clerk’s office of Sevier County in Deed Record Book No. 110, page 672; and

WHEREAS, Tract No. 24 was acquired by the Commission for THREE THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$3,150.00); and

WHEREAS, E Z Mart Stores, Inc., has bid the sum of TWO THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$2,250.00), which is the highest bid received for a portion of Tract No. 24, Job Nos. 3541/030268, at a public auction held on Monday, November 3, 2008, at the Arkansas State Highway and Transportation Department, Central Complex Headquarters Building, 10324 Interstate 30, Little Rock, Arkansas, in Room 702. Three (3) qualified appraisers have opined that the current market value of the portion of Tract No. 24 being offered for sale is TWO THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$2,250.00); and the District Engineer for District Three has determined that the portion of Tract No. 24 being offered for sale is not now, nor in the foreseeable future will be, needed for highway purposes; that portion of Tract No. 24, Job Nos. 3541/030268, being offered for sale is described as follows:

Part of the Southeast Quarter of the Southeast Quarter of Section 24, Township 8 South, Range 32 West, Sevier County, Arkansas, more particularly described as follows:

Starting at a Cotton Picker Spike locally accepted as the South Common corner of Sections 24 and 25, Township 8 South, Range 32 West; thence North 01° 08’ 01” East along the East line thereof a distance of 514.58 feet to a point on the Northerly right of way of U. S. Highway 70 as established by AHTD Job 3541 and said right of way as shown on the revised right of way plans for AHTD Job 030268, sheet 12, revision being made on December 10, 2009; thence the following courses and distances to 2” aluminum caps stamped “Arkansas Hwy. & Trans. Dept. BDY PS 1201”; South 89° 02’ 58” West along said right of way line a distance of 32.21 feet to a point on the Northerly right of way of U. S. Highway 70 as established by AHTD Job 3541 for the POINT OF BEGINNING; thence South 21° 44’ 38” West along the right of way as established by said Job

2010-009 - Continued

030268 a distance of 23.16 feet to a point; thence North 86° 54' 10" West along said right of way line a distance of 129.82 feet to a point; thence North 00° 59' 25" East along said right of way line a distance of 16.79 feet to a point on the Northerly right of way of U. S. Highway 70 as established by AHTD Job 3541; thence South 89° 02' 58" East along said right of way line a distance of 137.94 feet (137.98 feet calculated) to the point of beginning and containing 0.059 acres or 2,582 square feet, more or less, as shown on plans referenced as AHTD Job 030268, also as shown on a plat by Wallace D. Roy, PS#900, filed December 17, 2009, as In 200912170009 in the State Land Surveyor's Office.

GA 7/06/07 Rev. 12/10/09 jhk

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of TWO THOUSAND TWO HUNDRED FIFTY AND NO/1000 DOLLARS (\$2,250.00) the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to E Z Mart Stores, Inc.; a copy of the deed and this Minute Order shall be recorded in Sevier 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.

2010-010

WHEREAS, the City of Bentonville, Benton County, Arkansas, (City) has requested an Airspace Permit to use certain highway right of way, located in the City of Bentonville, and owned by the Commission, for the purpose of constructing a public pedestrian trail under the Arkansas/Missouri Railroad Overpass at I-540 North of Highway 102 for pedestrian use; and

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

Airspace Agreement

20' Trail Easement

Part of the Northwest Quarter of the Southeast Quarter of Section 33; Township 20 North, Range 30 West, Benton County, Arkansas, more particularly describe as follows:

Commencing at a found 1½ inch Aluminum Cap (Stamped AHTD R/W) on the Westerly right of way line of I-540 as established by AHTD Job 1534 Section 4, said point being 190.00 feet left of and perpendicular to Construction centerline Station 1047+91.71; Thence South 11°12'01" West along the Westerly right of way line of I-540 a distance of 282.16 feet to the POINT OF BEGINNING of the boundary of a 20 foot wide Trail Easement; Thence in a Easterly direction along a curve to the left having a radius of 2,856.18 feet a distance of 181.40 feet having a chord bearing of South 85°24'03" East a distance of 181.36 feet to a point; Thence South 87°13'17" East a distance of 205.91 feet to a point on the Easterly right of way line of I-540 as established by AHTD Job 1534 Section 4; Thence South 03°22'03" West along said right of way line a distance of 20.00 feet to a point on the Northerly right of way line of the Arkansas Missouri Railroad; Thence North 87°13'17" West along said Railroad right of way line a distance of 205.91 feet to a point; Thence in a Westerly direction along said Railroad right of way line along a curve to the right having a radius of 2,834.79 feet a distance of 184.40 feet having a chord bearing of North 85°21'38" West a distance of 184.09 feet to a point on the Westerly right of way line of I-540 as established by AHTD Job 1534 Section 4; Thence North 11°12'01" East along said right of way a distance of 20.00 feet to the point of beginning of the 20 foot wide Trail Easement as referenced on sheets 7 and 7A of AHTD Job 1534 Section 4.

12/1/09 ras

NOW THEREFORE, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, the Director is authorized to execute an Airspace Permit authorizing the City of Bentonville, Benton County, Arkansas, to use the property described above for the purposes hereinabove set forth.

2010-011

WHEREAS, the City of Rogers, Benton County, Arkansas, (City) has requested an Airspace Permit to use certain highway right of way, located in the City of Rogers, and owned by the Commission, for the purpose of constructing a public pedestrian trail under the I-540 bridge over Blossom Way Creek; and

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

Airspace Permit

20' Trail Easement

Part of the Southeast Quarter of the Northwest Quarter of Section 27, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows:

Commencing at a 1 1/2 inch Aluminum AHTD monument on the Southwesterly right of way line of Interstate 540, said point being 139.78 feet left of and perpendicular to centerline Station 764+88.88 as established by AHTD Job 1534 Sec. 3; thence South 28° 30' 06" East along said right of way line a distance of 67.10 feet to the POINT of BEGINNING of the Airspace Permit; thence South 60° 46' 45" East a distance of 104.32 feet to a point; thence North 80° 31' 55" East a distance of 221.34 feet to a point; thence North 59° 38' 39" East a distance of 26.76 feet to a point a point on the Northeasterly right of way line of Interstate 540 as established by AHTD Job 1534 Sec. 3; thence South 30° 21' 11" East along said right of way line a distance of 20.00 feet to a point; thence South 59° 38' 39" West a distance of 30.44 feet to a point; thence South 80° 31' 55" West a distance of 232.05 feet to a point; thence North 60° 46' 45" West a distance of 79.75 feet to a point on the Southwesterly right of way line of Interstate 540 as established by AHTD 1534 Sec. 3; thence North 28° 30' 06" West along said right of way line a distance of 37.45 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 1534 Sec. 3 Sheet 7A.

jhk 4/28/09

NOW THEREFORE, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, the Director is authorized to execute an Airspace Permit authorizing the City of Rogers, Benton County, Arkansas, to use the property described above for the purposes hereinabove set forth.

2010-012

WHEREAS, IN CLAY COUNTY, the City of Corning has requested that the Department transfer maintenance of 0.06 mile of Highway 980, Section 6 to the City; and

WHEREAS, this portion of Highway 980, Section 6 is no longer needed for highway purposes.

2010-012 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the last 0.06 mile of Highway 980, Section 6 is hereby released to Clay County and the right-of-way is declared surplus and removed from the State Highway System as shown on the attached sketch.

2010-013 WHEREAS, IN MISSISSIPPI COUNTY, on Interstate 55, Section 12, from south of Highway 61 to north of Highway 18, a distance of approximately 5.0 miles, the need for roadway improvements has been determined.

NOW THEREFORE, the Director is authorized to proceed with a project for needed improvements to this section of Interstate as funds become available.

2010-014 WHEREAS, the Consolidated Security, Disaster Assistance and Continuing Appropriations Act of 2009 provides Federal-aid funds to repair and rehabilitate Class II and Class III railroad infrastructure damaged by hurricanes, floods and natural disasters in areas declared Federal disaster zones after January 1, 2008; and

WHEREAS, the Federal Railroad Administration 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, storm related damage has occurred to the Caddo Valley Railroad rail line, a Class III railroad, during the identified disaster declaration period.

NOW THEREFORE, the Director is authorized to provide technical assistance to the Caddo Valley Railroad for the preparation of an RRRG application and to submit the application on behalf of the Caddo Valley Railroad.

2010-015

WHEREAS, the Helena-West Helena Welcome Center, located at a key entry point to the State, has exceeded its design life; and

WHEREAS, this facility is maintained by the Arkansas State Highway and Transportation Department and operated by the Department of Parks and Tourism; and

WHEREAS, a plan jointly developed by the Departments has been implemented to replace eight other welcome centers in a size and design more appropriate to provide motorists with certain services and assistance and to promote tourism; and

WHEREAS, it is desired that the Helena-West Helena facility be replaced.

NOW THEREFORE, the Director is authorized to procure the services of an architectural firm and to proceed with the development of a new Helena/West Helena Welcome Center as funds become available.

2010-016

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 20, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110505	01	CRITTENDEN	HWY. 70-I-40 (WEST MEMPHIS) (S)	118	Y
020426	02	CHICOT	FAIRVIEW-TOURIST INFORMATION CENTER (S)	65	Y
020478	02	JEFFERSON	HWY. 65B TRAFFIC SIGNALS (PINE BLUFF) (S)	VARIOUS	Y
040488	04	POLK	CO. RD. 16-HWY. 246 (PASSING LANE) (S)	71	Y
040528	04	SEBASTIAN	HWY. 271/HARVARD AVE. SIGNAL & INTERS. IMPVTS. (FORT SMITH) (S)	271	Y
050197	05	WHITE	HWY. 16/HOLMES RD. SIGNAL (SEARCY) (S)	16	Y
050208	05	WHITE	HWY. 67B/HWY. 31/HWY. 367 SIGNAL (BEEBE) (S)	67B, 31 & 367	Y
050220	05	INDEPENDENCE	HWY. 157-SOUTH (REHAB.) (S)	167	Y
061176	06	PULASKI	HWY. 176-MARYLAND AVE. (BROCKINGTON RD.) (SHERWOOD) (F)	---	-
061177	06	PULASKI	KIEHL AVE.-HWY. 440 (F)	67	Y

2010-016 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
061240	06	PULASKI	HWY. 100/VESTAL BLVD. SIGNAL (NLR) (S)	100	Y
070324	07	CLARK	I-30/HWY. 7 SIGNALS (CADD VALLEY) (S)	30, 7 & 67	Y
080321	08	POPE	PRAIRIE CREEK STR. & APPRS. (N. KNOXVILLE AVE.) (RUSSELLVILLE) (S)	---	-
080371	08	FAULKNER	I-40-SQUIRREL HILL (REHAB.) (S)	64	Y
090207	09	BENTON	HWY. 112/HWY. 264 E. SIG. & INTERS. IMPVTS. (CAVE SPRINGS) (S)	112 & 264	Y
090261	09	BENTON	HWY. 279/HWY. 340/HIGHLANDS BLVD. SIGNAL (BELLA VISTA) (S)	279 & 340	Y
FA1209	05	CLEBURNE	WILBURN-NORTH (REHAB.) (S)	---	-
FA2908	03	HEMPSTEAD	HWY. 278-HWY. 174 (REHAB.) (S)	---	-
SA3263	05	INDEPENDENCE	HWY. 25-HWY. 230 (SURFACING) (S)	---	-
BR4012	02	LINCOLN	OAKWOOD BAYOU STR. & APPRS. (S)	---	-
SA6248	06	SALINE	AVILLA-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 Richard Branch served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of sixteen years, nine months and twenty-seven days; and

WHEREAS, Corporal Branch retired from the Department on November 4, 2009; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Corporal Branch 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 January 20, 2010, 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 Richard Branch to purchase his Glock Model 22, .40 caliber duty pistol, serial number 092AHP.

RESOLUTION

WHEREAS, Sergeant Raymond L. Davis served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of twenty-five years, six months and fourteen days; and

WHEREAS, Sergeant Davis retired from the Department on December 8, 2009; and

RESOLUTION - Continued

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, Sergeant Davis 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 January 20, 2010, 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 Raymond L. Davis to purchase his Glock Model 22, .40 caliber duty pistol, serial number 045AHP.

RESOLUTION

WHEREAS, 1LT Ronnie Elmore served the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department for a period of thirty-two years and twenty-seven days; and

WHEREAS, 1LT Elmore retired from the Department on April 28, 2006; and

WHEREAS, his service to the Arkansas Highway Police Division is recognized by the Arkansas State Highway Commission; and

WHEREAS, 1LT Elmore 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 January 20, 2010, at the Arkansas State Highway and Transportation Department, in accordance with Act 2244 of 2005 and Commission Minute Order No. 2008-034, hereby authorizes 1LT Ronnie Elmore to purchase his Glock Model 22, .40 caliber duty pistol, serial number 196AHP.

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 negotiations with TranSystems of St. Louis, MO, to provide the Statewide Public Transportation Needs Assessment.

2010-017

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., January 20, 2010.

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 20, 2010.

Lindy H. Williams
Commission Secretary

2010-020 - Continued

NOW THEREFORE, the Director is hereby authorized to provide the funds to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FUTHERMORE, 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.

2010-021

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) includes Federal-aid funds for transportation enhancements; and

WHEREAS, the Highway Commission has periodically accepted applications for these funds under the Transportation Enhancement Program; and

WHEREAS, it has been determined that sufficient funding is available to initiate another round of applications.

NOW THEREFORE, the Director is authorized to request applications for funding from other state and local government agencies under the Transportation Enhancement Program.

2010-022

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.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing and rehabilitation program for 2010 in an amount of \$50 million.

2010-023

WHEREAS, all of Arkansas' American Recovery and Reinvestment Act of 2009 (ARRA) funds were obligated by the March 2, 2010 deadline; and

WHEREAS, the ARRA contains a provision that allows states to make adjustments in ARRA obligations between March 2, 2010 and September 30, 2010 if a portion of the obligated ARRA funds are not needed due to final costs or let amounts being less than obligated amounts; and

WHEREAS, the Department has a need to release a portion of obligated ARRA funds and to reobligate those funds for other projects; and

WHEREAS, Section 1511 of the ARRA 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.

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.

2010-024

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 2010-2013 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.

2010-025

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 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 communities with regard to long-term maintenance costs; and

WHEREAS, the Arkansas Energy Office will provide funding for this upgrading program.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the Arkansas Energy Office to implement this signal upgrade program for communities.

2010-026

WHEREAS, some state highways are posted for weight restrictions below the maximum weight limits allowed by State law; and

WHEREAS, the "Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways" to accommodate non-divisible overweight loads by permit was developed and implemented in 2008; and

WHEREAS, a recent evaluation has determine that new values for the Roadway Maintenance Assessment payments by the permit applicants are warranted to recover damage costs on the weight restricted highways.

NOW THEREFORE, the Director is authorized to enter into new agreements with permit applicants and to implement the new values for the Roadway Maintenance Assessment schedule. The new agreements shall be in effect until December 31, 2010.

2010-027

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 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 market value of the pistol will be determined and certified, in writing, by the Chief of the Highway Police Division.
5. Minimum service may be waived under extenuating circumstances.
6. This policy will be applicable to pistols purchased pursuant to AHC Minute Order 2002-132.

NOW THEREFORE, the Director is authorized to implement this policy and procedure consistent with this Minute Order.

WHEREAS, IN CARROLL COUNTY, Job 009932, Leatherwood Creek Structure and Approaches, is complete and the new portion of roadway is open to traffic; and

WHEREAS, the bypassed portion of Highway 62, Section 3 is no longer needed for highway purposes.

2010-028 - Continued

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 3 that was bypassed by Job 009932 is hereby released to Carroll County and the right-of-way is declared surplus and 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 62, Section 3.

2010-029

WHEREAS, IN SEBASTIAN COUNTY, Job 040344, Hwy. 45 Realignment, is complete and the new portions of roadway are open to traffic; and

WHEREAS, the bypassed portions of Highway 45, Section 1 are no longer needed for highway purposes.

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 portions of Highway 45, Section 1 that were bypassed by Job 040344 are hereby released to Sebastian County and the right-of-way is declared surplus and removed from the State Highway System.
- The newly constructed portions of roadway are hereby added to the State Highway System as a part of Highway 45, Section 1.

2010-030 WHEREAS, Minute Order 2005-081 authorized a study of a northern bypass for the City of Nashville in response to a request by local officials who had expressed concern about truck traffic near the school campuses; and

 WHEREAS, the Nashville Northern Bypass Study has been prepared that included an analysis of possible bypass facilities and the evaluation of improving Highway 371 through the City.

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

2010-031 WHEREAS, Minute Order 2003-192 authorized a study to determine the need for and feasibility of constructing a highway overpass over a rail line of the BNSF Railway in the vicinity of the existing Highway 69 underpass in Trumann; and

 WHEREAS, the Highway 69 Railroad Crossing Improvement Feasibility Study (Trumann) has been prepared that included an analysis of a possible highway overpass location and evaluation of an at-grade crossing of the rail line.

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

2010-032 WHEREAS, IN BENTON COUNTY, on Highway 264, Section 1, from Highway 71B to Highway 265, in Springdale, a distance of approximately 1.4 miles, traffic volumes continue to increase; and

 WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this segment of Highway 264 as funds become available.

2010-033 WHEREAS, IN CONWAY COUNTY, on Highway 95, Section 1, the East Fork Point Remove Creek structure and approaches were constructed at an elevation higher than the adjacent roadway; and

2010-033 - Continued

WHEREAS, north and south of East Fork Point Remove Creek, a total distance of approximately 0.8 mile, the existing roadway is subject to flooding and the need exists for grade improvements to raise the elevation of this roadway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this segment of Highway 95 as funds become available.

2010-034

WHEREAS, IN CONWAY COUNTY, on Highway 95, Section 1, the Overcup Creek structure and approaches were constructed at an elevation higher than the adjacent roadway; and

WHEREAS, north and south of Overcup Creek structure and approaches, a total distance of approximately 1.2 miles, the existing roadway is subject to flooding and the need exists for grade improvements to raise the elevation of the roadway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to improve this segment of Highway 95 as funds become available.

2010-035

WHEREAS, IN FAULKNER COUNTY, on Interstate 40, Section 32, from Highway 65 in Conway to the Pulaski County line, a distance of approximately 13.25 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of projects to widen this segment of Interstate 40 as funds become available.

2010-036

WHEREAS, Minute Order 2008-151 authorized the Director to purchase credits from Mitigation Areas that have been approved by the Corps of Engineers; and

2010-036 - Continued

WHEREAS, Individual Section 404 permit MVK 2009-00190 issued to the Department for construction of Future I-49 from the Louisiana State line to Doddridge in Miller County requires 87.7 wetland mitigation credits and 39,261 stream mitigation credits; and

WHEREAS, the Maniece Bayou Mitigation Bank, owned and operated by Mitigation Strategies, LLC, was approved by the Corps of Engineers to dispense wetland mitigation credits; and

WHEREAS, the Maniece Bayou Mitigation Bank is the only wetland mitigation bank site currently available with its primary geographic use within the impact area of Future I-49 in Miller County; and

WHEREAS, Mitigation Strategies, LLC has submitted an addendum for the Maniece Bayou Mitigation Bank to the Corps of Engineers for review and approval to allow future sale of stream mitigation credits.

NOW THEREFORE, the Director is authorized to purchase 87.7 wetland mitigation credits and, upon final approval by the Corps of Engineers, 39,261 stream mitigation credits from the Mitigation Strategies, LLC Maniece Bayou Mitigation Bank.

2010-037

WHEREAS, IN POPE COUNTY, on Highway 326, Section 2, from Hob Nob Road to Highway 124, a distance of approximately 0.45 mile, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway; and

WHEREAS, the City of Russellville has expressed interest in partnering with the Department in a project to widen the existing route.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this segment of Highway 326 as funds become available.

2010-037 - Continued

FURTHERMORE, this project is subject to the City of Russellville entering a partnering agreement with the Department and to receipt of the City's share of funding as provided for in the agreement.

2010-038 WHEREAS, IN STONE COUNTY, on Highway 66, Section 2, from Mountain View west, a distance of 3.0 miles, traffic volumes continue to increase; and

WHEREAS, the capacity and safety of this section of highway would be improved by the construction of passing lanes.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a passing lane project for this segment of Highway 66 as funds become available.

2010-039 WHEREAS, IN VAN BUREN COUNTY, on Highway 65, Sections 7 and 8, from Highway 16 East to Highway 65B South in Clinton, a distance of approximately 1.4 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project to widen this segment of Highway 65 as funds become available.

2010-040 WHEREAS, IN VAN BUREN COUNTY, on Highway 65, Section 8, from Highway 336 West to Van Buren County Road 28 north of Damascus, a distance of approximately 9.3 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety of this section of highway.

2010-040 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of projects to widen this segment of Highway 65 as funds become available.

2010-041

WHEREAS, routine inspection of overhead sign structures and supports in the Little Rock area has revealed that the following four sign structures are experiencing deterioration and are in need of repair; and

Signs	Location
OH-030-60-09	I-30 eastbound near Roosevelt Road Interchange
OC-065-60-07	I-530 northbound at I-30 interchange
OH-440-60-02	I-440 eastbound and westbound at Springer Boulevard Interchange
OH-440-60-20	I-440 westbound at Springer Boulevard Interchange

WHEREAS, these signs are needed to provide important information to the motoring public; and

WHEREAS, repair of these structures is beyond the scope of routine maintenance.

NOW THEREFORE, the Director is authorized to proceed with a contract to repair these structures as funds become available.

2010-042

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the March 10, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110488	01	CRITTENDEN	ARKANSAS WELCOME CENTER (WEST MEMPHIS) (F)	40	Y
110514	01	CRITTENDEN	TEN MILE BAYOU CUTOFF DITCH STR. & APPRS. (CoE) (S)	147	Y
110517	01	CRITTENDEN	I-40 RAMP RELOCATIONS (WEST MEMPHIS) (F)	40	Y
030152	03	HEMPSTEAD	HOPE-EMMET STRS. & APPRS. (S)	67	Y
030323	03	NEVADA	TERRE ROUGE CREEK STR. & APPRS. (S)	24	N

2010-042 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030348	03	HEMPSTEAD & LAFAYETTE	LEWISVILLE-HOPE (PASSING LANES) (S)	29	Y
040026	04	CRAWFORD	HURRICANE CR. & COUCH BRANCH STRS. & APPRS. (S)	282	N
050188	05	WHITE	PANGBURN-SEARCY (PASSING LANES) (S)	16	Y
050206	05	CLEBURNE	HWY. 25/HWY. 124 SIGNAL (QUITMAN) (S)	25 & 124	Y
061216	06	HOT SPRING	MALVERN DOWNTOWN SIGNALS REHAB. (S)	VARIOUS	Y
080307	08	FAULKNER	VILONIA BYPASS (BS. & SURF.) (S)	64	Y
080358	08	VAN BUREN	HWY. 65/HWY. 16 EAST SIGNAL (CLINTON) (S)	65 & 16	Y
100642	10	CRAIGHEAD	HWY. 67-CASH BYPASS (F)	226	Y
SA2540	05	FULTON	BEXAR-EAST (UNION RD.) (SURFACING) (S)	---	-
SA3845	10	LAWRENCE	LAWRENCE CO. OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA6043	06	PULASKI	HWY. 5-WEST (OVERLAY) (S)	---	-
SA7130	08	VAN BUREN	HWY. 16-SOUTH FORK USE AREA (RESEAL) (S)	---	-
FA7516	08	YELL	KINGSTON-HWY. 28 (PHASE 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

2010-042 - 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 John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Alliance Transportation Group, Inc., Austin, TX, to provide the Statewide Transportation Travel Demand Model Development.

2010-043

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., March 10, 2010.

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 10, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 13, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 13, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2010-044 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., April 13, 2010.

2010-045 WHEREAS, the Purchasing Committee has awarded purchases on March 4, 19 and 24, 2010, in the amounts of \$371,461.51, \$346,834.64, and \$138,232.50, respectively, totaling \$856,528.65, 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.

2010-046 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

2010-046 - Continued

WHEREAS, the Arkansas Good Roads 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 Transportation Council for its public information and education services for calendar year 2010.

2010-047

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.

2010-048

WHEREAS, the Research Correlation Service of the Transportation Research Board (TRB), 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 TRB's core activities; and

2010-048 - Continued

WHEREAS, the Department's participation rate has been approved by the American Association of State Highway and Transportation Officials' member states 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 for Fiscal Year 2011 and to enter into such agreements as necessary to fulfill the Department's commitment to this important program.

2010-049

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 Environmental Protection Agency is continuing to raise air quality standards, which puts increasing pressure on local jurisdictions to address air quality issues in order to receive Federal transportation funding; and

WHEREAS, through adoption of their 2010-2013 Transportation Improvement Programs, the Central Arkansas Regional Transportation Study (CARTS) and the West Memphis-Marion Area Transportation Study (WMATS) have indicated the continuing need for CMAQ funding for their air quality planning efforts with matching funds provided by 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.

2010-049 - Continued

NOW THEREFORE, the Director is authorized to provide CMAQ funds for use by CARTS and WMATS up to an annual amount of \$186,000 through FY 2013, to enter into appropriate interagency agreements, and to participate in coordination activities for air quality planning.

2010-050 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 funding for the Federal Recreational Trails Program has been extended through Calendar Year 2010.

NOW THEREFORE, the Director is authorized to solicit applications for Recreational Trails Program funding for 2010.

2010-051 WHEREAS, pursuant to Section 12 of Act 1027 of 1999, codified as Arkansas Code Annotated §27-64-212, the Commission is authorized to refund GARVEE bonds previously issued provided, however, that the total amount of bonds outstanding after the refunding or advance refunding is complete, does not exceed the \$575 million authorized under the Act; and

WHEREAS, the bond market is currently favorable to generate additional cash for the Department with the refunding or advance refunding of GARVEE bonds; and

WHEREAS, pursuant to Sections 8 and 9 of Act 1027 of 1999, codified as Arkansas Code Annotated §27-64-209, the Commission is authorized to sell bonds in such manner, either at a private or public sale, and upon such terms as the Commission shall determine to be reasonable and expedient for effecting the purposes of the Act; and

WHEREAS, on March 12, 2010, Stephens, Inc. submitted an unsolicited proposal to issue bonds to refund or advance refunding previously issued bonds and its proposal is considered to be an appropriate financial transaction that will yield additional revenue to the Department; and

WHEREAS, no other entity has submitted a proposal; and

WHEREAS, pursuant to Sections 8 and 9 of Act 1027 of 1999, codified as Arkansas Code Annotated §27-64-209, the Commission is authorized to retain such professionals as it deems necessary to accomplish the issuance and sale of the bonds;

NOW THEREFORE, the Director is authorized to negotiate with Stephens, Inc. for the refunding and advance refunding of the 2000, 2001, and 2002 GARVEE bonds.

FURTHERMORE, the Director is authorized to work with Stephens, Inc. to select a trustee for the issuance of refunding and advance refunding bonds.

FURTHERMORE, the Director is authorized to use the First Southwest Company, the price adviser for the Arkansas Development Finance Authority, for the issuance of refunding and advance refunding bonds, as necessary.

FURTHERMORE, since the Commission previously approved the Friday Eldredge and Clark Law Firm as bond counsel, the Director is authorized to continue to retain the services of the Friday Eldredge and Clark Law Firm as bond counsel for the refunding and advance refunding bonds.

WHEREAS, Arkansas State Highway Commission Rule 17.1 prescribes the general safety requirements for motor vehicles operating under the jurisdiction of the Commission; and

WHEREAS, revisions to the Federal Motor Carrier Safety Regulations (FMCSRs), require Rule 17.1 to be updated to ensure compliance with current federal regulations; and

2010-052 - Continued

WHEREAS, non-compliance with the FMCSRs could result in reduced Motor Carrier Safety Assistance Program (MCSAP) funding to the Arkansas Highway Police Division.

NOW THEREFORE, the Arkansas State Highway Commission hereby revises and adopts Rule 17.1 in accordance with Attachment A attached hereto and authorizes the Director to take the necessary steps to publish said rule.

2010-053

WHEREAS, the Arkansas State Highway Commission (Commission) owns an exclusive permanent easement 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 easement as described on Exhibit "A" attached hereto and made a part hereof by reference is 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 requested that the permanent easement described in Exhibit "A" be amended to provide, inter alia, Mathews the "right" to use the easement in conjunction with the development of a McDonald's Restaurant on the property; and

WHEREAS, the District Engineer for District 9 has reviewed the current permanent easement and the proposed modifications requested by Mathews and has opined that the proposed modifications will not unduly inhibit the Commission's use of said easement to access its highway bridge spanning the Kansas City Southern Railroad, which said proposed modification of the Commission's current easement is attached hereto as Exhibit "B".

2010-053 - Continued

NOW THEREFORE, the terms and conditions contained in the Commission's permanent easement dated April 1, 2006, and recorded as Document No. 2006 20074 in the real estate records of Benton County, Arkansas, are hereby modified as reflected in Exhibit "B" to this Minute Order. A copy of the Permanent Easement Modification Agreement, Exhibit "B", and this Minute Order shall be recorded in the real estate records of Benton County, Arkansas.

2010-054

WHEREAS, IN BOONE COUNTY, Jobs 090002 and 090003, Burlington – Bear Creek Springs, are complete and the new portions of roadway are open to traffic; and

WHEREAS, the bypassed portions of Highway 65, Section 1 are no longer needed for highway purposes.

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 portions of Highway 65, Section 1 that were bypassed by Jobs 090002 and 090003 are hereby released to Boone County and the right-of-way is declared surplus and removed from the State Highway System.
- The newly constructed portions of roadway are hereby added to the State Highway System as a part of Highway 65, Section 1.

2010-055

WHEREAS, IN LONOKE COUNTY, Arkansas Department of Parks & Tourism intends to restrict access to staff members only of the last 0.04 mile of Highway 386, Section 2 at the Toltec Mounds Archeological State Park; and

WHEREAS, Arkansas Department of Parks & Tourism has requested that the Department remove this portion of Highway 386 from the State Highway System.

2010-055 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the last 0.04 mile of Highway 386, Section 2 is hereby removed from the State Highway System as shown on the attached sketch.

2010-056 WHEREAS, IN WASHINGTON COUNTY, the Institutional Drive System maintained by the Department at the University of Arkansas 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 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 4.69 miles, are hereby to be maintained by the Department as State Highway 873, Section 1.

2010-057 WHEREAS, the City of Rogers has proposed to construct the West Fir Street Overpass over Interstate 540 in an area between the New Hope Road and Highway 71B interchanges; and

WHEREAS, the City will be responsible for the design and construction of the project.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements for the development of this project subject to the following conditions:

- 1) Approval must be granted by the Federal Highway Administration for modifications to the control of access.
- 2) Neither the Commission nor the Department will have any responsibility for project costs.

2010-057 - Continued

- 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.

2010-058

WHEREAS, IN FAULKNER COUNTY, on Interstate 40, Section 32, the City of Conway has identified a need for a new southern interchange to provide a connection to the proposed Conway Western Loop; and

WHEREAS, the City of Conway and the Department have agreed to partner on a project from Interstate 40 to Highway 365, including an overpass of the Union Pacific Railroad and a connection to the Conway Western Loop; and

WHEREAS, the City of Conway has committed to provide 50% of project costs of this new interchange and connection.

NOW THEREFORE, the Director is authorized to proceed with surveys, environmental clearance, plans, and construction of the new south interchange and connection to the Conway Western Loop as funds become available.

2010-059

WHEREAS, IN GARLAND AND SALINE COUNTIES, on Highway 5, Sections 6 and 7, Hot Springs Village has requested a study to determine the need for and feasibility of improvements to Highway 5 from Hot Springs Village to Benton.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to Highway 5 from Hot Springs Village to Benton.

2010-060

WHEREAS, IN WASHINGTON COUNTY, Highway 170 from Highway 62 in Farmington to Highway 62 near Prairie Grove is an important collector route that is experiencing growth in traffic volumes as the area continues to develop; and

WHEREAS, local officials have expressed concern that the existing highway cannot safely and adequately handle increased traffic.

NOW THEREFORE, the Director is authorized to conduct a study of needed improvements to Highway 170 from Highway 62 in Farmington to Highway 62 near Prairie Grove.

2010-061

WHEREAS, IN CLEBURNE COUNTY, Highway 124, Section 8, IN FAULKNER COUNTY, Highway 124, Section 9; and IN WHITE COUNTY, Highway 124, Section 10; a distance of approximately 7.94 miles, is vital to the movement of traffic and goods; and

WHEREAS, it has been determined that this section of highway is in need of improved shoulders to enhance safety and improved drivability; and

WHEREAS, it has been determined that these improvements can be done utilizing maintenance forces.

NOW THEREFORE, the Director is authorized to proceed with plans and construction to widen and provide asphalt paved shoulders as funds become available.

2010-062

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 13, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110517	01	CRITTENDEN	I-40 RAMP RELOCATIONS (WEST MEMPHIS) (F)	40	Y
110537	01	CROSS	CHERRY VALLEY-POINSETT CO. LINE (OVERLAY) (S)	1	Y
110538	01	ST. FRANCIS	HWY. 1B-CALDWELL (OVERLAY) (S)	1	Y
020502	02	ASHLEY	DREW CO. LINE-SOUTH (SEL. SECS.) (OVERLAY) (S)	425	Y
020504	02	GRANT	HURRICANE CREEK-EAST (OVERLAY) (S)	270	Y

2010-062 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030382	03	SEVIER	DEQUEEN-KING (OVERLAY) (S)	71	Y
030383	03	LITTLE RIVER	FOREMAN-NORTH & SOUTH (OVERLAY) (S)	41	Y
040487	04	SEBASTIAN	HWY. 255-HWY. 96 (S)	22	Y
040563	04	SEBASTIAN	HWY. 10-HWY. 10S (OVERLAY) (S)	71	Y
040565	04	SCOTT	HWY. 272-SOUTH & NORTH (WALDRON) (OVERLAY) (S)	71	Y
050164	05	STONE	BRANCH OF MILL CREEK STR. & APPRS. (S)	263	N
050191	05	INDEPENDENCE	HWY. 167 SIGNALS REHAB. (BATESVILLE) (S)	167	Y
050223	05	FULTON	HWY. 223-EAST (OVERLAY) (S)	62	Y
050224	05	WHITE	HWY. 67B-WEST (SEARCY) (OVERLAY) (S)	36	Y
061270	06	PULASKI	PIKE AVE.-POPLAR ST. (NLR) (OVERLAY) (S)	365 & 70	Y
061271	06	PULASKI	CO. RD. 89-FAULKNER CO. LINE (OVERLAY) (S)	107	Y
061272	06	PRAIRIE	HWY. 38-LEVEE (DES ARC) (OVERLAY) (S)	323	N
070339	07	CALHOUN	HARRELL-BRADLEY CO. LINE (OVERLAY) (S)	278	Y
070341	07	BRADLEY	HWY. 63-WEST & MORO BAY-OUACHITA RIVER (OVERLAY) (S)	278 & 63	Y
080320	08	JOHNSON	CABIN CREEK STR. & APPRS. (ELBERTA ST.) (LAMAR) (S)	---	-
080359	08	FAULKNER	HWY. 60/COUNTRY CLUB RD. SIGNAL (CONWAY) (S)	60	Y
080372	08	POPE & YELL	HWY. 22-NORTH (OVERLAY) (S)	7	Y
090275	09	BENTON	WASHINGTON CO. LINE-WEST (OVERLAY) (S)	412	Y
090277	09	MADISON	FRANKLIN CO. LINE-NORTH (OVERLAY) (S)	23	Y
100718	10	CRAIGHEAD	HWY. 463 (JONESBORO)-HWY. 463 (BAY) (OVERLAY) (S)	63	Y
SA0348	09	BAXTER	BAXTER COUNTY RESEAL NO. 9 (S)	---	-

2010-062 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA2445	04	FRANKLIN	FRANKLIN CO. BASE & SURFACING (SEL. SECS.) (S)	---	-
SA2857	10	GREENE	HWY. 141-EAST (SEL. SEC.) (OVERLAY) (S)	---	-
SA3262	05	INDEPENDENCE	INDEPENDENCE CO. LEVELING AND RESEAL NO. 4 (S)	---	-
SA4038	02	LINCOLN	CO. RD. 12-CLEVELAND CO. LINE (BASE & SURFACING) (S)	---	-
SA5337	08	PERRY	HWY. 60-CO. RD. 42 (SURFACING) (S)	---	-
SA6334	04	SCOTT	SCOTT COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA7378	05	WHITE	CO. RD. 26-BASE & SURFACING (SEL. SEC.) (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

2010-062 - Continued

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 Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with The Benham Companies, LLC of Lowell, AR, to provide Architectural and Engineering Services for the proposed Arkansas Welcome Center at Helena-West Helena.

2010-063

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., April 13, 2010.

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 13, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 2, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 2, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Dick Trammel, Member

2010-064 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., June 2, 2010.

2010-065 WHEREAS, the Purchasing Committee has awarded purchases on April 5, 12 and 16, 2010, and May 3, 12 and 24, in the amounts of \$275,850.72, \$249,713.03, \$228,532.87, \$69,837.57, \$204,717.70, and \$74,304.00, respectively, totaling \$1,102,955.89, 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.

2010-066 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.

2010-066 - Continued

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

2010-067 WHEREAS, the collection of accurate traffic information is necessary for planning, designing, and maintaining highways; and

WHEREAS, the Department has entered into contracts to provide necessary traffic volume counts since 2002 and classification counts and turning movement counts since 2003; and

WHEREAS, work performed under these contracts, which will expire on December 31, 2010, 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, vehicle classification counts, and turning movement counts for the three calendar years 2011 through 2013.

2010-068 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

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.

2010-068 - Continued

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.

2010-069 WHEREAS, it is necessary for the Department to provide timely design services for selected projects in order to proceed with construction; and

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 contracts as needs are identified.

2010-070 WHEREAS, it is necessary for the Department to provide timely right of way acquisition services for selected projects in order to proceed with construction; and

WHEREAS, consultants are needed to supplement Department staff to assist in project delivery and legal proceedings.

NOW THEREFORE, the Director is authorized to request proposals, select a on-call consulting firm or firms, and enter into any necessary contracts and agreements to perform indefinite delivery of right of way acquisition services as needs are identified.

2010-071 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

2010-071 - Continued

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users has allocated funds for the OJT/SS Program; and

WHEREAS, the contract with an OJT/SS consultant has expired 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.

2010-072

WHEREAS, the severe storms, tornadoes, and flooding that began on October 29, 2009 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.

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 routes, and to request reimbursement for these activities from available Federal programs.

2010-073

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-aid State Planning and Research (SPR) funds and State funds identified in the State Planning and Research Work Program and Cost Estimate.

NOW THEREFORE, the Director is authorized to submit to the Federal Highway Administration and the Federal Transit Administration, to implement the SPR Work Program and Cost Estimate for Fiscal Year 2011, and enter into any necessary contracts and agreements.

2010-074

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 2009; and

WHEREAS, Minute Order 2009-106 authorized the solicitation of applications for Arkansas' 2009 SRTS Program; and

WHEREAS, the Department and the Arkansas SRTS Advisory Committee have reviewed the applications submitted and developed funding recommendations.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements and contracts with the projects' sponsors for the implementation of the projects included in the attached list.

2010-075

WHEREAS, all of Arkansas' American Recovery and Reinvestment Act of 2009 (ARRA) funds were obligated by the March 2, 2010 deadline; and

WHEREAS, the ARRA contains a provision that allows states to make adjustments in ARRA obligations between March 2, 2010 and September 30, 2010 if a portion of the obligated ARRA funds are not needed due to final costs or let amounts being less than obligated amounts; and

2010-075 - Continued

WHEREAS, the Department has released a portion of obligated ARRA funds and has a need to reobligate those funds for other projects; and

WHEREAS, Section 1511 of the ARRA 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.

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.

2010-076

WHEREAS, the natural gas exploration in the Fayetteville Shale has brought to Arkansas significant economic activity; and

WHEREAS, the methods used in drilling wells and extracting gas from this rock formation requires heavy equipment and massive amounts of water and other material; and

WHEREAS, the movement of this equipment and material to and from the well sites has had an overwhelming destructive effect on the roadways within the counties located in the Fayetteville Shale area, and has caused far more damage to the highways than originally expected; and

WHEREAS, the historical resources of the Arkansas Highway and Transportation Department are inadequate to maintain the roadways in the area of this drilling activity; and

WHEREAS, many of the roadways are becoming impassable at times for the citizens of the state, and failure to maintain the roads is disruptive to the people of the area and will ultimately cost the state hundreds of millions of dollars to reconstruct after they are further damaged; and

WHEREAS, the Arkansas Legislature recently imposed an increased “severance tax” on natural gas and dedicated a portion of this revenue to the Arkansas Highway and Transportation Department, and though this increased severance tax has produced far less revenue than originally projected, it can best be used to attack the damage brought about through its production; and

WHEREAS, the Arkansas Highway Commission has determined that there is an immediate need to restore the highways in the Fayetteville Shale area before further destruction causes them to be totally impassable, and increases exponentially the cost of reconstruction.

NOW THEREFORE, the Director is authorized and directed to temporarily allocate the resources of the natural gas severance tax to the restoration and maintenance of the highways impacted by the natural gas exploration within the state.

2010-077

WHEREAS, the City of Rogers, Benton County, Arkansas, (City) has requested an Airspace Permit to use certain highway right of way, located in the City of Rogers, and owned by the Commission, for the purpose of constructing a public pedestrian trail under the I-540 bridge and ramps at Perry Road; and

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

Airspace Permit - 20’ Trail Easement-Perry Road

Part of the Northwest Quarter of the Northeast Quarter of Section 28 and the West half of the Southeast Quarter of Section 21, Township 19 North, Range 30 West, Benton County, Arkansas more particularly described as following:

The width of the Airspace permit for the Proposed I-540 Pedestrian Trail shall be 10.00 feet left and right of the following centerline description:

Commencing at a point on the Northeasterly right of way line of I-540 as established by AHTD Job 090180, said point being 692.14 feet right of and on a radial line to Construction Centerline Station 823+69.03; thence North $72^{\circ} 25' 38''$ West along said right of way line a distance of 20.57 feet to a point on the centerline of the proposed I-540 pedestrian trail for the point of beginning (said point being 680.93 feet right of and on a radial line to Construction Centerline Station 823+91.70); thence along said centerline the following courses; thence along an arc 1.10 feet to the right, having a radius of 50.00 feet, the chord of which is South $00^{\circ} 38' 01''$ West for a distance of 1.10 feet; thence South $01^{\circ} 15' 59''$ West a distance of 64.84 feet; thence along an arc 8.69 feet to the right, having a radius of 70.00 feet, the chord of which is South $04^{\circ} 49' 30''$ West for a distance of 8.69 feet; thence South $07^{\circ} 59' 08''$ West a distance of 150.96 feet; thence along an arc 71.13 feet to the left, having a radius of 90.00 feet, the chord of which is South $15^{\circ} 15' 58''$ East for a distance of 69.29 feet; thence South $37^{\circ} 54' 23''$ East a distance of 50.17 feet; thence along an arc 49.74 feet to the right, having a radius of 50.00 feet, the chord of which is South $09^{\circ} 24' 32''$ East for a distance of 47.71 feet; thence South $19^{\circ} 05' 22''$ West a distance of 2.35 feet; thence along an arc 35.65 feet to the right, having a radius of 45.22 feet, the chord of which is South $45^{\circ} 08' 31''$ West for a distance of 34.73 feet; thence South $70^{\circ} 52' 21''$ West a distance of 182.01 feet; thence South $70^{\circ} 52' 42''$ West a distance of 17.01 feet; thence along an arc 34.22 feet to the left, having a radius of 45.48 feet, the chord of which is South $47^{\circ} 44' 23''$ West for a distance of 33.42 feet; thence South $27^{\circ} 47' 45''$ West a distance of 11.10 feet; thence along an arc 58.76 feet to the left, having a radius of 50.00 feet, the chord of which is South $05^{\circ} 52' 12''$ East for a distance of 55.44 feet; thence South $39^{\circ} 32' 14''$ East a distance of 9.98 feet; thence along an arc 13.29 feet to the left, having a radius of 95.51 feet, the chord of which is South $43^{\circ} 31' 22''$ East for a distance of 13.28 feet; thence South $47^{\circ} 30' 35''$ East a distance of 211.16 feet; thence along an arc 5.13 feet to the left, having a radius of 100.00 feet, the chord of which is South $48^{\circ} 58' 45''$ East for a distance of 5.13 feet; thence South $50^{\circ} 26' 52''$ East a distance of 201.30 feet; thence along an arc 8.70 feet to the left, having a radius of 100.00 feet, the chord of which is South $52^{\circ} 56' 23''$ East for a distance of 8.70 feet; thence South $55^{\circ} 25' 55''$ East a distance of 111.60 feet; thence along an arc 7.53 feet to the left, having a radius of 100.00 feet, the chord of which is South $57^{\circ} 35' 16''$ East for a distance of 7.52 feet; thence South $59^{\circ} 44' 36''$ East a distance of 60.57 feet; thence along an arc 13.08 feet to the right, having a radius of 100.00 feet, the

chord of which is South 55° 59' 48" East for a distance of 13.07 feet; thence South 52° 14' 58" East a distance of 52.55 feet; thence along an arc 91.85 feet to the right, having a radius of 130.00 feet, the chord of which is South 32° 00' 34" East for a distance of 89.95 feet; thence South 11° 46' 11" East a distance of 171.70 feet; thence along an arc 116.12 feet to the right, having a radius of 300.00 feet, the chord of which is South 00° 40' 53" East for a distance of 115.40 feet; thence South 11° 02' 13" West a distance of 161.21 feet; thence along an arc 35.07 feet to the right, having a radius of 100.00 feet, the chord of which is South 22° 40' 42" West for a distance of 34.89 feet; thence South 32° 43' 28" West a distance of 41.59 feet; thence along an arc 17.01 feet to the left, having a radius of 100.00 feet, the chord of which is South 27° 51' 10" West for a distance of 16.98 feet to a point on the Southwesterly right of way line of I-540 as established by AHTD Job 090180 (said point being 398.00 feet left of and on a radial line to Construction Centerline Station 810+71.10) and the end of the centerline of the proposed I-540 pedestrian trail as shown on plans and basis of bearing referenced as Sheet 6 AHTD Job 090180.

DP Rev 5/17/10 jhk

NOW THEREFORE, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, the Director is authorized to execute an Airspace Permit authorizing the City of Rogers, Benton County, Arkansas, to use the property described above for the purposes hereinabove set forth.

2010-078

WHEREAS, the City of Rogers, Benton County, Arkansas, (City) has requested an Airspace Permit to use certain highway right of way, located in the City of Rogers, and owned by the Commission, for the purpose of constructing a public pedestrian trail under the I-540 bridge and ramps at Pinnacle Hills Parkway/Horsebarn Road; and

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

Airspace Permit - 20' Trail Easement-Pinnacle Hills Parkway/Horsebarn Road

Part of the South half of the Southwest Quarter of Section 16, Township 19 North, Range 30 West, Benton County, Arkansas more particularly described as follows:

The width of the Airspace Permit for the Proposed I-540 Pedestrian Trail #1 shall be 10.00 feet left and right of the following centerline description.

Commencing at a point on the Westerly right of way line of Pinnacle Hills Parkway/ Horsebarn Road as established by AHTD Job 090165 said point being 90.00 feet left of and on a radial line to Construction Centerline Station 107+75.00; thence North 02° 50' 46" East along said right of way line a distance of 174.42 feet to a point on the centerline of the proposed I-540 Pedestrian Trail #1 for the point of beginning (said point being 89.52 feet left of and perpendicular to Construction Centerline Station 109+48.86 AHTD Job 090165); thence along said proposed I-540 Pedestrian Trail centerline the following courses; thence South 82° 28' 53" East along said centerline a distance of 46.87 feet to a point; thence South 87° 09' 43" East along said centerline a distance of 100.95 feet to a point; thence in a Southerly direction along said centerline on a curve to the right having a radius of 20.00 feet a distance of 31.40 feet, having a chord bearing of South 42° 11' 07" East a distance of 28.27 feet to a point; thence South 02° 47' 30" West along said centerline a distance of 7.23 feet to a point; thence in an Easterly direction along said centerline on a curve to the left, having a radius of 17.00 feet a distance of 26.87 feet having a chord bearing of South 42° 29' 01" East a distance of 24.16 feet to a point; thence South 87° 45' 31" East along said centerline a distance of 19.53 feet to a point; thence in a Southerly direction along said centerline on a curve to the right having a radius of 40.00 feet a distance of 50.69 feet having a chord bearing of South 51° 27' 16" East a distance of 47.37 feet to a point; thence South 15° 09' 01" East along said centerline a distance of 4.80 feet to a point; thence in an Easterly direction along said centerline on a curve to the left having a radius of 30.00 feet a distance of 37.35 feet having a chord bearing of South 50° 48' 59" East a distance of 34.98 feet to a point; thence South 86° 28' 57" East along said centerline a distance of 291.29 feet to a point; thence in a Northerly direction along said centerline on a curve to the left having a radius of 30.00 feet a distance of 17.03 feet, having a chord bearing of North 77° 15' 16" East a distance of 16.80 feet to a point ; thence North 60° 59' 29" East along said right of way line a distance of 108.63 feet to a point; thence in an Easterly direction along said centerline on a curve to the right, having a radius of 25.00 feet a distance of 13.40 feet having a chord bearing of North 76° 20' 45" East a distance of 13.24 feet to a point; thence South 88° 17' 59" East along said centerline a distance of 32.73 feet to a point; thence in a Southerly direction along said centerline on a curve to the right

having a radius of 25.00 feet a distance of 27.07 feet having a chord bearing of South 57° 16' 43" East a distance of 25.77 feet to a point; thence South 26° 15' 27" East along said centerline a distance of 71.25 feet to a point; thence in an Easterly direction along said centerline on a curve to the left having a radius of 25.00 feet a distance of 14.42 feet having a radius of 25.00 feet having a chord bearing of South 42° 46' 38" East for a distance of 14.22 feet to a point; thence South 59° 17' 48" East along said centerline a distance of 9.83 feet to a point and the end of the proposed I-540 Pedestrian Trail #1; said point being 47.87 feet left of and perpendicular to Construction Centerline Station 18+56.75 (AHTD Job 009985) and bases of bearing as shown on plans referenced as AHTD Job 090165, Sheets 6 and 7.

AND ALSO

Part of the South half of the Southwest Quarter of Section 16, Township 19 North; Range 30 West, Benton County, Arkansas more particularly described as follows:

The width of the Airspace Permit for the Proposed I-540 Pedestrian Trail #2 shall be 10.00 feet left and right of the following centerline description.

Commencing at a point on the Northerly right of way line of Highway 94 (New Hope Road) as established by AHTD Job 009985 said point being 112.54 feet left of and perpendicular to Construction Centerline Station 18+33.84; thence South 81° 33' 15" West a distance of 210.82 feet to a point on the centerline of the proposed I-540 Pedestrian Trail #2 (PC Station 6+16.97) and the point of beginning (said point being 71.47 feet left of and perpendicular to Construction Centerline Station 16+27.05 AHTD Job 009985); thence along said proposed I-540 Pedestrian Trail centerline the following courses; thence South 86° 28' 57" East along said centerline a distance of 59.97 feet to a point; thence along a curve 18.92 feet to the right, having a radius of 20.00 feet, the chord of which is South 59° 22' 32" East a distance of 18.23 feet; thence South 32° 16' 07" East along said centerline a distance of 7.97 feet to a point; thence along a curve 19.23 feet to the left, having a radius of 20.00 feet, the chord of which is South 59° 48' 49" East a distance of 18.50 feet to a point; thence South 87° 21' 31" East along said centerline a distance of 33.29 feet to a point and the end of the proposed I-540 Pedestrian Trail #2 said point being 47.24 feet left of and

perpendicular to Construction Centerline Station 17+57.43 (AHTD Job 009985) and bases of bearing as shown on plans referenced as Job 090165, Sheets 6 and 7.

AND ALSO

Part of the South half of the Southwest Quarter of Section 16, Township 19 North; Range 30 West, Benton County, Arkansas more particularly described as follows:

The width of the Airspace Permit for the Proposed I-540 Pedestrian Trail #3 shall be 10.00 feet left and right of the following centerline description.

Commencing at a point on the Southerly right of way line of Highway 94 (New Hope Road) as established by AHTD Job 009985 said point being 70.00 feet right of and perpendicular to Construction Centerline Station 26+00.00; thence South 04° 20' 36" West a distance of 96.34 feet to a point on the centerline of the proposed I-540 Pedestrian Trail #3 (PC Station 3+21.15) and the point of beginning (said point being 166.33 feet right of and on a radial line to Construction Centerline Station 25+99.99 AHTD Job 009985; thence along said proposed I-540 Pedestrian Trail centerline the following courses; thence North 37° 47' 38" West along said centerline a distance of 71.18 feet to a point; thence along a curve 27.08 feet to the left, having a radius of 95.00 feet, the chord of which is North 45° 57' 34" West a distance of 26.99 feet to a point; thence North 54° 07' 30" West along said centerline a distance of 53.47 feet to a point; thence along a curve 35.08 feet to the right, having a radius of 143.96 feet, the chord of which is North 43° 30' 46" West a distance of 34.99 feet to a point; thence along a curve 15.36 feet to the right, having a radius of 101.46 feet, the chord of which is North 32° 11' 48" West a distance of 15.34 feet to a point; thence North 27° 51' 39" West along said centerline a distance of 143.13 feet to a point and the end of the proposed I-540 Pedestrian Trail #3 said point being 76.69 feet left of and perpendicular to Construction Centerline Station 23+91.71 (AHTD Job 009985) and bases of bearing as shown on plans referenced as Job 090165, Sheets 6 and 7.

AND ALSO

2010-078 - Continued

Part of the South half of the Southwest Quarter of Section 16, Township 19 North; Range 30 West, Benton County, Arkansas more particularly described as follows:

The width of the Airspace Permit for the Proposed I-540 Pedestrian Trail #4 shall be 10.00 feet left and right of the following centerline description.

Commencing at a point on the Southerly right of way line of Highway 94 (New Hope Road) as established by AHTD Job 009985 said point being 70.00 feet right of and perpendicular to Construction Centerline Station 26+00.00; thence South $76^{\circ} 01' 25''$ West a distance of 76.22 feet to a point on the centerline of the proposed I-540 Pedestrian Trail #4 (PC Station 4+61.38) and the point of beginning (said point being 92.15 feet right and perpendicular to Construction Centerline Station 25+24.00 AHTD Job 009985); thence along said proposed I-540 Pedestrian Trail centerline the following courses; thence North $27^{\circ} 22' 30''$ East along said centerline a distance of 44.16 feet to a point; thence along a curve 16.85 feet to the right, having a radius of 15.00 feet, the chord of which is North $59^{\circ} 33' 39''$ East a distance of 15.98 feet to a point; thence South $88^{\circ} 15' 12''$ East a distance of 47.00 feet to a point; thence along a curve 7.67 feet to the left, having a radius of 5.00 feet, the chord of which is North $47^{\circ} 46' 39''$ East for a distance of 6.94 feet to a point, thence North $03^{\circ} 48' 30''$ East a distance of 7.36 feet to a point and the end of the proposed I-540 Pedestrian Trail #4 said point being 29.64 feet right of and on a radial line to Construction Centerline Station 26+09.89 (AHTD Job 009985) and bases of bearing as shown on plans referenced as Job 090165, Sheets 6 and 7.

DMP Rev 5/17/10 jhk

NOW THEREFORE, subject to and contingent upon the approval and concurrence of the Federal Highway Administration, the Director is authorized to execute an Airspace Permit authorizing the City of Rogers, Benton County, Arkansas, to use the property described above for the purposes hereinabove set forth.

2010-079

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 40 in fee from Thomas J. Kirk and Theresa A. Kirk, husband and wife, Grantors, for Job No. 100566, FAP No. NH-0028(34), Route 412, Section 9, Paragould-Big

Slough Ditch, Greene County, Arkansas, by Warranty Deed dated June 15, 2005, filed for record on July 1, 2005, as Document No. 200505985, in the Circuit Clerk's office of Greene County, Arkansas; and

WHEREAS, Thomas J. Kirk and Theresa A. Kirk have asked to repurchase Tract No. 40 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. 40 for SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00), which tract is more particularly described as follows:

Job 100566

Tract 40

Part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 17 North, Range 6 East, Greene County, Arkansas, more particularly described as follows:

Commencing at a computed point being used as the common corner of Sections 33 and 34; thence North 00° 16' 39" East along the East line of the Southeast Quarter of the Southeast Quarter of Section 33 a distance of 72.90 feet to a point; thence North 89° 43' 34" West a distance of 20.64 feet to a point on the Northerly right of way line of U.S. Highway 412 as established by AHTD Job 10662; thence South 89° 52' 50" West along said right of way line a distance of 143.22 feet to a point; thence South 89° 09' 28" West along said right of way line a distance of 115.97 feet to a point on the Northerly right of way line of U.S. Highway 412 as established by AHTD Job 100566 for the POINT OF BEGINNING; thence continue South 89° 09' 28" West along the Northerly right of way line of U.S. Highway 412 as established by AHTD Job 10662 a distance of 144.47 feet to a point on the Northerly right of way line of U.S. Highway 412 as established by AHTD Job 100566; thence North 60° 59' 09" East along said right of way line a distance of 22.11 feet to a point; thence South 86° 04' 05" East along said right of way line a distance of 125.42 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 100566.

jhk 4/29/09

2010-079 - Continued

NOW THEREFORE, the above-described property is declared surplus and upon receipt of the consideration of SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the above-described property to Thomas J. Kirk and Theresa A. Kirk; the Deed and a copy of this Minute Order shall be recorded in Greene 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.

2010-080 WHEREAS, IN CHICOT COUNTY, the State Park Access Road System maintained by the Department at Lake Chicot State Park was recently reviewed; and

WHEREAS, the review revealed new drives that 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 1.81 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 600, Section 16.

2010-081 WHEREAS, IN CRAWFORD COUNTY, Highway 282, Sections 2 and 3 currently form a tee intersection east of Interstate 540; and

WHEREAS, to avoid confusion, the Department typically does not designate highways in this manner; and

WHEREAS, the Department owns and maintains the roadway, locally known as Dollard Road, beginning at the junction with Highway 282, Section 3 and the southbound Interstate 540 ramps and continuing approximately 0.42 mile north to the end of pavement.

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.

2010-081 - Continued

- The portion of Highway 282, Section 3 beginning at the junction with Highway 282, Section 2 and continuing northwest to the southbound Interstate 540 ramps is hereby redesignated as Highway 282, Section 3 Spur.
- The portion of roadway known locally as Dollard Road beginning at the southbound Interstate 540 ramps and continuing north to the end of pavement is hereby added to the State Highway System as a part of Highway 282, Section 3 Spur.

2010-082

WHEREAS, IN JACKSON COUNTY, Job 050196, Hwy. 384 - Hwy. 18 Connector, is scheduled as a partnering project with the City of Newport to build a new location roadway; and

WHEREAS, the City of Newport and Jackson County are agreeable to the removal of a portion of Highway 17, Section 7 and a portion of Highway 224, Section 1 upon completion of the new location connector.

NOW THEREFORE, IT IS ORDERED that upon completion of Job 050196 and official notification by the Deputy Director and Chief Engineer, the following changes are hereby to be made to the State Highway System as shown on the attached sketch.

- The portion of roadway to be constructed by Job 050196 is hereby to be added to the State Highway System as Highway 267, Section 2.
- The portion of Highway 17, Section 7 beginning at the junction with Highway 14 and continuing north to the junction with Highway 18 is hereby to be removed from the State Highway System.
- The portion of Highway 224, Section 1 beginning at the junction with Highways 14 and 367 and continuing east to the junction with Highways 14 and 17 is hereby to be removed from the State Highway System.

2010-083

WHEREAS, IN SALINE COUNTY, the Institutional Drive System maintained by the Department at the Arkansas Youth Services Center Alexander Branch 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 another 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 1.41 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 835, Section 1.

2010-084

WHEREAS, Title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for 2010 has provided the Office of Secretary of Transportation with \$600 million for a second phase of the Transportation Investments Generating Economic Recovery (TIGER II) Discretionary Grants Program; and

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 remains 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 Bella Vista Bypass was awarded one of only 51 grants, out of over 1400 applications, under the first phase of the TIGER Discretionary Grants Program; and

WHEREAS, the \$10,000,000 awarded under the first phase of the TIGER Discretionary Grants Program is inadequate to complete funding for the Bella Vista Bypass.

NOW THEREFORE, the Director is authorized to prepare and submit the proposed Bella Vista Bypass as a candidate project for the TIGER II Discretionary Grants Program.

2010-085

WHEREAS, Title XII of the American Recovery and Reinvestment Act of 2009 provided the Office of the Secretary of Transportation (OST) with \$1.5 billion for a Transportation Investments Generating Economic Recovery (TIGER) Supplemental Discretionary Grants Program; and

WHEREAS, the Department submitted a joint application with the Missouri Department of Transportation for a TIGER Grant for the funding of the Bella Vista Bypass; and

WHEREAS, on February 17, 2010, the OST awarded \$10,000,000 to the Bella Vista Bypass; and

WHEREAS, in order to use the TIGER Grant funds, the OST requires the Department to enter into an agreement outlining the Department's funding commitment and a timeline for constructing, at a minimum, a section of independent utility of the Bypass.

NOW THEREFORE, the Director is authorized to enter into any agreements necessary to allow authorization of the use of TIGER Grant funds for the Bella Vista Bypass.

2010-086

WHEREAS, IN CLARK COUNTY, in the City of Gurdon along Highway 182, Section 0, a drainage study has revealed that flooding occurs in the Coffee Creek floodplain; and

WHEREAS, the flooding has affected properties upstream of the structures across Highway 182; and

WHEREAS, it has been determined that the flooding could be reduced by adding an additional drainage structure across Highway 182 in this area.

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

2010-087

WHEREAS, IN CRAIGHEAD COUNTY, on Highway 63, Sections 6 and 7, traffic congestion at the interchanges with Highways 49/1 (Stadium Boulevard), Caraway Road, Highway 1B (Harrisburg Road), and Highways 49/18 (Southwest Drive) in Jonesboro has contributed to a decreased level of service; and

WHEREAS, the Highway 63 Traffic Operations Study, adopted by Minute Order 2008-038, identified short-term and long-term improvements for each of these four Highway 63 interchanges that would relieve congestion and enhance safety; and

WHEREAS, Congress has earmarked over \$1.9 million of 100% federal funds that can be utilized to address the congestion at the above locations.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of a project(s) to make the necessary improvements utilizing the earmarked funds.

2010-088

WHEREAS, it has been determined that an improvement is warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with an improvement at the 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>
Craighead	Near Jonesboro	Hwy. 226	Union Pacific	Upgrade Signals and Install Gates

2010-089

WHEREAS, it has been determined that an improvement is warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with an improvement at the 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>
Crawford	Van Buren	Hwy. 59	Arkansas & Missouri	New Concrete Surface

WHEREAS, it has been determined that an improvement is 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 an improvement at the 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>
Desha	Near McGehee	Hwy. 1	Arkansas Midland	New Concrete Surface

2010-091

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 and stream impacts due to highway projects; and

WHEREAS, mitigation sites must be in the same geographic drainage area as the area of impact; and

WHEREAS, the Department does not have a wetland and stream mitigation banking site which services the Red River Drainage in the southwestern portion of the State; and

WHEREAS, wetland and stream mitigation are needed for the ongoing construction of Future I-49 in Miller County; and

WHEREAS, land is available in Miller County which could be developed by the Department as a mitigation bank.

NOW THEREFORE, the Director is authorized to proceed with planning to acquire and develop the Red Chute Bayou Mitigation Bank subject to approval by the Federal Highway Administration.

2010-092

WHEREAS, the Central Office Complex has two steam boilers, a 350 hp unit and a 140 hp unit, and both of these units are now at least 24 plus years of age; and

WHEREAS, these steam generated boilers have exceeded their serviceable life and are not as efficient as hot water boilers; and

WHEREAS, the boilers are the only source of heat for the Central Office building and the Planning building and are needed to provide continuous heating service through the coming seasons.

NOW THEREFORE, the Director is authorized to replace these steam boilers with new higher efficiency hot water boilers 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.

2010-093

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the June 2, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110539	01	CRITTENDEN	EDMONDSON-SOUTH (OVERLAY) (S)	147	Y
110545	01	WOODRUFF	HWY. 306-MONROE CO. LINE (OVERLAY) (S)	49	Y
110546	01	ST. FRANCIS	GOODWIN-EAST (OVERLAY) (S)	70	Y
020503	02	DESHA	HWY. 278-HWY. 4 (SEL. SECS.) (OVERLAY) (S)	1	N
020510	02	JEFFERSON	HWY. 104-HWY. 190 (SEL. SECS.) (OVERLAY) (S)	79B & 365	Y
020511	02	JEFFERSON	HWY. 425-UNION PACIFIC RR OVERPASS (OVERLAY) (S)	65	Y
030384	03	LAFAYETTE & MILLER	GARLAND CITY-EAST & WEST (SEL. SECS.) (OVERLAY) (S)	82	Y
030385	03	PIKE	NEWHOPE-EAST (OVERLAY) (S)	70	Y
030389	03	HOWARD	HWY. 278-HEMPSTEAD CO. LINE (OVERLAY) (S)	371	Y
030390	03	NEVADA	LITTLE TERRE ROUGE CREEK-NORTH (OVERLAY) (S)	67	Y
040563	04	SEBASTIAN	HWY. 10-HWY. 10S (OVERLAY) (S)	71	Y
040564	04	WASHINGTON	NORTH ST.-HWY. 265 (FAYETTEVILLE) (OVERLAY) (S)	45	Y
040566	04	POLK	CHERRY HILL-MONTGOMERY CO. LINE (OVERLAY) (S)	88	N
040567	04	LOGAN	PEDEE CREEK-HWY. 109 (OVERLAY) (S)	22	Y
040568	04	WASHINGTON	HWY. 156-I-540 (FAYETTEVILLE) (REHAB.) (S)	71	Y
040571	04	WASHINGTON	HWY. 170-I-540 (OVERLAY) (S)	62	Y
040572	04	FRANKLIN	I-40-NORTH (OVERLAY) (S)	23	Y
040573	04	CRAWFORD	HWY. 215-WEST (OVERLAY) (S)	64	Y
050225	05	SHARP	HWY. 175-HWY. 58E (OVERLAY) (S)	63	Y
050226	05	CLEBURNE	HWY. 5-HWY. 16 (OVERLAY) (S)	25	Y
050227	05	STONE	HWY. 9-EAST (OVERLAY) (S)	14	Y
050233	05	JACKSON	HWY. 226-NORTH (OVERLAY) (S)	67	Y
050234	05	WHITE	HWY. 310-HWY. 305 (OVERLAY) (S)	36	N
050235	05	IZARD	HWY. 69 SPUR-WEST (MELBOURNE) (OVERLAY) (S)	69	Y

2010-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
050236	05	INDEPENDENCE	HWY. 157-NORTH (OVERLAY) (S)	167	Y
061229	06	LONOKE	HWY. 67/5 INTCHNG. RAMP MODIFICATIONS (CABOT) (S)	67	Y
061273	06	HOT SPRING	HWY. 270-NORTH (SEL. SECS.) (OVERLAY) (S)	67	Y
061274	06	LONOKE	FURLOW-SOUTH (OVERLAY) (S)	89	Y
061281	06	GARLAND	LAKE HAMILTON-BUENA VISTA (HOT SPRINGS) (OVERLAY) (S)	7	Y
061282	06	PULASKI	HWY. 70-SPRINGER BLVD. (LR) (OVERLAY) (S)	365	Y
061283	06	SALINE	HWY. 35-EAST (SEL. SECS.) (OVERLAY) (S)	183	Y
061284	06	PRAIRIE	HWY. 302-DEVALLS BLUFF (OVERLAY) (S)	33 & 70	Y
070318	07	CLARK	PIKE CO. LINE-EAST (OVERLAY) (S)	26	Y
070333	07	OUACHITA	HWY. 278/COUNTRY CLUB RD. SIGNAL (CAMDEN) (S)	278	Y
070342	07	UNION	UNION COUNTY (SEL. SECS.) (OVERLAY) (S)	VAR	Y
070343	07	DALLAS & OUACHITA	HWY. 79-HWY. 273 (SEL. SECS.) (OVERLAY) (S)	9	N
080236	08	POPE	HWY. 7-EAST (RUSSELLVILLE BYPASS) (S)	247	Y
080373	08	MONTGOMERY	OUACHITA RIVER-NORTH (OVERLAY) (S)	27	Y
080374	08	PERRY	PERRYVILLE-NORTH & SOUTH (SEL. SECS.) (OVERLAY) (S)	9	Y
080393	08	CONWAY	HWY. 154-NORTH & SOLGOHACHIA-SOUTH (OVERLAY) (S)	9	Y
080394	08	JOHNSON	STEGALL ROAD-HWY. 21 (CLARKSVILLE) (OVERLAY) (S)	64 & 103	Y
090276	09	BENTON	MISSOURI STATE LINE-SOUTH (OVERLAY) (S)	71	Y
090278	09	CARROLL	FREEMAN AVE.-HWY. 21 NO. (BERRYVILLE) (OVERLAY) (S)	62	Y
090279	09	BAXTER & MARION	GASSVILLE-WEST (REHAB.) (S)	62	Y
090285	09	SEARCY	ST. JOE-SOUTH (SEL. SECS.) (OVERLAY) (S)	65	Y
100700	10	CLAY & RANDOLPH	CURRENT RIVER-HWY. 211 (GRINDING) (S)	67	Y
100704	10	CRAIGHEAD	HWY. 91/GEE ST. SIGNAL (JONESBORO) (S)	91	Y

2010-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
100717	10	GREENE	HWY. 34-NORTH & SOUTH (MARMADUKE) (OVERLAY) (S)	49	Y
100719	10	POINSETT	HWY. 14-NORTH (OVERLAY) (S)	1	Y
100720	10	MISSISSIPPI	HWY. 18-NORTH (OVERLAY) (S)	61	Y
100721	10	CRAIGHEAD	HWY. 49-NORTH (OVERLAY) (S)	351	Y
100725	10	LAWRENCE	HWY. 62-SOUTH (SEL. SECS.) (OVERLAY) (S)	63	Y
100726	10	MISSISSIPPI	HWY. 119Y-HWY. 61 (OSCEOLA) (OVERLAY) (S)	140	Y
012129	VAR	VARIOUS	TRAFFIC SIGNALS LED UPGRADE (STATEWIDE) (PHASE II) (S)	VAR	Y
SA1246	05	CLEBURNE	IDA-SOUTH (RESEAL) (S)	---	-
SA1350	07	CLEVELAND	CLEVELAND COUNTY OVERLAY NO. 7 (SEL. SECS.) (S)	---	-
SA1439	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 16 (S)	---	-
SA1653	10	CRAIGHEAD	CO. RD. 28-EAST (SURFACING) (S)	---	-
SA2242	02	DREW	CO. RD. 450 OVERLAY (SEL. SEC.) (S)	---	-
SA2660	06	GARLAND	GARLAND COUNTY RESEAL NO. 14 (S)	---	-
SA2661	06	GARLAND	HWY. 70 NORTH & SOUTH (OVERLAY) (S)	---	-
SA2739	02	GRANT	GRANT CO. RESEAL NO. 4 (S)	---	-
FA3319	05	IZARD	CO. RD. 66-SOUTH (RECONST.) (PHASE 2) (S)	---	-
SA3449	05	JACKSON	CO. RD. 74 OVERLAY (SEL. SECS.) (S)	---	-
SA3642	08	JOHNSON	CO. RD. 49 SURFACING & RESEAL (S)	---	-
SA3728	03	LAFAYETTE	LAFAYETTE COUNTY RESEAL NO. 6 (S)	---	-
SA3846	10	LAWRENCE	CO. RD. 41-WEST SURFACING (S)	---	-
SA4269	04	LOGAN	LOGAN COUNTY SURFACING NO. 3 (SEL. SECS.) (S)	---	-
SA4339	06	LONOKE	LONOKE COUNTY OVERLAY NO. 13 (SEL. SECS.) (S)	---	-
SA4541	09	MARION	MARION COUNTY RESEAL NO. 9 (SEL. SECS.) (S)	---	-
SA4929	08	MONTGOMERY	MONTGOMERY COUNTY RESEAL NO. 13 (S)	---	-
SA5021	03	NEVADA	CO. RD. 23 RESEAL (SEL. SEC.) (S)	---	-

2010-093 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA5939	06	PRAIRIE	HWY. 86-WEST (SURFACING) (S)	---	-
SA6335	04	SCOTT	SCOTT COUNTY RECONSTRUCTION NO. 2 (S)	---	-
SA6636	03	SEVIER	SEVIER COUNTY RESEAL NO. 14 (S)	---	-
SA7280	04	WASHINGTON	RICHLAND CREEK-NORTH (OVERLAY) (S)	---	-
SA7281	04	WASHINGTON	PRAIRIE GROVE CITY LIMITS-WEST (RESEAL) (S)	---	-
SA7377	05	WHITE	HWY. 13-CO. RD. 626 (BASE & SURFACING) (S)	---	-
SA7437	01	WOODRUFF	WOODRUFF CO. REPAIR & OVERLAY (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.

WHEREAS, pursuant to Minute Order 2010-051, the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Refunding Bonds (General Obligation), Series 2010 have been approved for sale and the Underwriter, Stephens Inc., has agreed to purchase the Bonds at a price of \$273,592,787.37 (being par plus offering premium of \$21,314,419.40 less Underwriter's discount of \$946,632.03 (0.374%)) plus accrued interest; and

WHEREAS, issuance of the Bonds will result in interest savings in excess of \$11,000,000 for the Commission and the State of Arkansas, and, accordingly, it is appropriate that the Bonds be issued and that the proceeds of the Bonds be applied to the refunding of bonds currently outstanding;

NOW THEREFORE, BE IT RESOLVED by the Arkansas State Highway Commission:

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 Refunding Bonds (General Obligation), Series 2010, and Specifying Various Matters Related Thereto and to the General Resolution" is hereby adopted in the form attached hereto as Exhibit A.

2. The sale and issuance of a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Refunding Bonds (General Obligation), Series 2010, in an aggregate principal amount of \$253,225,000 (the "Bonds") is hereby authorized and the Preliminary Official Statement pertaining to the Bonds is 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 Chair, or Vice Chair, of the Commission is authorized to execute, on behalf of the Commission and the State, the Bond Purchase Agreement in substantially the form before the meeting at which this Minute Order is entered, with changes as he may approve.

4. U.S. Bank National Association is hereby approved as the Trustee for the Bonds.

5. The Chair, Vice Chair and Secretary, and 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.

MOTION Commissioner John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed 4-0 to approve the Fiscal Year 2010-2011 Departmental Budget as recommended by the Staff, with the provision that salary increases included in the budget (except for the Step 1 to Step 2 increases for qualifying employees in Grades 1-8) will be withheld during the first quarter of the fiscal year, but will be reconsidered during the second quarter.

MOTION Commissioner Dick Trammel moved, Vice Chairman Madison Murphy seconded and the motion passed 4-0 to authorize the staff to advertise for an auctioneer service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted near the end of October 2010, 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 Commissioner John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion passed 4-0 to direct the staff to develop and administer a contest among AHTD employees to design a new AHTD logo/seal.

2010-095

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:45 p.m., June 2, 2010.

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 2, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 13, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 13, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2010-096 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., July 13, 2010.

2010-097 WHEREAS, the Purchasing Committee has awarded purchases on June 9, 2010, in the amount of \$64,545.00, 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.

2010-098 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 2010, 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 2010 in the amount of \$46,493.92.

2010-099

WHEREAS, State Aid projects on county roads are being designed by the Department for which the county involved is to provide the necessary matching funds; and

WHEREAS, the county is responsible for 100% of all accrued costs in the event the project does not enter the construction phase.

NOW THEREFORE, it shall be the policy of the Department to require a deposit for State Aid projects in the amount of two percent (2%) of the estimated construction cost prior to programming a project for which the Department has preliminary engineering charges; and

FUTHERMORE, for those projects with a total estimated cost exceeding \$750,000, this initial payment amount shall be as agreed upon by the county and the State Aid Engineer; and

FUTHERMORE, this initial payment is to be credited to the county's matching share of the total project cost or, in the event the project does not enter the construction phase, is applied to the project costs accrued to the point of termination.

2010-100

WHEREAS, the Arkansas Highway Commission has previously adopted and published permit rules and regulations for the movement of oversize and/or overweight vehicles on the Arkansas State Highway System as authorized by law; and

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

NOW THEREFORE, the current publication *Permit Regulations for the Movement of Oversize and/or Overweight Vehicles on the Arkansas State Highway System (2000)* that has previously been adopted by the Commission is hereby rescinded and the attached *Permit Rules and Regulations for the Movement of Oversize and/or Overweight Vehicles on the Arkansas State Highway System (2010)* is hereby adopted in its stead.

NOW THEREFORE, 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.

2010-101

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 facilities and capabilities to conduct studies in the area of research, training and technology transfer.

NOW THEREFORE, the Director is hereby authorized to enter into an agreement with the MBTC to conduct the following studies.

- Performance of Flexible Pavement Systems Containing Geosynthetic Separators
- Performance of Prestressed Girders Cast with Lightweight Self-Consolidating Concrete
- Nanotechnology-Based Improvements for Portland Cement Concrete – Phase I
- Automated Survey of Pavement Distress Based on 2D and 3D Laser Images
- Automated and Rapid 3D Survey of Pavement Surface (1-mm Resolution)

2010-102

WHEREAS, the Fiscal Year 2005 Consolidated Appropriations included Next Generation High-Speed Rail program funds in the amount of \$396,800 for a Memphis Region High-Speed Rail Study; and

WHEREAS, the Department has coordinated with the Federal Railroad Administration to determine that these funds could be used to study the feasibility of extending the South Central High-Speed Rail Corridor from Little Rock to Memphis and to develop a study of needed improvements to the Corridor from Little Rock to Texarkana; and

WHEREAS, these funds require an equal amount of matching funds.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the Federal Railroad Administration and any other states as appropriate to conduct the feasibility study for extending

2010-102 - Continued

high-speed intercity passenger rail service from Little Rock to Memphis and to develop a service development plan from Little Rock to Texarkana.

FURTHERMORE, the Director is authorized to take the necessary actions to engage the services of a consulting firm to conduct the feasibility study and to develop the service development plan, which should include the impacts of high-speed rail on Arkansas' highway system.

2010-103

WHEREAS, all of Arkansas' American Recovery and Reinvestment Act of 2009 (ARRA) funds were obligated by the March 2, 2010 deadline; and

WHEREAS, the ARRA contains a provision that allows states to make adjustments in ARRA obligations between March 2, 2010 and September 30, 2010 if a portion of the obligated ARRA funds are not needed due to final costs or let amounts being less than obligated amounts; and

WHEREAS, the Department has released a portion of obligated ARRA funds and has a need to reobligate those funds for other projects; and

WHEREAS, Section 1511 of the ARRA 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.

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.

2010-104

WHEREAS, there is a need to allow the temporary crossings of various types of service lines on highway right of way; and

WHEREAS, the placement of these service lines can be regulated by the Department's permit procedures; and

2010-104 - Continued

WHEREAS, policy guidelines have been developed to facilitate the permit process.

NOW THEREFORE, the attached Policy for the Temporary Crossing of Private Service Lines on Highway Right of Way is hereby adopted and the Director is authorized to issue permits in accordance with the established policy.

2010-105

WHEREAS, the Arkansas State Highway Commission owns property in Carroll County, Arkansas, which is part of the Old Berryville Maintenance Facility which property is contiguous to Highway 62 and is now designated as Tract No. 58 for identification purposes in connection with Job No. 009901, Highway 143-Berryville(S); and

WHEREAS, Job No. 009901 requires additional right of way along the front and contiguous to the Old Berryville Maintenance Facility, said additional right of way is designated as Tract No. 58 for Job No. 009901 and is more fully described as follows:

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

Commencing at a point being used as the common corner of Sections 19 and 30; thence South 01° 26' 25" West along the East line of the Northeast Quarter of the Northeast Quarter of Section 25 a distance of 249.29 feet to a point on the Easterly right of way line of U.S. Highway 62 as established by AHTD Job 009901 for the POINT OF BEGINNING; thence South 21° 46' 19" East along said right of way line a distance of 57.04 feet to a point; thence South 00° 20' 34" West along said right of way line a distance of 78.07 feet to a point on the Easterly right of way line of U.S. Highway 62 as established by AHTD Job 9463; thence North 21° 46' 44" West along said right of way line a distance of 288.59 feet to a point on the Easterly right of way line of U.S. Highway 62 as established by AHTD Job 009901; thence South 32° 14' 33" East along said right of way line a distance of 161.92 feet to the point of beginning and containing 0.12 acres, more or less, as shown on plans prepared by the AHTD reference as Job 009901.

AJR 2/19/10

2010-105 - Continued

NOW THEREFORE, the character of the above-described property is hereby changed from capital asset owned by the Commission to that of right of way; a copy of this Minute Order shall be recorded in the Circuit Clerk and Recorder's Office of Carroll County, Arkansas, and if necessary, the right of way remonumented.

2010-106

WHEREAS, IN MILLER COUNTY, Job 030321, Hwy. 245 Interchange – Co. Rd. 294, is substantially complete and the new portions of roadway are open to traffic; and

WHEREAS, the bypassed portions of Highway 196, Section 1 are no longer needed for highway purposes.

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 portions of Highway 196, Section 1 that were bypassed by Job 030321 are hereby released to Miller County and the right-of-way is declared surplus and removed from the State Highway System.
- The newly constructed portions of roadway are hereby added to the State Highway System as a part of Highway 196, Section 1.

2010-107

WHEREAS, Minute Order 2007-018 authorized an update of the study to determine the need for and feasibility of an interchange on Interstate 40 at the Lone Elm Road grade separation in Franklin County; and

WHEREAS, the Interstate 40/Lone Elm Road Interchange Feasibility Study has been prepared and determined that an interchange at this location would have substantial cost and provide limited benefit; and

2010-107 - Continued

WHEREAS, the study identified a less-expensive improvement alternative on Wire Road in Franklin and Crawford Counties that would improve access, and this information has been conveyed to the appropriate local officials in both Counties.

NOW THEREFORE, this study is adopted and the Director is authorized to publish and distribute copies of the study.

2010-108

WHEREAS, Minute Order 2008-044 authorized a study of the feasibility of constructing an overpass of the Union Pacific Railroad main line in the community of Hensley in response to a request by local officials who had expressed concern about trains coming to a stop and blocking both crossings in the community; and

WHEREAS, the Hensley Railroad Overpass Feasibility Study has been prepared and included an analysis of possible railroad overpass alternatives in Hensley; and

WHEREAS, no economically feasible options were identified for constructing a railroad overpass in Hensley.

NOW THEREFORE, this study is adopted and the Director is authorized to publish and distribute copies of the study.

2010-109

WHEREAS, IN WASHINGTON COUNTY, Minute Order 2007-131 authorized a study to determine the appropriate cross section for improvements to Highway 112 between Highway 180 and Garland Avenue in the City of Fayetteville; and

WHEREAS, the Highway 112 (Razorback Road and Maple Street) Improvement Study has been completed and has identified the most appropriate cross section for improvements.

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.

2010-110

WHEREAS, IN UNION COUNTY, Highway 335 from Highway 7 north of El Dorado to Highway 82 west of El Dorado is an important collector route; and

WHEREAS, as the area continues to develop there is concern that the existing highway may not be able to safely and adequately handle increased traffic.

NOW THEREFORE, the Director is authorized to conduct a study of the need for and feasibility of improving Highway 335 from Highway 7 to Highway 82.

2010-111

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 13, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110394	01	MONROE	WHITE RIVER STR. & APPRS. (CLARENDON) (PH. II) (F)	79	Y
020495	02	JEFFERSON	HWY. 65B/WALNUT ST. & CONVENTION CENTER DR. SIGNALS (PINE BLUFF) (S)	63B & 65B	Y
040485	04	WASHINGTON	I-540/HWY.62/180 INTERCHANGE INTERIM IMPVTS. (FAYETTEVILLE) (F)	540, 62 & 180	Y
040573	04	CRAWFORD	HWY. 215-WEST (OVERLAY) (S)	64	Y
050211	05	CLEBURNE	HWY. 25/HWY. 110 SIGNAL (HEBER SPRINGS) (S)	25 & 110	Y
100307	10	MISSISSIPPI	HWY. 181-WEST (S)	18	Y
100732	10	POINSETT	HARRISBURG-NORTH (OVERLAY) (S)	1	Y
SA0754	07	CALHOUN	HWY. 278-SOUTH (OVERLAY) (S)	---	-
SA0844	09	CARROLL	GRANDVIEW-PLEASANT RIDGE (OVERLAY) (S)	---	-
SA1350	07	CLEVELAND	CLEVELAND COUNTY OVERLAY NO. 7 (SEL. SECS.) (S)	---	-
SA1764	04	CRAWFORD	CRAWFORD COUNTY OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA1833	01	CRITTENDEN	CO. RD. 2 OVERLAY (SEL. SECS.) (S)	---	-
SA2031	07	DALLAS	HWY. 273-HWY. 8 (REPAIR & OVERLAY) (S)	---	-
SA3932	01	LEE	HWY. 78-NORTHWEST (OVERLAY) (S)	---	-

2010-111 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA4827	01	MONROE	HWY. 79-NORTH NO. 2 (RECONST.) (SEL. SECS.) (S)	---	-
SA5128	09	NEWTON	HWY. 43-SOUTHWEST (RESEAL) (S)	---	-
SA5339	08	PERRY	PERRY COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA5443	01	PHILLIPS	PHILLIPS CO. SURFACING NO. 6 (S)	---	-
SA5546	03	PIKE	PIKE COUNTY RESEAL NO. 3 (S)	---	-
SA5547	03	PIKE	HWY. 70-HWY. 8 (RESEAL) (S)	---	-
SA5730	04	POLK	POLK CO. OVERLAY NO. 3 (SEL. SECS.) (S)	---	-
SA5852	08	POPE	HECTOR-EAST (OVERLAY) (S)	---	-
SA6249	06	SALINE	CONGO RD.-BRAZIL RD. (OVERLAY) (S)	---	-
SA6335	04	SCOTT	SCOTT COUNTY RECONSTRUCTION NO. 2 (S)	---	-
FA6706	05	SHARP	BLAKES BRANCH STR. & APPRS. (S)	---	-
SA6859	01	ST. FRANCIS	ST. FRANCIS CO. SURFACING (SEL. SECS.) NO. 2 (S)	---	-
SA6933	05	STONE	STONE COUNTY OVERLAY (SEL. SECS.) NO. 3 (S)	---	-
SA6934	05	STONE	HWY. 87-WEST (SURFACING) (S)	---	-
SA7282	04	WASHINGTON	CO. RD. 48 SURFACING (SEL. SEC.) (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

Vice Chairman Madison Murphy 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 26, 2010, and any other necessary sale(s).

2010-112

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., July 13, 2010.

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 13, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 17, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 17, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2010-113 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 17, 2010.

2010-114 WHEREAS, the Purchasing Committee has awarded purchases on July 1, July 14 and 26, 2010, in the amounts of \$893,290.00, \$84,476.00, and \$246,100.00, respectively, totaling \$1,223,866.00, 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.

2010-115 WHEREAS, accounting and procurement limitations restrict the authorization of road improvement projects by the District administrative staff to a maximum of \$25,000; and

WHEREAS, road improvement projects costing between \$25,000 and \$50,000 require approval from both the State Maintenance Engineer and the Assistant Chief Engineer for Operations; and

2010-115 - Continued

WHEREAS, road improvement projects in excess of \$50,000 from Maintenance funds now require approval by the Highway Commission; and

WHEREAS, these levels of procurement limitations for road improvement projects have been in effect for a number of years; and

WHEREAS, costs for road construction materials have increased significantly since these limitations were established.

NOW THEREFORE, the Director is authorized to make the following adjustments to the accounting and procurement limits for authorization of road improvements funded from Maintenance funds.

- Up to \$50,000 – District Engineer approval.
- \$50,000 to \$100,000 – Special Project Authorization approval by State Maintenance Engineer and Assistant Chief Engineer for Operations.
- Over \$100,000 – Highway Commission approval.

2010-116

WHEREAS, the Department periodically assesses equipment utilization and operating costs on certain units of equipment, and

WHEREAS, due to changes in operations of the Department's fleet, some units may have insufficient usage to support retention of the units.

NOW THEREFORE, the Director is authorized to conduct a review of the Department's equipment fleet and make appropriate disposition of any underutilized equipment.

2010-117

WHEREAS, Acts 4 & 5 of the First Extraordinary Session, 2008, of the Arkansas General Assembly established a new rate of severance tax for natural gas produced in Arkansas; and

WHEREAS, these Acts set aside 5% of the revenues from the new severance tax to be deposited as general revenues to replace the revenues collected under the previous severance tax formula; and

WHEREAS, Act 297 of the Fiscal Session, 2010, of the Arkansas General Assembly established that any part of the 5% in excess of the general revenue replacement would be distributed among the counties of the Fayetteville Shale exploration and production area as additional funds for road repair and other maintenance expenses related to the gas well drilling and production activities; and

WHEREAS, the Arkansas State Highway and Transportation Department has been designated as the recipient of these excess funds to be distributed to the affected counties; and

WHEREAS, a formula has been developed, and concurred in by the County Judges Association of Arkansas, that would distribute the excess funds based on the total number of completed and producing gas wells, by county, in the Fayetteville Shale Play area.

NOW THEREFORE, the Director is authorized to accept these funds from the Department of Finance and Administration and distribute them to the counties in the Fayetteville Shale Play area in accordance with the attached formula.

2010-118

WHEREAS, IN BENTON COUNTY, local officials from the City of Rogers expressed interest in assuming maintenance of a portion of Highway 62, Section 2B in the City of Rogers; and

WHEREAS, the portion of Highway 62, Section 2B beginning at the junction with Highways 71B and 94 and continuing east then north to the junction with Highway 12 is no longer needed for highway purposes.

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 2B beginning at the junction with Highway 71, Section 18B and Highway 94, Section 2 and continuing east then north to the junction with Highway 12, Section 3 is hereby removed from the State Highway System and the right-of-way is declared surplus.
- The portion of Highway 62, Section 2B beginning at the junction with Highway 12, Section 3 and continuing north to the junction with Highway 62, Section 2 is hereby redesignated as part of Highway 12, Section 3.

2010-119

WHEREAS, IN COLUMBIA COUNTY, the Institutional Drive System maintained by the Department at Southern Arkansas University was recently reviewed; and

WHEREAS, the review revealed a drive that no longer 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 2.26 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 875, Section 1.

2010-120

WHEREAS, IN SALINE COUNTY, Job 061039, Hwy. 35 Railroad Overpass, is substantially complete and the new portions of roadway are open to traffic; and

WHEREAS, the bypassed portions of Highway 35, Section 1 and Highway 183, Section 1 are no longer needed for highway purposes.

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.

2010-120 - Continued

- The portions of Highway 35, Section 1 and Highway 183, Section 1 that were bypassed by Job 061039 are hereby removed from the State Highway System.
- The newly constructed portion of roadway beginning at the junction with Highway 35 and continuing north to the old junction with Highway 183 and then continuing west to the end of the new location is hereby added to the State Highway System as a part of Highway 35, Section 1.
- The newly constructed portion of roadway beginning at the junction with Highway 35 and continuing east to the end of new location is hereby added to the State Highway System as a part of Highway 183, Section 1.

2010-121

WHEREAS, Minute Order 2006-111 authorized a study of the need for and feasibility of a new location connection between Highway 160 east of the City of Taylor and Highway 19 at Walkerville in response to a request from the Taylor/Emerson School District that had plans to construct a new high school in Walkerville; and

WHEREAS, the Taylor/Emerson School District no longer has plans to construct the new high school at Walkerville; and

WHEREAS, this new location connection has a high estimated cost and is anticipated to have low usage if the proposed high school in Walkerville is not constructed.

NOW THEREFORE, this study is deferred.

2010-122

WHEREAS, IN JEFFERSON COUNTY, on Interstate 530, Section 5, at the southbound overpass over Highway 270, a slide area has developed at the south bridge end due to a high plasticity index clay material, failures in the concrete riprap and ground water; and

WHEREAS, the Materials Division has performed a geotechnical investigation and recommends excavating the failed material, placing rock fill in the slide area and replacing the concrete riprap.

2010-122 - Continued

NOW THEREFORE, the Director is authorized to proceed with a construction project to repair this slide area using District Maintenance funds.

2010-123 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the August 17, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020445	02	JEFFERSON	GRANT CO. LINE-WHITE HALL (PASSING LANES) (S)	270	Y
030325	03	MILLER	ARKANSAS BLVD.-I-30 (BS. & SURF.) (F)	71	Y
030326	03	MILLER	I-30-HWY. 71 (BS. & SURF.) (F)	71	Y
030378	03	MILLER	ARKANSAS BLVD.-HWY. 71 (BS. & SURF.) (F)	71	Y
040550	04	SEBASTIAN	D-4 AREA MAINT. HQ/MATERIALS LAB/ AHP OFFICE (FORT SMITH) (S)	71	Y
FS5001	05	WHITE	FAULKNER CO. LINE-EAST (SEL. SECS.) (S)	36	Y
FS5002	05	WHITE	HWY. 67-HWY. 5 (S)	31	Y
050242	05	WHITE	HWY. 67 RAMPS (EXITS 28, 31, 35 & 42) (REHAB.) (S)	67	Y
050243	05	WHITE	LONOKE CO. LINE-NORTH (REHAB.) (S)	67	Y
FS8003	08	FAULKNER	HWY. 25-SOUTH (S)	107	N
FS8004	08	CONWAY	HWY. 124-NORTH (S)	95	N
FS8005	08	CONWAY	HWY. 9-HWY. 95 (S)	287	N
FS8006	08	VAN BUREN	BEE BRANCH-NORTH (S)	65	Y
080375	08	FAULKNER	CO. RD. 663 (GRASSY LAKE RD.)-EAST FRTG. RD. (S)	- - -	-
080399	08	FAULKNER	HWY. 25-NORTH & SOUTH (REHAB.) (S)	65	Y
080400	08	MONTGOMERY	HWY. 270-SOUTH (REHAB.) (S)	27	Y
080401	08	FAULKNER & VAN BUREN	HWY. 124-NORTH & SOUTH (DAMASCUS) (REHAB.) (S)	65	Y
090223	09	BAXTER	HWY. 5-IZARD CO. LINE (PASSING LANES) (S)	177	N

2010-123 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
090254	09	BENTON	SHELL ROAD STR. & APPRS. (BENTONVILLE) (S)	---	-
SA1654	10	CRAIGHEAD	HWY. 158-SOUTH (CARAWAY) (OVERLAY) (S)	---	-
SA3043	06	HOT SPRING	HWY. 128-EAST (ANTIOCH RD.) (SEL. SEC.) (OVERLAY) (S)	---	-
SA4429	09	MADISON	MADISON COUNTY OVERLAY (SEL. SECS.) (S)	---	-
SA4740	10	MISSISSIPPI	HWY. 18-HWY. 61 (SEL. SEC.) (OVERLAY) (S)	---	-
SA5638	10	POINSETT	HWY. 1-HWY. 49 OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA6044	06	PULASKI	HWY. 107-EAST (OVERLAY) (S)	---	-
SA7035	07	UNION	HWY. 57-OUACHITA COUNTY LINE (OVERLAY) (S)	---	-
SA7131	08	VAN BUREN	HWY. 65-HWY. 124 (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.

2010-124 - 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.

2010-124

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., August 17, 2010.

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 17, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 29, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 29, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Cliff Hoofman, Member
Dick Trammel, Member

2010-125 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., September 29, 2010.

2010-126 WHEREAS, the Purchasing Committee has awarded purchases on August 3 and 19, 2010, and September 13, 2010, in the amounts of \$374,621.66, \$245,845.00, and \$388,114.00, respectively, totaling \$1,008,580.66, 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.

2010-127 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) Standard Specifications for Transportation Materials is used for assuring the quality of materials in Department construction projects; and

WHEREAS, the development of AASHTO Materials Standards (DAMS) and major revisions of current material specifications are the primary functions of the annual Subcommittee on Materials meeting; and

2010-127 - Continued

WHEREAS, AASHTO has established a Technical Service Program to allocate travel reimbursement to member states to participate in the annual Materials meeting and support funding for technical writers; and

WHEREAS, AASHTO has invoiced the Department for participation costs to support this program for Fiscal Year 2011.

NOW THEREFORE, the Director is authorized to pay the invoice amount of \$5,000.

2010-128

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 Department for annual participation costs to support NTPEP for Fiscal Year 2011.

NOW THEREFORE, the Director is authorized to pay the invoice amount of \$7,500.00.

2010-129

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

2010-129 - Continued

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 \$8,000 as Arkansas' Fiscal Year 2011 share of the project cost.

2010-130

WHEREAS, the Department utilizes Load and Resistance Factor Design (LRFD) specifications for the design of bridges and structures; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has an engineering technical service program that supports the maintenance and updating of the LRFD specifications; and

WHEREAS, AASHTO has invoiced the Department for participation costs to support this program for Fiscal Year 2011.

NOW THEREFORE, the Director is authorized to process for payment the statement for annual fees for Fiscal Year 2011 in the amount of \$10,000.

2010-131

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

2010-131 - Continued

WHEREAS, in accordance with Minute Order 2007-110 passed on August 15, 2007, 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 2011 through 2014.

2010-132

WHEREAS, Saline County, Arkansas, has requested an Airspace Permit to use certain highway right of way, located in Saline County, owned by the Arkansas State Highway Commission (Commission), more particularly described below for the purpose of constructing and maintaining a parking facility; and

WHEREAS, the County has agreed to bear all of the expense for the construction, maintenance, insurance, staffing and any other expenses connected or associated with such parking facility and to hold the Commission, its agents, servants and employees harmless for any liability incurred in connection with such parking facility; and

WHEREAS, the District Engineer for District 6 has determined that neither the proposed use of the right of way nor the provisions and stipulations contained herein and in the proposed Airspace Permit will interfere with the use of the property for highway purposes; such right of way being more particularly described as follows:

Job 6280 / 061039
Airspace Permit to Saline County Health Department
Hwy. 35 Railroad Overpass Benton

Part of the Southwest Quarter of the Southwest Quarter of Section 12, Township 2 South, Range 15 West, Saline County, Arkansas, more particularly described as follows:

Commencing at a 1 ¼ inch Pipe with a cap being used as the Common Corner of Section 11, 12, 13 and 14; thence South 85° 55' 23" East along the South line of the Southwest Quarter of the Southwest Quarter of Section 12 a distance of 502.30 feet to a point on the Westerly right of way line of Arkansas State Highway 35 Connector as established by AHTD Job 061039; thence North 02° 16' 38" East along said right of way line a distance of 5.45 feet to a point on the Southerly right of way line of Arkansas State Highway 183 as established by AHTD Job 6280 for the POINT OF BEGINNING; thence North 02° 16' 38" East a distance of 33.05 feet to a point; thence South 86° 49' 02" East a distance of 204.51 feet to a point; thence South 84° 44' 42" East a distance of 306.66 feet to a point; thence South 10° 08' 50" West a distance of 16.10 feet to a point on the Southerly right of way line of Arkansas State Highway 183 as established by AHTD Job 6280; thence North 87° 29' 26" West along said right of way line a distance of 508.53 feet to the POINT OF BEGINNING and containing 0.31 acres, or 13,633 square feet more or less as shown on plans prepared by the AHTD referenced as Jobs 061039 and 6280. The above described airspace agreement retains a minimum 6 foot clear zone from the face of retaining wall to the North line of the above described agreement. (In addition there is retained in said Airspace Permit a maintenance easement over and across the Northern 15 feet of the property described above and 15 feet access easement to the 6 feet clear zone described above.)

9/08/10 djh 9/17/10 JTB

WHEREAS, after considering the proposal from the County, the Commission finds that it is in the best interest of the public and the Commission to accept the County's proposal and to grant an Airspace Permit to the County containing such provisions and stipulations as the Director and his staff may determine.

NOW THEREFORE, the Director is authorized to enter into and execute an Airspace Permit with Saline County, containing the conditions, provisions and stipulations authorized in this Minute Order.

WHEREAS, IN LINCOLN COUNTY, Job 020430, North Grady – South Grady, is substantially complete and the new portion of roadway is open to traffic; and

WHEREAS, parts of the bypassed portion of Highway 65, Section 16 are no longer needed for highway purposes.

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 65, Section 16 lying between the junctions with Highway 11, Section 3 that was bypassed by Job 020430 is hereby redesignated as part of Highway 11, Section 3.
- The remaining portions of Highway 65, Section 16 that were bypassed by Job 020430 are hereby removed from the State Highway System and the right-of-way is declared surplus.
- The newly constructed portion of roadway is hereby added to the State Highway System as a part of Highway 65, Section 16.

WHEREAS, IN FRANKLIN COUNTY just north of Cass, heavy rain events in the Spring of 2008 caused unstable subsurface conditions and failure of the slope on the downhill side of Highway 23 resulting in damage to and instability of the roadway; and

WHEREAS, Job 040514, Hwy. 23 Flood Damage Repair (2008) was let to contract in August 2009 to stabilize the slope and repair the roadway; and

WHEREAS, the project required a National Pollutant Discharge Elimination System (NPDES) Permit for Facilities Discharging Stormwater Associated with Construction Activity Located in the State of Arkansas, which is issued through the Arkansas Department of Environmental Quality (ADEQ); and

2010-134 - Continued

WHEREAS, after rainfall events during the construction of Job 040514, Mountain Creek would become turbid for several days; and

WHEREAS, although the contractor for Job 040514 had been maintaining the structural controls for the job site to the best of their ability, slope failure on the downhill side of Highway 23 continued, resulting in continued turbidity in Mountain Creek; and

WHEREAS, a Change Order to Job 040514 was subsequently approved resulting in the contractor installing additional erosion control and slope stability measures; and

WHEREAS, as a result of the instability of the slope and turbidity in Mountain Creek, the ADEQ has issued a Consent Administrative Order to the Department to ensure the effectiveness of Job 040514 in maintaining the stability of the slope and preventing runoff into Mountain Creek.

NOW THEREFORE, the Director is authorized to execute the Consent Administrative Order.

2010-135

WHEREAS, IN CONWAY COUNTY, on Highway 124, Section 4, from Highway 95 to the east for approximately 0.31 mile, the current condition of the pavement is such that this section of highway is 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 area of highway to better facilitate natural gas exploration and production activities in this 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 perform the work necessary to overlay this portion 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 95 to the east for approximately 0.31 mile.

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.

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 29, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110228	01	LEE	SO. MARIANNA-SOUTH (S)	1	Y
110527	01	CRITTENDEN	FIFTEEN MILE BAYOU STR. & APPRS. (HWY. 131, LM 3.00) (CoE) (S)	131	N
110528	01	CRITTENDEN	FIFTEEN MILE BAYOU STR. & APPRS. (HWY. 147, LM 14.21) (CoE) (S)	147	Y

2010-136 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
040479	04	SEBASTIAN	MASSARD RD.-ROBERTS BLVD. (STRS.) (F)	71	Y
040506	04	FRANKLIN	GAR CREEK STR. & APPRS. (2ND STREET) (OZARK) (S)	---	-
040562	04	SEBASTIAN	HWY. 253/HWY. 271 SERVICE RD./BROOKEN HILL RD. SIGNAL (FORT SMITH) (S)	253 & 271	Y
FS5003	05	WHITE	HWY. 16-HWY. 157 (S)	124	N
061268	06	LONOKE	HWY. 367/LOCUST ST. SIGNAL (CABOT) (S)	367	Y
061279	06	PULASKI	INTERSTATE SIGN STR. REPAIR (LR) (S)	VAR	Y
070301	07	COLUMBIA	MAGNOLIA-OUACHITA CO. LINE (PASSING LANES) (S)	79	Y
FS8002	08	CONWAY & VAN BUREN	CENTER RIDGE-BEE BRANCH (S)	92	N
R90097	09	MARION	FLIPPIN BYPASS-HWY. 62B (F)	62	Y
100528	10	CLAY	CROWLEY'S RIDGE PARKWAY: HWY.62- CHALK BLUFF CIVIL WAR BATTLEFIELD SITE (S)	---	-
100716	10	MISSISSIPPI	SO. OF HWY. 61-NO. OF HWY. 18 (F)	55	Y
FSX001	05 & 08	CLEBURNE, FAULKNER & WHITE	HWY. 25-HWY. 36 (S)	124	N
FSX002	05 & 08	CLEBURNE & VAN BUREN	HWY. 65-QUITMAN (S)	124	N
FSX003	05 & 08	CLEBURNE & VAN BUREN	HWY. 92-HWY. 225 (S)	356	N
SA0549	09	BOONE	HWY. 392-EAST (OVERLAY) (S)	---	-
FA0621	07	BRADLEY	CO. RD. 69-CO. RD. 4 (SURFACING) (S)	---	-
SA2662	06	GARLAND	HWY. 128-WEST (ARKRIDGE RD.) (RECONST.) (S)	---	-
SA7035	07	UNION	HWY. 57-OUACHITA COUNTY LINE (OVERLAY) (S)	---	-
BR7207	04	WASHINGTON	WEST FORK WHITE RIVER (TILLY WILLY) 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.

MOTION

Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed unanimously to enter into negotiations with the firms of O. R. Colan Associates, Little Rock, AR and PBS&J, Austin, TX, for consultant services for On-Call Right of Way Acquisition Services.

MOTION

Commissioner John Ed Regenold moved, Vice Chairman Madison Murphy seconded and the motion passed unanimously to enter into negotiations with the firm of The Traffic Group, Baltimore, MD, for consultant services for Traffic Data Collection Services.

2010-137

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., September 29, 2010.

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, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 16, 2010

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 16, 2010. Members present were:

Carl S. Rosenbaum, Chairman
R. Madison Murphy, Vice Chairman
John Ed Regenold, Member
Dick Trammel, Member

2010-138 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., November 16, 2010.

2010-139 WHEREAS, the Purchasing Committee has awarded purchases on September 28, 2010, and October 6 and 29, 2010, in the amounts of \$39,998.00, \$42,458.88, and \$1,691,424.49, respectively, totaling \$1,773,881.37, 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.

2010-140 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

2010-140 - Continued

WHEREAS, the 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.

2010-141

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

WHEREAS, the services of the 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 2011 (October 1, 2010 to September 30, 2011) 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 2011.

2010-142

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.

2010-142 - Continued

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2011 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.

2010-143

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

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

WHEREAS, the 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.

BRIDGE NO.	RTE./SEC./L.M.	DISTRICT	LOCATION
5211	79/10/4.51	2	ARK RIVER PINE BLUFF
5176	64/1/4.54	4	ARK RIVER FORT SMITH
17353	CR70/00C/1.00	4	BLUE SPRINGS PK RD / LAKE BEAVER
5320	430/21/9.87	6	ARK RIVER I-430
5292	5/10/0.0	6	ARK RIVER MAIN ST
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	63585/00E/1.63	9	LEATHERWOOD CK

2010-144

WHEREAS, pursuant to Arkansas Code Annotated 27-23-120, the Office of Driver Services and the Arkansas State Police shall have the authority to adopt rules and regulations for commercial driver's licenses after consulting with and receiving concurrence from the State Highway Commission and the Arkansas Highway Police; and

WHEREAS, the Arkansas State Police has proposed changes to Rules 2.8 and 2.9 of the Commercial Driver's License Rules and Regulations; and

2010-144 - Continued

WHEREAS, said changes are necessary to ensure compliance with federal and state law and to provide an equitable application fee for all commercial driver's license applicants; and

WHEREAS, non-compliance with federal commercial driver's license law can result in reduced federal funding to the state's commercial driver's license program; and

WHEREAS, the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department concurs with the proposed changes.

NOW THEREFORE, after reviewing said changes, the State Highway Commission concurs and authorizes the Director of Highways and Transportation to communicate such concurrence to the Director of the Arkansas State Police.

2010-145

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.

2010-146

WHEREAS, the Arkansas State Highway Commission first adopted a Utility Accommodation Policy by Minute Order 70-300 dated August 26, 1970, and this Policy has been subsequently amended since that time to allow for the implementation of reasonable rules and regulations necessary for accommodating utilities on the right of way of the Arkansas

State Highway System or other real property belonging to the Commission;
and

WHEREAS, a Utility Accommodation Task Force including representation from the Federal Highway Administration, the Arkansas State Highway and Transportation Department and Utility Owners has recently completed a review of the current Utility Accommodation Policy;
and

WHEREAS, using the uniform guide for State policies on the accommodation of utilities on highway rights of way prepared by the American Association of State Highway and Transportation Officials, as well as other applicable publications, the Task Force has updated and revised the Utility Accommodation Policy to prescribe reasonable rules and regulations for accommodating utilities on the right of way of the Arkansas State Highway System or other real property belonging to the Commission;
and

WHEREAS, the provisions of the revised and updated Policy are consistent with Arkansas law and the authority of this Commission to regulate the use and occupancy of the right of way of the Arkansas State Highway System or other real property belonging to the Commission, and said Policy has been approved by the Federal Highway Administration.

NOW THEREFORE, the attached Utility Accommodation Policy is hereby approved and adopted, and it shall supersede and void all prior Commission Orders, Administrative Orders or other Statements of Policy pertaining to the accommodation of utilities; and

IT IS FURTHER RESOLVED, that the Director is hereby authorized to make copies of this Policy available to all interested parties, to issue pertinent Orders, Directives and Permits, and to enter into Agreements with persons, firms, and agencies owning or operating utility facilities on right of way of the Arkansas State Highway System or other real property of the Commission as necessary and appropriate to administer the provisions of said Policy.

2010-147

WHEREAS, the Department's assigned mission is to provide a safe, efficient, aesthetically pleasing and environmentally sound intermodal transportation system; and

WHEREAS, the duties to accomplish this mission are wide and varied; and

WHEREAS, the Department is responsible for conducting work in the most efficient and cost effective manner possible; and

WHEREAS, over the years the Department has continually adjusted its fleet of vehicles to best fit the needs of the mission; and

WHEREAS, these adjustments have resulted in a reduction of the total number of vehicles, a transition from sedans to pickups in many positions, a reduction in vehicles used for commuting, and an extended life of the vehicles through an aggressive equipment management program and rotational assignment of the vehicles to balance the usage.

NOW THEREFORE, the Department will be governed by the attached policy for the assignment and use of state vehicles, which supercedes Minute Order 69-179 and Construction Memorandum 82-3.

2010-148

WHEREAS, there are many bills filed in each legislative session which are very complicated, and may have an effect on the matters of the Highway Commission; and

WHEREAS, the members of the Highway Commission need to be advised of issues concerning the Commission and/or the Highway and Transportation Department when pending before the General Assembly to allow for thorough consideration and input;

NOW THEREFORE, the Director is authorized and directed to maintain adequate legal staff to review all bills filed in Legislative sessions and to keep each member of the Highway Commission advised of any and all measures which would affect any element of the Highway and Transportation Department, and/or the Highway Commission.

2010-149

WHEREAS, IN CHICOT COUNTY, the new Mississippi River bridge is open to traffic; and

WHEREAS, the bypassed portion of Highway 82, Section 11 is no longer needed for highway purposes.

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 82, Section 11 beginning at the junction with the newly constructed portion of roadway and continuing northeast to the end of state maintenance is hereby removed from the State Highway System.
- The newly constructed portion of roadway beginning at the obliterated junction with Highway 82 and continuing northeast along the newly constructed Mississippi River bridge to the state line is hereby added to the State Highway System as a part of Highway 82, Section 11.
- The newly constructed portion of roadway beginning at Highway 142, Section 1 and continuing north to the junction with Highway 82 is hereby added to the State Highway System as part of Highway 142, Section 1.

2010-150

WHEREAS, the Department is currently developing plans for improvements to Highway 226, Section 2 in Craighead County between the City of Cash and the Gibson community, southwest of Jonesboro; and

WHEREAS, the complex nature of the surface water flow patterns north of the highway do not lend themselves to being modeled accurately with the conventional one-dimensional stream modeling techniques typically employed by Department staff in sizing bridges and determining adequate roadway embankment heights for highway improvement projects; and

2010-150 - Continued

WHEREAS, the U. S. Geological Survey has the expertise to develop a two-dimensional stream flow model that would more accurately predict the water surface elevations, velocities, and flow directions that could be expected to occur across the wide, flat floodplain north of the highway during most storm events with the existing highway bridges and roadway embankment in place, and after highway improvements are completed.

NOW THEREFORE, the Director is authorized to enter into a cooperative agreement with the U. S. Geological Survey to perform this study.

2010-151 WHEREAS, IN GREENE COUNTY, Job 100675, Cache River & Relief Strs. & Apprs., calls for the removal of Bridge 00932, commonly known as the Cache River Drainage Ditch Bridge on Highway 135; and

WHEREAS, the City of Augusta has requested that the Department transfer Bridge 00932 to the City for transportation use as a pedestrian bridge.

NOW THEREFORE, the Director is authorized to enter into appropriate agreements with the City of Augusta to release the Cache River Drainage Ditch Bridge to the City upon completion of Job 100675.

2010-152 WHEREAS, IN PULASKI COUNTY, a crash analysis has been completed on Interstate 430, Section 21, Northbound from just north of the Highway 10 entrance ramp to the beginning of the Arkansas River Bridge; and

WHEREAS, the analysis showed a high rate of wet surface condition crashes in this section which indicates that a safety improvement is warranted; and

WHEREAS, improving the skid resistance of this section of roadway is eligible for Federal-aid Safety funds.

2010-152 - Continued

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

2010-153

WHEREAS, Washington and Benton Counties applied for and have received a TIGER II Discretionary Grant of \$15 million for the Razorback Regional Greenway, a 36-mile bike and pedestrian network traversing the towns of Bentonville, Rogers, Lowell, Springdale, Johnson, and Fayetteville; and

WHEREAS, the Federal Highway Administration and the counties have requested that the Department serve as the administrative agency and the pass-through for Federal-aid funds for this project to ensure that all Federal-aid rules and regulations are met in a timely and efficient manner.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the Federal Highway Administration and the Northwest Arkansas Regional Planning Commission, acting on behalf of Washington and Benton Counties, for the Department to serve as the administrative agency for the Razorback Regional Greenway, including the assurance that the actions involved will be cost-neutral for the Department.

2010-154

WHEREAS, Act 784 of 1993 designated U. S. Highway 67 and State Highway 7 between Hope and Hot Springs as “The Highway of Hope;” and

WHEREAS, it was the intent and purpose of the Act to request the Arkansas State Highway and Transportation Department to erect appropriate signs along the route; and

WHEREAS, there is currently support to implement the designation of U. S. Highway 67 and State Highway 7 between Hope and Hot Springs as “The Highway of Hope.”

NOW THEREFORE, U. S. Highway 67 and State Highway 7 from Hope to Hot Springs is hereby designated “The Highway of Hope” and the Director is authorized to erect appropriate signage.

2010-155

WHEREAS, IN CARROLL COUNTY, the Quorum Court of Carroll County by County Resolution No. 2010-11 has identified Highway 23 from the Madison County line north to the Eureka Springs city limits as the Lewis E. Epley, Jr. 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 23 in accordance with Commission Policy.

2010-156

WHEREAS, in the City of Foreman, the Foreman City Council, by Resolution No. 2010-007, has requested the naming a section of Highway 41 (Madden Street) in honor of Senator Barbara Horn; 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 the designated section of Highway 41 within the city limits of the City of Foreman in honor of Senator Barbara Horn and in accordance with Commission Policy.

2010-157

WHEREAS, the City of Sheridan has identified the need for the construction of left turn lanes on two city streets at their intersections with Highway 167; and

WHEREAS, this improvement includes work on Highway 167 right of way; and

WHEREAS, the City has received a grant for the costs of this construction; and

2010-157 - Continued

WHEREAS, the City has requested that the Department provide the engineering services for plan development and construction oversight.

NOW THEREFORE, the Director is authorized to proceed with plans and construction oversight of a project to perform this work with the costs to be funded by the City of Sheridan.

2010-158

WHEREAS, IN NEWTON COUNTY, on Highway 103, Section 2, at approximate log mile 2.00 and IN SEARCY COUNTY, Highway 27, Section 16 at approximate log miles 7.68 and 11.88, slides are causing continued settlement of the roadway; and

WHEREAS, the Materials Division has performed a geotechnical investigation and recommends a rock buttress to stabilize these areas and to prevent continuation of the slides; and

WHEREAS, the repair of these slides is beyond normal and routine maintenance responsibilities of the District.

NOW THEREFORE, the Director is authorized to proceed with a construction contract to correct these slides as funds become available.

2010-159

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 16, 2010 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110395	01	MONROE	WHITE RIVER STR. & APPRS. (CLARENDON) (PH. III) (F)	79	Y
020451	02	DESHA	WATERMAN ST.-WEST (DUMAS) (S)	54	Y
020464	02	GRANT	HWY. 167 BYPASS (SHERIDAN) (BS. & SURF.) (S)	167	Y
030100	03	MILLER	JEFFERSON AVE.-MOUNT OLIVE DR. (MCDONALD LANE) (TEXARKANA) (S)	---	-
040443	04	SEBASTIAN	BRANCH OF WASHBURN CREEK STR. & APPRS. (SO. OF HWY. 10) (S)	252	N

2010-159 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
061059	06	GARLAND	HOT SPRINGS-WEST (PASSING LANES) (S)	270	Y
061244	06	PULASKI	I-430/I-630 INTERCHANGE MODIFICATIONS (PHASE III) (F)	430 & 630	Y
009951	09	MADISON	HINDSVILLE-HUNTSVILLE BYPASS (F)	412 & 45	Y
090221	09	NEWTON	MILL CR.-HWY. 7S SAFETY IMPVTS. (MARBLE FALLS) (S)	7	Y
100675	10	GREENE	CACHE RIVER & RELIEF STRS. & APPRS. (S)	135	Y
SA2662	06	GARLAND	HWY. 128-WEST (ARKRIDGE RD.) (RECONST.) (S)	---	Y

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 Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firms of Garver, LLC of Little Rock, AR, Florence & Hutcheson, Inc. of Little Rock, AR, and Bridgefarmer & Associates, Inc. of Little Rock, AR to provide on-call design services (2011-2012).

MOTION Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed 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 (2011-2012).

MOTION Commissioner Dick Trammel moved, Commissioner John Ed Regenold seconded and the motion passed 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 services (2011-2012).

Chairman Carl S. Rosenbaum stepped down as Chairman to allow the Commission to select a new Chairman prior to the upcoming legislative session.

MOTION Commissioner John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed by acclamation to elect Vice Chairman Madison Murphy as Chairman of the Arkansas State Highway Commission.

MOTION Commissioner Dick Trammel moved, Commissioner Carl S. Rosenbaum seconded and the motion passed by acclamation to elect Commissioner John Ed Regenold as Vice Chairman of the Arkansas Highway Commission.

2010-160

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., November 16, 2010.

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 16, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 15, 2010

Following is the record of proceedings of the Arkansas State Highway Commission by conference call, December 15, 2010. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
Cliff Hoofman, Member
Dick Trammel, Member
Carl S. Rosenbaum, Member

MOTION Commissioner Carl Rosenbaum moved, Vice Chairman John Ed Regenold seconded and motion passed to open the meeting through a conference call at 10:45 am.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Carl Rosenbaum seconded and the motion passed to accept the Staff's recommendation to implement the cost of living adjustments, satisfactory performance increases, career service recognition payments and merit raises that were withheld during the first quarter of the fiscal year. The 2% COLA and the .75% satisfactory performance raise will be given on the pay period beginning December 30, 2010. The career-service recognition payments will be available on Tuesday, December 28, 2010.

At 10:55 am the meeting was adjourned.

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 15, 2010.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 6, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 6, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
Cliff Hoofman, Member
Dick Trammel, Member
Carl S. Rosenbaum, Member

2011-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., January 6, 2011.

2011-002 CARL S. ROSENBAUM
 Commissioner Emeritus

WHEREAS, ten years have passed since January 2001, and with their passing will cause to expire in January 2011, 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.*"

2011-003

WHEREAS, the Purchasing Committee has awarded purchases on November 2, 8 and 23, 2010, and December 9, 2010, in the amounts of \$463,138.00, \$2,062,461.17, \$199,157.00, and \$98,015.00, respectively, totaling \$2,822,771.17, 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.

2011-004

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 2011 Highway Map.

2011-005

WHEREAS, a Southeastern Association of State Highway and Transportation Officials (SASHTO) Scholarship has been established to support institutions of higher learning 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 provide the scholarship funds to the Mack-Blackwell National Rural Transportation Study Center at the University of Arkansas at Fayetteville.

FUTHERMORE, 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.

2011-006

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.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing and rehabilitation program for 2011 in the amount of \$50 million.

2011-007

WHEREAS, from time to time, the Arkansas State Highway Employees' Retirement System (ASHERS) is in need of expert legal advice pertaining to U. S. Department of Treasury guidelines and to rules issued by the Internal Revenue Service; and

WHEREAS, Section 24-5-105(a) of the Arkansas Code of 1987 Annotated stipulates that the cost of administering the retirement plan shall be borne by the Arkansas State Highway and Transportation Department, except that the ASHERS shall pay the expenses incurred for the actuary, the consultant for investments, the fees for members of the medical board, the expenses associated with automating accounting needs, and the forms purchased from vendors and identified by letterhead printing as those of the ASHERS.

NOW THEREFORE, the Board of Trustees for the Arkansas State Highway Employees' Retirement System is authorized to proceed with advertising and entering into a contract for on-call legal counsel for the System.

2011-008

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

2011-008 - Continued

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 2010-026 until December 31, 2010; 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, which expired on December 31, 2010, may be extended until March 31, 2011, for completion of the evaluation and establishment of a new and appropriate Roadway Maintenance Assessment schedule.

2011-009

WHEREAS, the Commission acquired in fee property known as Tract No. 533HR from Dora H. Vandusen, a single person, for Job No. R60016 Section 5 Highway 270E – Highway 70E (East-West Arterial) Garland County, Arkansas, by Warranty Deed filed for record on April 25, 1997, in Book 1725 at page 052 of the real estate records of the office of the Circuit Clerk of Garland County, Arkansas; and

WHEREAS, the Morning Star Cemetery Association, Inc., an Arkansas non-profit corporation, has asked to repurchase Tract No. 533HR; Margaret G. Phillips, a niece and the only surviving heir at law of Dora H. Vandusen, a single person, has assigned her right to reacquire Tract No. 533HR, which the District Engineer for District Six has determined is not now, nor in the foreseeable future will be needed, for highway purposes, and

WHEREAS, Tract No. 533HR was acquired by the Commission for the sum of TWO THOUSAND SIX HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$2,675.00); AND

WHEREAS, Tract No. 533HR to be transferred to the Morning Star Cemetery Association, Inc., is more particularly described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 6, Township 3 South, Range 18 West, Garland County, Arkansas, more particularly described as follows:

Commencing at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of Section 6; thence South $01^{\circ} 42' 57''$ West along the East line thereof a distance of 256.31 feet to a point on the Southerly right of way line of the East West Arterial as established by AHTD Job R60016 Sec. 5 for the POINT OF BEGINNING; thence continue South $01^{\circ} 42' 57''$ West along the East line of the Southwest Quarter of the Northeast Quarter of Section 6 a distance of 521.12 feet to a point on the Centerline of Lonsdale Road; thence North $61^{\circ} 54' 40''$ West along said centerline a distance of 24.86 feet to a point; thence North $69^{\circ} 02' 30''$ West along said Centerline a distance of 94.31 feet to a point; thence North $74^{\circ} 54' 16''$ West along said Centerline a distance of 105.38 feet to a point; thence North $77^{\circ} 42' 36''$ West along said Centerline a distance of 98.35 feet to a point; thence North $79^{\circ} 01' 04''$ West along said Centerline a distance of 207.10 feet to a point on the Southerly right of way line of the East West Arterial as established by AHTD Job R60016 Sec. 5; thence North $53^{\circ} 39' 10''$ East along said right of way line a distance of 654.00 feet to the point of beginning and containing 2.95 acres, more or less, as shown on plans referenced as AHTD Job R60016 Section 5.

9/16/10 jhk

NOW THEREFORE, the above-described property is declared surplus; upon receipt by the Commission of the consideration of TWO THOUSAND SIX HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$2,675.00), the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above-described property to the Morning Star Cemetery Association, Inc.; a copy of the deed and this Minute Order shall be recorded in the office of the Circuit Clerk of 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.

2011-010

WHEREAS, the Arkansas State Highway Commission owns property in Miller County, Arkansas, and which property is designated as Tract No. 11R for identification purposes in connection with Job No. 030314, Arkansas Blvd. – I-30 (Gr. & Strs.), Miller County, and

WHEREAS, Job No. 030314 requires additional right of way to accommodate drainage in connection therewith and said additional right of way is designated as Tract No. 11R for Job No. 030314 and is more fully 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° 38' 37" West along the East line of the Northeast Quarter of the Southwest Quarter of Section 9 a distance of 356.94 feet to a point on the Southerly right of way line of Relocated U. S. Highway 71 as established by AHTD Job 030314 for the POINT of BEGINNING; thence continue South 02° 38' 37" West along the East line of the Northeast Quarter of the Southwest Quarter of Section 9 a distance of 21.41 feet to a point on the Southerly right of way line of Relocated U. S. Highway 71 as established by AHTD Job 030314; thence South 71° 43' 22" West along said right of way line a distance of 409.03 feet to a point; thence South 57° 33' 32" West along said right of way line a distance of 352.57 feet to a point on the East line of Colville Addition; thence North 01° 55' 56" East along said East line a distance of 24.23 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° 34' 54" East along said right of way line a distance of 341.26 feet to a point; thence North 71° 41' 59" East along said right of way line a distance of 419.24 feet to the point of beginning and containing 0.35 acres or 15,162 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 030314.

jhk 9/2/10

NOW THEREFORE, the character of the above-described property is hereby changed from capital asset owned by the Commission to that of right of way; a copy of this Minute Order may, if required, be recorded in the office of the Circuit Clerk of Miller County, Arkansas, and, if necessary, the right of way remonumented.

2011-011

WHEREAS, the Commission acquired in fee property known as Tract No. 91XR from James Vern Aldridge, of lawful age and unmarried, for Job No. 060987, State Project, I-30 – Highway 165 widening, Route 70 Section 13, Pulaski County, Arkansas, by Warranty Deed filed for record on February 8, 2006, as instrument No. 2006 010542, in the real estate records of the Circuit Clerk of Pulaski County, Arkansas; and

WHEREAS, the Eastern Star Baptist Church, Inc., an Arkansas non-profit corporation, has asked to repurchase Tract No. 91XR; James Vern Aldridge, of lawful age and unmarried, has assigned his right to reacquire Tract No. 91XR to the Eastern Star Baptist Church, Inc., which the District Engineer for District Six has determined is not now, nor in the foreseeable future will be needed, for highway purposes, and

WHEREAS, Tract No. 91XR was acquired by the Commission for THIRTEEN THOUSAND THREE HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$13,325.00); and

WHEREAS, Tract No. 91XR to be transferred to the Eastern Star Baptist Church, Inc., is more particularly described as follows:

Part of Lot 12, Block 28, Choctaw Addition, to the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows;

Starting at a Railroad Spike being used as the Southwest corner of Block 26, Choctaw Addition, which is also on the Easterly right of way line of Spruce Street as established by said Addition recorded in Plat Book 1, Page 3; thence North 02° 03' 32" East along said right of way line a distance of 260.54 feet to a point on the Southerly right of way line of U. S. Highway 70 as established by Block 26, Choctaw Addition recorded in Plat Book 1, Page 3; thence South 88° 09' 40" East along said right of way line a distance of 175.19 feet to a point; thence North 01° 59' 41" East along said right of way line a distance of 35.07 feet to a point; thence South 88° 09' 42" East along said right of way line a distance of 125.11 feet to a point; thence South 86° 38' 04" East a distance of 50.02 feet to a point on the Southerly right of way line of U. S. Highway 70 as established by Block 27 of the Choctaw Addition recorded in Plat Book 1, Page 3; thence South 88° 09' 42" East along said right of way line a distance of 298.05 feet to a point; thence continue South 88° 09' 42" East a distance of 50.00 feet to a point on the Easterly right of way line of Cherry Street as established by Block

28, Choctaw Addition recorded in Plat Book 1, Page 3; thence South 01° 42' 02" West along said right of way line a distance of 30.86 feet to a point on the Southerly right of way line of U. S. Highway 70 as established by AHTD Job 060987 for the point of beginning; thence North 44° 52' 28" East along said right of way line a distance of 27.98 feet to a point; thence South 89° 30' 33" East along said right of way line a distance of 30.96 feet to a point on the East line of Lot 12, Block 28, Choctaw Addition recorded in Plat Book 1, Page 3; thence South 01° 42' 58" West along said East line a distance of 130.63 feet to a point on the South line of said Lot 12; thence North 88° 10' 19" West along said South line a distance of 50.06 feet to a point on the Easterly right of way line of Cherry Street as established by Block 28, Choctaw Addition recorded in Plat Book 1, Page 3; thence North 01° 42' 02" East along said right of way line a distance of 109.46 feet for the point of beginning and containing 0.14 acres or 6,321 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 060987.

RA/crr 10/31/05

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of THIRTEEN THOUSAND THREE HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$13,325.00); the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above-described property to the Eastern Star Baptist Church, Inc.; a copy of the deed and this Minute Order shall be recorded in the Circuit Clerk's office 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.

2011-012

WHEREAS, IN PULASKI COUNTY, the Broadway Bridge over the Arkansas River on Highway 70 was originally constructed in 1929 and the navigation span was reconstructed in 1974; and

WHEREAS, the bridge is structurally deficient and is in need of replacement; and

2011-012 - Continued

WHEREAS, the Statewide Transportation Improvement Program includes the bridge replacement project for FY 2013; and

WHEREAS, a consultant is needed to supplement Department staff to provide the design for the identified improvements.

NOW THEREFORE, the Director is hereby authorized to engage the services of a qualified engineering consultant to perform design services and to proceed with the project as funds become available.

2011-013

WHEREAS, Minute Order 2008-164 adopted the Transportation Improvement Study – City of Searcy and authorized the Director to proceed with development of an east-west route in northern Searcy that would connect Highways 36 West, 16, and 67 as funds become available; and

WHEREAS, subsequently, Job 050198, North Searcy Connector, P.E., has been programmed and environmental studies and surveys are currently underway.

NOW THEREFORE, the Director is authorized to proceed with finalizing the development of the North Searcy Connector, including construction in phases as needed to facilitate the completion of the overall project, using funds available in the Statewide Transportation Improvement Program for Fiscal Years 2010-2013.

2011-014

WHEREAS, Jonathan Barnett served on the Arkansas Highway Commission from January 1999 through January 2009; and

WHEREAS, Commissioner Barnett has been a strong supporter of improvements to the state's highway system, not only as a member of the Highway Commission but also as a member of the Arkansas House of Representatives; and

WHEREAS, a major project for which Commissioner Barnett served as an advocate was the improvement of Highway 412 in Benton County.

2011-014 - Continued

NOW THEREFORE, considering the distinguished service of Commissioner Barnett to the Arkansas Highway Commission and the importance of Highway 412 to the State Highway System, the Highway Commission hereby honors Commissioner Barnett by officially naming the portion of Highway 412 from the Oklahoma state line to Highway 59 in Siloam Springs as the Jonathan Barnett Highway.

2011-015

WHEREAS, in the City of Foreman, the Foreman City Council, by Resolution No. 2010-007 and the Little River County Quorum Court, by Resolution No. R-2010-7, has requested the naming a section of Highway 41 (Madden Street) in honor of Senator Barbara Horn; 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 the designated section of Highway 41 from the south intersection of Highway 41/32 to the north city limits of the City of Foreman in honor of Senator Barbara Horn and in accordance with Commission Policy. This Minute Order supersedes Minute Order No. 2010-156.

2011-016

WHEREAS, in the City of Prescott, the Prescott City Council, by Resolution No. 2010-016, has requested naming the new railroad overpass, a section of Highway 371, in honor of Mayor Howard Taylor; 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.

2011-016 - Continued

NOW THEREFORE, the Director is authorized to allow the installation of signs on the designated section of Highway 371 within the city limits of the City of Prescott in honor of Mayor Howard Taylor and in accordance with Commission Policy.

2011-017 WHEREAS, in the City of Marvell, the Marvell City Council, by Resolution No. 105, has requested the naming the entire section of Highway 49 within the city limits in honor of our Veterans; 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 the designated section of Highway 49 within the city limits of the City of Marvell naming it the Veterans Memorial Highway and shall be in accordance with Commission Policy.

2011-018 WHEREAS, the Arkansas State Highway and Transportation Department (AHTD) has a current agreement with Mississippi Department of Transportation (MDOT) whereby AHTD agrees to inspect and perform maintenance from abutment to abutment on the recently completed Highway 82 Mississippi River Bridge; and

WHEREAS, AHTD and MDOT have agreed to share the cost of inspections and maintenance on an equal basis on this bridge; and

WHEREAS, MDOT has suggested that MDOT should be the lead agency for inspections and maintenance from abutment to abutment on this bridge, subject to costs sharing agreements, due to their familiarity with design and construction of the structure.

2011-018 - Continued

NOW THEREFORE, the Director is authorized to enter into an amendment with MDOT for modifying the Highway 82 Mississippi River Bridge Agreement to make MDOT responsible for inspections and maintenance of the section of structure from abutment to abutment subject to the existing costs sharing agreements.

2011-019

WHEREAS, the property that the Commission has leased for over fifty years for the Gaither radio tower in Boone County is now available for sale; and

WHEREAS, the location is important for the efficient operation of the Department's communications network; and

WHEREAS, the terms and conditions of the proposed sale call for transfer of fee simple interest in the property to the Commission; and

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

PROPERTY DESCRIPTION - TRACT NO. 1:

A part of the Southwest Quarter of the Southeast Quarter of Section Thirty Three (33), Township Eighteen (18) North, Range Twenty One (21) West, Boone County, Arkansas, described as commencing at the Southwest corner of the said Southwest Quarter of the Southeast Quarter; thence along the South line of said Section 33, S 88°21'03" E, 390.64 feet to the centerline of Arkansas Highway 43 and the POINT OF BEGINNING; thence leaving said Section line, following said centerline, N 17°47'10" E, 33.78 feet to the point of curvature of a tangent curve, concave to the west, having a radius of 1447.98 feet and a central angle of 07°16'47"; thence North along said curve, 183.97 feet, having a chord bearing of N 14°08'47" E, and a chord distance of 183.85 feet; thence the following courses and distances to set ½" rebars with plastic caps stamped PLS 1340, leaving the centerline of Highway 43, S 72°55'09" E, 40.26 feet to a point on the Right of Way of said Highway 43 as established by AHTD Job 9420 to a point; thence continue S 72°55'09" E, 168.12 feet to a point; thence S 05°25'48"

W, 156.84 feet to a point on the South line of said Section 33; thence N 88°21'03" W, 198.06 feet along the south line of said Section 33 to a point on said Right of Way; thence continue N 88°21'03" W, 41.64 feet to the POINT OF BEGINNING; said described tract containing 0.94 Acres, more or less, and subject to the Right of Way for Arkansas Highway 43.

PROPERTY DESCRIPTION - TRACT NO. 2:

A part of the Northwest Quarter of the Northeast Quarter of Section Four (4), Township Seventeen (17) North, Range Twenty One (21) West, Boone County, Arkansas, described as commencing at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section Thirty Three (33), Township Eighteen (18) North, Range Twenty One (21) West; thence S 88°21'03" E along the South line of said Section 33 and the North line of Section 4, a distance of 390.64 feet to the centerline of Arkansas Highway 43 and the POINT OF BEGINNING; thence with the following courses and distances to set ½" rebars with plastic caps stamped PLS 1340, continuing S 88°21'03" E, 41.64 feet along the North line of Section 4 to a point on the Right of Way of Highway 43 as established by AHTD Job 9420; thence continue S 88°21'03" E, 198.06 feet along said North line of Section 4 to a point; thence S 05°25'48" W, 80.88 feet to a point in an existing fence; thence N 74°19'43" W, 207.70 feet along said fence to a point on said Right of Way, said point being N 74°19'43" W 2.11 feet from a fence corner; thence continue N 74°19'43" W, 40.03 feet to a point in the centerline of Highway 43; thence N 17°47'10" E, 21.53 feet to the POINT OF BEGINNING; said described tract containing 0.28 Acres, more or less, and subject to the Right of Way for Arkansas Highway 43.

NOW THEREFORE, the Director is authorized to take all necessary action to complete the purchase.

2011-020

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 6, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110478	01	MONROE	HWY. 17-I-40 (BRINKLEY) (S)	49	Y
020497	02	JEFFERSON	HWY. 190/OHIO ST./E. HARDING AVE. SIGNAL (PINE BLUFF) (S)	190	Y

2011-020 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030236	03	VARIOUS	DISTRICT 3 BRIDGE PAINTING (PHASE II) (S)	VAR	Y
040238	04	SEBASTIAN	HWY. 255-PHOENIX AVE. (WIDENING) (FT. SMITH) (S)	45	Y
040524	04	WASHINGTON	HWY. 62 BYPASS (GR. & STRS.) (PRAIRIE GROVE) (S)	62	Y
050186	05	INDEPENDENCE	HWY. 69-HWY. 394 (BATESVILLE) (S)	167	Y
050187	05	SHARP	HWY. 354-HWY. 62/412 (ASH FLAT) (S)	167	Y
061280	06	PRAIRIE	WHITE RIVER BRIDGE REHAB. (DES ARC) (S)	38	Y
080310	08	MONTGOMERY	HWY. 270 REALIGNMENT (BLOWOUT MOUNTAIN) (S)	270	Y
100308	10	CRAIGHEAD	ST. FRANCIS RIVER-NORTH OF BLACK OAK (S)	18	Y

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

2011-020 - Continued

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.

2011-021 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., January 6, 2011.

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 6, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 23, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 23, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-022 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 23, 2011.

2011-023 WHEREAS, the Purchasing Committee has awarded purchases on January 4, 12 and 21, 2011, and February 1 and 11, 2011, in the amounts of \$30,644.00, \$297,681.75, \$30,720.00, \$2,152,383.12, and \$424,490.89, respectively, totaling \$2,935,919.76, 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.

2011-024 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 2011, 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 2011 in the amount of \$46,493.92.

2011-025

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 forty (40) vehicles whose mileage exceeds, or should 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 maintenance of the AHP Division, are available for the purchase of police pursuit vehicles.

NOW THEREFORE, the Director is authorized to purchase up to forty (40) replacement police pursuit vehicles for use by the AHP Division utilizing available oversize and overweight permit fees.

2011-026

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Safe Routes to School (SRTS) Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified of the availability of all the Federal Fiscal Year 2010 SRTS Program allocation and a portion of the Federal Fiscal Year 2011 SRTS Program allocation.

NOW THEREFORE, the Director is authorized to solicit applications for available SRTS Program funding for Federal Fiscal Years 2010 and 2011.

2011-027

WHEREAS, the Department currently holds an American Association of State Highway and Transportation Officials (AASHTO) Transport Site License which includes the Cost Estimation System (CES) module supported by Info Tech, Inc.; and

WHEREAS, it has been determined that CES would be useful in preparing long-range cost estimates for the Statewide Transportation Improvement Program (STIP) as well as more detailed cost estimates as projects are developed, and would include the following benefits:

2011-027 - Continued

- Increased accuracy of planning estimates by using models that are generated from bid histories within identified market areas;
- Standardization of cost estimating procedures for Department personnel as well as consultants;
- Ability to take snapshot views of estimates at various stages in the project development cycle so results can be traced back to their conceptual beginnings;
- Consolidation of project cost estimates in one database; and
- Ability for estimators to migrate their work through each stage of estimation, split and combine jobs as required, and move smoothly from parametric to detailed estimation and bid proposal creation; and

WHEREAS, the cost for training the appropriate personnel to implement, operate and maintain CES is reimbursable with 100 percent federal funds.

NOW THEREFORE, the Director is authorized to enter into an agreement with Info Tech to provide these services to the Department.

2011-028

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.

2011-028 - Continued

NOW THEREFORE, the Director is authorized to take the action required to incorporate the attached additions and modifications into the Department's Personnel Manual.

2011-029 WHEREAS, there is a need to allow the temporary crossings of various types of service lines on highway right of way; and

WHEREAS, the placement of these service lines is regulated by the Department's permit procedures; and

WHEREAS, revisions in the policy guidelines are recommended to expand the conditions under which service lines may be permitted.

NOW THEREFORE, the attached revised Policy for the Placement of Temporary Private Lines on Highway Right of Way is hereby adopted and the Director is authorized to issue permits in accordance with the revised policy.

2011-030 WHEREAS, IN NEVADA COUNTY, Job 030322, Prescott Railroad Overpass, is substantially complete and the newly constructed roadway is open to traffic; and

WHEREAS, a portion of Highway 371, Section 5 is no longer needed for highway purposes.

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 371, Section 5 beginning at the junction with the newly constructed portion of roadway and continuing northeast to the junction with Highway 24 is hereby removed from the State Highway System.

- The portion of Highway 371, Section 5 beginning at the junction with Highway 24 and continuing northwest to the junction with Highway 67 is hereby redesignated as part of Highway 24, Section 5.
- The newly constructed portion of roadway beginning at the junction with Highway 371 and continuing north to the junction with Highway 67 is hereby added to the State Highway System as part of Highway 371, Section 5.

2011-031 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 23, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110547	01	CRITTENDEN	DISTRICT 1 BRIDGE PAINTING (S)	40 & 55	Y
R20098	02	CHICOT	FAIRVIEW-MISSISSIPPI RIVER BR. (S)	82	Y
030391	03	VARIOUS	DISTRICT 3 BRIDGE PAINTING (PHASE III) (S)	VARIOUS	Y
061219	06	PULASKI & LONOKE	HWY. 67 CABLE MEDIAN BARRIER (JACKSONVILLE-CABOT) (S)	67	Y
070290	07	CLEVELAND	PETERS RD. (CR 24)-NORTH (S)	167	Y
070338	07	CLARK	HWY. 51/12TH STREET SIGNAL (ARKADELPHIA) (S)	51	Y
080345	08	POPE	I-40-SOUTH (RUSSELLVILLE BYPASS) (BS. & SURF.) (S)	247	Y
090292	09	BENTON	HWY. 72 SOUTH-HWY. 72 NORTH (BELLA VISTA BYPASS) (F)	71	Y
FA0621	07	BRADLEY	CO. RD. 69-CO. RD. 4 (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

Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed 5-0 to accept the Staff's recommendation to begin negotiations with Friday Eldredge and Clark of Little Rock, AR, to perform the on-call legal services for the Board of Trustees for the Arkansas State Highway Employees' Retirement System, as needed.

2011-032

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m., February 23, 2011.

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 23, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 13, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 13, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-033 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., April 13, 2011.

2011-034 WHEREAS, the Purchasing Committee has awarded purchases on February 15 and 25, 2011, and March 2, 7, 16 and 18, 2011, in the amounts of \$232,221.00, \$433,618.00, \$2,875,579.00, \$137,918.50, \$450,132.50, and \$136,565.00, respectively, totaling \$4,266,034.00, 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.

2011-035 WHEREAS, the Research Correlation Service of the Transportation Research Board (TRB), 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

2011-035 - Continued

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 TRB 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.

2011-036

WHEREAS, Minute Order 2006-047 authorized the Director to enter into an Agreement with the National Geodetic Survey Branch (NGS) of the National Oceanic and Atmospheric Administration (NOAA) for State Geodetic Advisor services; and

WHEREAS, the State as well as Federal agencies have benefitted from this Agreement through the provision of a more accurate spatial reference system for the location of boundaries, large-scale mapping projects, environmental assessments, and the development of Geographical Information Systems; and

WHEREAS, the advent of Global Positioning Systems technology has resulted in new, non-traditional uses and users of spatial data, and a part of continuing this joint effort will be to meet those emerging needs; and

WHEREAS, the State Geodetic Advisor provides expertise regarding joint activities relative to other Federal agencies and coordinates with any other related NOAA activities in the State.

NOW THEREFORE, the Director is authorized to continue the partnership with the NGS for State Geodetic Advisor and other services for a five-year period.

2011-037

WHEREAS, permit fees associated with the Department's regulation of outdoor advertising have not increased since 1967; and

WHEREAS, permit fees associated with the Department's administration of specific service, or LOGO, sign programs have not increased since 1987; and

WHEREAS, the Department's goal has been for the administration of these programs to be cost-neutral; and

WHEREAS, the administration of these programs now costs more than the revenue generated in permit fees.

NOW THEREFORE, the Director is authorized to increase the billboard permit fees to \$65 for an application and \$35 for biennial renewal, and to increase the LOGO permit fees to \$35 for an application, \$80 per sign for installation, and \$200 per sign annually for renewal.

FURTHERMORE, the Director is authorized to review the costs and revenue associated with administering these programs biennially to determine if additional fee increases are warranted.

2011-038

WHEREAS, Arkansas Act 773 of 2011 provides for a 5-cent increase in the State diesel tax, combined with other Federal-aid and State funds, to be used for a bond program to improve Arkansas's Interstate and other National Highway System highways, subject to a favorable vote of the people; and

WHEREAS, Arkansas House Joint Resolution 1001 of 2011 (proposed Constitutional Amendment) provides for a 0.5% increase in the State sales tax to be used for a bond program for four-lane construction and improvement of Arkansas's highways, subject to a favorable vote of the people; and

WHEREAS, in order to prepare to successfully implement these programs, project development must begin in the near future; and

WHEREAS, Minute Order 2010-069 and a subsequent motion on November 16, 2010 approved the selection of Garver, LLC, Florence & Hutcheson, Inc., and Bridgefamer & Associates, Inc. to provide on-call design services for the Department; and

2011-038 - Continued

WHEREAS, Minute Order 2010-070 and a subsequent motion on September 29, 2010 approved the selection of O.R. Colan Associates and PBS&J to provide on-call right of way acquisition services for the Department; and

WHEREAS, the expansion of these existing contracts and the use of additional on-call consulting firms is needed to develop these two proposed highway programs in a timely manner.

NOW THEREFORE, the Director is authorized to expand the contracts of the existing on-call design and right of way acquisition contracts and to request proposals, select additional firms, and enter into any necessary contracts to begin preparation for the programs proposed under Arkansas Act 773 and House Joint Resolution 1001 of 2011.

2011-039

WHEREAS, some state highways are posted for weight restrictions below the maximum weight limits allowed by State law; and

WHEREAS, the “Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways” to accommodate non-divisible overweight loads by permit was developed and implemented in 2008; and

WHEREAS, a recent evaluation has determine that new values for the Roadway Maintenance Assessment payments by the permit applicants are warranted to recover damage costs on the weight restricted highways.

NOW THEREFORE, the Director is authorized to enter into new agreements with permit applicants and to implement the new values for the Roadway Maintenance Assessment schedule. The new agreements shall be in effect until December 31, 2011.

2011-040

WHEREAS, Specific Service (Logo) signing is an effective tool for providing information to motorists; and

2011-040 - Continued

WHEREAS, a review of the Department's Policy for Erection of Specific Service Signs (Logos) has revealed a need for revisions to the policy.

NOW THEREFORE, the Director is authorized to submit the attached revised Policy for Erection of Specific Service Signs (Logos) for approval by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council.

2011-041

WHEREAS, many Arkansans are dependent upon various public transportation systems and services throughout the state, and

WHEREAS, in order to provide a reasonable level of service to those Arkansans, there are needs for benches and shelters at designated public transportation system bus stops; and

WHEREAS, many of these benches and shelters would be more effectively used by placement on highway right-of-way by a permit process.

NOW THEREFORE, the Director is authorized to implement the attached Policy for Public Transportation Bus Stop Shelters and Benches as a guide for permitting the installation of public transportation benches and shelters on highway right-of-way.

2011-042

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 was adopted by Minute Order 2005-035 on March 30, 2005; and

WHEREAS, revisions are needed for clarification and for the efficient administration of the policy.

NOW THEREFORE, the Restore Sign Visibility Policy, as revised, is hereby adopted.

2011-042 - Continued

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.

2011-043

WHEREAS, the Arkansas State Highway and Transportation Department often awards professional engineering and architectural services contracts based on qualifications and negotiated fees; and

WHEREAS, AASHTO has recently developed standards for professional service firms to report their Indirect Cost (Overhead) Rate, a significant factor in the negotiated fees, and standards for audit uniformity from state to state; and

WHEREAS, the provisions in the AASHTO *Uniform Audit & Accounting Guide* 2010 Edition would give the Department greater confidence in the figures that professional service firms provide during the negotiating processes.

NOW THEREFORE, the AASHTO publication, *Uniform Audit & Accounting Guide* 2010 Edition, is hereby adopted by the Department as the standard for accounting, reporting and auditing the overhead rate of professional engineering and architectural firms seeking to perform services for the Department.

2011-044

WHEREAS, Amendment 42 to the Arkansas Constitution, commonly referred to as the Mack-Blackwell Amendment, created the current structure of the Arkansas Highway Commission; and

WHEREAS, per the Mack Blackwell Amendment, Highway Commissioners serve the state "at large," meaning they each have statewide jurisdiction and authority; and

WHEREAS, the Commission has traditionally used "advocacy areas," based on the Highway Districts that reflect similar highway mileages, when managing the operations of the AHTD; and

WHEREAS, while this system has worked well, the Commission recognizes that there are other factors, such as changing populations and traffic patterns, that can be beneficial in determining advocacy areas.

NOW THEREFORE, the Director is authorized to prepare and propose to the Commission new advocacy areas that are of substantially equal populations.

AND FURTHERMORE, the proposed new advocacy areas will not conflict in any way the Constitutional authority given to the Commission, and will not affect the existing ten (10) Highway Districts created for operational purposes.

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property known as Tract No. 3R from R. H. Dennington, Holder of a Life Estate; Janet Dennington Moss and Swan B. Moss, Jr., Trustees of the Anita L. Dennington Trust No. 2, for Job No. 020239, South C. L. McGhee-Black Pond Slough, Highway 65, Sections 19 and 20, Chicot County, Arkansas, by Warranty Deed dated October 13, 2000, and filed for record on October 30, 2000, in Deed Record Book No. P 21 at page 87, of the Deed Records of Chicot County, Arkansas; and

WHEREAS, Wilburn Bowman and Dessie Bowman, husband and wife, have asked to repurchase Tract No. 3R (0.35 acre ±); and

WHEREAS, R. H. Dennington's life estate is now extinguished due to his death on January 23, 2001, and Janet Dennington Moss and Swan B. Moss, Jr., Trustees of the Anita L. Dennington Trust No. 2, have assigned the Trust's right to reacquire Tract No. 3R to Wilburn Bowman and Dessie Bowman, husband and wife, which the District Engineer for District Two 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 Wilburn Bowman and Dessie Bowman, husband and wife, is more particularly described as follows:

2011-045 - Continued

Part of the Southeast Quarter of the Northeast Quarter of Section 35, Township 13 South, Range 3 West, Chicot County, Arkansas, more particularly described as follows:

Beginning at the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 35; thence North 01° 02' 31" East along the West line thereof a distance of 245.05 feet to a point on the Southwesterly right of way line of U. S. Highway 65 as established by AHTD Job 020239; thence South 26° 49' 03" East along said right of way line a distance of 27.25 feet to a point; thence South 25° 58' 14" East along said right of way line a distance of 244.62 feet to a point on the South line of the Southeast Quarter of the Northeast Quarter of Section 35; thence South 89° 38' 16" West along said South line a distance of 123.87 feet to the point of beginning and containing 0.35 acre, more or less.

DH 12/14/10

WHEREAS, Tract No. 3R was acquired by the Commission for SIX HUNDRED AND NO/100 DOLLARS (\$600.00).

NOW THEREFORE, the above described property (Tract No. 3R) is declared surplus; upon receipt of the sum of SIX HUNDRED AND NO/100 DOLLARS (\$600.00), the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the interest of the Commission in and to the above described property to Wilburn Bowman and Dessie Bowman, husband and wife; a copy of the Quitclaim 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.

2011-046

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 16X in fee from John Green and Cecille Green, husband and wife, Grantors, for Job No. 020239, FAP Number NH-0921(1) South C. L. McGhee – Black Pond Slough, Highway 65, Sections 19 and 20, Chicot County, Arkansas, by Warranty Deed dated November 15, 2000, filed for record on December 11, 2000, in Deed Record Book P 21 at page 677, in the Circuit Clerk's office of Chicot County, Arkansas; and

WHEREAS, John Howell Green and Cecille Perry Green, husband and wife, have asked to repurchase a portion of Tract No. 16X which the District Engineer for District Two has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired Tract No. 16X for THIRTY-ONE THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS, (\$31,650.00); and

WHEREAS, the portion of Tract No. 16X which Grantors have asked to re-purchase is described as follows:

Part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 13 South, Range 3 West, Chicot County, Arkansas, more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 23; thence North 89° 05' 48" East along the South line thereof a distance of 125.66 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 020239; thence North 00° 44' 01" East along said right of way line a distance of 391.81 feet to the POINT OF BEGINNING; thence continue North 00° 44' 01" East along said right of way line a distance of 276.97 feet to a point; thence North 89° 12' 22" East a distance of 36.57 feet to a point; thence South 01° 59' 18" East a distance of 280.08 feet to a point; thence North 87° 10' 56" West along said right of way line a distance of 49.89 feet to the point of beginning and containing 0.28 acres, or 12,025 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 020239.

11/01/10 jt

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. 16X being offered for sale is NINE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$975.00).

NOW THEREFORE, the above described property (0.28 acres) is declared surplus and upon receipt of NINE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$975.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to John Howell Green and Cecille Perry Green, husband and wife; the deed and a copy of 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 as permitted by law.

2011-047

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 18X in fee from John Green and Cecille Green, husband and wife, and Joan Green Brandt, a single person, Grantors, for Job No. 020239, FAP Number NH-0921(1) South C. L. McGhee – Black Pond Slough, Highway 65, Sections 19 and 20, Chicot County, Arkansas, by Warranty Deed dated October 2, 2000, filed for record on October 30, 2000, in Deed Record Book P 21 at page 103, in the Circuit Clerk’s office of Chicot County, Arkansas; and

WHEREAS, Joan Green Brandt is deceased and her only heir at law, Wilson David Brandt, of lawful age and unmarried, has by quitclaim deed, dated June 4, 2008, filed for record June 9, 2008, in Book L125 at page 641, in the office of the Circuit Clerk of Chicot County, Arkansas, conveyed all of his right, title and interest in and to the hereinafter described lands to John H. Green and Cecille P. Green, husband and wife; and

WHEREAS, John Howell Green and Cecille Perry Green, husband and wife, have asked to repurchase a portion of Tract No. 18X which the District Engineer for District Two has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the Commission acquired Tract No. 18X for FORTY-FOUR THOUSAND TWO HUNDRED AND NO/100 DOLLARS, (\$44,200.00); and

WHEREAS, the portion of Tract No. 18X which Grantors have asked to re-purchase is described as follows:

Part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 13 South, Range 3 West, Chicot County, Arkansas, more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 23; thence North 88° 56' 18" East along the North line thereof a distance of 115.96 feet to the POINT OF BEGINNING; thence continue North 88° 56' 18" East along the North line of the Northwest Quarter of the Southwest Quarter of Section 23 a distance of 35.78 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 020239; thence South 00° 58' 40" West along said right of way line a distance of 441.63 feet to a point; thence South 00° 03' 35" West along said right of way line a distance of 227.60 feet to a point; thence South 89° 12' 22" West a distance of 36.57 feet to a point; thence North 00° 44' 01" East a distance of 669.06 feet to the point of beginning and containing 0.54 acres, or 23,392 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 020239.

9/09/10 djh

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. 18X being offered for sale is ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$1,875.00).

NOW THEREFORE, the above described property (0.54 acre) is declared surplus and upon receipt of ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$1,875.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to John Howell Green and Cecille Perry Green, husband and wife; the deed and a copy of 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 as permitted by law.

WHEREAS, IN LONOKE COUNTY, Job 060529, Hwy. 70 – North, is complete and the newly constructed roadway is open to traffic; and

WHEREAS, the bypassed portion of Highway 13, Section 10 is no longer needed for highway purposes; and

WHEREAS, the City of Carlisle passed Ordinance No. 291 accepting all responsibility for maintenance of the portion of Highway 13 that was acquired for Job 060519 and acknowledging ownership of the remaining portion of Highway 13 that was bypassed by Job 060529.

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 13, Section 10 beginning at the junction with Highway 70 and continuing north to the junction with the newly constructed portion of roadway is hereby removed from the State Highway System.
- The newly constructed portion of roadway beginning at the junction with Highway 70 and continuing north to the junction with the old portion of Highway 13 is hereby added to the State Highway System as part of Highway 13, Section 10.

WHEREAS, IN PIKE COUNTY, the State Park Access Road System maintained by the Department at Daisy State Park was recently reviewed; and

WHEREAS, portions of the existing drives no longer meet all the criteria for inclusion into the State Maintenance System as established by A.C.A. 27-67-204; and

WHEREAS, there are new drives that meet all the criteria for inclusion in the State Maintenance System.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 2.29 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 600, Section 7.

2011-050

WHEREAS, IN PULASKI COUNTY, Job 060497, Bear Paw Drive – Brockington Road, is substantially complete and the newly constructed roadway is open to traffic; and

WHEREAS, the bypassed portion of Highway 107, Section 1 is no longer needed for highway purposes.

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 107, Section 1 that was bypassed by Job 060497 is hereby deleted from the State Highway System.
- The newly constructed portion of roadway built by Job 060497 is hereby added to the State Highway System as part of Highway 107, Section 1.

2011-051

WHEREAS, Minute Order 2008-151 authorized the Director to purchase credits from Mitigation Areas that have been approved by the Department of the Army's Corps of Engineers; and

WHEREAS, Individual Section 404 Permit No. MVK 2010-01838 issued to the Department for construction of Job Number 070321, Hwy. 273-Hwy. 48 on Highway 167 in Cleveland and Dallas Counties requires 17,251 stream mitigation credits in the Saline River Basin and 4,417 credits in the Ouachita River Basin for a total of 21,668 stream mitigation credits; and

WHEREAS, The Nature Conservancy Arkansas Field Office's Middle Fork Saline River Restoration Project in the Saline River Basin was approved by the Corps of Engineers on April 10, 2009; and

WHEREAS, the Lower Cut-off Creek Mitigation Bank, owned and operated by The Natural Resources Investment Group, LLC in the Saline River Basin, was approved by the Corps of Engineers on September 22, 2008; and

2011-051 - Continued

WHEREAS, the Middle Fork Saline River Restoration Project and the Lower Cut-off Creek Mitigation Bank are the only stream mitigation sites available for use within the geographic impact area for Job 070321 and within the time constraints mandated by Permit No. MVK 2010-01838.

NOW THEREFORE, the Director is authorized to purchase 8,635 stream mitigation credits from The Nature Conservancy Arkansas Field Office's Middle Fork Saline River Restoration Project and 8,616 stream mitigation credits from the Natural Resources Investment Group's Lower Cut-off Creek Mitigation Bank to fulfill the Saline River Basin portion of the requirements of Permit No. MVK 2010-01838.

FURTHERMORE, the Department shall continue to explore options for handling the needed stream mitigation credits in the Ouachita River Basin for Job 070321.

2011-052

WHEREAS, local officials have requested that U. S. Highway 63 (Future I-555) from Interstate 55 to Jonesboro 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 which has been made; 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 U. S. Highway 63 (Future I-555) from Interstate 55 to Jonesboro 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.

2011-053

WHEREAS, IN HOT SPRING AND GARLAND COUNTIES, on Highway 7, Sections 8 and 9, the structure over Sorrells Creek (Bridge No. 01345, Log Mile 0.06 in Garland County) is classified as functionally obsolete and needs to be replaced; and

WHEREAS, improvements to this structure 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.

2011-054

WHEREAS, it has been determined that an improvement is warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with an improvement at the crossing subject to the following conditions:

1. Maintenance of the improvements 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>Railraod</u>	<u>Recommendation</u>
Hot Spring	Butterfield	Hwy. 51	Arkansas Midland	New Surface And Circuitry Upgrade

2011-055

WHEREAS, IN NEWTON COUNTY, on Highway 7, Section 18, the structures over Harp Creek (Bridge No. 00585, Log Mile 21.86) and over Mill Creek (Bridge No. 00586, Log Mile 24.30) are classified as functionally obsolete and need to be replaced; and

WHEREAS, improvements to these structures qualify for funding under the Federal-aid Bridge Replacement and Rehabilitation program.

2011-055 - Continued

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

2011-056

WHEREAS, the construction to improve traffic operations through the Interstate 430/Interstate 630 Interchange has been divided into four phases; and

WHEREAS, the work for Phase I and II has been completed, and Phase III is currently under construction; and

WHEREAS, Phase IV design work has been completed; and

WHEREAS, the Department continues to focus on ways to minimize impact to the traveling public through this high traffic interchange during construction operations.

NOW THEREFORE, the Director is authorized to pursue by Change Order incorporating the Phase IV work into Phase III, pending Federal Highway Administration approval, and the availability of funding for this additional work.

2011-057

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 13, 2011 letting;

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110550	01	MONROE	HWY. 17-HWY. 49 NORTH (OVERLAY) (S)	70	Y
110551	01	CRITTENDEN	HWY. 50-NORTH (OVERLAY) (S)	147	Y
110552	01	ST. FRANCIS	WOODALE RD.-I-40 (FORREST CITY) (OVERLAY) (S)	1B	Y
020522	02	JEFFERSON	I-530/HWY. 270 BRIDGE ABUTMENT SLOPE REPAIR (S)	530	Y
020523	02	ARKANSAS & PRAIRIE	CARTER RD.-MONROE CO. LINE (OVERLAY) (S)	79	Y
020524	02	JEFFERSON	TAYLOR PHILLIPS RD.-HWYS. 81/425 (OVERLAY) (S)	65	Y

2011-057 - Continued

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030395	03	LAFAYETTE	LA LINE-BRADLEY & HWY. 29-WEST (OVERLAY) (S)	29 & 160	Y
030396	03	SEVIER	COSSATOT RIVER-DEQUEEN MILL & INLAY (OVERLAY) (S)	71	Y
040585	04	SEBASTIAN	HWYS. 22/64-NORTH (OVERLAY) (S)	64	Y
040586	04	FRANKLIN	ALTUS-EAST & WEST (OVERLAY) (S)	64	Y
040587	04	CRAWFORD	SEBASTIAN CO. LINE-NORTH (OVERLAY) (S)	64	Y
040588	04	LOGAN	HWY. 197-EAST (OVERLAY) (S)	22	Y
040589	04	SCOTT	MILL CREEK-SOUTH (OVERLAY) (S)	71	Y
040590	04	FRANKLIN	N. WHITE OAK CREEK-NORTH (OVERLAY) (S)	23	Y
FS5004	05	WHITE	HWY. 16-HWY. 36 (S)	310	N
FS5005	05	WHITE	HWY. 67-HWY. 157 (S)	385	Y
FS5006	05	WHITE	HWY. 258-NORTH (S)	157	N
FS5007	05	CLEBURNE & WHITE	CO. RD. 142-HWY. 124 (S)	110	N
FS5008	05	WHITE	HWY. 67-EAST (S)	258	N
050207	05	INDEPENDENCE	HWY. 69/HWY. 122 INTERS. IMPVTS. (S. OF NEWARK) (S)	69 & 122	Y
050246	05	CLEBURNE	GREERS FERRY DAM-HWY. 92 (OVERLAY) (S)	25	Y
050247	05	INDEPENDENCE	CAVE CITY-SOUTH (OVERLAY) (S)	167	Y
050248	05	SHARP	HWY. 58E-LAWRENCE CO. LINE (OVERLAY) (S)	63	Y
061256	06	SALINE	HWY. 70-SEVIER ST. CABLE MEDIAN BARRIER (F)	30	Y
061285	06	GARLAND	HWY. 70 EAST INTCHNG. (HOT SPRINGS) (PH.III) (S)	70	Y
061302	06	PULASKI	HWY. 10-ARKANSAS RIVER BR. SAFETY IMPVTS. (S)	430	Y
061304	06	GARLAND	HWY. 5-NORTH (SEL. SECS.) (OVERLAY) (S)	7	Y
061305	06	LONOKE	FOUR MILE CR.-NORTH & SOUTH (OVERLAY) (S)	5	Y
061306	06	HOT SPRING	HWY. 128-BISMARCK (OVERLAY) (S)	7	Y

2011-057 - Continued

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
061307	06	HOT SPRING	HWY. 283-OUACHITA RIVER (SEL. SECS.) (OVERLAY) (S)	67	Y
061308	06	LONOKE	HWY. 294-EAST (LONOKE) (OVERLAY) (S)	70	Y
070340	07	CLARK	NEVADA CO. LINE-GURDON (SEL. SECS.) (OVERLAY) (S)	67	Y
070350	07	UNION	CHARLIE RODGERS RD.-HWY. 335 (OVERLAY) (S)	15	N
070351	07	DALLAS	HWY. 273-NORTH (OVERLAY) (S)	9	N
FS8007	08	POPE	HWY. 27-HWY. 247 (S)	105	N
FS8008	08	FAULKNER	MARTINVILLE-HWY. 65 (S)	124	N
FS8009	08	CONWAY	HWY. 92-COVE CREEK (S)	124	N
080405	08	POPE	HWY. 333-NORTH (OVERLAY) (S)	7	Y
080406	08	POPE	TYLER RD. (RUSSELLVILLE)-EAST (OVERLAY) (S)	64	Y
080407	08	YELL	HWY. 28-SOUTH (SEL. SECS.) (OVERLAY) (S)	27	Y
009901	09	CARROLL	HWY. 143-BERRYVILLE (S)	62	Y
090306	09	CARROLL	HWY. 412-NORTH (OVERLAY) (S)	21	N
090307	09	BENTON	I-540-HWY. 94 & I-540-HWY. 71B (OVERLAY) (S)	62 & 264	Y
090308	09	BENTON	HWY. 279-HWY. 71 (BELLA VISTA) (OVERLAY) (S)	340	Y
100730	10	CRAIGHEAD	HWY. 1/FOX MEADOW LN. & HWY. 91/UNIVERSITY LOOP SIGNALS (JONESBORO) (S)	1 & 91	Y
100742	10	CLAY	CORNING-HWY. 328 (OVERLAY) (S)	67	Y
100743	10	GREENE	HWY. 412-HWY. 358 EAST (PARAGOULD) (OVERLAY) (S)	49	Y
100744	10	MISSISSIPPI	MANILA-EAST & WEST (OVERLAY) (S)	18	Y
100745	10	MISSISSIPPI	I-55-NORTH (BLYTHEVILLE) (OVERLAY) (S)	61	Y
100746	10	POINSETT	HWY. 49-EAST & HWY. 158-SOUTH (OVERLAY) (S)	1 & 14	Y
SA0438	09	BENTON	HWY. 72-HWY. 62 (SURFACING) (S)	---	-
SA1655	10	CRAIGHEAD	CO. RD. 48-CO. RD. 42 (SURFACING) (S)	---	-

2011-057 - Continued

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
FA1914	01	CROSS	HWY. 163-WEST PHASE 1 (SURFACING) (S)	---	-
FA5307	08	PERRY	HWY. 155-EAST (PHASE 1) (S)	---	-
SA5340	08	PERRY	CO. RD. 43-CO. RD. 45 (RESEAL) (S)	---	-
SA5548	03	PIKE	HWY. 84-NORTHWEST (SURFACING) (S)	---	-
SA6728	05	SHARP	SHARP COUNTY OVERLAY (SEL. SECS.) (S)	---	-
SA7380	05	WHITE	HWY. 267-SOUTH (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 Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Infrastructure Engineers, Inc., of Spartanburg, SC, to perform Statewide Underwater Bridge Inspections (Phase IX) on selected bridges.

MOTION Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with Garver, LLC, Little Rock, AR, to provide the design services for the Arkansas River Str. & Apprs. (Broadway) (LR/NLR) project.

MOTION Commissioner Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed unanimously to accept the Staff's recommendation to enter into negotiations with the following firms for on-call surveying services:

- Consolidated Land Services, Inc, -----Mountain Home, AR
- NTB Associates, Inc. ----- Little Rock, AR
- Crafton Tull ----- Rogers, AR
- Ouachita-Saline Surveying, Inc. -----Arkadelphia, AR
- AMI Engineering, Inc. ----- Little Rock, AR
- McClelland Consulting Engineers, Inc. -----Fayetteville, AR
- Associated Engineering & Testing, LLC -----Jonesboro, AR
- Hall Surveying & Engineering, Inc. -----Texarkana, AR
- Garver -----North Little Rock, AR
- B&F Engineering, Inc. -----Hot Springs, AR
- Florence & Hutcheson -----Little Rock, AR

2011-058 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:35 p.m., April 13, 2011.

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 13, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 1, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 1, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-059 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., June 1, 2011.

2011-060 WHEREAS, the Purchasing Committee has awarded purchases on April 6, 18, 22 and 28, 2011, and May 11, 2011, in the amounts of \$581,744.60, \$280,496.14, \$33,695.48, \$87,186.00, and \$106,569.04, respectively, totaling \$1,089,691.26, 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.

2011-061 WHEREAS, video monitoring of the Central Office Complex and Materials Division facility is vital to the safety and security of Department employees and property; and

WHEREAS, the current analog video system provides poor visual quality, contains inoperable cameras, poor archival storage and is functionally obsolete; and

2011-061 - Continued

WHEREAS, newer digital technology is available that provides vastly improved visual clarity, increased archival storage and improved viewing functionality.

NOW THEREFORE, the Director is authorized to purchase digital video cameras to replace the current analog video monitoring system, with installation to be performed by Department forces.

2011-062

WHEREAS, speed enforcement is vital to the reduction of crashes on our state highways and in highway work zones; and

WHEREAS, the majority of radar units currently utilized by the Arkansas Highway Police (AHP) for speed detection are outdated and frequently in need of repair, and

WHEREAS, up-to-date radar units that meet the specifications of the AHP are available for purchase under current state contract.

NOW THEREFORE, the Director is authorized to purchase up to seventy radar units utilizing drug asset forfeiture funds of the AHP Division.

2011-063

WHEREAS, officers of the Arkansas Highway Police (AHP) conduct commercial motor vehicle inspections to ensure that vehicles are mechanically sound and drivers are properly qualified; and

WHEREAS, during commercial motor vehicle inspections, officers frequently discover critical safety violations that necessitate drivers being cited and commercial motor vehicles and/or drivers being placed out-of-service; and

WHEREAS, officers frequently testify and present evidence in court, and also respond to Federal Motor Carrier Safety Administration (FMCSA) Data Q's in which motor carriers may challenge the presence of critical safety violations discovered by officers during commercial motor vehicle inspections; and

2011-063 - Continued

WHEREAS, digital evidence of critical safety violations not only enhances the court testimony of officers, but also supports their enforcement action when responding to FMCSA Data Q's.

NOW THEREFORE, the Director is authorized to purchase digital cameras for use by inspecting officers of the AHP utilizing drug asset forfeiture funds of the AHP Division.

2011-064

WHEREAS, an increase in the number of heavy trucks has occurred on state highways in Central Arkansas; and

WHEREAS, the construction of truck inspection pads is needed in order for the Highway Police to safely weigh and inspect commercial vehicles.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of truck inspection pads at appropriate locations as funds become available.

2011-065

WHEREAS, Department personnel use telephone systems in offices statewide to communicate with the public, business partners and fellow employees; and

WHEREAS, much of the existing telephone equipment is over 25 years old, is obsolete, is becoming increasingly unreliable, is difficult to repair because of a lack of available replacement parts, and does not provide needed features; and

WHEREAS, the Department has a fiber optic network which can be used to enhance internal communications, strengthen disaster preparedness, and lower costs through the provisioning of voice services; and

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

2011-065 - Continued

NOW THEREFORE, the Director is authorized to proceed with the acquisition and installation of an integrated telephone system and all necessary equipment.

2011-066

WHEREAS, the Department currently owns a Cessna 206 aircraft that is primarily used for aerial photography; and

WHEREAS, aerial photography is an efficient and valuable tool for determining topography and elevations of land surfaces which are necessary for the mapping, planning, and design of highways; and

WHEREAS, the Cessna 206 aircraft has reached a total number of hours of engine use that requires the engine to be overhauled by a qualified flight mechanic.

IN ADDITION, the aircraft is in need of new paint and cockpit and control repairs.

NOW THEREFORE, the Director is authorized to schedule the required maintenance on the aircraft that will allow it to remain in service for the Department.

2011-067

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.

2011-068

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has contracted with the National Center for Pavement Preservation (NCPP) to host the Transportation System Preservation Technical Services Program (TSP²); and

WHEREAS, TSP² is an efficient means of assisting the Department with gathering information for preserving highway infrastructure; and

WHEREAS, this activity is eligible for 100% Federal-aid State Planning and Research Funds.

NOW THEREFORE, the Director is authorized to utilize SPR funds for annual membership dues for the participation of the Transportation System Preservation Technical Services Program.

2011-069

WHEREAS, the Federal Highway Administration has allocated \$50,000 of Surface Transportation Environment and Planning (STEP) Research Program funds to support the cooperative research pilot project, "Use of the U.S. Fish and Wildlife Service (USFWS) Information Planning and Consultation (IPaC) Website to Streamline Environmental Analysis of Federal Highway Administration (FHWA) Projects in Arkansas"; and

WHEREAS, successful implementation of the USFWS IPaC decision support system would streamline the environmental review process on projects involving endangered species; and

WHEREAS, the results of this research pilot project could serve as a template for use by transportation agencies nationwide by demonstrating that the use of the IPaC decision support system results in better integration of conservation and transportation planning, a more streamlined environmental review process, and the development of a programmatic framework for endangered species consultations.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the FHWA and the USFWS to conduct this research and to provide State matching funds of \$50,000 for this cooperative effort.

2011-070

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 facilities and capabilities to conduct studies in the area of research, training and technology transfer.

NOW THEREFORE, the Director is hereby authorized to enter into an agreement with the MBTC to conduct the following studies.

- Performance of Prestressed Girders Cast with Lightweight Self-Consolidating Concrete – Phase II
- Identification of Expansive Soils Using Remote Sensing and In-situ Field Measurements – Phase I
- Site-Specific Seismic Ground Motion Analyses for Transportation Infrastructure in the New Madrid Seismic Zone
- Developing Anti-Ice Bridge Decks to Promote Safety on Roadways Leading to Rural Areas.

2011-071

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 this 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 Arkansas Baptist College has submitted a proposal that meets the scope of the program and is within the projected budget allowance provided by the Federal Highway Administration.

2011-071 - Continued

NOW THEREFORE, the Director is authorized to enter into an agreement with the Arkansas Baptist College to host the National Summer Transportation Institute.

2011-072

WHEREAS, median cable barriers have been proven to be an effective and economical treatment to reduce crossover crashes on divided highways; and

WHEREAS, Arkansas' Strategic Highway Safety Plan (2007) identified the installation of median cable barriers as a priority safety strategy; and

WHEREAS, a statewide median crossover crash analysis has been completed; and

WHEREAS, the analysis identified various locations in the State that would benefit from the installation of median cable barriers; and

WHEREAS, this work 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 the locations shown on the attached list as funds become available.

2011-073

WHEREAS, Act 728, known as the "Heritage Trails System Act" of the Regular Session of the 87th General Assembly of the State of Arkansas, established a state historic trails system; and

WHEREAS, this act required the establishment of a uniform marker for the Arkansas Heritage Trails System to mark designated routes; and

WHEREAS, the Butterfield Stage Route, Southwest Trail, American Indian Removal Routes and the Civil War Troop Movement Routes have been designated as heritage trails that follow parts of the state highway system; and

2011-073 - Continued

WHEREAS, it has been determined, in cooperation with the Arkansas Department of Parks and Tourism and the Department of Arkansas Heritage, that these state highway routes should be marked as the “Butterfield Trail”, “Southwest Trail”, “Trail of Tears” and “Civil War Trails”.

NOW THEREFORE, the Director is authorized to furnish and install the signs identifying a state historic trails system along the appropriate routes in compliance with the Heritage Trails System Act.

2011-074

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 the Federal Transit Administration, to implement the SPR Work Program and Cost Estimate for Fiscal Year 2012, and enter into any necessary contracts and agreements.

2011-075

WHEREAS, Minute Order 2010-021 authorized the Director to request applications for funding from other state and local government agencies under the Transportation Enhancement Program; and

WHEREAS, the Arkansas Highway Commission has selected projects for funding for work determined to be eligible as defined by relevant Transportation Enhancement Program regulations and guidelines.

NOW THEREFORE, the Director is authorized to proceed with implementation of the Transportation Enhancement Program projects included in the attached list.

2011-076

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, 2009 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, 2011 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, 2009 Edition, and to collaborate with the Department of Finance and Administration to publish 9,500 copies of the Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2011 Edition, including the Internet agreement.

2011-077

WHEREAS, Minute Order 2004-029 adopted the Procedures for New or Revised Freeway Access in Arkansas; and

WHEREAS, the Federal Highway Administration (FHWA) has revised their policy for access to the Interstate System; and

WHEREAS, the Department has updated the Procedures for New or Revised Freeway Access in Arkansas to reflect current FHWA policy; and

WHEREAS, it is recognized that it may be necessary to periodically update the procedures in accordance with changes to FHWA policy.

2011-077 - Continued

NOW THEREFORE, the updated Procedures for New or Revised Freeway Access in Arkansas are adopted, and the Director is authorized to update the procedures as necessary periodically to reflect changes to FHWA policy.

2011-078

WHEREAS, IN BAXTER COUNTY, local officials requested a study of possible improvements to Highway 201 from Highway 62 to Highway 5 in Mountain Home to determine the most appropriate means to decrease congestion and enhance safety on this route; and

WHEREAS, a study titled Highway 201 Proposed Improvements Mountain Home has been prepared and feasible improvement options were identified; and

WHEREAS, the City of Mountain Home has proposed to assume maintenance responsibility for portions of Highway 201 and ownership of Highway 201 Spur and a portion of Highway 201 upon completion of an improvement project.

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, subject to receipt of a proper resolution from the City Council of Mountain Home endorsing the proposal that the City of Mountain Home will accept Highway 201 Spur and a portion of the Highway 201 roadway as a city street and will assume maintenance responsibility upon completion of the proposed improvements.

2011-079

WHEREAS, IN BOONE COUNTY, the City of Harrison passed Ordinance No. 1336 agreeing to accept all responsibility for maintenance of the portion of Highway 65, Section 1B, beginning at the junction with Highway 65 and continuing south to the junction with Highway 7.

2011-079 - Continued

NOW THEREFORE, IT IS ORDERED that upon completion of Job 090309 and official notification by the Deputy Director and Chief Engineer, the portion of Highway 65, Section 1B, beginning at the junction with Highway 65 and continuing south to the junction with Highway 7 is hereby removed from the State Highway System as shown on the attached sketch.

2011-080 WHEREAS, IN PULASKI COUNTY, the Institutional Drive System maintained by the Department at the State Hospital and the University of Arkansas for Medical Sciences was recently reviewed; and

WHEREAS, portions of the existing drives no longer meet all the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961; and

WHEREAS, there are additional roads that meet all the criteria for inclusion in the State Maintenance System.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, drives totaling approximately 2.31 miles, as shown on the attached sketch, are hereby to be maintained by the Department as State Highway 841, Section 1.

2011-081 WHEREAS, IN CRITTENDEN COUNTY, on Highway 147, Section 1, the segment between Highway 131 and Highway 50, a distance of approximately 5.5 miles, is in need of improvements.

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

2011-082 WHEREAS, IN PRAIRIE COUNTY, on Interstate 40, Section 42, the structure over the White River (Bridge No. 03713, Log Mile 199.04) is in need of improvement.

2011-082 - Continued

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

2011-083 WHEREAS, IN PULASKI COUNTY, on Interstate 40, Section 33, from the Faulkner County line to Interstate 430 in North Little Rock, a distance of approximately 9.7 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of projects to widen this segment of Interstate 40 as funds become available.

2011-084 WHEREAS, IN SALINE COUNTY, on Interstate 30, Section 22, the segment from Highway 70 to the Sevier Street interchange in the City of Benton is in need of repair.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of projects to mill and inlay this segment of Interstate 30 as funds become available.

2011-085 WHEREAS, within the City of Carlisle, the Department has recently completed a relocation project for Highway 13; and

WHEREAS, the City of Carlisle has requested naming the relocated section of Highway 13 in honor of Bobby L. Glover; 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.

2011-085 - Continued

NOW THEREFORE, the Director is authorized to allow the installation of signs on the designated section of Highway 13 within the city limits of the City of Carlisle in honor of Bobby L. Glover and in accordance with Commission Policy.

2011-086

WHEREAS, IN MARION COUNTY on Highway 125, Section 2, the Peel Ferry on Bull Shoals Lake uses six-vehicle barges which are not always adequate with the amount of recreational vehicle traffic during the peak season; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provided Ferry Boat Discretionary Program funds for ferry systems, and public entities responsible for developing ferries; and

WHEREAS, Arkansas has received an allocation of Ferry Boat Discretionary Program funds for the purchase of a 12-vehicle barge.

NOW THEREFORE, the Director is authorized to proceed with the purchase of a 12-vehicle barge to replace one of the existing six-vehicle barges using the funds received.

2011-087

WHEREAS, Minute Order 2011-056 authorized the Director to pursue by Change Order incorporating the Phase IV work into Phase III of the Interstate 430/Interstate 630 interchange modifications project; and

WHEREAS, it has been determined that incorporating the Phase IV work into Phase III will positively impact the cost, time, road user impacts and safety of the overall project and will be in the public's best interest; and

WHEREAS, the Federal Highway Administration has acknowledged their concurrence with this proposed change.

NOW THEREFORE, the Director is authorized to proceed with a Change Order to incorporate Phase IV work into Phase III of the Interstate 430/Interstate 630 interchange modifications project.

2011-088

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the June 1, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110553	01	PHILLIPS	HWY. 39-HWY. 318 (OVERLAY) (S)	1	Y
110554	01	ST. FRANCIS	GOODWIN-WEST (OVERLAY) (S)	70	Y
020525	02	JEFFERSON	PAPER MILL RD.-N. OF HWY. 79B (OVERLAY) (S)	63 & 79	Y
020526	02	DREW	CUT OFF CREEK-EAST (OVERLAY) (S)	35	Y
030397	03	NEVADA	PRESCOTT-TERRE ROUGE CREEK (OVERLAY) (S)	371	Y
030398	03	PIKE	DAISY-EAST & WEST MILL & INLAY (OVERLAY) (S)	70	Y
040585	04	SEBASTIAN	HWYS. 22/64-NORTH (OVERLAY) (S)	64	Y
040587	04	CRAWFORD	SEBASTIAN CO. LINE-NORTH (OVERLAY) (S)	64	Y
040591	04	LOGAN	SHOAL CREEK-WEST (OVERLAY) (S)	22	Y
040592	04	WASHINGTON	HWY. 16-NORTH (SEL. SECS.) (FAYETTEVILLE) (OVERLAY) (S)	71B	Y
040593	04	POLK	MENA-NORTH & HATFIELD-SOUTH (OVERLAY) (S)	71	Y
FS5009	05	CLEBURNE & WHITE	HWY. 25-PANGBURN (S)	16	Y
FS5010	05	CLEBURNE	HWY. 107-HWY. 25 (SEL. SECS.) (S)	110	Y
FS5011	05	WHITE	HWY. 16-HWY. 124 (S)	305	N
050252	05	WHITE	UNION PACIFIC R.R. OVERPASS-EAST (OVERLAY) (S)	64	Y
050253	05	INDEPENDENCE	HWY. 167-SOUTH (OVERLAY) (S)	157	N
050254	05	IZARD	HWY. 69 SPUR-HWY. 58 (OVERLAY) (S)	69	Y
050255	05	JACKSON	AMAGON-POINSETT CO. LINE (OVERLAY) (S)	14	Y
061202	06	PULASKI	SALINE CO. LINE-OTTER CREEK RD. (LITTLE ROCK) (S)	5	Y
061311	06	PULASKI	BANKHEAD DR.-HWY. 165 (CONC. PVMT. PATCHING) (S)	440	Y
070349	07	UNION	HWY. 7/HWY. 335 SIGNAL (UNION CO.) (S)	7 & 335	Y
070352	07	CALHOUN	OUACHITA CO. LINE-DALLAS CO. LINE (OVERLAY) (S)	79	Y
FS8010	08	VAN BUREN	CONWAY CO. LINE-SCOTLAND (S)	95	N

2011-088 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
FS8011	08	JOHNSON	HWY. 359-NORTH (S)	315	N
FS8012	08	VAN BUREN	CO. RD. 6-SOUTH (S)	336	N
FS8015	08	POPE	HWY. 105-CONWAY CO. LINE (S)	124	N
FS8016	08	FAULKNER	HWY. 65-CLEBURNE CO. LINE (SEL. SECS.) (S)	25	Y
FS8017	08	VAN BUREN	HWY. 65-HWY. 92 (S)	285	N
080273	08	FAULKNER	HWY. 266-HWY. 64 (CONWAY) (S)	65B	Y
080408	08	JOHNSON	E. OF HWY. 123-I-40 (LAMAR) (OVERLAY) (S)	64	Y
080409	08	POPE	SIMPSON-MUDDY GAP (OVERLAY) (S)	7	Y
090288	09	NEWTON	HWY. 7 SLIDE REPAIRS (FFY10) (S)	7	Y
090309	09	BOONE	DRY JORDAN CREEK-HWY. 65 (HARRISON) (OVERLAY) (S)	65B	Y
090310	09	BOONE	HWY. 65B-EAST (OVERLAY) (S)	65	Y
100724	10	MISSISSIPPI	DITCH NO. 6 STR. & APPRS. (BLYTHEVILLE) (S)	312	N
100729	10	CRAIGHEAD	HWY. 49/KELLERS CHAPEL RD. SIGNAL (JONESBORO) (S)	49	Y
100743	10	GREENE	HWY. 412-HWY. 358 EAST (PARAGOULD) (OVERLAY) (S)	49	Y
100747	10	CRAIGHEAD	HWY. 463-POINSETT CO. LINE (OVERLAY) (S)	63	Y
100748	10	LAWRENCE & RANDOLPH	HWY. 63-EAST (OVERLAY) (S)	62	Y
100749	10	LAWRENCE	HWY. 67-EAST (OVERLAY) (S)	412	Y
012060	02 & 07	LINCOLN & JEFFERSON & CLEVELAND	CO. RD. 35-HWY. 212 (BS. & SURF.) (F)	530	Y
SA0349	09	BAXTER	BAXTER COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA0550	09	BOONE	HWY. 65-CO. RD. 88 (RESEAL) (S)	---	-
SA0845	09	CARROLL	HWY. 62-HWY. 221 (RECONST. & RESEAL) (SEL. SECS.) (S)	---	-
SA0937	02	CHICOT	CHICOT COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA1351	07	CLEVELAND	HWY. 8-HWY. 89 (SURFACING) (S)	---	-
SA1440	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 17 (S)	---	-

2011-088 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA2243	02	DREW	HWY. 35-SOUTH (OVERLAY) (S)	---	-
SA2365	08	FAULKNER	HWY. 64-HWY. 89 OVERLAY (SEL. SECS.) (S)	---	-
SA2663	06	GARLAND	HWY. 70-SOUTH (OVERLAY) (S)	---	-
SA3338	05	IZARD	FRANKLIN CITY LIMITS-NORTHWEST (OVERLAY) (S)	---	-
SA3643	08	JOHNSON	HWY. 103-WEST (SEL. SEC.) (SURFACING) (S)	---	-
SA3847	10	LAWRENCE	HWY. 67-WEST REPAIR & OVERLAY (SEL. SECS.) (S)	---	-
SA3933	01	LEE	LEE COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA4039	02	LINCOLN	STAR CITY CITY LIMITS-CO. RD. 18 (OVERLAY) (S)	---	-
SA4270	04	LOGAN	HWY. 116-SOUTHEAST SURFACING (S)	---	-
SA4828	01	MONROE	BRINKLEY C.L.-WEST & SOUTHWEST (REPAIR & RESURF.) (SEL. SECS.) (S)	---	-
SA4930	08	MONTGOMERY	MONTGOMERY COUNTY RESEAL NO. 14 (S)	---	-
SA5022	03	NEVADA	CO. RD. 23-HWY. 24 (RECONSTRUCT) (S)	---	-
SA5341	08	PERRY	HWY. 155-CASA (RESEAL) (S)	---	-
SA5549	03	PIKE	HWY. 70-HOWARD COUNTY LINE (RESEAL) (S)	---	-
SA5940	06	PRAIRIE	PRAIRIE COUNTY RESEAL NO. 2 (SEL. SECS.) (S)	---	-
SA6130	10	RANDOLPH	POCAHONTAS CITY LIMITS-WEST (OVERLAY) (S)	---	-
SA6131	10	RANDOLPH	HWY. 93-SOUTH (RESEAL) (S)	---	-
SA6336	04	SCOTT	HWY. 80-HWY. 248 (SURFACING) (S)	---	-
SA6436	09	SEARCY	HWY. 65-SOUTH (OVERLAY) (S)	---	-
SA6544	04	SEBASTIAN	HWY. 45-MANSFIELD CITY LIMITS (OVERLAY) (S)	---	-
SA6935	05	STONE	MT. VIEW-EAST (LEVELING & RESEAL) (S)	---	-
SA7283	04	WASHINGTON	HWY. 45-SOUTH (OVERLAY) (S)	---	-

2011-088 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA7379	05	WHITE	RUSSELL CITY LIMITS-NORTHWEST (BASE & SURFACING) (S)	---	-
SA7527	08	YELL	HWY. 27-WEST (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.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed unanimously to approve the Fiscal Year 2011-2012 Department Budget as recommended by the Department Staff.

MOTION

Dan Flowers informed the members of the Commission of his intention to retire from the Department on September 21, 2011. Chairman Madison Murphy moved, Vice Chairman John Ed Regenold seconded and the motion passed unanimously to go into Executive Session at 12:55 pm.

The Commission took a recess from Executive Session to attend the 2:00 pm Bid Letting. They went back into Executive Session at approximately 2:45 pm.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed unanimously to close the Executive Session and reopen the public Commission Meeting at 2:50 pm.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed unanimously to appoint Scott Bennett as Director of the Arkansas State Highway & Transportation Department upon Dan Flowers retirement. Scott Bennett will assume the responsibilities of Acting Director when Dan Flowers begins his leave in August. He will assume the title of Director effective September 22, 2011.

2011-089

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:15 p.m., June 1, 2011.

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 1, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 20, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 20, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-090 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., July 20, 2011.

2011-091 WHEREAS, the Purchasing Committee has awarded purchases on June 21, 2011, in the amount of \$47,316.00, 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.

2011-092 DAN FLOWERS
Director Emeritus

WHEREAS, your term as Director of the Arkansas State Highway and Transportation Department has come to an end due to your retirement, we the undersigned, 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 and Department. Your personal contributions over the past years have promoted progress and economic growth in this Great State through sound

2011-092 - Continued

planning and the application of business principles in the planning, construction, and maintenance of the Arkansas State Highway System.

WHEREAS, because of the imminent loss of the aforementioned knowledge and service to this Commission and Department, 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 'Director Emeritus'.

2011-093

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 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.

2011-094

WHEREAS, Federal surface transportation acts have authorized funding for the Recreational Trails Program; and

WHEREAS, this program requires that 30% of the funding be spent solely for motorized trail projects; and

2011-094 - Continued

WHEREAS, it has been historically difficult to obtain qualified motorized trail applications to fully utilize available funding during a normal application period, which results in the carryover of funds for motorized trail projects.

NOW THEREFORE, the Director is authorized to maintain an open application period for motorized trail projects and to award available funding to qualified applicants on a first come, first served basis.

2011-095

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Federal Fiscal Year 2010 and Fiscal Year 2011 Recreational Trails Program; and

WHEREAS, Minute Order 2010-050 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.

2011-096

WHEREAS, Acts 4 & 5 of the First Extraordinary Session, 2008, of the Arkansas General Assembly established a new rate of severance tax for natural gas produced in Arkansas; and

WHEREAS, these Acts set aside 5% of the revenues from the new severance tax to be deposited as general revenues to replace the revenues collected under the previous severance tax formula; and

WHEREAS, Act 297 of the Fiscal Session, 2010, of the Arkansas General Assembly established that any part of the 5% in excess of the general revenue replacement would be distributed among the counties of the Fayetteville Shale exploration and production area as additional funds for road repair and other maintenance expenses related to the gas well drilling and production activities; and

WHEREAS, the Arkansas State Highway and Transportation Department has been designated as the recipient of these excess funds totaling \$1,997,467.00 for FY 2011 to be distributed to the affected counties; and

WHEREAS, a formula has been developed, and concurred in by the County Judges Association of Arkansas, that would distribute the excess funds based on the total number of completed and producing gas wells, by county, in the Fayetteville Shale Play area.

NOW THEREFORE, the Director is authorized to accept these funds from the Department of Finance and Administration and distribute them to the counties in the Fayetteville Shale Play area in accordance with the attached formula.

2011-097

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.

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property known as Tract No. 15 from Larry Matthews for Job No. 020070, Highway 65B-North (Hwy 79B) Jefferson County, Arkansas, by condemnation, resulting in a Consent Judgment filed of record on December 22, 2010, in the Circuit Clerk's office of Jefferson County Circuit Case No. CV No. 2010-132-2; and

WHEREAS, the advalorem taxes on lands acquired by the Commission, and others owned by the Defendant's, were delinquent for the years 2006 through 2009, inclusive; and

WHEREAS, such delinquent taxes had been certified to the State Land Commission's office for the sale of said lands for the delinquent taxes owing, being the sum of \$960.22, including all taxes, costs and penalties accrued thereon; and

WHEREAS, as a condition of the Commission agreeing to the Consent Judgment for the consideration offered to the Condemnee it was agreed that the delinquent taxes, costs and penalties would be paid to the State Land Commission and the lands certified be redeemed from the proceeds of such Consent Judgment; and

WHEREAS, upon the payment of the delinquent taxes, costs and penalties from the proceeds of the Consent Judgment the Commissioner of State Lands, John Thurston, issued the Redemption Deed filed in Book 896 at page 400 on March 16, 2011, of the records of Jefferson County, Arkansas, to the Commission rather than to Larry Matthews, to whom the Redemption Deed should have been issued, said lands being described as follows:

LOT ONE (1) IN BLOCK ONE (1) OF THE DORRIS ADDITION WEST TO THE CITY OF PINE BLUFF, ARKANSAS, THE SAME BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SE CORNER OF SAID BLOCK 1 AND THENCE N ALONG CEDAR STREET 50 FEET, THENCE W 120 FEET, THENCE S 50 FEET, AND THENCE E 120 FEET TO THE POINT OF BEGINNING, BEING LOCATED IN SECTION THIRTY-ONE (31), TOWNSHIP FIVE (5) SOUTH, RANGE NINE (9) WEST OF THE FIFTH (5TH) P.M.

NOW THEREFORE, in order to correct the erroneous conveyance to the Commission of lands belonging to Larry Matthews, by John Thurston, Commissioner of State Lands, said lands are hereby

2011-098 - Continued

declared surplus and the Chairman of the Commission is hereby authorized and directed to execute a quitclaim deed conveying the lands described above to Larry Matthews; a copy of the deed and this Minute Order shall be recorded in Jefferson County, Arkansas.

20011-099

WHEREAS, the Arkansas State Highway and Transportation Department (Commission) acquired, among others, the hereinafter described lands by condemnation from Woodrow Hughes and wife, Ruby Hughes, and from Albert L. Fletcher, Roman Catholic Bishop of Little Rock for Job No. 6438; and

WHEREAS, by Minute Order No. 2002-055 dated April 3, 2002, and Minute Order No. 2002-083 dated May 22, 2002, the property described herein was declared surplus by the Commission and was sold to Mid-State Truck Plaza, LLC, an Arkansas Limited Liability Company (Mid-State), and conveyed to said purchaser by Quitclaim Deed signed by the Chairman of the Commission, John M. Lipton, on April 3, 2002, and May 22, 2002, respectively; and

WHEREAS, since the execution, recordation and delivery of said Quitclaim Deeds to Mid-State an error in the description of said property has been discovered and Mid-State has requested that the erroneous description be corrected and a new Quitclaim Deed be issued correcting the erroneous descriptions; and

WHEREAS, the correct descriptions of the lands to be conveyed to Mid-State is as follows:

Job No. 6438, Tract No. 4-2

Part of Northwest Quarter of the Northeast Quarter of Section 29, Township 2 North, Range 11 West, 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 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.

DT/dh

And Also

Tract No. 9-1

Part of Northeast Quarter of the Northeast Quarter of Section 29, Township 2 North, Range 11 West, 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.

2011-099 - Continued

NOW THEREFORE, in order to correct the erroneous description contained in the aforementioned Quitclaim Deeds, the Chairman of the Commission is hereby authorized and directed to issue to Mid-State Truck Plaza, LLC, a Quitclaim Deed correcting the erroneous descriptions in the prior deeds to Mid-State Truck Plaza, LLC; a copy of this Minute Order may be recorded in Pulaski County, Arkansas, and if necessary, the right of way remonumented.

2011-100 WHEREAS, IN SALINE COUNTY, the Department maintains the Institutional Drive System at the Alexander Human Development Center; and

WHEREAS, the Alexander Human Development Center was recently closed.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 845, Section 1 is hereby removed from the State Highway System.

2011-101 WHEREAS, IN BENTON AND WASHINGTON COUNTIES, Minute Order 2009-093 authorized 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; and

WHEREAS, the Northwest Arkansas Eastern North-South Corridor Study has been completed.

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.

FURTHERMORE, if an extension of Highway 265 proceeds to project development, the Department will work with local jurisdictions to determine what existing highways would be appropriate to transfer to the local jurisdictions.

2011-102

WHEREAS, IN ASHLEY COUNTY, on Highway 82, Section 8, from County Road 411 east of Crossett to Highway 425 South, a distance of approximately 6.1 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 82 as funds become available.

2011-103

WHEREAS, IN CHICOT COUNTY, on Highway 165, Section 3, from Highway 208 to Highway 65, a distance of approximately 3.3 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 165 as funds become available.

2011-104

WHEREAS, IN CLARK COUNTY, on Highway 8, Section 5, from Highway 53 to Highway 51, a distance of approximately 13.1 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 8 as funds become available.

2011-105

WHEREAS, IN CLARK COUNTY, on Highway 51, Section 1, from Highway 26 to Highway 8, a distance of approximately 4.8 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 51 as funds become available.

2011-106

WHEREAS, IN CLEBURNE AND INDEPENDENCE COUNTIES, on Highway 25, Sections 3 and 4, from Highway 25 Spur to Locust Grove, a distance of approximately 24.3 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to provide passing lanes on this segment of Highway 25 as funds become available.

2011-107

WHEREAS, IN CLEBURNE AND WHITE COUNTIES, on Highway 16, Sections 12 and 13, from Highway 25 to Pangburn, a distance of approximately 13.2 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to provide passing lanes on this segment of Highway 16 as funds become available.

2011-108

WHEREAS, IN COLUMBIA COUNTY, on Highway 82, Section 4, from Highway 79 North in Magnolia to Highway 98, a distance of approximately 13 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 82 as funds become available.

2011-109

WHEREAS, IN COLUMBIA AND OUACHITA COUNTIES, on Highway 79, Sections 2 and 3, from Magnolia to Camden, a distance of approximately 32.0 miles, traffic volumes continue to increase; and

2011-109 - Continued

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to improve this segment of Highway 79 as funds become available.

2011-110 WHEREAS, IN FAULKNER COUNTY, on Highway 285, Section 1, from Bono to Highway 124, a distance of approximately 5.4 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 285 as funds become available.

2011-111 WHEREAS, IN FAULKNER AND WHITE COUNTIES, on Highway 64, Sections 9 and 10, from the Vilonia Bypass to Beebe, a distance of approximately 13.3 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 64 as funds become available.

2011-112 WHEREAS, IN FULTON, SHARP AND LAWRENCE COUNTIES, on Highway 63, Sections 1, 2 and 3 from Mammoth Spring to Black Rock, a distance of approximately 46.1 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

2011-112 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to improve this segment of Highway 63 as funds become available.

2011-113 WHEREAS, IN GARLAND COUNTY, on Highway 7, Section 9, from Hot Springs to Highway 5, a distance of approximately 6.2 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to improve this segment of Highway 7 as funds become available.

2011-114 WHEREAS, IN GARLAND AND SALINE COUNTIES, on Highway 70, Sections 9 and 10, from Hot Springs to Interstate 30, a distance of approximately 17.6 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 70 as funds become available.

2011-115 WHEREAS, Section 1702 of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy For Users (SAFETEA-LU), Public Law 109-59, allocated Congressionally designated (earmarked) High Priority Project Funding in the amount of \$3.2 million for “widening to five lanes, improvement, and other development to U. S. Highway 79B/University Avenue in Pine Bluff;” and

WHEREAS, the City of Pine Bluff has in place the University Park Neighborhood Plan providing for the development and revitalization of the area which includes one of the oldest and most established African-American neighborhoods in the city, The University of Arkansas at Pine Bluff (an historically black university which is one of the oldest colleges in the state), Lake Saracen (formerly Lake Pine Bluff), and U. S. Highway 79B/University Avenue; and

WHEREAS, adjusting and relocating of the aerial electrical utilities and city television cable underground will improve both aesthetics and safety; and

WHEREAS, the City of Pine Bluff has requested federal funding assistance to adjust the electrical utilities and city television cable within the limits of the U. S. Highway 79B/University Avenue improvement project (Job No. 020070) in accordance with the appropriate provisions of the Federal Highway Administration's Utility Relocation and Accommodation Guidance for "betterment" costs of the underground utility relocations; and

WHEREAS, the allocation of this federal funding is Congressionally supported (see attached letter).

NOW THEREFORE, approximately \$1.2 million in federal High Priority Project Funding, which was Congressionally designated in SAFETEA-LU for U. S. Highway 79B/University Avenue, is allocated to the City of Pine Bluff for relocation of the aerial electrical facilities and city television cable underground, as approved by the Federal Highway Administration (FHWA), consistent with the provisions of FHWA's utility relocation and guidance as a "betterment" project.

FURTHERMORE, the City of Pine Bluff shall provide the local matching funds required for the use of these federal funds and any other local funding needed for covering project overruns in excess of the amount of federal funds authorized by this Minute Order. In addition, no aerial utilities will be allowed on this section of U. S. Highway 79B/University Avenue in the future.

2011-116 WHEREAS, IN POPE COUNTY, on Highway 124, Section 1, from Highway 326 South to Highway 326 East, a distance of approximately 5.0 miles, traffic volumes continue to increase; and

 WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 124 as funds become available.

2011-117 WHEREAS, IN PULASKI COUNTY, on Highway 10, Section 8, from Taylor Loop to Pleasant Valley Drive in Little Rock, a distance of approximately 2.2 miles, traffic volumes continue to increase; and

 WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

 NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 10 as funds become available.

2011-118 WHEREAS, IN PULASKI COUNTY, at the interchange with Interstate 430, Section 21, and Highway 10, Section 8, traffic volumes continue to increase; and

 WHEREAS, the need exists for improvements to increase capacity and safety at this location.

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

2011-119 WHEREAS, IN PULASKI COUNTY, at the interchange with Interstate 430, Section 21, and Interstate 30, Section 23, traffic volumes continue to increase; and

 WHEREAS, the need exists for improvements to increase capacity and safety at this location.

2011-119 - Continued

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

2011-120

WHEREAS, IN PULASKI AND LONOKE COUNTIES, on Highway 67, Sections 10 and 11, from Jacksonville to Cabot, a distance of approximately 11.8 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen and provide interchange improvements to this segment of Highway 67 as funds become available.

2011-121

WHEREAS, IN PULASKI, LONOKE AND WHITE COUNTIES, on Highway 67, Sections 10, 11, 12 and 13, from Jacksonville to Bald Knob, a distance of approximately 47.2 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 67 as funds become available.

2011-122

WHEREAS, IN SALINE COUNTY, on Highway 5, Section 8, from Springhill Road to Highway 183 in Bryant, a distance of approximately 1.1 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 5 as funds become available.

2011-123

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 signals and gates 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 or Street</u>	<u>Railroad</u>	<u>Recommendation</u>
Benton	Siloam Springs	Jefferson Street	Kansas City Southern	Upgrade Signals And Install Gates
Pulaski	Wrightsville	145 th Street	Union Pacific	Upgrade Signals And Install Gates
Sevier	DeQueen	US 70B	Kansas City Southern	Upgrade Signals And Install Gates
Conway	Morrilton	Moose Street	Union Pacific	Upgrade Signals And Install Gates

2011-124

WHEREAS, IN UNION COUNTY, on Highway 82, Sections 5 and 5B, from the South Arkansas Regional Airport at Goodwin Field to Highway 167, a distance of approximately 11.1 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to widen this segment of Highway 82 and 82B as funds become available.

2011-125 WHEREAS, IN UNION COUNTY, on Highway 335, Section 1, from Highway 82 to Highway 7, a distance of approximately 7.6 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 335 as funds become available.

2011-126 WHEREAS, it has been determined that an improvement is warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with an improvement at the 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 or Street</u>	<u>Railroad</u>	<u>Recommendation</u>
Union	El Dorado	Washington Street	Union Pacific	Upgrade Signals and Install Surface

2011-127 WHEREAS, Minute Order 2009-021 authorized the implementation of the Highway 265 Access Management Plan (Plan) for Highway 265 from Highway 45 north to the City Limits in Fayetteville; and

WHEREAS, in accordance with the Plan, any amendments must be approved by the Fayetteville City Council, the Northwest Arkansas Metropolitan Planning Organization (MPO), and the Arkansas State Highway Commission; and

WHEREAS, an amendment to the Plan has been proposed to permit a partial median break to allow northbound left turns from Highway 265 to Coy Kaylor Drive; and

WHEREAS, no adverse impacts to through traffic on Highway 265 were identified; and

(Continued)

2011-127 - Continued

WHEREAS, resolutions for this amendment have been approved by the Fayetteville City Council and the Northwest Arkansas MPO.

NOW THEREFORE, the Director is authorized to approve the proposed amendment to the Plan to permit a partial median break to allow northbound left turns from Highway 265 to Coy Kaylor Drive.

2011-128

WHEREAS, IN WHITE COUNTY, on Highway 64, Section 11, from Highway 367 to the Woodruff County line, a distance of approximately 9.3 miles, the need exists for improvements to the pavement condition.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to rehabilitate this segment of Highway 64 as funds become available.

2011-129

WHEREAS, IN YELL COUNTY, on Highway 27, Section 10, from Danville to Dardanelle, a distance of approximately 18.4 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to provide passing lanes on this segment of Highway 27 as funds become available.

2011-130

WHEREAS, within the City of Stuttgart, the Department is nearing the completion of a railroad overpass on Highway 165; and

WHEREAS, the City of Stuttgart has requested naming the railroad overpass in honor of Congressman Marion Berry and State Senator Bobby Glover; and

(Continued)

2011-130 - Continued

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 at the railroad overpass on Highway 165 in the City of Stuttgart proclaiming it to be the “Congressman Marion Berry-State Senator Bobby L. Glover Overpass” and in accordance with Commission Policy.

2011-131

WHEREAS, IN CRAIGHEAD COUNTY, the City of Jonesboro by Resolution R-EN-057-2009, has identified the Highway 49 (Stadium Boulevard) overpass on Highway 63 as the Dr. Martin Luther King Jr. Overpass; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2009-033.

NOW THEREFORE, the Director is authorized to allow the installation of signs on Highway 49 in each direction on the approaches to the overpass on Highway 63 in accordance with Commission policy.

2011-132

WHEREAS, the Arkansas Municipal Auditorium, is located in Texarkana, Arkansas at the crossroads of U. S. Highways 67, 71, and 82; and

WHEREAS, this auditorium was an incubator of the new type of music that emerged in the 1940s and 1950s called “rock ‘n roll;” and

WHEREAS, some of the early rock ‘n roll legends that traveled U. S. Highway 67 on the Louisiana Hayride circuit were Elvis Presley, Johnny Cash, Roy Orbison, Jim Ed Brown, Carl Perkins, Louis Armstrong, Floyd Cramer, Charlene Arthur, Onie Wheeler, George Jones, Johnny Horton, and Roy Acuff; and

(Continued)

2011-132 - Continued

WHEREAS, live performances by these rock ‘n roll legends were performed at the Arkansas Municipal Auditorium.

NOW THEREFORE, the Highway Commission hereby designates U. S. Highway 67 in Texarkana, Miller County, as “Rock ‘n Roll Highway 67” in accordance with the provisions of Minute Order No. 2002-213.

2011-133

WHEREAS, IN UNION COUNTY, the City of Smackover by Resolution No. 309, and the Union County Quorum Court by Resolution No. 419, has identified Highway 7 from the Highway 7B intersection south of Smackover to the Highway 7B intersection north of Smackover as the “Bobby G Newman Bypass”; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by 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 7 in accordance with Commission policy.

2011-134

WHEREAS, the two existing elevators in the Central Office Building have been in service and operating continuously since their renovation in 1994; and

WHEREAS, the electric lift motors are no longer manufactured and the electronic controls are of twenty year old technology; and

WHEREAS, the control system can be upgraded to a digital closed-loop microprocessor-based system for increased performance and shorter call response times; and

WHEREAS, all the mechanical components are in dire need of refurbishing.

(Continued)

2011-134 - Continued

NOW THEREFORE, the Director is authorized to proceed with the required work to renovate the elevators in the Central Office Building.

Work to be done by contract as a Building Project.

2011-135 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 20, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110524	01	CRITTENDEN	FIFTEEN MILE BAYOU STR. & APPRS. (HWY. 131, LM 1.99) (CoE) (S)	131	N
020507	02	JEFFERSON	BIG CREEK STR. & APPRS. (S)	54	N
020508	02	JEFFERSON	STEEP BANK CREEK STR. & APPRS. (S)	54	N
020526	02	DREW	CUT OFF CREEK-EAST (OVERLAY) (S)	35	Y
040438	04	FRANKLIN	ARKANSAS RIVER BRIDGE PAINTING (OZARK) (S)	23	Y
040596	04	FRANKLIN & LOGAN	HWY. 22-HURRICANE CR. (OVERLAY) (S)	23	Y
040597	04	WASHINGTON	WEST FORK WHITE RIVER-NORTH (OVERLAY) (S)	71	Y
FS5012	05	CLEBURNE	HWY. 16-HWY. 25 (S)	92	N
FS5013	05	WHITE	INDEPENDENCE CO. LINE-SOUTH (S)	157	N
FS5014	05	CLEBURNE	HWY. 92-HWY. 87 (S)	25	N
FS5015	05	CLEBURNE	TAYLOR RD. (LOG MILE 12.9)-EAST (PRYOR MTN.) (S)	16	N
FS8013	08	CONWAY	POPE CO. LINE-HWY. 95 (SEL. SECS.) (S)	124	N
080339	08	FAULKNER	HWYS. 36/107 INTERS. IMPVTS. (S. OF ENOLA) (S)	36 & 107	N
080380	08	POPE	GALLA CREEK STR. & APPRS. (POTTSVILLE) (S)	64	Y
090304	09	SEARCY	HWY. 27 SLIDE REPAIRS (SEARCY CO.) (S)	27	N
FSX004	08 & 05	VAN BUREN & CLEBURNE	HWY. 65-HWY. 16 EAST (SEL. SECS.) (S)	92	Y
012111	04 & 09	WASHINGTON & BENTON	HWY. 112/265-HWY. 62/102 CABLE MEDIAN BARRIER (F)	540	Y

(Continued)

2011-135 – Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA0239	02	ASHLEY	CO. RD. 12-CO. RD. 297 (OVERLAY) (S)	---	-
SA0551	09	BOONE	BOONE COUNTY OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA1055	07	CLARK	CLARK CO. LEVELING & RESEAL (SEL. SECS.) (S)	---	-
SA1351	07	CLEVELAND	HWY. 8-HWY. 89 (SURFACING) (S)	---	-
SA1656	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 26 (SEL. SECS.) (S)	---	-
SA1765	04	CRAWFORD	CRAWFORD COUNTY OVERLAY NO. 3 (SEL. SECS.) (S)	---	-
SA1834	01	CRITTENDEN	CRITTENDEN CO. OVERLAY (SEL. SECS.) (S)	---	-
SA1932	01	CROSS	HWY. 1-EAST (REPAIR & RESEAL) (S)	---	-
SA2243	02	DREW	HWY. 35-SOUTH (OVERLAY) (S)	---	-
SA2541	05	FULTON	CO. RD. 22 (WHEELING RD.)-BYRON (OVERLAY) (S)	---	-
SA3138	03	HOWARD	HOWARD CO. SURF. & RESEAL (SEL. SECS.) (S)	---	-
SA4642	03	MILLER	MILLER CO. LEVELING, RESEAL, & SURF. (SEL. SECS.) (S)	---	-
SA5023	03	NEVADA	HWY. 67-I-30 (OVERLAY) (S)	---	-
SA5249	07	OUACHITA	OUACHITA CO. OVERLAY NO. 12 (SEL. SECS.) (S)	---	-
SA5853	08	POPE	HWY. 124-EAST (OVERLAY) (S)	---	-
SA6337	04	SCOTT	SCOTT COUNTY SURFACING NO. 2 (SEL. SECS.) (S)	---	-
SA6544	04	SEBASTIAN	HWY. 45-MANSFIELD CITY LIMITS (OVERLAY) (S)	---	-
SA6637	03	SEVIER	SEVIER COUNTY RESEAL NO. 15 (S)	---	-
SA6729	05	SHARP	CO. RD. 51 SURFACING (SEL. SEC.) (S)	---	-
SA6936	05	STONE	HWY. 263-WEST & SOUTH (SURF. & OVERLAY) (S)	---	-
SA7132	08	VAN BUREN	HWY. 336-WEST (OVERLAY) (S)	---	-
SA7284	04	WASHINGTON	CO. RD. 79 OVERLAY (SEL. SEC.) (S)	---	-
BR7313	05	WHITE	BAYOU DES ARC STR. & APPRS. (S)	---	-

(Continued)

2011-135 – Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA7438	01	WOODRUFF	WOODRUFF CO. REPAIR & RESEAL NO. 2 (SEL. SECS.) (S)	---	-
FA7517	08	YELL	KINGSTON-HWY. 28 (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

Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed without objection to authorize the Staff to advertise for an auctioneer service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted near the end of October 2011, 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 Commissioner John Burkhalter moved, Vice Chairman John Ed Regenold seconded and the motion passed without objection to accept the Staff's recommendation to enter into negotiations with the following firms to provide On-Call Design Services (2011-2016):

Florence & Hutcheson, Inc. – Little Rock, AR
Garver, LLC – Little Rock, AR
Bridgefarmer & Associates, Inc. – Little Rock, AR
Crafton Tull – Rogers, AR
Jacobs Engineering Group, Inc. – Little Rock, AR
Michael Baker, Jr., Inc. – Little Rock, AR
Burns & McDonnell – Kansas City, MO
Buchart Horn, Inc. – Memphis, TN
Engstrom/Modjeski and Masters – Little Rock, AR
Atkins North America, Inc. – Austin, TX

MOTION Commissioner Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed without objection to authorize the Department to make a contribution of \$25,000.00 to the Arkansas Good Roads/Transportation Council, with the money to be used for educational purposes.

OTHER DISCUSSION ITEMS

Mike Boyd, Assistant Chief Fiscal Officer, provided the June 2011 update on state highway revenue.

Per a question from Commissioner Regenold, Mr. Boyd explained the distribution of diesel tax revenue under the International Fuel Tax Agreement (IFTA). Commissioner Regenold suggested that the Legislature, the media and the public be better educated about IFTA and the distribution of diesel tax revenue.

Scott Bennett, Assistant Chief Engineer for Planning, provided the latest information on the federal reauthorization proposals.

Mr. Bennett then informed the Commission that Arkansas had submitted a required rescission of \$32.9 million in Federal-aid funds on July 8, 2011.

Mr. Bennett also discussed the recent announcement of \$527 million available for TIGER Grants. Preapplications are due by October 3, 2011. Following discussion, the Commission agreed that staff should concentrate application efforts on projects on Highway 92 in Conway and Van Buren Counties, Highway 150 in Mississippi County, and Highway 167 in Dallas County. More information will be provided at the September 7, 2011 meeting on which project(s) to submit.

The previously distributed proposed dates for Commission meetings and bid lettings for calendar year 2012 was accepted without objection. Chairman Murphy advised that any Commissioner who realizes a conflict should communicate to AHTD staff as soon as possible. Commissioner Burkhalter requested that staff work with the Arkansas Economic Development Commission and the Arkansas Department of Parks and Tourism to explore the possibilities of having joint Commission meetings with them.

There was a brief discussion on issues related to Plowable Pavement Markers (PPMs), including removal of existing PPMs through attrition, ongoing research into methods for removal, and options for replacement. No additional action was taken.

A discussion took place regarding proposed language regarding the use of separate companies with the same principal(s) to bid when a company is in Liquidated Damages. No action was taken, but staff will present information on this issue, and on the issue of contract time allowed for projects at the September 7, 2011 meeting.

The issue of Commission advocacy areas was brought up, but it was determined that, due to time constraints necessitated on by other scheduled events of the day, the issue would be placed on the September 7, 2011, meeting agenda to allow adequate time for full discussion.

2011-136

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:50 p.m., July 20, 2011.

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 20 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 29, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 29, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member

2011-137 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 2:00 p.m., August 29, 2011.

Scott Bennett, Acting Director, presented information regarding the 1999 Interstate Rehabilitation Program and the proposed GARVEE Bond Program that will be included in the November 8, 2011 election. Chairman Madison Murphy requested that Robert Wilson, Chief Counsel, provide information concerning appropriate activities for the Department personnel related to the upcoming campaign.

The Commission directed the Staff to begin the process of seeking letters of interest for a Financial Advisor for the Interstate bond program.

MOTION Vice Chairman John Ed Regenold moved, John Burkhalter seconded and the motion passed to enter into Executive Session at 2:45 p.m. to consider the new Director's salary and a personnel matter.

The Commission came out of Executive Session at 5:50 pm and adjourned without taking any action.

2011-138 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 5:50 p.m., August 29, 2011.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 30, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 30, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Thomas B. Schueck, Member

2011-139 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 30, 2011.

MOTION Vice Chairman John Ed Regenold moved, Tom Schueck seconded and the motion passed to enter into Executive Session at 9:40 a.m. to consider the Director's salary and a personnel matter.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Tom Schueck seconded and the motion passed to resume their regular meeting at 11:35 am.

MOTION Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed unanimously to set Scott Bennett's annual salary at \$154,960.00, effective September 22, 2011, with an additional \$500 per month expense allowance per A.C.A. § 27-65-137.

Chairman Madison Murphy reported that there was discussion on an employment issue regarding a specific employee, but no action would be taken at this time.

2011-140 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:40 p.m., August 30, 2011.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 7, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 7, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member

2011-141 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., September 7, 2011.

2011-142 WHEREAS, the Purchasing Committee has awarded purchases on July 21, 2011, and August 4, 9 and 19, 2011, in the amount of \$82,890.00, \$758,905.88, \$145,253.30 and \$298,267.96, respectively, totaling \$1,285,317.14, 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.

2011-143 WHEREAS, the Arkansas State Highway and Transportation Department has an extensive time and labor activity data collection system that is the basis for payroll, for the Maintenance Management System and for the Equipment Management System; and

WHEREAS, the current time and labor activity data collection system is a manual process prone to errors and inefficiencies; and

WHEREAS, the Department recently cooperated in a business assessment that identified new and automated systems for collecting time and labor activity information designed to reduce inefficiencies and create an accurate record of labor costs for payroll and leave purposes, activity accomplishments and equipment usage.

NOW THEREFORE, the Director is authorized to solicit and evaluate proposals for development and implementation of a Workforce Management System.

2011-144

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has requested participation in the AASHTO's Engineering Technical Service Programs; and

WHEREAS, these programs provide benefits to the member departments through the pooling of resources and expertise from across the country; and

WHEREAS, the benefits include technical services in a wide variety of areas, pooled resources for a common goal, and reducing duplication of effort; and

WHEREAS, these memberships include AASHTO Equipment Management Technical Services Program (EMTSP), National Transportation Product Evaluation Program (NTPEP), Technical Service Program to Develop AASHTO Materials Standards (DAMS) and Load and Resistance Factor Design Bridges and Structures Specification Maintenance (LRFDSM); and

WHEREAS, these memberships are regarded as being highly beneficial to the Department with the means to exchange ideas, information, and best practices with other highway agencies.

NOW THEREFORE, the Director is authorized to utilize SPR funds to pay annual membership dues for participation in these programs.

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property for the Stuttgart Maintenance Facility located on Park Avenue in Stuttgart, Arkansas, from Pamplin Oil, Incorporated, in two (2) separate transactions, by Warranty Deed dated September 2, 1966, and by Warranty Deed dated October 22, 2002, and recorded in Book D & M 114 at page 106 and Book 341 at page 19, respectively, of the deed records of Arkansas County, Arkansas, filed of record on September 7, 1966, and November 4, 2002; and

WHEREAS, Stuttgart Blue Seal Petroleum, Inc., successor in interest to Black, Inc., has asked to purchase the existing Stuttgart Maintenance Headquarters when such facility is declared surplus by the Commission; Pamplin Oil, Inc. has assigned its right to reacquire the Stuttgart Maintenance Headquarters, when it is declared surplus, to Black, Inc.; the District Engineer for District Two (2) has determined that the Stuttgart Maintenance Headquarters will no longer be needed for highway purposes when the new Maintenance Headquarters for Stuttgart is complete or twelve (12) months from the date of the letting of the contract for the new maintenance facility, whichever is the later date; and

WHEREAS, the Stuttgart Maintenance Headquarters to be declared surplus is described as follows:

Tract No. I:

A part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 5 West, Arkansas County, Arkansas, more particularly described as follows:

Begin at the Southeast corner of Section 33, Township 2 South, Range 5 West; thence North along the East Boundary Line of Section 33; 1344.7 feet; thence West 30 feet to the point of beginning; thence North 300 feet; thence West 150 feet; thence South 100 feet; thence West 150 feet; thence South 200 feet; thence East 300 feet to the point of beginning.

Said tract being further described as Lots 1 and 2 Pamplin's Subdivision of Block 82, of Leslie's Addition to the City of Stuttgart.

And Also

Tract No. II:

Part of Block 82 of Pamplin's Subdivision, of Leslie's Addition to the City of Stuttgart, being part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 5 West, Arkansas County, Arkansas, more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Block 82 of Pamplin's Subdivision, of Leslie's Addition; thence North 88 degrees 43 minutes 04 seconds West along the Northerly right of way line of 20th Street a distance of 20.05 feet to a point on the Easterly right of way of a Drainage Ditch; thence North 01 degrees 32 minutes 00 seconds East along said right of way line a distance of 300.21 feet to a point; thence South 88 degrees 44 minutes 55 seconds East a distance of 158.48 feet to the Northwest corner of Lot 2, Block 82 of Pamplin's Subdivision, of Leslie's Addition; thence South 01 degrees 14 minutes 01 seconds West along the West line of Lot 2 a distance 100.11 feet to a point on the North line of Lot 1 Block 82 of Pamplin's Subdivision, of Leslie's Addition; thence North 88 degrees 44 minutes 32 seconds West along said North line a distance of 139.07 feet to the Northwest corner of Lot 1; thence South 01 degrees 29 minutes 57 seconds West along the West line of Lot 1 a distance of 200.13 feet to the point of beginning.

WHEREAS, the Arkansas State Highway Commission, as Grantee, has entered into an agreement with Stuttgart Blue Seal Petroleum, Inc. (Blue Seal), as Grantor, to purchase five (5) acres from Blue Seal for the location of the new Stuttgart Maintenance Headquarters and to sell to Blue Seal the present Stuttgart Maintenance Headquarters for its appraised value of ONE HUNDRED FORTY-ONE THOUSAND SEVEN HUNDRED AND NO/100 (\$141,700.00) upon completion of the new maintenance facility.

NOW THEREFORE, the above-described Stuttgart Maintenance Headquarters is declared surplus, contingent upon the completion of the new Stuttgart Maintenance Headquarters on the five acres to be purchased from Stuttgart Blue Seal Petroleum, Inc., and the receipt by the Commission of ONE HUNDRED FORTY-ONE THOUSAND SEVEN HUNDRED AND NO/100 (\$141,700.00). Upon receipt of the purchase price above and the completion and occupancy of the new Stuttgart Maintenance Headquarters by the Arkansas State Highway and Transportation Department, the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above-described Stuttgart Maintenance Headquarters to Stuttgart Blue Seal Petroleum, Inc.

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 11X in fee from William DeFir and Nancy DeFir, husband and wife, Grantors, for Job No. 020239, South C. L. McGhee, Black Pond Slough, Chicot/Desha Counties, Arkansas, by Warranty Deed dated August 9, 2000, filed for record on September 7, 2000, in Deed Record Book No. 021 at page 69 in the Circuit Clerk's office of Chicot County, Arkansas; and

WHEREAS, William DeFir and wife, Nancy DeFir, have asked to repurchase a portion of Tract No. 11X which the District Engineer for District Two has determined that the portion of Tract No. 11X to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said portion of Tract No. 11X being more particularly described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 26 and part of the Southwest Quarter of the Southwest Quarter of Section 23 all in Township 13 South, Range 3 West, Chicot County, Arkansas, more particularly described as follows:

Commencing at a One inch stl. shaft being used as the Southeast Corner of the Northwest Quarter of the Northwest Quarter of Section 26; thence South $89^{\circ} 09' 27''$ West along the South line thereof a distance of 250.53 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 2268; thence North $25^{\circ} 05' 58''$ West along said right of way line a distance of 450.40 feet to a point on the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 020239 for the POINT OF BEGINNING; thence continue North $25^{\circ} 05' 58''$ West along the Easterly right of way line of U. S. Highway 65 as established by AHTD Job 2268 a distance of 888.83 feet to a point; thence North $19^{\circ} 34' 54''$ West along said right of way line a distance of 325.25 feet to a point; thence North $88^{\circ} 58' 02''$ East a distance of 84.17 feet to a point; thence South $17^{\circ} 39' 13''$ East a distance of 527.96 feet to a point; thence South $20^{\circ} 59' 02''$ East a distance of 297.46 feet to a point; thence South $22^{\circ} 09' 50''$ East a distance of 358.51 feet to the point of beginning and containing 1.10 acres, or 47,928 square feet, more or less, as shown on plans prepared by the AHTD referenced as Job 020239.

11/01/10 jt

WHEREAS, the Commission acquired Tract No. 11X for FIFTY-TWO THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$52,300.00) and 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. 11X being offered for sale is SEVEN HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$725.00).

NOW THEREFORE, that part of Tract No. 11X above-described, is declared surplus; upon receipt of the sum of SEVEN HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$725.00) the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above-described portion of Tract No. 11X to William DeFir and wife, Nancy DeFir; 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 Funds from this disposal shall be credited to Federal Funds.

2011-147

WHEREAS, IN FRANKLIN COUNTY, the Institutional Drive System maintained by the Department at the Arkansas Tech University Ozark Campus 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 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 0.19 mile are hereby to be maintained by the Department as State Highway 890, Section 1.

2011-148

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, Individual Section 404 permit MVK 2009-00190 issued to the Department for the construction of Job Numbers 030353, 030354, and 030355 associated with the construction of Future Interstate 49 from the Louisiana State line to Texarkana in Miller County required 39,261 stream mitigation credits; and

2011-148 - Continued

WHEREAS, the Maniece Bayou Mitigation Bank, owned and operated by Whitehead Forestry Service, Inc. was approved by the Corps of Engineers to dispense wetland and stream mitigation credits on April 21, 2011; and

WHEREAS, the Maniece Bayou Mitigation Bank is the only stream mitigation bank site currently available within the primary geographic area where the stream impacts for Job Numbers 030353, 030354, and 030355 may be mitigated.

NOW THEREFORE, the Director is authorized to purchase 19,631 stream credits (50 percent of the required credits) for \$33.50/credit from the Whitehead Forestry Service, Inc. Maniece Bayou Mitigation Bank for a total of \$657,638.50.

2011-149

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 and stream impacts due to highway projects; and

WHEREAS, mitigation sites must be in the same geographic drainage area as the area of impact; and

WHEREAS, the Department has used all wetland credits available in the Middle Ouachita River Mitigation Bank and does not have a stream mitigation bank in the Saline and Ouachita Rivers drainage area of the state; and

WHEREAS, wetland and stream mitigation is needed for most ongoing Department projects in the Saline and Ouachita Rivers drainage area; and

WHEREAS, land is available in Saline County that could be developed by the Department as a wetland and stream mitigation bank.

2011-149 - Continued

NOW THEREFORE, the Director is authorized to proceed with planning, acquisition and development of the Upper Saline River Mitigation Bank subject to approval by the Federal Highway Administration.

2011-150

WHEREAS, IN POINSETT COUNTY on Highway 1 near Greenfield and Highway 14 near Waldenburg, an Original Contract dated April 13, 2011, was awarded to Asphalt Producers, LLC. for Job No. 100746, Hwy. 49-East & Hwy. 158-South (Overlay) (S), based on a low bid of \$684,197.82; and

WHEREAS, the Contractor has not followed the requirements of the Contract; and

WHEREAS, the Contractor has performed work contrary to the instructions of the Engineer; and

WHEREAS, the Contractor has performed work without providing the Department the opportunity to inspect the work; and

WHEREAS, the Contractor was notified by Certified Mail dated August 11, 2011 the project is being placed in default in accordance with Subsection 108.08 of the Standard Specifications.

NOW THEREFORE, IT IS AUTHORIZED that the original contract be terminated, and the Deputy Director and Chief Engineer coordinate with RLI Insurance Company, as Surety on the Contract Bond, to arrange for completion of the project in accordance with the plans and specifications and in compliance with the terms and conditions of the contract.

2011-151

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 7, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020354	02	JEFFERSON	I-530-CO. RD. 35 (BS. & SURF.) (F)	530	Y
020471	02	DREW	HWY. 425-HWY. 278 EAST (GR. & STRS.) (MONTICELLO) (BYPASS) (F)	69	Y

2011-151 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020506	02	LINCOLN	CANE CREEK STR. & APPRS. (S)	11	N
040517	04	WASHINGTON	HWY. 45-E. JOYCE BLVD. (FAYETTEVILLE) (S)	265	Y
050012	05	IZARD	FULTON CO. LINE-SOUTH STRS. & APPRS. (OXFORD) (S)	9	Y
061187	06	PRAIRIE	CACHE RIVER-WEST (F)	40	Y
061228	06	SALINE	HWY. 5 DRAINAGE STRUCTURE (BRYANT) (S)	5	Y
061298	06	GARLAND	HWY. 270 E.B. OFF RAMP/MALVERN AVE. SIGNAL (HOT SPRINGS) (S)	270	Y
080382	08	CONWAY	COVE CREEK STR. & APPRS. (S)	124	N
080383	08	CONWAY	POINT REMOVE CREEK STR. & APPRS. (S)	124	N
080384	08	FAULKNER	BRANCH OF CADRON CREEK STR. & APPRS. (HOLLAND) (S)	287	N
090280	09	SEARCY	COVE CREEK STR. & APPRS. (S)	65	Y
100705	10	MISSISSIPPI	HWY. 18/BNSF R.R. OVERPASS STR. & APPRS. (BLYTHEVILLE) (S)	18	Y
100723	10	MISSISSIPPI	CLEAR LAKE STR. & APPRS. (S)	148	N
100739	10	CRAIGHEAD	HWY. 49/PARKER RD. WB TURN LANE EXT. (JONESBORO) (S)	63	Y
SA2243	02	DREW	HWY. 35-SOUTH (OVERLAY) (S)	---	-
SA2740	02	GRANT	GRANT CO. PAVEMENT MARKINGS (SEL. SECS.) (S)	---	-
SA3339	05	IZARD	HWY. 56-NORTH (BASE) (S)	---	-
FA4510	09	MARION	SEARCY CO. LINE-NORTHWEST (RECONST.) (SEL. SEC.) (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 Dick Trammel moved, John Burkhalter seconded and the motion passed to approve the Minutes from the previous Commission Meeting, July 20, 2011.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions, Inc. to conduct the AHTD's annual equipment auction on October 25, 2011, and any other necessary sale(s).

MOTION Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to enter into Executive Session at 1:00 p.m. to discuss an employment issue regarding a specific employee.

MOTION Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to resume their regular meeting at 2:50 p.m. Chairman Madison Murphy announced that no action would be taken at this time.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the August 2011 update on state highway revenue. Mr. Dickerson noted that the Department of Finance and Administration had informed the Department that the 3% “off the top” for Constitutional and Fiscal Agencies (CFA) has been increased to 3.3% for State Fiscal Year 2012. This amounts to a potential revenue reduction of approximately \$1.3 million annually to the AHTD.

Scott Bennett, Acting Director, provided the latest information on the Federal highway and transit issues.

Mr. Bennett then provided additional information on potential projects for TIGER Grants. Without objection, the Commission authorized the Department to submit applications for projects on Highway 92 in Conway and Van Buren Counties, Highway 150 in Mississippi County, and Highway 167 in Dallas County.

Commissioner Trammel suggested that the Director explore options for the Commission meeting with Arkansas’ Congressional delegation either in Washington, DC or in Arkansas during a Congressional recess.

In further discussion, the Commission requested that Chief Counsel Robert Wilson provide information regarding the Department’s liability in the possible suspension of construction contracts should the collection of Federal highway revenues not be extended beyond September 30, 2011.

Frank Vozel, Deputy Director and Chief Engineer, presented information regarding the Department’s method of establishing time for construction contracts.

Scott Bennett, Acting Director, presented information and alternatives for Commission Advocacy Areas. The Commission was requested to provide any comments to Mr. Bennett. Also, staff was requested to develop possible options for distributing highway funds.

Mr. Bennett advised the Commission that a Request for Proposals for a Financial Advisor for the proposed bond programs has been issued with a deadline of October 3, 2011.

Mr. Bennett recommended, and the Commission approved without objection, allowing the Department to have flexibility in using the existing on-call right of way acquisition and project development contracts for projects beyond the proposed bond programs.

2011-152

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 3:15 p.m., September 7, 2011.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 9, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Room 151 of the State Capitol Building in Little Rock, Arkansas, September 9, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-153

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 12:40 p.m., September 9, 2011.

Chairman Madison Murphy announced that the Commission would instruct Williams & Anderson, the legal firm conducting an investigation of the alleged timekeeping irregularities in the AHTD's Legal Division, to interview Ms. Jane Wilson, former head of the Department's Human Resources Division, regarding her purported role in and/or knowledge of the Legal Division's timekeeping and employee scheduling practices.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed at 12:50 pm to go into Executive Session for the purpose of discussing an employment issue regarding a specific employee.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed at 1:20 pm to resume the regular meeting.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner Tom Schueck seconded and the motion passed that AHTD Chief Counsel Robert Wilson be placed on administrative leave with pay pending further action regarding the continuation of the Chief Counsel's employment.

2011-154

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., September 9, 2011.

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 August 29, August 30, September 7 and September 9, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 19, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 19, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-155 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., October 19, 2011.

2011-156 WHEREAS, the Purchasing Committee has awarded purchases on September 15 and 29, 2011, in the amount of \$35,260.00 and \$33,210.00, respectively, totaling \$68,470.00, 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.

2011-157 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.

2011-157 - Continued

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2012 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.

2011-158

WHEREAS, the flooding, severe storms, and tornados that began on April 14, 2011, and continued, caused significant damage to state highways, roadway slopes, highway structures and drainage structures; and

WHEREAS, a State and 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.

NOW THEREFORE, the Director is authorized to enter into necessary contracts 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.

2011-159

WHEREAS, Arkansas Highway Commission Minute Order 08-011 adopted the *Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways*; and

WHEREAS, this process is currently tracked manually by the Highway Police Permit Section; and

WHEREAS, requests for non-divisible overweight travel on weight restricted highways have increased significantly since adoption of the process and manual tracking is no longer efficient; and

2011-159 - Continued

WHEREAS, the ability to track permits and generate automated reports specifically related to non-divisible overweight travel on weight restricted highways is desired by various Divisions within the Department to include Highway Police, Fiscal Services, Computer Services and Planning and Research; and

WHEREAS, the ability to track permits and generate automated reports can be accomplished by a software upgrade to the Arkansas Permitting and Routing System (ARPARS).

NOW THEREFORE, the Director is authorized to proceed with the applicable software upgrade to ARPARS utilizing oversize and overweight permit fees.

2011-160

WHEREAS, the Arkansas State Highway Commission has promulgated and published Regulations for Access Driveways to State Highways pursuant to Arkansas law; and

WHEREAS, the regulations allow reasonable access to state highways from adjoining property by permit from the District Engineer; and

WHEREAS, the Arkansas Administrative Procedures Act allows agency adjudication before a hearing officer designated by the agency to resolve disputes regarding driveway access.

NOW THEREFORE, the Director shall designate a hearing officer to conduct and preside in administrative hearings in accordance with the Arkansas Administrative Procedures Act and this hearing officer shall make final decisions on behalf of the Arkansas State Highway Commission and the Arkansas State Highway and Transportation Department related to access driveways.

2011-161

WHEREAS, IN FAULKNER COUNTY, the Vilonia Bypass is nearing completion.

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 9 that junctions at both ends with the newly constructed Vilonia Bypass is hereby redesignated as Highway 64, Section 9B.
- The newly constructed Vilonia Bypass as built by Jobs 080305, 080306, and 080307 is hereby added to the State Highway System as a part of Highway 64, Section 9.

WHEREAS, IN WASHINGTON COUNTY, the City of Fayetteville realigned a portion of Highway 71, Section 16 under Special Permit Number SP04-09-026 as part of safety improvements to the Fayetteville Executive Airport; and

WHEREAS, the City of Fayetteville passed Resolution No. 125-11 dedicating the right-of-way on the newly constructed portion of Highway 71 to the Department; and

WHEREAS, the bypassed portion of Highway 71, Section 16 is no longer needed for highway purposes.

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 71, Section 16 that was bypassed is hereby released to Washington County and the right-of-way is declared surplus and 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 71, Section 16.

2011-163

WHEREAS, it has been determined that an improvement is 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 improvement at the crossing subject to the following conditions:

1. Maintenance of the surface, signals, and gates 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>
Benton	Springdale	Hwy. 264	Arkansas & Missouri	Upgrade Concrete Surface and Install Flashing Lights with Gates and Pedestrian Gates

2011-164

WHEREAS, overhead sign OH-040-60-31 located on the I-40 Westbound off-ramp to Westbound I-440 in Pulaski County was destroyed by an accident; and

WHEREAS, overhead sign OH-270-26-04 located on Highway 270 at the Higdon Ferry Road interchange in Garland County was destroyed by an accident; 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 all costs associated with their replacement.

2011-165

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 19, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110548	01	CRITTENDEN	I-40/I-55-SOUTHLAND DR. (INGRAM BLVD.) (WEST MEMPHIS) (S)	---	-
020487	02	GRANT & JEFFERSON	SO. OF PULASKI CO. LINE-JEFFERSON INTCHNG. (F)	530	Y
030355	03	MILLER	LA LINE-DODDRIDGE (MAJOR STRS.) (F)	71	Y
030386	03	NEVADA	LITTLE BODCAU CREEK & RELIEF STRS. & APPRS. (S)	32	N
040256	04	CRAWFORD	LAKE FORT SMITH SCENIC OVERLOOK (HWY 71) (S)	71	Y
040345	04	CRAWFORD	HWY. 59-WEST (RENA ROAD) (VAN BUREN) (S)	---	-
040561	04	WASHINGTON	BOBBY HOPPER TUNNEL-HWY. 74 SAFETY IMPVTS. (S)	540	Y
040594	04	CRAWFORD & WASHINGTON	I-540 WILDFLOWER HYDRO-SEEDING (S)	540	Y
061026	06	PULASKI	OAK ST.-LOOP RD. (GRAHAM RD.) (JACKSONVILLE) (S)	---	-
061215	06	LONOKE	I-40-SOUTH (CARLISLE) (S)	13	Y
090313	09	NEWTON	HWY. 103 SLIDE REPAIR (NEWTON CO.) (S)	103	N
100710	10	GREENE	HWY. 49-HWY. 412 EAST (GR. & STRS.) (F)	412	Y
100722	10	GREENE	LAFE-MARMADUKE STRS. & APPRS. (S)	34	N
100737	10	CRAIGHEAD	JONESBORO AREA TRAFFIC OPS. IMPVTS. (S)	1, 49 & 63	Y
100741	10	GREENE	HWY. 49/HWY. 49B/PURCELL RD. SIGNAL (PARAGOULD) (S)	49 & 49B	Y
SA2740	02	GRANT	GRANT CO. PAVEMENT MARKINGS (SEL. SECS.) (S)	---	-
SA3044	06	HOT SPRING	HWY. 67-CO. RD. 71 (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.

MOTION Commissioner Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to approve the Minutes from the previous Commission Meetings, August 29 and 30, 2011, and September 7 and 9, 2011.

MOTION Commissioner John Burkhalter moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into a contract with Stephens, Inc., Little Rock, AR to provide Financial Advisor Services for the upcoming proposed Bond Program(s).

MOTION Commissioner Dick Trammel moved, Commissioner Tom Schueck seconded and the motion passed to accept the Staff's recommendation to begin negotiations with Kronos Incorporated, Chelmsford, MA, to provide the Workforce Management System.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to enter into Executive Session at 10:05 a.m. to discuss an employment issue regarding a specific employee.

MOTION Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to resume their regular meeting at 10:30 a.m. Chairman Madison Murphy announced that no action would be taken at this time.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the September 2011 update on state highway revenue. Mr. Dickerson noted that the state highway revenues to the Department from most traditional sources have been down over the last year. Although state revenue from the increase in the natural gas severance tax is currently up, there has been an overall decrease in state highway revenue to the Department compared to last year. However, actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Scott Bennett, Director, provided the latest information on the Federal highway and transit issues.

Mr. Bennett reported that the current Federal Highway and Transit Act, SAFETEA-LU, expired on September 30, 2009 without the authorization of a new "Federal Highway and Transit Act."

The U. S. Congress has previously passed, and the President has signed into law, seven extensions to fund Federal Highway and Transit Program at FFY 2009 levels through September 30, 2011.

Most recently, Congress passed and the President signed into law another extension of expenditure authority for the Federal Highway and Transit Programs at FFY 2009 levels through March 31, 2012. However, appropriations for FFY 2012 have only been approved through November 18, 2012.

Chairman Murphy briefly brought up the subject of Commission Advocacy Areas. The subject of whether the money should follow the cars was brought up by Commissioner Schueck. It was decided that Staff will provide further information on advocacy areas and the distribution of funds. This subject will be brought up at the December 14 Commission Meeting along with a discussion of the proposed projects for the FFY 2013-2016 Statewide Transportation Improvement Program.

Director Bennett reported that there would be information presented to the Commission at the meeting in December regarding the Commission Meeting that is to be held at the Conference Center in El Dorado on Tuesday, March 20, 2012.

Former State Senator Bobby Glover was present at the meeting and was recognized by Chairman Murphy. He expressed his appreciation to the Commission for the naming of the Carlisle bypass after him, and the Stuttgart Railroad overpass after Congressman Marion Berry and him. He expressed that he was surprised and honored by those actions, and he expressed his appreciation for the work the Arkansas Highway Commission has done for the State of Arkansas.

2011-166

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m., October 19, 2011.

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 19, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 14, 2011

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 14, 2011. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2011-167 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., December 14, 2011.

2011-168 WHEREAS, the Purchasing Committee has awarded purchases on October 11, 19 and 26, 2011, and November 3 and 9, 2011, in the amount of \$108,745.00, \$29,712.00, \$349,924.00, \$59,434.00, and \$49,929.65, respectively, totaling \$597,744.65, 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.

2011-169 WHEREAS, the Maintenance Division provides and maintains pavement markings on the highway system for the safety of the traveling public; and

WHEREAS, one of the pavement marking striping machines was destroyed in an accident in May 2011; and

WHEREAS, there is a need to replace this striping machine to continue with the pavement marking operations.

2011-169 - Continued

NOW THEREFORE, the Director is hereby authorized to purchase a new striping machine necessary for Department operations.

2011-170 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 2012 Highway Map.

2011-171 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) Materials Reference Laboratory (AMRL) is operated by AASHTO and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the 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 2012 (October 1, 2011 to September 30, 2012) 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 2012.

2011-172

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.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing and rehabilitation program for 2012 in the amount of \$50 million.

2011-173

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, the purpose of the Arkansas State Rail Plan is to satisfy Federal Railroad Administration (FRA) rail planning requirements for freight and passenger rail and to qualify the State's railroads for possible federal funding assistance; and

WHEREAS, the Arkansas State Rail Plan must not only meet Federal requirements established under the Passenger Rail Investment and Improvement Act (PRIIA) of 2008, but also be based on Federal long-range rail transportation goals established in the National Rail Plan currently being developed by the FRA; and

WHEREAS, to ensure compliance with PRIIA requirements and FRA rail planning policy, a consultant is needed to supplement Department staff in preparing the Arkansas State Rail Plan; and

WHEREAS, the cost for this work was included in the State Fiscal Year 2012 State Planning and Research (SPR) Work Program and Cost Estimate that was approved by Minute Order 2011-074 on June 1, 2011.

NOW THEREFORE, the Director is authorized to engage the services of a qualified consulting firm to provide technical assistance with development of the Arkansas State Rail Plan.

2011-174

WHEREAS, some state highways are posted for weight restrictions below the maximum weight limits allowed by State law; and

WHEREAS, the “Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways” to accommodate non-divisible overweight loads by permit was developed and implemented in 2008.

WHEREAS, current Maintenance Assessment agreements expire on December 31, 2011 and evaluations have determined that new values for the Roadway Maintenance Assessment payments by the permit applicants are warranted to recover damage costs on the weight restricted highways.

NOW THEREFORE, the Director is authorized to enter into new agreements with permit applicants and to implement the new values for the Roadway Maintenance Assessment schedule. The new agreements shall be in effect until December 31, 2012.

2011-175

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 Years 2010 and 2011; and

WHEREAS, Minute Order 2011-026 authorized the solicitation of applications for the available SRTS Program funding for Federal Fiscal Years 2010 and 2011; and

WHEREAS, the Department and the Arkansas SRTS Advisory Committee have reviewed and developed funding recommendations for the applications that were submitted.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements and contracts with the projects’ sponsors for the implementation of the projects included in the attached list.

2011-176

WHEREAS, it is considered appropriate to implement a formal policy whereby local jurisdictions may adopt a Wayfinding Program to provide for local control of guide signs maintained on conventional state highways within a defined wayfinding region; and

WHEREAS, any county or incorporated municipality within the State of Arkansas that is organized with legal authority to construct and maintain its own local roads is eligible to develop a Wayfinding Program; and

WHEREAS, these signs will provide a benefit to motorists seeking to locate destinations and/or points of interest identified by the local jurisdiction.

NOW THEREFORE, the Director is hereby authorized to proceed with the Wayfinding Program in accordance with the attached policy.

2011-177

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.

2011-178

WHEREAS, Minute Order 2011-044 authorized the Director to "prepare and propose to the Commission new advocacy areas that are of substantially equal population;" and

WHEREAS, several alternatives have been researched, developed, presented and considered in an attempt to find the most appropriate manner to establish advocacy areas; and

WHEREAS, basing advocacy areas on population alone does not consider statewide and regional intrastate travel or travel into or through the State; and

WHEREAS, other issues including vehicle miles of travel, centerline and lane miles, locations and makeup of Department operations and maintenance facilities are important factors; and

WHEREAS, in the administration of highway programs, the Commission and the Department must address various types of needs including preserving and maintaining the existing system, adding capacity to relieve congestion and improve safety, providing route continuity for statewide and regional travel, and making improvements to address economic development needs for which adequate transportation facilities play a vital role; and

WHEREAS, Amendment 42 to the Arkansas Constitution gives the Arkansas Highway Commission “all powers and duties now or hereafter imposed by law for the administration of the State Highway Department,” and states that members of the Commission are “appointed from the State at large,” meaning that each Commissioner has equal authority statewide; and

WHEREAS, in the discussions on advocacy areas and highway programs, it has become increasingly obvious that the Arkansas Highway Commission is a statewide body, and as such, each Commission member does in fact represent the entire State; and

WHEREAS, this has become evident in the Commission’s focus on the Arkansas Primary Highway Network, which is approximately 50% of the highway system that carries approximately 90% of all highway travel.

NOW THEREFORE, each Arkansas Highway Commissioner will continue to represent the entire State and not a specific “advocacy area.”

FURTHERMORE, the Commission and the Director will continue to monitor all factors involved in the administration of the Department and its highway programs, including preserving and maintaining the existing system, reducing congestion, providing for statewide and regional travel, and improving safety, in an effort to provide the best transportation system for the citizens of Arkansas under the terms set forth in Amendment 42.

2011-179

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property known as Tract No. 23 from A. E. Booker and Lucille Booker, for Job No. 7576, Ouachita County, Arkansas, filed of record on December 2, 1963, in the Circuit Clerk's Office of Ouachita County, Arkansas; and

WHEREAS, Julio Castillo has asked to repurchase 0.196 acres of Tract No. 23. Carolyn Davis, Stephen Snyder, Cheryl Ann Snyder, and Daniel Snyder being the sole heirs of A. E. Booker and Lucille Booker, both deceased, have assigned their rights to reacquire that portion of Tract No. 23 (0.196 acres) which the District Engineer for District Seven has determined is no longer needed for highway purposes, said portion of Tract No. 23 being more particularly described as follows:

Job 7576

Part of Tract 23

A part of the Northeast Quarter of the Southeast Quarter of Section 27, Township 13 South, Range 17 West, Ouachita County, Arkansas being more particularly described as follows:

Commence at the Southeast corner of Lot 27 of Block 4, Sunny Park Addition to the City of Camden, Arkansas as shown on the recorded plat thereof in Deed Record 141 at page 54 and run North 89° 28' West along the North right of way of Gum Street 10.00 feet to a point on the existing North right of way of U. S. Highway 278 and U. S. Highway 79; Thence, North 01° 12' West along said existing right of way 4.61 feet to a point on the proposed North right of way of U. S. Highway 278 and U. S. Highway 79 for the point of Beginning of the tract herein described; Thence, North 80° 32' 57" West along said proposed right of way 41.48 feet; Thence North 76° 44' 25" West along said proposed right of way 29.79 feet;

Thence North 75° 31' 07" West along said proposed right of way 49.94 feet; Thence; North 72° 57' 14" West along said proposed right of way 136.76 feet to a point on the Northeasterly right of way of Highland Park Street; Thence North 47° 43' West along said Northeasterly right of way 10.80 feet to the point of intersection with the Southeasterly right of way of California Avenue (U. S. Highway 79 Bus.); Thence; North 28° 06' East along said Southeasterly right of way 8.50 feet; Thence, South 82° 27' 00" East along the existing North right of way of U. S. Highway 278 and U. S. Highway 79 a distance of 254.20 feet to a concrete right of way monument; Thence, South 01° 12' East along said existing right of way 47.59 feet to the point of beginning, containing 8,540 square feet or 0.196 acres more or less. The above-described lands are part of Tract 23, AHTD Job Number 7576.

WHEREAS, Tract No. 23 was acquired by the Commission for Two Thousand One Hundred Fifty and No/100 Dollars (\$2,150.00), 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. 23 being offered for sale is Two Thousand One Hundred Fifty and No/100 Dollars (\$2,150.00).

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of Two Thousand One Hundred Fifty and No/100 Dollars (\$2,150.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to Julio Castillo; a copy of the Quitclaim Deed and this Minute Order shall be recorded in Ouachita 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. 4 from Exxon Corporation, successor by merger to Humble Oil and Refining Company for Job No. 060362, State Project, Otter Creek Mall, Pulaski County, Arkansas, by Special Warranty Deed dated October 1, 1993, and filed of record in the Circuit Clerk's office of Pulaski County, Arkansas, as Instrument No. 93-82810; and

WHEREAS, the Commission acquired in fee property known as Tract No. 5 from Commercial National Bank, Trustee of the Jennifer Mae Kochtitzky Trust No. Two, dated July 21, 1967, and Commercial National Bank, Trustee of the Cynthia Ann Keaton Trust No. Two, dated July 21, 1967, for Job No. 060362, State Project, Otter Creek Mall, Pulaski County, Arkansas by warranty deed filed of record on August 23, 1985, as Instrument No. 85-46224 in the office of the Circuit Clerk of Pulaski County, Arkansas; and

WHEREAS, Tract No. 4 was acquired by the Commission for ONE HUNDRED SEVENTY THOUSAND AND NO/100 DOLLARS (\$170,000.00) and Tract No. 5 was acquired by the Commission for FOURTEEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$14,500.00); and

WHEREAS, Town Center, LLC, has bid the sum of THREE THOUSAND FIFTY AND NO/100 DOLLARS (\$3,050.00) for a portion of Tract No. 4 and THREE THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$3,250.00) for a portion of Tract No. 5, which are the highest bids received for the portion of Tract No. 4 offered for sale and the portion Tract No. 5, offered for sale at a public auction held on Friday, December 2, 2011, at the Arkansas State Highway and Transportation Department, 10324 Interstate 30, Central Office Complex Building, Little Rock, Arkansas, Room 705. Three qualified appraisers have opined that the fair market value for the portion of Tract No. 4 offered for sale is THREE THOUSAND FIFTY AND NO/100 DOLLARS (\$3,050.00) and opined that the fair market value of the portion of Tract No. 5, offered for sale, is THREE THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$3,250.00); the District Engineer for District 6 has determined that neither the portion of Tract No. 4 offered for sale nor the portion of Tract No. 5 is needed now, nor in the foreseeable future will be, needed for highway purposes. The portions of Tract No. 4 and Tract No. 5 being offered for sale are more particularly described as follows:

Tract No. 4 (Partial)

Part of the Southeast Quarter of the Southwest Quarter of Section 4, Township 1 South, Range 13 West, Pulaski County, Arkansas described as follows:

Commencing at a #4 rebar accepted as the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 4, Township 1 South, Range 13 West; thence North $02^{\circ} 41' 27''$ East along the west line thereof for 403.46 feet to a point on the North right of way line (as established by AHTD Job 6612); thence easterly along said right of way line 37.81 feet along a curve, concave southerly, having a radius of 505.00 feet, having a chord direction of South $80^{\circ} 33' 54''$ East and a chord length of 37.80 feet to a set 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PLS 1201"; thence continue easterly along said right of way line 140.00 feet along a curve, concave southerly, having a radius of 505.00 feet, having a chord direction of South $70^{\circ} 28' 40''$ East and a chord length of 139.55 feet to a 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PLS 1201"; North $27^{\circ} 27' 51''$ East 25.00 feet to a 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PLS 1201"; thence southeasterly along said right of way line 75.00 feet along a curve, concave southwesterly, having a radius of 530.00 feet, having a chord direction of South $58^{\circ} 28' 55''$ East and a chord length of 74.94 feet to a 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PLS 1201"; thence North $43^{\circ} 54' 15''$ East leaving said right of way line 28.67 feet to a set 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PLS 1201" said point being the POINT OF BEGINNING; thence continue North $43^{\circ} 54' 15''$ East 124.17 feet to a 2" Pipe; thence South $46^{\circ} 13' 06''$ East 200.46 feet to a 1.5" pipe being on the North right of way line of Interstate 30 (as established by AHTD Job B60109); thence North $77^{\circ} 57' 32''$ West along the North right of way line as established by this release 236.02 feet to the point of beginning and containing 0.29 acres more or less as shown on a plat (pages 1-2) prepared by AHTD Surveys Division and filed as Doc# 201105100002 at the Ark. Agri. Dept., Land Survey Division.

And Also

Tract No. 5 (Partial)

Part of the Southeast Quarter of the Southwest Quarter of Section 4, Township 1 South, Range 13 West, Pulaski County, Arkansas described as follows:

Commencing at a #4 rebar accepted as the Southwest Corner of the Southeast Quarter of the Southwest Quarter of Section 4, Township 1 South, Range 13 West; thence North $02^{\circ} 41' 27''$ East along the West line thereof for 403.41 feet to a point on the North right of way line (as

established by AHTD Job 6612); thence Easterly along said right of way line 37.81 feet along a curve, concave southerly, having a radius of 505.00 feet, having a chord direction of South 80° 33' 54" East and a chord length of 37.80 feet to the POINT OF BEGINNING said point being a set 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PLS 1201"; thence North 01° 25' 09" East leaving said right of way line of Otter Creek Road 134.78 feet to a set 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PS 1201"; thence southeasterly along a curve 87.17 feet to a set 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PS 1201", concave southwesterly, having a radius of 386.48 feet, having a chord direction of South 51° 34' 17" East and a chord length of 86.99 feet; thence South 46° 06' 45" East 159.68 feet to the North right of way line as established by this release; thence North 82° 41' 37" West along said right of way line a distance of 43.87 feet to a set 5/8" rebar with 2" Aluminum cap stamped "Arkansas Hwy & Trans Dept BDY PS 1201" said point being on the North right of way line (as established by AHTD Job 6612); thence North 80° 18' 02" West along right of way line as established by this survey 145.13 feet to the point of beginning and containing 0.31 acres more or less as shown on a plat (pages 1-2) prepared by AHTD Surveys Division and filed as Doc# 201109020010 at the Ark. Agri. Dept., Land Survey Division.

NOW THEREFORE, the above described property, excepting any abutters and access rights to and from Interstate 30, is declared surplus; upon the receipt of the consideration of THREE THOUSAND FIFTY AND NO/100 DOLLARS (\$3,050.00) for the portion of Tract No. 4 and THREE THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$3,250.00) for the portion of Tract No. 5, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the above described property to Town Center, LLC; a copy of the deed and this Minute Order shall be recorded in the deed records of Pulaski County, 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 ARKANSAS COUNTY, the Institutional Drive System maintained by the Department at the University of Arkansas Experiment Station Rice Branch was recently reviewed; and

2011-181 - Continued

WHEREAS, the review revealed a new drive that meets the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while 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 0.61 mile are hereby to be maintained by the Department as State Highway 815, Section 1.

2011-182

WHEREAS, the City of West Memphis recognizes the importance of a coordinated, efficient and cost-effective regional freight transportation system; and

WHEREAS, the City of West Memphis has requested that the Department provide technical assistance to evaluate regional freight movements.

NOW THEREFORE, the Director is authorized to provide technical assistance in evaluating the area's freight movements and identifying methods to enhance the region's truck, rail and port capabilities.

2011-183

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized the Rail Line Relocation and Improvement (RLRI) Capital Grant Program to assist with construction projects that improve the structure of a rail line; and

WHEREAS, RLRI funds have been awarded for the rehabilitation of the Arkansas Midland Railroad/Warren Branch Rail Line (Project), with matching funds to be provided by the Railroad and no funds to be provided by the Department for the Project; and

WHEREAS, the Federal Railroad Administration (FRA) administers the RLRI Program and has requested that the Department provide technical assistance and oversight to the Project.

2011-183 - Continued

NOW THEREFORE, the Director is authorized to enter into the necessary agreements and to provide technical assistance and oversight for the Arkansas Midland Railroad/Warren Branch Rail Line Rehabilitation Project.

2011-184 WHEREAS, IN FAULKNER COUNTY, on Highway 89, Section 5, in the City of Mayflower, the need to improve traffic operations and safety has been identified by the *Mayflower Planning Study*; and

WHEREAS, this study was adopted as a planning guide by Minute Order 97-137 and recommends roadway alignment improvements and an overpass of the Union Pacific Railroad.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to improve the roadway and provide a railroad overpass at this location as funds become available.

2011-185 WHEREAS, State Job 100740, Hwy. 61-S. Holland St. (Hwy. 18) (Blytheville), will result in the relocation of Highway 18 and Walnut Street being changed from one-way to two-way traffic; and

WHEREAS, the existing flashing lights at the Walnut Street at-grade railroad crossing will require modification to provide crossing protection for two-way traffic.

NOW THEREFORE, the Director is authorized to proceed with the installation of new flashing lights at the Walnut Street crossing subject to the following conditions:

1. Maintenance of the improvements 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.

2011-185 - Continued

<u>County</u>	<u>City</u>	<u>Highway</u>	<u>Railroad</u>	<u>Recommendation</u>
Mississippi	Blytheville	Walnut Street	BNSF	New Flashing Lights with Gates

2011-186

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 and stream impacts due to highway projects; and

WHEREAS, mitigation sites must be in the same geographic drainage area as the area of impact; and

WHEREAS, the Department does not have a stream mitigation bank in the Bayou Meto and adjacent drainage areas; and

WHEREAS, stream mitigation is needed for past, ongoing, and future Department projects in the Bayou Meto and adjacent drainage areas; and

WHEREAS, land is available in Pulaski County that could be developed by the Department as a stream mitigation bank.

NOW THEREFORE, the Director is authorized to proceed with planning, acquisition and development of the Bayou Meto Drainage Basin Stream Mitigation Bank subject to approval by the Federal Highway Administration.

2011-187

WHEREAS, IN STONE COUNTY, the stream bank along the White River is experiencing substantial erosion within the area of the south abutment of the Highway 58 bridge (Structure No. 06316) near Guion; and

WHEREAS, the U. S. Army Corps of Engineers, Little Rock District, (Corps) have completed a feasibility report and determined that the corrective work is eligible for a federally funded stream bank restoration project; and

WHEREAS, the Department would have to enter into a partnership agreement with the Corps, accepting responsibility for 35% of the costs of design and implementation of a project.

NOW THEREFORE, the Director is hereby authorized to execute the necessary agreement with the Corps and provide the Department's share of the cost for a Highway 58 stream bank stabilization project as funding becomes available.

2011-188

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the December 14, 2011 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110504	01	CROSS	HWY. 1 NORTH-WEST (WYNNE) (S)	64	Y
020512	02	ARKANSAS	ARKANSAS COUNTY AREA HEADQUARTERS (STUTTGART) (S)	165	N
030387	03	HEMPSTEAD	OZAN CREEK & RELIEF STRS. & APPRS. (S)	371	N
040554	04	SEBASTIAN	D4 HEADQUARTERS-REMAINING BUILDINGS/DRIVES/PARKING (FORT SMITH) (S)	---	-
050229	05	WHITE	BRIER CREEK STR. & APPRS. (S)	305	N
070273	07	UNION	HWY. 335-HWY. 82 STRS. & APPRS. (S)	15	Y
070304	07	COLUMBIA	FREDERICK ST.-HWY. 82 (E. NORTH ST.) (MAGNOLIA) (S)	---	-
070345	07	CALHOUN	DITCH AT L.M. 1.8 STR. & APPRS. (S)	274	N
080295	08	POPE	WEST MAIN PL.-HONEYSUCKLE LN. INGLEWOOD ST.) (RUSSELLVILLE) (S)	---	-
080388	08	FAULKNER	HWY. 65-EAST (WIDENING) (F)	40	Y
090312	09	BOONE	HWY. 43 SLIDE REPAIR (BOONE CO.) (S)	43	N

2011-188 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
090316	09	CARROLL	HWY. 62 SLIDE REPAIR (W. OF EUREKA SPRINGS) (2011) (S)	62	Y
100677	10	CRAIGHEAD	HWY. 226-HWY. 49 (GR. & STRS.) (F)	226	Y
SA2858	10	GREENE	GREENE COUNTY BASE (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.

MOTION

Commissioner Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to approve the Minutes from the previous Commission Meeting of October 19, 2011.

MOTION Commissioner Tom Schueck moved, Vice Chairman John Ed Regenold seconded and the motion passed to have Staff take the necessary steps to secure professional services (Bond Counsel, etc.) needed to implement the 2011 Interstate Rehabilitation Program.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Tom Schueck seconded and the motion passed to enter into Executive Session at 1:10 p.m. to discuss an employment issue regarding a specific employee.

MOTION Tom Schueck moved, Commissioner Dick Trammel seconded and the motion passed to resume their regular meeting at 2:20 p.m.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed unanimously to terminate Chief Counsel Robert Wilson, effective immediately, based on the recommendation of the Director.

OTHER DISCUSSION ITEMS

Scott Bennett, Director, gave a report of the 2011 AHTD Equipment Auction which was held on October 25, 2011. After the auctioneer's commission of 6%, the net proceeds to the Department were just a little over \$1 million. Mr. Bennett feels it was a successful auction for the Department.

Larry Dickerson, Chief Fiscal Officer, provided the November 2011 update on state highway revenue. Mr. Dickerson noted that the state highway revenues to the Department from most traditional sources have been down over the last year. Although state revenue from the natural gas severance tax is currently up, there has been an overall decrease in state highway revenue to the Department compared to last year. However, actual state revenue received is slightly up compared to projected (budgeted) revenue for the year.

Director Bennett provided the latest information on the Federal highway and transit issues. Mr. Bennett reported that the current Federal Highway and Transit Act, SAFETEA-LU, expired on September 30, 2009. The U. S. Congress has previously passed, and the President has signed into law, eight extensions to fund Federal Highway and Transit Program at FFY 2009 levels through March 31, 2012. Most recently, Congress passed and the President signed into law another extension of expenditure authority for the Federal Highway and Transit Programs at FFY 2009 levels through September 30, 2012.

Commissioner Dick Trammel brought up the idea of using signs to inform the public of upcoming Interstate Rehabilitation Program projects. Director Bennett said Staff will look into that.

Director Bennett reminded the Commissioners of the four “off-site” meetings scheduled for 2012. The Commission Meetings scheduled off-site are March 20 in El Dorado at the El Dorado Convention Center, June 12 in NW Arkansas (likely Fayetteville), and September 11 in Northeast Arkansas (likely Jonesboro). As far as a tentative agenda, Mondays will be travel days, with a dinner that evening in the local area. The meetings will be held on Tuesdays with a proposed starting time of 9:00 am with regular business - minute orders and staff presentations – followed by a presentation geared towards the local area. Presentations from local officials, a general discussion, and questions and answers will complete the meeting. Upon adjournment there will be lunch followed by an optional tour of a local facility. Bid lettings will be held at 10:30 am on Wednesdays in Little Rock, and the Commission is not required to attend. The fourth meeting will be a joint meeting with Parks & Tourism and the Economic Development Commission on April 12 in Bentonville at Crystal Bridges Museum. A different agenda will be created jointly by the agencies for that meeting.

Director Bennett gave an update on the Preliminary 2013-2016 Statewide Transportation Improvement Program (STIP). The 2013-2016 STIP must be approved by the Federal Highway Administration by September 30, 2012. In order to maintain this schedule, a preliminary list of projects must be submitted to the appropriate Metropolitan Planning Organizations for their review and approval, and the Preliminary STIP must be made available for public comment in the near future.

Staff has been working to develop the Preliminary STIP, and a District-by-District report was shown of the proposed projects. The presentation also included information on projects to be included in the upcoming Interstate Rehabilitation Program passed by the voters in November of 2011, and possible projects for inclusion in the temporary 0.5% Sales Tax Program, which will be voted on in the November 6, 2012 election.

2011-189

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:30 p.m., December 14, 2011.

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 14, 2011.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 8, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 8, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., February 8, 2012.

2012-002 WHEREAS, the Purchasing Committee has awarded purchases on December 9, 14 and 20, 2011, and January 9 and 20, 2012, in the amount of \$2,082,253.04, \$543,700.00, \$617,191.32, \$366,093.00, and \$567,677.00, respectively, totaling \$4,176,914.36, 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 be ratified and confirmed in all particulars.

2012-003 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 2012, 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 2012 in the amount of \$46,493.92.

2012-004

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 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.

2012-005

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.

2012-006

WHEREAS, the Arkansas State Highway and Transportation Department in partnership with other states, which included members of the Southeastern Association of State Highway and Transportation Officials (SASHTO), and the Federal Highway Administration, 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, one of the major recommendations resulting from this effort was the creation of the Institute for Trade and Transportation Studies (ITTS); and

WHEREAS, the purpose of ITTS is to provide research data and expert opinions to its members concerning the effects of commercial freight movements on domestic and international activities, with reference to infrastructure and transportation needs and safety implications; and

WHEREAS, over the past four years, the ITTS has worked with member states in conducting conferences and peer exchanges and providing presentation assistance and special reports; and

WHEREAS, continuation of ITTS beginning July 1, 2012 and extending for the next five Federal fiscal years would provide potential benefits to the Department that include assistance in developing the State's major freight corridors and freight handling centers to effectively handle international trade and assistance in developing freight transportation initiatives; and

WHEREAS, ITTS will continue to be funded through a "Pooled Fund" project using State Planning and Research (SPR) funds that can be obligated at 100% Federal participation.

NOW THEREFORE, the Director is authorized to enter into agreements with ITTS, including obligation of Federal funds to participate in this program along with the other SASHTO states.

2012-007

WHEREAS, the Arkansas State Highway Commission has jurisdiction over speed limits on the State Highway System; and

2012-007 - Continued

WHEREAS, questions have been expressed concerning the appropriateness of the speed limits on rural, four-lane and five-lane highways; and

WHEREAS, the modification of speed limits on some rural, four-lane and five-lane highways may be warranted.

NOW THEREFORE, the Director is authorized to conduct a traffic operations study for these highways to determine if any changes are recommended.

2012-008

WHEREAS, the Arkansas State Highway Commission (“Commission”) and the Arkansas State Highway and Transportation Department (“Department”) have regularly entered into agreements regarding the use and maintenance responsibilities for parts of the Arkansas State Highway System, its right of way or other real property owned by the Commission; and

WHEREAS, these agreements have been designated as maintenance agreements, airspace agreements or permits, drainage permits, access agreements, or any other title deemed appropriate; and

WHEREAS, these agreements benefit the public, promote public safety, promote the economic, efficient, and beneficial use of public resources, are necessary and desirable to maintain and control the Arkansas State Highway System or other real property owned by the Commission, and are a routine part of the Department’s normal course of business.

NOW THEREFORE, BE IT RESOLVED that the Director is hereby authorized, on behalf of the Commission, to execute maintenance agreements, airspace agreements or permits, drainage permits, access agreements, and any other agreements deemed appropriate and as permitted by law regarding the designation, use, and maintenance responsibilities for any part of the Arkansas State Highway System, its right of way or other real property owned by the Commission and execute any other documents necessary to effect and carry out such agreements.

2012-009

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.

2012-010

WHEREAS, the Commission acquired right of way for the Arkadelphia-Hot Spring County Line Reconstruction, Job No. 7507, Federal Aid Project F-01-2(18) by the Clark County Court Order dated July 13, 1956, and recorded in the county court records of Clark County, Arkansas, in Book "V", page 510; 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:

REVISED CENTERLINE DESCRIPTION
JOB 7507; ROUTE 67 SECTION 06
CLARK COUNTY

From designated survey centerline Station 234+60 to centerline Station 235+10 the originally executed Court Order for Job 7507 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:

2012-010 - Continued

<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>
234+60.00	235+10.00	50	65'	65'	130'

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.

2012-011

WHEREAS, IN CRAIGHEAD COUNTY, the Department maintains the Institutional Drive System at the Arkansas Services Center in Jonesboro; and

WHEREAS, the Arkansas Services Center has closed and is being auctioned to the public by the Arkansas Building Authority.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, Highway 810, Section 1 is hereby removed from the State Highway System.

2012-012

WHEREAS, IN BENTON COUNTY, on Highway 71, Section 18B, from Dixieland Road to 8th Street in the City of Rogers, a distance of approximately 1.0 mile, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway; and

WHEREAS, the City of Rogers has agreed to provide 50% of the total project cost up to \$5 million.

2012-012 - Continued

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction to provide capacity and safety improvements on this segment of Highway 71B as funds become available.

2012-013

WHEREAS, the Riverside and Bridgeport Weigh Stations were designed and equipped with sewer lift stations located in the basement area of the weigh stations; and

WHEREAS, on multiple occasions the lift stations have malfunctioned and released sewage waste into adjoining office and employee break room areas; and

WHEREAS, these malfunctions resulted in unsanitary and unhealthy conditions that required lengthy closures of the weigh station and the incurrence of costly cleanup expenses; and

WHEREAS, it is the desire of the Department to provide a healthy and productive work environment for its employees, and for the weigh stations to operate twenty-four hours a day, seven days a week without disruption.

NOW THEREFORE, the Director is authorized to proceed with the removal, relocation and replacement of the sewer lift stations at the Riverside and Bridgeport Weigh Stations with the cost borne by utilizing oversize and overweight permit fees.

2012-014

WHEREAS, a radio tower location that the Department has leased for over fifty 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 terms and conditions of the proposed sale call for transfer of fee simple interest in the property to the Department for \$19,000.00; and

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

A part of the Northwest Southeast of Section 36, Township 17 North, Range 4 East, being more particularly described as follows: Commencing at a ¾ inch shaft that is locally accepted as the Southeast sixteenth corner of Section 36, Township 17 North, Range 4 East; Thence the following courses and distances: N00°30'31"E, 75.00 feet to a 5/8 inch rebar with 2 inch aluminum caps stamped "AHTD BDY PS 1201" as the POINT OF BEGINNING; Thence N85°03'24"W, 185.64 feet to 5/8 inch rebar with 2 inch aluminum caps stamped "AHTD BDY PS 1201"; thence continuing N85°03'24"W, 37.86 feet to the centerline of Greene Co. Rd. 718; Thence along said centerline on a curve to the right having a radius of 375.71 feet, an arc distance of 67.27 feet, a chord bearing of N25°43'22"W and a distance of 67.18 feet; Thence continuing along said centerline N20°35'36"W, 166.01 feet; Thence leaving said centerline S88°07'44"E, 32.46 feet to a 5/8 inch rebar with 2 inch aluminum caps stamped "AHTD BDY PS 1201"; Thence continuing S88°07'44"E, 279.92 feet to a 5/8 inch rebar with 2 inch aluminum caps stamped "AHTD BDY PS 1201" on the East line of said Northwest Southeast of Section 36; thence S00°30'31"W, 225.00 feet to the Point of Beginning, containing 1.35 acres or 58,897 square feet, more or less. Subject to all right of ways and easements of record.

NOW THEREFORE, the Director is authorized to take all necessary action to complete the purchase.

2012-015

WHEREAS, IN CALHOUN COUNTY, the City of Thornton, by Resolution No. 166, and the Calhoun County Quorum Court, by Resolution No. 2011-8, has requested the naming of Highway 79 from the Highway 79B intersection south in Thornton to the Highway 79B intersection north of Thornton as the "Dr. T. E. Rhine Bypass"; 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 request meets the criteria for commemorative signing in accordance with Minute Order 2009-033.

2012-015 - Continued

NOW THEREFORE, the Director is authorized to allow the installation of signs on each end of the above-described section of Highway 79 in accordance with Commission Policy.

2012-016

WHEREAS, the roofs for the Central Office Annex Building, the Planning Building, and the Physical Plant Building have exceeded their serviceable life and are in poor condition; and

WHEREAS, it has been determined that the most feasible means of repair is to remove the existing roofs and replace them with new roofs.

NOW THEREFORE, the Director is authorized to replace the roofs on the Central Office Annex Building, the Planning Building, and the Physical Plant Building.

Work to be done by contract as a Building Project.

2012-017

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 8, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110504	01	CROSS	HWY. 1 NORTH-WEST (WYNNE) (S)	64	Y
110536	01	PHILLIPS	ARKANSAS WELCOME CENTER (HELENA- WEST HELENA) (S)	49	-
110543	01	ST. FRANCIS	HWYS. 261, 38 & 149 STRS. & APPRS. (F)	VAR	Y
050166	05	CLEBURNE	FAULKNER CO. LINE-HWY. 107 (PASSING LANES) (S)	25	Y
050228	05	CLEBURNE	MIDWAY BRANCH STR. & APPRS. (S)	225	N
060352	06	PULASKI	McHENRY CREEK & RELIEF STRS. & APPRS. (S)	5	Y
061080	06	PULASKI	SOUTH LOOP BYPASS (MABELVALE RD.- ALEXANDER RD.) (LITTLE ROCK) (S)	---	-
061254	06	GARLAND	GARLAND CO. AREA HDQ./R.E. OFFICE (S)	270	Y
061259	06	GARLAND	HWY. 7-HOT SPRINGS VILLAGE (SAFETY IMPVTS.) (S)	5	Y

2012-017 – Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080381	08	VAN BUREN	SCROGGINS CREEK STR. & APPRS. (S)	92	Y
090286	09	BENTON	SPRING CREEK STR. & APPRS. (NORTH 56TH ST.) (SPRINGDALE) (S)	---	-
FA0623	07	BRADLEY	CO. RD. 134-HWY. 160 (SURFACING) (S)	---	-
SA2446	04	FRANKLIN	WIRE AND OLD ELM RDS. (OVERLAY) (SEL. SECS.) (S)	---	-
BR3713	03	LAFAYETTE	FIELD BAYOU DITCH STR. & APPRS. (S)	---	-
FA4902	08	MONTGOMERY	HEWING & LICK CREEKS STRS. & APPRS. (S)	---	-
BR5608	10	POINSETT	DITCH NO. 3 AND BRANCH OF DITCH NO. 2 STRS. & APPRS. (S)	---	-
SA7381	05	WHITE	CO. RD. 70 SEL. SEC. (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 Dick Trammel moved, Commissioner John Burkhalter seconded and the motion passed to approve the Minutes from the previous Commission Meeting of December 14, 2011.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to authorize the Staff to enter into negotiations with the firm of Friday, Eldredge & Clark LLP of Little Rock to provide Bond Counsel Services for the upcoming Bond Program.

MOTION Commissioner Tom Schueck moved, Commissioner John Ed Regenold seconded and the motion passed, with John Burkhalter voting no, to authorize the Director to amend the Supplemental Specifications regarding bidding restrictions for Contractors in liquidated damages.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the January 2012 update on state highway revenue. Mr. Dickerson noted that although state revenue from the natural gas severance tax is currently up, there has been an overall decrease in state highway revenue to the Department compared to last year. State highway revenues from motor fuel taxes continue to be down over the last year.

Director Bennett provided the latest information on the Federal highway and transit issues. Mr. Bennett reported that the current Federal Highway and Transit Act, SAFETEA-LU, expired on September 30, 2009 without the authorization of a new “Federal Highway and Transit

OTHER DISCUSSION ITEMS - Continued

Act.” The U. S. Congress has passed, and the President has signed an appropriations act to provide funding through September 30, 2012. However, Federal Highway and Transit Programs are only authorized through March 31, 2012 after eight extensions of SAFETEA-LU. There has been much recent discussion about the movement in both the House and the Senate to pass an authorization act in the near future.

The Commission authorized the Staff to apply for the TIGER IV Grants for the following projects: Highway 92, Highway 167 and Highway 71 (Future I-49) thru the Fort Chaffee area.

Commissioner Tom Schueck suggested the hiring of an architect to look at the 40 year old Arkansas Highway & Transportation Department building for possible updating. The Commission authorized the Director to request proposals from firms to evaluate the (structural and functional) needs of the building.

2012-018

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:20 a.m., February 8, 2012.

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 8, 2012.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 20, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in El Dorado, Arkansas, March 20, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
Dick Trammel, Member
Thomas B. Schueck, Member

2012-019 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., March 20, 2012 in El Dorado, AR.

2012-020 WHEREAS, the Purchasing Committee has awarded purchases on January 31, 2012, February 10, 13 and 22, 2012, and March 2, 2012, in the amount of \$365,890.94, \$468,915.00, \$136,720.38, \$405,603.30, and \$1,594,438.30, respectively, totaling \$2,971,567.92, 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.

2012-021 WHEREAS, the Department has identified a significant number of miles of concrete barrier wall and concrete pavement that are rapidly deteriorating; and

WHEREAS, the Department, in conjunction with the Mack-Blackwell Transportation Center (MBTC) at the University of Arkansas at Fayetteville, has determined that the probable cause of the accelerated deterioration is due to an alkali-silica reaction (ASR), which occurs in concrete between the highly alkaline cement paste and reactive silica, which is found in many common aggregates; and

2012-021 - Continued

WHEREAS, the MBTC has facilities and capabilities to conduct research and investigate the premature deterioration of concrete pavement and concrete barrier wall sections and indentify strategies for preservation; and

WHEREAS, the MBTC will provide the training necessary to identify premature concrete deterioration types and apply appropriate treatments to extend the life of affected concrete sections.

NOW THEREFORE, the Director is hereby authorized to enter into an agreement with the MBTC to conduct the following study:

- Identification and Treatment of Alkali-Silica Reactivity (ASR) in Arkansas Concrete Mixes

2012-022

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 provide the scholarship funds to the Mack-Blackwell National Rural Transportation Study Center (MBTC) at the University of Arkansas at Fayetteville.

FURTHERMORE, the Director is authorized to enter into an agreement with the MBTC for the administration of the scholarship funds for research programs deemed beneficial to the Department.

2012-023

WHEREAS, the National Academy of Sciences Transportation Research Board (TRB) provides leadership in transportation innovation and progress through research and information exchange, conducted within a setting that is objective, interdisciplinary, and multimodal; and

WHEREAS, the TRB offers opportunities for information exchange on current transportation research and practice, management of cooperative research and other research programs, analyses of national transportation policy issues and guidance on federal and other research programs, and publications and access to research information from around the world; and

WHEREAS, all states provide financial support for TRB's Core Program activities that are designed to support dialogue and information exchange among researchers, practicing transportation professionals, and others concerned with transportation; and

WHEREAS, the Department's participation rate has been approved by the American Association of State Highway and Transportation Officials (AASHTO) members and the TRB 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 activities.

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.

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 Environmental Protection Agency is continuing to raise air quality standards, which puts increasing pressure on local jurisdictions to address air quality issues in order to receive Federal transportation funding; and

2012-024 - Continued

WHEREAS, through development of their draft Transportation Improvement Programs for Federal Fiscal Years (FFYs) 2013-2016, the Central Arkansas Regional Transportation Study (CARTS) and the West Memphis-Marion Area Transportation Study (WMATS) have indicated the continuing need for CMAQ funding for their air quality planning efforts with matching funds provided by local entities; and

WHEREAS, Minute Order 2010-049 approved \$186,000 per year in CMAQ funds to support air quality efforts in these areas through FFY 2013; and

WHEREAS, it is in the best interest of the Department to continue partnering efforts to address air quality issues with local jurisdictions.

NOW THEREFORE, the Director is authorized to provide CMAQ or equivalent funds for use by CARTS and WMATS up to an annual amount of \$186,000 through FFY 2016, to enter into appropriate interagency agreements, and to participate in coordination activities for air quality planning.

2012-025

WHEREAS, the Highway 67 Corridor is an important regional connector between Little Rock and St. Louis, Missouri; and

WHEREAS, Commission Minute Order 96-042 adopted the U.S. 67 Corridor Study – Walnut Ridge to the Missouri State Line that recommended a four-lane freeway on new location in Arkansas; and

WHEREAS, the Missouri Department of Transportation's current improvement plan for Highway 67 is no longer compatible with the study recommendation.

NOW THEREFORE, the Director is authorized to conduct a study to re-evaluate the long term improvement needs for the Highway 67 Corridor from Walnut Ridge to the Missouri State Line.

2012-026

WHEREAS, on Interstate 40 between North Little Rock and Memphis, a distance of approximately 130 miles, traffic volumes continue to increase; and

WHEREAS, the need exists for improvements to increase capacity and safety on this section of highway; and

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

NOW THEREFORE, the Director is authorized to hire a consultant to conduct a study to determine the feasibility of tolling Interstate 40 between North Little Rock and Memphis.

2012-027

WHEREAS, IN WASHINGTON AND BENTON COUNTIES, on Highway 112 between Fayetteville and Bentonville, the Northwest Arkansas Regional Planning Commission's Transportation Policy Committee has requested a study to determine the need for and feasibility of improvements.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to Highway 112 from Fayetteville to Bentonville.

2012-028

WHEREAS, IN HOT SPRING AND GARLAND COUNTIES, a crash analysis has been completed on Highway 7, Sections 8 and 9, from just south of the Hot Spring/Garland County Line to Highway 290; and

WHEREAS, the analysis showed a high rate of wet and dry surface crashes in this section; and

WHEREAS, the analysis recommended widening this section to five lanes including the Sorrells Creek bridge, construction of minor alignment improvements and installation of rumble strips; and

WHEREAS, these recommendations would address traffic safety needs identified in the Highway 7 Corridor Study (2005), which was adopted by Commission Minute Order 2005-100 for use as a planning guide for scheduling future improvements on Highway 7; and

2012-028 - Continued

WHEREAS, Commission Minute Order 2007-091 adopted the Arkansas' Strategic Highway Safety Plan (2007), which identified the installation of passing lanes, rumble strips, and continuous, two-way, left-turn lanes as safety strategies to reduce fatalities and serious injuries on the State's roadway system; and

WHEREAS, this work is eligible for Federal-aid Safety funds.

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

2012-029

WHEREAS, a radio tower location that the Department has leased for over fifty 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 terms and conditions of the proposed sale call for transfer of fee simple interest in the property to the Department for \$10,000.00; and

WHEREAS, the property to be acquired is generally described as the Fountain Hill Tower site, and the said tract is 2.066 acres more or less and located in the east part of the Northeast Quarter of the Southwest Quarter of Section 1, Township 16 South, Range 7 West, lying southeast of a County Road four and one-fourth (4¼) miles east of Fountain Hill, Arkansas, in Ashley County.

NOW THEREFORE, the Director is authorized to take all necessary action to complete the purchase.

2012-030

WHEREAS, IN CRAWFORD COUNTY, the existing Highway Police weigh stations located along I-40 eastbound and westbound are in need of significant improvements and expansion; and

WHEREAS, the necessity to reconstruct these facilities, including the replacement of the weigh scales, are essential for the operational needs of the Highway Police.

2012-030 - Continued

NOW THEREFORE, the Director is authorized to procure the services of an architectural firm and proceed with the design and construction of these two Highway Police weigh stations as funding becomes available.

2012-031 WHEREAS, IN CRAWFORD AND WASHINGTON COUNTIES, on Interstate 540, Sections 3 and 4, four slide areas have occurred at various locations and the potential exists for damage to the roadway; and

WHEREAS, the repair of these slides are greater than District maintenance capability.

NOW THEREFORE, the Director is authorized to proceed with a slide repair project to be performed by contract forces as funds become available.

2012-032 WHEREAS, IN CRITTENDEN COUNTY on southbound Interstate 55, Section 11 in West Memphis, a slope failure has occurred that could eventually cause damage to the adjacent roadway; and

WHEREAS, the repair of this failed embankment slope is beyond normal routine maintenance responsibilities of the District.

NOW THEREFORE, the Director is authorized to proceed with having the embankment slope repaired as funds become available.

Work to be done by contract.

2012-033 WHEREAS, National Bridge Inspection Standards require a hands-on inspection of fracture critical members of a bridge structure; and

WHEREAS, the upper truss members of the I-40 bridge (Bridge 05141) crossing the Mississippi River in West Memphis require a hands-on fracture critical inspection; and

WHEREAS, the Department does not have the equipment needed to access these areas of this structure.

2012-033 - Continued

NOW THEREFORE, the Director is authorized to request proposals from prospective engineering firms, select the appropriate firm, and proceed with a contract for the services needed to perform a hands-on inspection of this bridge structure as funds become available.

2012-034

WHEREAS, IN WASHINGTON COUNTY, on Highway 220, Section 3, at approximately Log Mile 0.33 a slide area approximately two hundred feet in length has occurred and has narrowed the driving surface of the highway; and

WHEREAS, due to the nature, location, and complexity of this slide being adjacent to a local stream, the recommended repair is greater than District maintenance capability.

NOW THEREFORE, the Director is authorized to proceed with a slide repair project to be performed by contract forces as funds become available.

2012-035

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the March 21, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110504	01	CROSS	HWY. 1 NORTH-WEST (WYNNE) (S)	64	Y
110533	01	CRITTENDEN	HWY. 70 & HWY. 191 SIGNALS & INTERS. IMPVTS. (W. MEMPHIS)(S)	70 & 191	Y
110580	01	ST. FRANCIS	WHEATLEY-EAST (OVERLAY) (S)	70	Y
110581	01	CRITTENDEN	I-40-HWY. 70 (WEST MEMPHIS) (OVERLAY) (S)	77	Y
110582	01	MONROE	WOODRUFF CO. LINE-HWY. 17 (OVERLAY) (S)	49	Y
020356	02	LINCOLN	HWY. 212-HWYS. 11/425 CONNECTOR (BS. & SURF.) (F)	530	Y
020520	02	ASHLEY	HWY.133/3RD. AVE. & HWY. 133T/3RD. AVE. SIGNALS REHAB. (CROSSETT) (S)	133 & 133T	Y
020546	02	ASHLEY	LA STATE LINE-NORTH OF WILMOT (OVERLAY) (S)	165	Y
020547	02	DREW	SANDY CREEK-CUTOFF CREEK (OVERLAY) (S)	35	Y

2012-035 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030420	03	SEVIER	LOCKESBURG-COSSATOT RIVER (OVERLAY) (S)	71	Y
030421	03	PIKE	HWY. 29-DELIGHT (OVERLAY) (S)	19	Y
040634	04	SEBASTIAN	HWY. 64/22-NORTH (FT. SMITH) (OVERLAY) (S)	64	Y
040635	04	FRANKLIN	ALTUS-JOHNSON CO. LINE (OVERLAY) (S)	64	Y
040636	04	FRANKLIN & LOGAN	LOGAN CO. LINE-WEST & EAST (OVERLAY) (S)	22	Y
FS5016	05	CLEBURNE	NARROWS BRIDGE-WEST (S)	16	N
FS5017	05	CLEBURNE	HWY. 25-EAST (S)	110	Y
FS5018	05	CLEBURNE & INDEPENDENCE	HWY. 157-HWY. 25 (S)	87	N
FS5019	05	CLEBURNE	FAULKNER CO. LINE-HWY. 5 (SEL. SECS.) (S)	25	Y
050284	05	FULTON & SHARP	HWY. 62-NORTH (OVERLAY) (S)	63	Y
050285	05	STONE	TUBBS CREEK-HWY. 9 (OVERLAY) (S)	66	Y
061218	06	PULASKI	UNION PACIFIC R.R. VIADUCT SAFETY IMPVTS. (LITTLE ROCK) (S)	10	Y
061318	06	SALINE	HWY. 70-SEVIER ST. (BENTON) (RESURFACING) (F)	30	Y
061368	06	GARLAND	HWY. 270B-HWY. 70 (HOT SPRINGS) (OVERLAY) (S)	270	Y
061369	06	PULASKI	HWY. 107-HWY. 67 (SHERWOOD) (OVERLAY) (S)	176	Y
061370	06	HOT SPRING	GRANT CO. LINE-WEST (OVERLAY) (S)	270	Y
070387	07	DALLAS	JACINTO-HWY. 8 (OVERLAY) (S)	9	N
070388	07	COLUMBIA	HWY. 98-NORTH (OVERLAY) (S)	79	Y
070389	07	OUACHITA	NEVADA CO. LINE-CHIDESTER (OVERLAY) (S)	24	Y
FS8018	08	FAULKNER	SQUIRREL HILL-EAST (S)	64	Y
FS8019	08	CONWAY	SOLGOHACHIA-CENTER RIDGE (S)	9	Y
FS8020	08	VAN BUREN	HWY. 9-CLEBURNE CO. LINE (S)	16	N
080458	08	MONTGOMERY	NORMAN-EAST (OVERLAY) (S)	8	Y
080459	08	YELL	HWY. 27-SOUTH (OVERLAY) (S)	7	Y

2012-035 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080460	08	YELL	PLAINVIEW-OLA (OVERLAY) (S)	28	N
090357	09	BENTON	HWY. 112-HWY. 12 (OVERLAY) (S)	264	Y
090358	09	CARROLL	WHITE RIVER-EUREKA SPRINGS (SEL. SECS.) (OVERLAY) (S)	62	Y
090359	09	MADISON	WASHINGTON CO. LINE-HINDSVILLE (OVERLAY) (S)	45	N
090360	09	BAXTER	HWY. 5-NORTH (MTN. HOME) (OVERLAY) (S)	201	Y
100738	10	CRAIGHEAD	HWYS. 1B/63/PARKER RD. TRAFFIC OPS. IMPVTS. (JONESBORO) (S)	1B & 63	Y
100774	10	CRAIGHEAD	HWY. 1B-HWY. 463 (CONC. PVMT. PATCHING & GRINDING) (S)	63	Y
100775	10	POINSETT	MARKED TREE-SOUTH (SEL. SECS.) (OVERLAY) (S)	63	Y
100776	10	RANDOLPH	ELEVEN POINT RIVER-EAST & WEST (OVERLAY) (S)	62	Y
SA1548	08	CONWAY	HWY. 92-FAULKNER CO. LINE (BASE) (S)	---	-
SA1550	08	CONWAY	CO. RD. 406-EAST (OVERLAY) (S)	---	-
SA2447	04	FRANKLIN	HWY. 215-EAST (ANICE RD.) BASE & SURFACING (S)	---	-
SA3450	05	JACKSON	CACHE RIVER PILING REMOVAL (S)	---	-
BR3713	03	LAFAYETTE	FIELD BAYOU DITCH STR. & APPRS. (S)	---	-
BR5404	01	PHILLIPS	BIG CREEK STR. & APPRS. NO. 2 (S)	---	-
SA5731	04	POLK	POLK COUNTY LEVELING AND RESEAL (SEL. SECS.) (S)	---	-
SA5732	04	POLK	HWY. 8-SOUTH (SURFACING) (S)	---	-
SA7382	05	WHITE	CO. RD. 629 SEL. SEC. (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 Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to approve the Minutes from the previous Commission Meeting of February 8, 2012.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the February 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. Although state revenue from the increase in the natural gas severance tax is currently up, there has been an overall decrease in state highway revenue to the Department compared to last year.

Without objection, Chairman Madison Murphy recommended releasing a Press Release regarding the significance of the loss of \$4 million per year and how the state's highways, county roads, and city streets will suffer because of the failure by the legislature to repeal the not-yet-implemented sales tax exemption for large trucks and trailers during the 2012 Fiscal Session. Commissioner Tom Schueck also brought up the shortfall the cities and counties would suffer annually. The exemption was

OTHER DISCUSSION ITEMS - Continued

envisioned as a 'quid pro quo' for a five-cent per gallon increase in the state's diesel tax that never materialized. Both the exemption and the diesel tax increase were proposed by the trucking industry. Director Scott Bennett added that the difficult part will be trying to repeal it after it is implemented. Mr. Bennett stated that the first draft of the Statewide Transportation Improvement Plan, or STIP, for the years 2013-2016, has already circulated. So now it must be determined where to cut the \$12 million from those proposed projects.

Director Bennett provided the latest information on the Federal highway and transit issues. Mr. Bennett reported that the current Federal Highway and Transit Act, SAFETEA-LU, expired on September 30, 2009 without the authorization of a new "Federal Highway and Transit Act." The U. S. Congress has passed, and the President has signed an appropriations act to provide funding through September 30, 2012. However, Federal Highway and Transit Programs are only authorized through March 31, 2012 after eight extensions of SAFETEA-LU. There has been much recent discussion about the movement in both the House and the Senate to pass an authorization act in the near future.

At the February 8, 2012 Commission Meeting, it was agreed that the Department would gather and provide information regarding the steps necessary to allow the collection of tolls on Interstate highways. Director Bennett provided information regarding the existing toll pilot programs, the status of legislation to allow more flexibility in tolling, and the steps necessary to gain approval for tolling Interstate highways. A minute order was passed to authorize the solicitation of proposals for a consultant to conduct tolling feasibility studies for the section on Interstate 40 from North Little Rock to West Memphis.

Director Bennett provided the latest information regarding projects completed, under construction and scheduled in the south Arkansas area. This included a discussion of projects included in the Draft Statewide Transportation Improvement Program for Fiscal Years 2013 through 2016 and projects proposed for the 0.5% Sales Tax Program.

OTHER DISCUSSION ITEMS - Continued

Mr. Henry Florsheim, El Dorado Chamber of Commerce President, made a presentation promoting the City of El Dorado as moving forward and developing a community where people want to live. He introduced the following people in attendance at the meeting: Mayor Hash from El Dorado, Mayor Claybaker from Camden, Mayor Vann from Magnolia, Mayor Neal from Smackover, Union County Judge Loftin, Judge Atkinson from Columbia County, State Representatives Garry Smith and Matthew Shepherd, Chairman of the Golden Triangle and SAU President, Dr. David Rankin, and Cam Hambrice with the Magnolia Chamber of Commerce. Austin Barrow, President of El Dorado Festivals & Events also made a presentation on what the future of the City of El Dorado will have to offer.

2012-036

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:30 a.m, March 20, 2012 in El Dorado, AR.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meeting in El Dorado, AR on March 20, 2012.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

May 2, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 2, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-037 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., May 2, 2012.

2012-038 WHEREAS, the Purchasing Committee has awarded purchases on March 12, 19 and 28, 2012, and April 11 and 17, 2012, in the amount of \$84,471.50, \$925,562.00, \$257,023.80, \$79,680.00, and \$258,619.20, respectively, totaling \$1,605,356.50, 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.

2012-039 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.

2012-039 - Continued

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

2012-040

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 twenty- five (25) vehicles whose mileage exceeds, or should exceed, ninety 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 by Arkansas Code Annotated §27-35-211 for the operation and maintenance of the AHP Division, are available for the purchase of police pursuit vehicles.

NOW THEREFORE, the Director is authorized to purchase up to twenty-five (25) replacement police pursuit vehicles for use by the AHP Division utilizing available oversize and overweight permit fees.

2012-041

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 State Highway and Transportation Department as the recipient of Federal Transit Administration funds for these programs.

2012-041 - Continued

NOW THEREFORE, the Director is hereby authorized to develop and implement programs 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.

2012-042

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 vehicles 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 to organizations serving the transportation needs of urbanized 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.

2012-043

WHEREAS, median cable barriers have been proven to be an effective and economical treatment to reduce crossover crashes on divided highways; and

WHEREAS, Arkansas' Strategic Highway Safety Plan (2007) identified the installation of median cable barriers as a priority safety strategy; and

WHEREAS, a statewide median crossover crash analysis has been completed; and

2012-043 - Continued

WHEREAS, the analysis identified various locations in the State that would benefit from the installation of median cable barriers; and

WHEREAS, this work 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 the locations shown on the attached list as funds become available.

2012-044

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 the SPR Work Program and Cost Estimate for Fiscal Year 2013 to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for approval.

FURTHERMORE, upon approval from the FHWA and the FTA, the Director is authorized to implement this program and enter into any necessary contracts and agreements.

2012-045

WHEREAS, Arkansas House Joint Resolution 1001 of 2011, a proposed constitutional amendment, provides for a temporary one-half cent increase in the state sales tax for an approximate ten year period to be used to improve Arkansas' roadways, subject to a favorable vote of the people; and

WHEREAS, if passed, the Department will receive 70 percent of revenues available for distribution from this tax and cities and counties will share the remaining 30 percent; and

WHEREAS, it is estimated that revenues generated will result in a \$1.8 billion highway improvement program to be implemented by the Department; and

WHEREAS, based on current revenue projections and current design, right-of-way acquisition, utility relocation and construction costs, projects have been identified to construct and improve a four-lane grid system across the state as illustrated on the attached map; and

WHEREAS, it should be noted that it may be necessary to reduce or expand this program of projects because of unforeseen changes in estimated revenues and project costs.

NOW THEREFORE, this map is adopted for use as a planning guide for developing and scheduling future improvements for the possible One-Half Cent Sales Tax Program.

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 Public Transportation Programs Section of the Planning and Research Division provides technical assistance and vehicle delivery to over two hundred public and private non-profit agencies each year; and

WHEREAS, a need exists for the Public Transportation Programs Section to have additional space available for conducting business with these agencies; and

WHEREAS, Federal Transit Administration's American Recovery and Reinvestment Act of 2009 (ARRA) funds may be used for the construction of necessary facilities; and

WHEREAS, these ARRA funds must be expended by September 30, 2013; and

WHEREAS, each rural transit agency has completed its initial ARRA project and funds remain; and

2012-046 - Continued

WHEREAS, suitable property is available at the Department's Central Office Complex to construct a public transportation administration and receiving facility.

NOW THEREFORE, the Director is authorized to proceed with a project for the design and construction of a Public Transportation Administration Facility and purchase of other related items.

2012-047

WHEREAS, IN CLAY AND GREENE COUNTIES, there is no written agreement between the Arkansas State Highway and Transportation Department (AHTD) and the Missouri Department of Transportation (MoDOT) regarding the maintenance of the bridge structures that span the St. Francis River between Arkansas and Missouri; and

WHEREAS, an agreement between AHTD and MoDOT is needed to clarify the respective responsibilities with regard to inspecting and maintaining four bridge structures that span the St. Francis River between Clay/Greene County, Arkansas and Dunklin County, Missouri; and

WHEREAS, AHTD will inspect and perform minor maintenance from abutment to abutment on two of the four bridges; and

WHEREAS, MoDOT will inspect and perform minor maintenance from abutment to abutment on the other two bridges; and

WHEREAS, major maintenance cost will be shared on a 50/50 basis between AHTD and MoDOT.

NOW THEREFORE, the Director is authorized to enter into a written agreement with MoDOT to share the inspection and maintenance responsibilities of the four bridge structures that span the St. Francis River in northeast Arkansas.

2012-048

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the May 2, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110533	01	CRITTENDEN	HWY. 70 & HWY. 191 SIGNALS & INTERS. IMPVTS. (W. MEMPHIS) (S)	70 & 191	Y
110584	01	LEE	WEST OF HWY. 121-HWY. 1 (OVERLAY) (S)	79	Y
110585	01	PHILLIPS	HWY. 49-HWY. 49B (HELENA-W. HELENA) (OVERLAY) (S)	185 & 242	Y
020505	02	JEFFERSON	NEVINS CREEK STR. & APPRS. (NEVINS RD.) (PINE BLUFF) (S)	- - -	-
020546	02	ASHLEY	LA STATE LINE-NORTH OF WILMOT (OVERLAY) (S)	165	Y
020547	02	DREW	SANDY CREEK-CUTOFF CREEK (OVERLAY) (S)	35	Y
020548	02	ARKANSAS	EAST OF HWY. 165-CARTER ROAD (OVERLAY) (S)	79	Y
020549	02	JEFFERSON	PAPER MILL RD.-HWY. 65B (OVERLAY) (S)	63	Y
020550	02	JEFFERSON & GRANT	W. OF GRANT CO.LINE-ROLLING HILLS RD. (SEL.SECS.) (OVERLAY) (S)	270	Y
030422	03	MILLER & LAFAYETTE	LEWISVILLE-WEST (SEL. SECS.) (OVERLAY) (S)	82	Y
030423	03	MILLER	I-30 NORTH FRGTG. RD.-TEXAS STATE LINE (OVERLAY) (S)	71	Y
030424	03	NEVADA	LITTLE CANEY CREEK-CO. RD. 47 (OVERLAY) (S)	278	Y
040478	04	SEBASTIAN	HWY. 71 INTERCHANGE (GR. & STRS.) (F)	71	Y
040583	04	WASHINGTON	HWY. 62/180-HWY. 16 WIDENING (FAYETTEVILLE) (F)	540	Y
040638	04	POLK	WICKES-SOUTH & NORTH (OVERLAY) (S)	71	Y
040639	04	SCOTT	HWY. 80-NORTH (WALDRON) (OVERLAY) (S)	71B	N
FS5020	05	WHITE	HWY. 31-HWY. 36 (S)	305	N
FS5021	05	WHITE	HWY. 167-JACKSON CO. LINE (S)	367	Y
FS5022	05	CLEBURNE & INDEPENDENCE	HWY. 87-NORTH (S)	25	N
050244	05	WHITE	HWY. 67B/POPLAR ST. & HWY. 67 SB RAMP SIGNALS (SEARCY) (S)	67 & 67B	Y
050286	05	IZARD	SPRING CREEK-HWY. 9 (OVERLAY) (S)	56	Y

2012-048 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
061113	06	GARLAND	HWY. 270-PRINTERS PLACE (HIGDON FERRY RD.) (HOT SPRINGS) (S)	88	Y
061186	06	HOT SPRING	SOCIAL HILL-ROCKPORT (F)	30	Y
061218	06	PULASKI	UNION PACIFIC R.R. VIADUCT SAFETY IMPVTS. (LITTLE ROCK) (S)	10	Y
061318	06	SALINE	HWY. 70-SEVIER ST. (BENTON) (RESURFACING) (F)	30	Y
061373	06	PRAIRIE	HWYS. 11 & 63 (SEL. SECS.) (OVERLAY) (S)	11 & 63	Y
061374	06	GARLAND	HWY. 270B-EAST (HOT SPRINGS) (OVERLAY) (S)	70B	Y
061375	06	HOT SPRING	CLARK CO. LINE-NORTH (SEL. SECS.) (OVERLAY) (S)	67	Y
070390	07	UNION & OUACHITA	UNION & OUACHITA COUNTIES (SEL. SECS.) (OVERLAY) (S)	VAR	Y
FS8021	08	CONWAY	HWY. 287-HWY. 9 (S)	92	N
FS8022	08	CONWAY	CLEVELAND-VAN BUREN CO. LINE (S)	95	N
FS8023	08	FAULKNER	SPRINGHILL-SOUTH (S)	65	Y
FS8024	08	FAULKNER	WOOLLY HOLLOW ST. PARK-HWY. 65 (S)	285	N
080458	08	MONTGOMERY	NORMAN-EAST (OVERLAY) (S)	8	Y
080461	08	PERRY	FAULKNER CO. LINE-WEST (OVERLAY) (S)	60	Y
080462	08	JOHNSON	HWY. 21-EAST (OVERLAY) (S)	64	Y
080463	08	PERRY	CONWAY CO. LINE-SOUTH (SEL. SECS.) (OVERLAY) (S)	9	Y
090235	09	CARROLL	DRYFORK-HWY. 103 (PASSING LANE) (F)	412	Y
090268	09	BENTON	SAGER CREEK STR. & APPRS. (UNIVERSITY ST.) (SILOAM SPRINGS) (S)	---	-
090293	09	BENTON	HWY. 72 NORTH-CO. RD. 34 (B.V. BYPASS) (F)	71	Y
090367	09	BOONE & NEWTON	HARP CREEK-HWY. 43 (OVERLAY) (S)	7	Y
090368	09	BENTON	SPAVINAW CREEK-DECATUR (OVERLAY) (S)	59	Y
100402	10	CRAIGHEAD & LAWRENCE	HWY. 226-HWY. 230 (BS. & SURF.) (F)	67	Y
100738	10	CRAIGHEAD	HWYS. 1B/63/PARKER RD. TRAFFIC OPS. IMPVTS. (JONESBORO) (S)	1B & 63	Y

2012-048 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
100777	10	GREENE & CLAY	RECTOR-MARMADUKE (OVERLAY) (S)	49	Y
100778	10	MISSISSIPPI	HWY. 61-HWY. 119 (OSCEOLA) (OVERLAY) (S)	140 & 61	Y
100779	10	LAWRENCE & GREENE	CACHE RIVER-WEST (OVERLAY) (S)	412	Y
012149	06 & 07	HOT SPRING, CLARK & SALINE	CADDO VALLEY-HWY. 70 (SEL. SECS.) (CABLE MEDIAN BARRIER) (F)	30	Y
SA0350	09	BAXTER	HWY. 62-HWY. 126 (OVERLAY) (S)	---	-
SA0846	09	CARROLL	HWY. 103-EAST (SURFACING) (S)	---	-
SA0847	09	CARROLL	HWY. 221-NORTHWEST (SURFACING) (S)	---	-
SA1248	05	CLEBURNE	WHITE COUNTY LINE-NORTH (STRIPING & OVERLAY) (S)	---	-
SA2244	02	DREW	HWY. 425-EAST (OVERLAY) (S)	---	-
SA2665	06	GARLAND	HWY. 7-HOT SPRINGS CITY LIMITS (OVERLAY) (S)	---	-
SA3450	05	JACKSON	CACHE RIVER PILING REMOVAL (S)	---	-
SA3451	05	JACKSON	CO. RD. 182 DRAINAGE STRUCTURES (S)	---	-
BR3713	03	LAFAYETTE	FIELD BAYOU DITCH STR. & APPRS. (S)	---	-
SA4040	02	LINCOLN	LINCOLN COUNTY SURFACING NO. 4 (SEL. SECS.) (S)	---	-
SA4271	04	LOGAN	LOGAN COUNTY SURFACING NO. 4 (SEL. SECS.) (S)	---	-
SA4741	10	MISSISSIPPI	MISSISSIPPI COUNTY OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
SA5733	04	POLK	POLK COUNTY LEVELING AND RESEAL NO. 2 (SEL. ECS.) (S)	---	-
SA5854	08	POPE	CO. RD. 6 (MILL CREEK RD.) OVERLAY (SEL. SEC.) (S)	---	-
SA6544	04	SEBASTIAN	HWY. 45-MANSFIELD CITY LIMITS (OVERLAY) (S)	---	-

2012-048 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
FA6707	05	SHARP	LAWRENCE CO. LINE-WEST (RECONSTRUCTION) (S)	---	-
SA7383	05	WHITE	HWY. 5-EAST (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 Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to approve the Minutes from the previous Commission Meeting of March 20, 2012.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the March 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. Although state revenue from the increase in the natural gas severance tax is currently up, there has been an overall decrease in state highway revenue to the Department compared to last year. However, actual state revenue received is slightly up compared to projected (budgeted) revenue for this year. Mr. Dickerson also went over the pricing of natural gas.

Director Bennett provided the latest information on the Federal highway and transit funding issues. Mr. Bennett reported that the current Federal Highway and Transit Act, SAFETEA-LU, expired on September 30, 2009 without the authorization of a new “Federal Highway and Transit Act.” The U. S. Congress has passed, and the President has signed an appropriations act to provide funding through September 30, 2012. However, Federal Highway and Transit Programs are only authorized through June 30, 2012 after nine extensions of SAFETEA-LU. The Senate has passed a two-year bill called “Moving Ahead for Progress in the 21st Century” (MAP-21). The House recently passed another 90-day extension of SAFETEA-LU to authorize current programs through September 30, 2012. There may now be an opportunity for the House and the Senate to appoint a conference committee to work out the details of moving forward.

At the March 20, 2012 Commission meeting, it was requested that the staff present options on how to handle a \$3 million annual loss in revenue. Director Bennett reported that Act 1058 of 2011 authorized a full sales tax exemption for commercial trucks and semitrailers. Prior to this act, there was a “cap” on the sales tax for commercial trucks and semitrailers – sales tax was only paid on the first \$9,150 for commercial trucks and on the first \$1,000 for semitrailers. To offset the loss of general revenue from this sales tax exemption, Act 1058 also authorized the transfer of \$4 million annually in diesel tax revenue from the “highway fund” to general revenue. Since revenue from the “highway fund” is distributed 70% to the AHTD, 15% to counties and 15% to cities, Act 1058 will result in lost revenue of approximately \$3 million annually to the

OTHER DISCUSSION ITEMS - Continued

AHTD. Director Bennett said the only real option is to eliminate or delay projects that are proposed in the 2013-2016 STIP. The Commission has until June to decide where the money will be trimmed.

Director Bennett went over the map that the Commission adopted that is being used as a planning guide for developing and scheduling future improvements for the possible One-Half Cent Sales Tax Program.

Craig Douglass, Move Arkansas Forward, made a presentation to the Commission regarding proposed Constitutional Amendment #1 that will temporarily increase the state sales tax by one-half cent to finance a 10-year bond issue for four-lane highway construction and improvement, designed to make significant progress toward connecting all parts of Arkansas.

2012-049 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:40 p.m., May 2, 2012.

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 2, 2012.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 12, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Fayetteville, Arkansas, June 12, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-050 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 8:30 a.m., June 12, 2012 in Fayetteville, AR.

2012-051 WHEREAS, the Purchasing Committee has awarded purchases on May 7 and 17, 2012, in the amount of, \$317,426.80, and \$218,996.00, respectively, totaling \$536,422.80, 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.

2012-052 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.

2012-052 - Continued

NOW THEREFORE, 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 \$225 to the Community Transportation Association of America.

2012-053

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 the Department; and

WHEREAS, the Arkansas Good Roads Transportation Council serves as an effective group to provide this information and education.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 to the Arkansas Good Roads Transportation Council for its public information and education services for calendar year 2012.

2012-054

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.

2012-054 - Continued

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.

2012-055

WHEREAS, the Department provides officers of the Arkansas Highway Police Division (AHP) with appropriate 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 officers utilizing drug asset forfeiture funds of the AHP Division.

2012-056

WHEREAS, it is necessary for the Department to provide timely right of way acquisition services for selected projects in order to proceed with construction; and

WHEREAS, the Department currently has on-call contracts to perform indefinite delivery of right of way acquisition services; and

WHEREAS, these on-call contracts have been found to be an effective method of producing timely right of way acquisition services and supplementing Department staff in project delivery and legal proceedings.

NOW THEREFORE, the Director is authorized to request proposals, select an on-call consulting firm or firms, and enter into any necessary contracts and agreements as needs are identified.

2012-057

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 2012 Federal Recreational Trails Program allocation for Arkansas is available.

NOW THEREFORE, the Director is authorized to solicit applications for Recreational Trails Program funding for 2012.

2012-058

WHEREAS, the current Arkansas State Bicycle and Pedestrian Transportation Plan was adopted in 1998; and

WHEREAS, the U. S. Department of Transportation issued a Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations in 2010 to incorporate safe and convenient walking and bicycling facilities into transportation projects; and

WHEREAS, the establishment of well-connected walking and bicycling networks is an important component for livable communities; and

WHEREAS, officials at other State agencies and local elected officials have requested an update of the current plan.

NOW THEREFORE, the Director is authorized to update the Arkansas State Bicycle and Pedestrian Transportation Plan in coordination with the Department of Parks and Tourism.

2012-059

WHEREAS, Minute Order 2012-007 authorized the Director to review the speed limits on rural, four and five lane highways to determine if modifications are warranted; and

WHEREAS, an analysis has shown that there are several of these routes whereby the existing 55 mph speed limits can be increased to 60 mph; and

WHEREAS, all speed limits are determined based upon sound engineering judgment.

2012-059 - Continued

NOW THEREFORE, the Director is authorized to increase the speed limit on rural, undivided, four and five lane highways where warranted.

2012-060

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, the statewide transportation planning process requires that Arkansas' Preliminary Statewide Transportation Improvement Program (STIP) for Federal Fiscal Years 2013-2016 be made available for public review and comment.

NOW THEREFORE, the Director is authorized to release the Preliminary STIP for public review and to advertise and distribute a notice to the public inviting their comments for a 30 day period.

2012-061

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.

2012-062

WHEREAS, the Commission acquired in fee property known as Job No. 10601, Tract No. 12 in December, 1958, from Pansy B. Moran as right of way for I-55 in Mississippi County, Arkansas; and

WHEREAS, the District Engineer for District Ten has determined that a portion of Tract No. 12, now known as Tract A, is no longer needed for highway purposes, being more particularly described as follows:

Tract A: Part of Tract 12 of the AHTD Interstate 55 Right of Way in the Southwest Quarter of the Southwest Quarter of Section 32, Township 13 North, Range 10 East, Osceola District, Mississippi County, Arkansas, being 0.14 acres, more or less, and more particularly described as follows:

Commencing at a mag nail (w/disk) in the centerline of Arkansas Highway 140 at its intersection with the centerline of County Road 439 and the accepted southwest corner of the southwest quarter of said Section 32; thence run North 00° 12' 00" West a distance of 40.00 feet to a point on the north right of way line of said Arkansas Highway 140; thence run South 89° 49' 00" East a distance of 365.27 feet along said Arkansas Highway 140 north right of way line to a point at its intersection with the westerly right of way line of said Interstate 55; thence run North 66° 37' 00" East a distance of 268.13 feet along said Interstate 55 westerly right of way line to a point; thence run North 36° 30' 00" East a distance of 807.53 feet along said Interstate 55 westerly right of way line to a point that is 210.00 feet westerly of and perpendicular to centerline station 268+00; thence run North 28° 40' 00" East a distance of 100.00 feet along said Interstate 55 westerly right of way line and parallel to said centerline to a point; thence run South 61° 20' 00" East a distance of 10.00 feet along said Interstate 55 westerly right of way line to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) that is 200.00 feet westerly of and perpendicular to centerline station 269+00, said ½ inch iron bar with 2 inch aluminum cap (PLS1393) being the Point of Beginning of the herein described tract of land; thence run North 28° 40' 00" East a distance of 343.31 feet along said Interstate 55 westerly right of way line and parallel to said centerline to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) at its intersection with a ditch on the east line of the southwest quarter of the southwest quarter of said Section 32 and the east line of said Tract 12; thence run South 00° 12' 00" East a distance of 74.56 feet along said Tract 12 east line to a ½ inch iron bar with a 2 inch aluminum cap (PLS1393) that is 164.0 feet westerly of and perpendicular to centerline station 271+78.00; thence run South 36° 02' 37" West a distance of 280.34 feet to the Point of Beginning and containing 0.14 acres, more or less, and being subject to any record easements that may affect the herein described tract of land. The above description was

written from and is hereby referenced to a plat of survey by James W. Wages, PLS dated November 4, 2011; and

WHEREAS, the Commission acquired in fee property known as Job No. 10601, Tract No. 13 in April of 1959, from Lee W. Faulkenberry and Bertha C. Faulkenberry, husband and wife, as right of way for I-55 in Mississippi County, Arkansas; and

WHEREAS, the District Engineer for District Ten has determined that a portion of Tract No. 13, now known as Tract B, is no longer needed for highway purposes, being more particularly described as follows:

Tract B: Part of the Tract 13 of the AHTD Interstate 55 Right of Way in the Southeast Quarter of the Southwest Quarter of Section 32, Township 13 North, Range 10 East, Osceola District, Mississippi County, Arkansas, being 0.17 acres, more or less, and more particularly described as follows:

Commencing at a mag nail (w/disk) in the centerline of Arkansas Highway 140 at its intersection with the centerline of County Road 439 and the accepted southwest corner of the southwest quarter of said Section 32; thence run North 00° 12' 00" West a distance of 40.00 feet to a point on the north right of way line of said Arkansas Highway 140; thence run South 89° 49' 00" East a distance of 365.27 feet along said Arkansas Highway 140 north right of way line to a point at its intersection with the westerly right of way line of said Interstate 55; thence run North 66° 37' 00" East a distance of 268.13 feet along said Interstate 55 westerly right of way line to a point; thence run North 36° 30' 00" East a distance of 807.53 feet along said Interstate 55 westerly right of way line to a point that is 210.00 feet westerly of and perpendicular to centerline station 268+00; thence run North 28° 40' 00" East a distance of 100.00 feet along said Interstate 55 westerly right of way line and parallel to said centerline to a point; thence run South 61° 20' 00" East a distance of 10.00 feet along said Interstate 55 westerly right of way line to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) that is 200.00 feet westerly of and perpendicular to centerline station 269+00; thence run North 28° 40' 00" East a distance of 343.31 feet along said Interstate 55 westerly right of way line and parallel to said centerline to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) at its intersection with a ditch on the west line of the southeast quarter of the southwest quarter of said Section 32 and the west line of said Tract 13, said

½ inch iron bar with 2 inch aluminum cap (PLS1393) being the Point of Beginning of the herein described tract of land; thence continue North 28° 40' 00" East a distance of 128.20 feet along said Interstate 55 westerly right of way line and parallel to said centerline to a ½ inch iron bar with 2 inch aluminum cap (PLS1393); thence run South 57° 04' 41" East a distance of 51.73 feet to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) that is 148.41 feet westerly of and perpendicular to centerline station 273+67.7; thence run South 33° 21' 59" West a distance of 190.30 feet to a ½ inch iron bar with 2 inch aluminum cap on said Tract 13 west line that is 164.00 feet westerly of and perpendicular to centerline station 271+78.00; thence run North 00° 12' 00" West a distance of 74.56 feet along said Tract 13 west line to the point of beginning and containing 0.17 acres, more or less, and being subject to any record easements that may affect the herein described tract of land. The above description was written from and is hereby referenced to a plat of survey by James W. Wages, PLS dated November 4, 2011; and

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property known as Job No. 10601, Tract No. 9 in April of 1959, from Ruby E. Moore as right of way for I-55 in Mississippi County, Arkansas; and

WHEREAS, the District Engineer for District Ten has determined that a portion of Tract No. 9, now known as Tract C, is no longer needed for highway purposes, being more particularly described as follows:

Tract C: Part of Tract 9 of the AHTD Interstate 55 Right of Way in the Southeast Quarter of the Northeast Quarter of Section 6, Township 12 North, Range 10 East, Osceola District, Mississippi County, Arkansas, being 0.51 acres, more or less, and more particularly described as follows:

Commencing at a mag nail (w/disk) in the centerline of Arkansas Highway 140 at its intersection with the centerline of County Road 439 to the north and the accepted southeast corner of Section 31, Township 13 North, Range 10 East; thence run North 89° 49' 00" West a distance of 44.00 feet along the south line of said Section 31 and generally along said Arkansas Highway 140 centerline to a mag nail (w/disk) at its intersection with the centerline of said County Road 439 to the south and the northeast corner of the northeast quarter of said Section 6; thence run South 00° 32' 00" East a

distance of 2066.58 feet to a mag nail (w/disk) in the apparent centerline of asphalt pavement of said County Road 439 and the Point of Beginning of the herein described tract of land; thence run South 01° 19' 23" East a distance of 277.11 feet generally along said County Road 439 centerline to a mag nail (w/disk); thence run South 88° 40' 37" West a distance of 28.82 feet to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) on the east line of said Tract 9 that is 296.38 feet easterly of and perpendicular to centerline station 235+00; thence run North 61° 20' 00" West a distance of 96.38 feet along said Tract 9 east line to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) that is 200.00 feet easterly of and perpendicular to said centerline station 235+00; thence run North 13° 38' 50" East a distance of 237.35 feet to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) that is 138.49 feet easterly of and perpendicular to centerline station 237+29.24; thence run North 89° 28' 00" East a distance of 25.99 feet to a ½ inch iron bar with 2 inch aluminum cap (PLS1393) on said Tract 9 east line and the apparent west right of way line of said County Road 439; thence run North 88° 40' 37" East a distance of 25.00 feet to the Point of Beginning and containing 0.51 acres, more or less, and being subject to a 25 foot easement for County Road 439 along the east side and any record easements that may affect the herein described tract of land. The above description was written from and is hereby referenced to a plat of survey by James W. Wages, PLS dated November 8, 2011; and

WHEREAS, Part of Tract 12, now known as Tract A, was acquired by the Commission for FOUR THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$4,950.00); Part of Tract 13, now known as Tract B, was acquired by the Commission for TEN THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$10,150.00) and Part of Tract 9, now known as Tract C, was acquired by the Commission for FIVE THOUSAND FOUR HUNDRED FIFTY AND NO/100 DOLLARS (\$5,450.00); and

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of the Arkansas Code Annotated § 27-67-322, opined that the current fair market value of that part of Tract 12, now known as Tract A, being offered for sale is FIFTY AND NO/100 DOLLARS (\$50.00); the current fair market value of that part of Tract 13, now known as Tract B, being offered for sale is FIFTY AND NO/100 DOLLARS (\$50.00) and also the current fair market value of that part of

Tract 9, now known as Tract C, being offered for sale is ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$150.00); and

WHEREAS, the Commission, pursuant to Arkansas Code Annotated §27-67-322, published on April 8, 2012, a Notice of Public Sale in the Arkansas Democrat Gazette and no heir, successor or assign asserted a right to repurchase Tract No 9, Tract No. 12 nor Tract No. 13; and

WHEREAS, the Commission held the Public Sale at the Arkansas State Highway and Transportation Department Central Headquarters, 10324 Interstate 30, Little Rock, AR, Room #705, on Friday, May 4, 2012; the highest and best bid received was from the City of Osceola, Arkansas, and said bid met the requirements of the Notice.

NOW THEREFORE, BE IT RESOLVED that the above-described property is declared surplus; upon receipt of the consideration of TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the described property to the City of Osceola, Arkansas; a copy of the Quitclaim Deed and this Minute Order shall be recorded in Osceola District, 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.

WHEREAS, IN CALHOUN COUNTY, the Southern Arkansas University System Board of Trustees has requested that a portion of Highway 890 Section 8, known locally as Spellman Road, beginning at the junction of King Road south to Highway 274 on the Southern Arkansas University Tech Campus be removed from the Institutional Drive System; and

WHEREAS, a thorough review of the existing drives at this State Institution showed that the drive is no longer needed as part of the Institutional Drive System.

2012-063 - Continued

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the portion of Highway 890 Section 8 known locally as Spellman Road, beginning at the junction of King Road south to Highway 274, on the Southern Arkansas University Tech Campus be removed from the Institutional Drive System.

2012-064

WHEREAS, IN FAULKNER COUNTY, on Highway 65 and Highway 25 in the City of Greenbrier, a study to determine the need for and feasibility of improvements was requested by local officials; and

WHEREAS, the Department has recently completed a traffic signal coordination study along the Highway 65 corridor through the City; and

WHEREAS, it was determined that a coordination system would improve the performance of this corridor in the interim.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to Highway 65 and Highway 25 in the City of Greenbrier.

2012-065

WHEREAS, IN MILLER COUNTY, the City of Texarkana, Arkansas has passed Resolution 5863 acknowledging approval for the naming of the Highway 71 (State Line Avenue) overpass over Interstate 30 as the “Kyle Brandon Stout / Zainah Creamer Memorial Bridge”; and

WHEREAS, Texarkana, Texas and Miller County, Arkansas have also passed similar resolutions of approval; and

WHEREAS, the Texas Department of Transportation has authorized the installation of a sign on the Texas approach to the overpass; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2009-033.

2012-065 - Continued

NOW THEREFORE, the Director is authorized to permit the installation of a sign on Highway 71 on the Arkansas approach to the overpass over Interstate 30 in accordance with Commission Policy.

2012-066

WHEREAS, IN PRAIRIE COUNTY, bridge inspections have revealed that countermeasures are needed to address scour concerns at the piers of Bridge No. 03713 on Interstate 40, Section 42, over the White River and Bridge No. 03929 on Highway 38, Section 1, over the White River; and

WHEREAS, these countermeasures are needed to maintain the integrity and stability of these bridges.

NOW THEREFORE, the Director is authorized to proceed with a project to place scour prevention countermeasures around the piers of these bridges as funds become available.

2012-067

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the June 13, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110543	01	ST. FRANCIS	HWY. 149 STR. & APPRS. (F)	40	Y
FS5023	05	JACKSON	NEWPORT-CACHE RIVER (S)	14 & 17	Y
FS5024	05	WHITE	LONOKE CO. LINE-HWY. 67 (S)	31 & 67B	Y
FS5025	05	WHITE	LONOKE CO. LINE-LITTLE CANE CREEK (SHLDRS.) (S)	67	Y
FS5026	05	WHITE	HWY. 124-NORTH (S)	305	N
FS5027	05	WHITE	HWY. 67-HWY. 323 (S)	36	Y
050287	05	SHARP	HWY. 167-EAST (OVERLAY) (S)	115	N
061328	06	PULASKI	I-30-I-40 (SEL. SECS.) (CABLE MEDIAN BARRIER) (F)	430	Y
061343	06	PULASKI & GARLAND	I-40 & HWY. 270 OVERHEAD SIGN STRUCTURES REPLACEMENT (S)	40 & 270	Y
070391	07	BRADLEY	SALINE RIVER-SOUTH (OVERLAY) (S)	63	Y

2012-067 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
FS8025	08	VAN BUREN	SCOTLAND-NORTH (S)	95	N
FS8026	08	VAN BUREN	SW BOWLING RD.-CO. RD. 6 (S)	336	N
FS8027	08	JOHNSON	HWY. 315-HWY. 64 (S)	359	N
FS8028	08	VAN BUREN	HWY. 16-SOUTH (S)	330	N
FS8029	08	JOHNSON	I-40-NORTH (S)	164	N
FS8030	08	POPE	HWY. 105-WEST (S)	124	Y
SA0755	07	CALHOUN	CHAMBERSVILLE-NORTHEAST SURFACING) (S)	---	-
SA1144	10	CLAY	HWY. 135-CO. RD. 338 (OVERLAY) (S)	---	-
SA1352	07	CLEVELAND	HWY. 8-CO. RD. 22 SURFACING (SEL. SECS.) (S)	---	-
SA1441	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 18 (S)	---	-
SA1933	01	CROSS	HWY. 64-HWY. 364 (LEVELING & RESEAL) (S)	---	-
SA2447	04	FRANKLIN	HWY. 215-EAST (ANICE RD.) BASE (S)	---	-
SA2938	03	HEMPSTEAD	HEMPSTEAD COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA3137	03	HOWARD	HWY. 278-HWY. 369 (LEVELING & RESEAL) (S)	---	-
SA3340	05	IZARD	IZARD COUNTY SURFACING NO. 14 (SEL. SECS.) (S)	---	-
SA3452	05	JACKSON	HWY. 37-EAST (REPAIR & RESEAL) (S)	---	-
SA3539	02	JEFFERSON	GRANT CO. LINE-EAST (OVERLAY) (S)	---	-
SA3644	08	JOHNSON	HWY. 103-EAST (SEL. SEC.) (SURFACING) (S)	---	-
SA3934	01	LEE	HWY. 79-HWY. 78 (SEL. SECS.) (S)	---	-
SA4271	04	LOGAN	LOGAN COUNTY SURFACING NO. 4 (SEL. SECS.) (S)	---	-
SA4932	08	MONTGOMERY	MONTGOMERY COUNTY RESEAL NO. 15 (S)	---	-
SA5342	08	PERRY	HWY. 60-CO. RD. 43 (RESEAL) (S)	---	-
SA5343	08	PERRY	HWY. 300-EAST (LEVELING & RESEAL) (S)	---	-
SA5550	03	PIKE	HWY. 26-CO. RD. 13 (SURFACING) (S)	---	-

2012-067 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA5639	10	POINSETT	HWY. 75-WEST (SURFACING) (S)	---	-
SA6132	10	RANDOLPH	HWY. 115-EAST NO. 2 (OVERLAY) (S)	---	-
SA6133	10	RANDOLPH	RANDOLPH COUNTY RESEAL NO. 3 (S)	---	-
SA6338	04	SCOTT	SCOTT COUNTY SURFACING NO. 3 (SEL. SECS.) (S)	---	-
SA6730	05	SHARP	HWY. 342-CO. RD. 173 (SURFACING) (S)	---	-
SA7036	07	UNION	CO. RD. 51 OVERLAY & STRIPING (SEL. SECS.) (S)	---	-
SA7285	04	WASHINGTON	GOSHEN CITY LIMITS-NORTH (OVERLAY) (S)	---	-
SA7439	01	WOODRUFF	WOODRUFF CO. RESEAL NO. 9 (SEL. SECS.) (S)	---	-
SA7528	08	YELL	HWY. 27-HWY. 307 OVERLAY (SEL. SEC.) (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 Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to approve the Minutes from the previous Commission Meeting of May 2, 2012.

MOTION Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to approve the 2012-2013 AHTD Operating Budget as presented by Department Staff with an additional one-time disbursement of \$12 million for maintenance and equipment, and appropriate funding for salary adjustments if approved.

MOTION The Commission authorized, by Minute Order No. 2012-026 on March 20, 2012, the Department to enter into any necessary contracts to conduct a study to determine the feasibility of tolling Interstate 40 between North Little Rock and West Memphis. Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Jacobs Engineering, Little Rock, Arkansas to conduct the feasibility study for tolling Interstate 40 between North Little Rock and West Memphis.

MOTION The Commission authorized, by Minute Order No. 2011-173 on December 14, 2011, the Department to enter into any necessary contracts to provide services to develop the Arkansas State Rail Plan. Commissioner Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Parsons Brinckerhoff, Inc., New Orleans, Louisiana to provide services to develop the Arkansas State Rail Plan.

MOTION

The Commission authorized, by Minute Order No. 2010-102 on July 13, 2010, the Department to conduct a feasibility study for extending the high-speed intercity passenger rail service from Little Rock to Memphis and develop a service development plan from Little Rock to Texarkana. Commissioner John Burkhalter moved, Vice Chairman John Ed Regenold seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of URS Corporation, Little Rock, Arkansas to conduct the feasibility study for extending the high-speed intercity passenger rail service from Little Rock to Memphis and develop a service development plan from Little Rock to Texarkana.

MOTION

The Commission authorized, by Minute Order No. 2012-033 on March 20, 2012, the Department to enter into any necessary contracts to perform an inspection of the Mississippi River Bridge on Interstate 40. Commissioner Dick Trammel moved, Vice Chairman John Ed Regenold seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm The LPA Group, Inc., Little Rock, Arkansas to provide these services.

MOTION

The Commission authorized, by Minute Order No. 2012-030 on March 20, 2012, the Director to procure the services of an architectural firm to perform design services for the reconstruction of the eastbound and westbound Highway Police weigh stations along Interstate 40 in Crawford County. Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with SAIC Energy, Environment & Infrastructure, LLC, Lowell, Arkansas to provide these services.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to authorize the staff to advertise for an auctioneer service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted the fall of 2012, and the subsequent secondary sale(s) to be conducted as necessary on dates mutually agreed to by the selected auction service and the Department.

OTHER DISCUSSION ITEMS

Bob McCaslin, Chairman of the Northwest Arkansas Regional Mobility Authority and Mayor of Bentonville, gave a greeting and an overview of what is going on in Northwest Arkansas. The attractions of Crystal Bridges, the new XNA Terminal, the Razorback Regional Greenway, which is scheduled for groundbreaking this morning at 11:00 am, are all adding to the population growth of Northwest Arkansas. He also discussed some of the challenges going on in Northwest Arkansas that could be relieved if the 0.5% sales tax is passed.

Robert Phelps, Executive Director of the Keep Arkansas Beautiful Commission/Foundation made a presentation on the “2012 Great Arkansas Cleanup” and on the litter control activities of KArB. He requested that the Highway Commission consider a contribution to the “2012 Great Arkansas Cleanup” as has been provided in past years. The Commission adopted a Minute Order authorizing a contribution of \$25,000 to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

Larry Dickerson, Chief Fiscal Officer, provided the May 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year and there has been an overall decrease in state highway revenue to the Department compared to last year. However, actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Larry Dickerson presented the highlights of the proposed 2012-2013 AHTD Operating Budget. The salary portion of the Budget is presented in accordance with the instructions from the Department of Finance and Administration. The budget has no cost of living adjustments. Step increases will be given to those employees in grades 1 through 8 when they reach one year of service with the Department. The cost for step raises is approximately \$600,000. Service recognition payments are authorized for all state employees. The cost of service

OTHER DISCUSSION ITEM - Continued

recognition payments for AHTD employees is approximately \$1.7 million. The Operating Expense portion of the Budget reflects an increase of approximately \$6.6 million. The proposed increase is attributed primarily to the following:

- District expense budget is increased 5.0% or approximately \$2.9 million.
- Highway Police will need an additional \$500,000 for travel, fuel and other expenses associated with 30 recruits, \$885,000 for 25 pursuit vehicles.
- Computer Services was increased \$400,000 to pay for additional software maintenance for the Kronos time keeping system.
- Statewide Maintenance and Heavy Bridge Maintenance expense budgets were increased \$300,000. The increase is needed to offset the increase cost in fuel, materials and travel.
- There is a \$1.9 million increase for building construction and renovation.
- Building Maintenance and Repairs were decreased \$500,000.
- The upcoming fiscal year's mowing contracts were increased \$200,000.

Projected state highway revenue with this budget is \$386.7 million.

Director Scott Bennett added that the maintenance budget has remained relatively flat and that it has not been meeting the needs for pavement maintenance off APHN or for replacement of pavement markings, signing, or equipment. (Motion was passed, see page 15).

Director Bennett provided the latest information on the Federal highway and transit issues. The current Federal Highway and Transit Act, SAFETEA-LU, expired on September 30, 2009 without the authorization of a new "Federal Highway and Transit Act." The U. S. Congress has passed and the President has signed an appropriations act to provide funding through September 30, 2012. However, Federal Highway

OTHER DISCUSSION ITEM - Continued

and Transit Programs are only authorized through June 30, 2012 after nine extensions of SAFETEA-LU. The House and the Senate have appointed a conference committee to work out the details of moving forward.

Director Bennett brought up the issues that needed to be addressed on the Draft 2013-2016 STIP. The staff needs approval to publish the Draft STIP for public comment since fiscal year 2013 begins October 1, 2012. As originally developed, the Draft STIP did not include funding of any phase of the remaining North Belt Freeway. However, the Metroplan Board of Directors has voted to use \$6 million in Commission discretionary funds for purchasing right of way for North Belt, and has requested that the Commission adopt a Minute Order committing to a timeframe for construction of North Belt. Director Bennett presented the history of the North Belt Freeway. Chairman Murphy stated that the proposal presented by the Metroplan Board of Directors in their letter dated May 22, 2012, was structured so that the only reasonable answer could be “no,” and the blame for not continuing with development of the corridor could squarely be laid on the Commission and the Department. Chairman Murphy pointed out that the proposal lacked the innovation and partnering that would be necessary to complete a regional project of such magnitude. After much discussion and comments from Jim McKenzie, Executive Director of Metroplan, the Commission approved including \$6 million for the North Belt right of way in the Draft 2013-2016 STIP. To accommodate this project, \$6 million would be removed from widening Highway 64 between Vilonia and Beebe. The Commission instructed Director Bennett to compose a letter requesting the commitments from the region for the funding development of the North Belt Freeway (tolling, partnering, etc.). The Commission adopted a Minute Order to publish the Draft 2013-2106 STIP for public comment.

Director Bennett brought up the proposed Commission meeting and letting dates for the calendar year of 2013, and the Commission approved the dates as submitted by Staff, with the condition that if any Commissioner had a conflict to arise, dates could change.

Director Bennett wrapped up the meeting with a presentation of the projects completed, under construction and scheduled in the northwest Arkansas area. This included projects included in the Draft Statewide Transportation Improvement Program for Fiscal Years 2013 through 2016, projects included in the 2011 Interstate Rehabilitation Program, and projects proposed for the 0.5% Sales Tax Program.

2012-068

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:40 a.m., June 12, 2012 in Fayetteville, AR.

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 12, 2012, in Fayetteville, AR.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 25, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 25, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-069 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., July 25, 2012.

2012-070 WHEREAS, the Purchasing Committee has awarded purchases on June 6, 2012, and July 17, 2012, in the amount of \$1,094,637.28, and \$729,281.82, respectively, totaling \$1,823,919.10, 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.

2012-071 WHEREAS, the Arkansas State Highway and Transportation Department operates a 2400 unit fleet of light, medium and heavy duty vehicles in performance of the various administrative, construction oversight and road maintenance activities of the Department; and

WHEREAS, preventive maintenance, vehicle utilization and accountability are important functions in asset management; and

2012-071 - Continued

WHEREAS, there are telematic systems designed for vehicle diagnostics and GPS tracking that have proven to be cost effective and will improve the Department's existing Equipment Management System.

NOW THEREFORE, the Director is authorized to acquire the necessary hardware and enter into an agreement following State procurement procedures for the implementation of a vehicle diagnostic and GPS tracking Fleet Management System.

2012-072

WHEREAS, Acts 4 & 5 of the First Extraordinary Session, 2008, of the Arkansas General Assembly established a new rate of severance tax for natural gas produced in Arkansas; and

WHEREAS, these Acts set aside 5% of the revenues from the new severance tax to be deposited as general revenues to replace the revenues collected under the previous severance tax formula; and

WHEREAS, Act 297 of the Fiscal Session, 2010, of the Arkansas General Assembly established that any part of the 5% in excess of the general revenue replacement would be distributed among the counties of the Fayetteville Shale exploration and production area as additional funds for road repair and other maintenance expenses related to the gas well drilling and production activities; and

WHEREAS, the Arkansas State Highway and Transportation Department has been designated as the recipient of these excess funds totaling \$1,800,801.15 for FY 2012 to be distributed to the affected counties; and

WHEREAS, a formula has been developed, and concurred in by the County Judges Association of Arkansas, that would distribute the excess funds based on the total number of completed and producing gas wells, by county, in the Fayetteville Shale Play area.

NOW THEREFORE, the Director is authorized to accept these funds from the Department of Finance and Administration and distribute them to the counties in the Fayetteville Shale Play area in accordance with the attached formula.

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Title 27, Chapter 64, Subchapter 4 of the Arkansas Code of 1987 Annotated and an election held on November 8, 2011, to issue general obligation bonds of the State of Arkansas (the "State") for the purpose of financing improvements to Interstate highways in the State; and

WHEREAS, the Commission proposes to offer for sale a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds in the maximum aggregate principal amount of \$225,000,000 (the "Bonds"); and

WHEREAS, the Commission will prepare and distribute an Official Notice of Sale requesting bids for the purchase of the Bonds; and

WHEREAS, the Commission will prepare and distribute a Preliminary Official Statement relating to the Bonds.

NOW THEREFORE,

- (1) The Bonds shall be offered for sale on electronic bids on the date to be specified in the Official Notice of Sale. The Director, after consultation with Stephens Inc., as Financial Advisor, and Friday, Eldredge & Clark, LLP, as Bond Counsel, is authorized to select a date for the sale and to review the bids from prospective purchasers of the Bonds as they are received pursuant to the Official Notice of Sale and to accept the bid having the lowest true interest cost or to reject all bids, as the Director, in his sole discretion, shall determine.
- (2) The preparation and distribution of an Official Notice of Sale and Preliminary Official Statement for the Bonds is hereby approved. The Chairman is authorized to approve these documents. The signature of the Chairman on such documents conclusively establishes his approval thereof.
- (3) The Director is delegated by the Commission the authority to deem final, for purposes of Rule 15c2-12 issued by the Securities and Exchange Commission, the Preliminary Official Statement for the Bonds at such time and in such form as is required by such Rule.

(4) The Chairman is hereby authorized to execute the documents approved herein; to take such other actions and to approve such other documents as are, in his judgment, necessary or appropriate in order to prepare for the sale of and to sell the Bonds; to prepare and execute a Final Official Statement for the Bonds and to deliver copies to the low bidder in accordance with the Official Notice of Sale; to prepare a General Resolution providing for the issuance of Federal Highway Grant Anticipation and Tax Revenue Bonds; to prepare a Series Resolution prescribing the terms and provisions of the Bonds; and to accomplish the intent of this Minute Order and the Series Resolution.

2012-074

WHEREAS, the Arkansas State Highway Commission (Commission) acquired right of way for Job No. 1226, more commonly known as Ward-Beebe, State Highway 67 Section No. 12, now known as Arkansas Highway 367, Section 15 (Hwy 367), Federal Aid Project No. R-260(8), in Sections 13, 14 and 23, Township 5 North, Range 8 West; by White County Court Order dated April 11, 1950, and recorded in the county court records in Book 5 at page 345; and

WHEREAS, the District Engineer for District 5 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 areas of the right of way to be abandoned are more particularly described below:

Job No. 1226
Part of Tracts 20 and 21

Tract #1 Description:

A part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 5 North, Range 8 West, White County, Arkansas, more particularly described as follows:

Commencing at a ½" rebar that is locally accepted as the West Quarter corner for Section 18, Township 5 North, Range 8 West, thence the following courses and distances:

North 0°26'46" East, 2404.32 feet along the west line of Section 18 to the Point of Beginning; thence continuing North 0°26'46" East, 99.59 feet to a point; thence North 52°43'27" East, 30.55 feet to a point; thence North 60°48'23" East, 100.75 feet to a point; thence North 78°20'35" East, 98.85 feet to a point; thence South 88°10'29" East, 138.05 feet to a point, said point being 40 feet right of the centerline of Highway 64; thence along a curve to the left having a radius of 2839.98 feet, an arc length of 388.95 feet, and a chord bearing and distance of South 85°08'30" East, 388.65 feet to a point; thence South 0°56'06" West, 20.00 feet to a point being on the existing south right of way line for Highway 67 (Hwy 367) shown on the Right of Way Plans for Job 1226 as PT sta. 194+30.2, offset of 60.00 feet right; thence along a curve to the left having a radius of 1962.20 feet, an arc length of 750.71 feet, and a chord bearing and distance of South 79°58'29" West, 746.14 feet to Point of Beginning containing 1.26 acres (50,005.94 sq. ft.), more or less.

Tract #2 Description:

A part of the Northeast Quarter of the Northeast Quarter of Section 13, Township 5 North, Range 9 West, White County, Arkansas, more particularly described as follows:

Commencing at a ¾" rebar set in concrete that is locally accepted as the corner for Sections 12 and 13, Township 5 North, Range 9 West, thence the following courses and distances:

South 0°26'46" West, 374.08 feet along the east line of Section 13 to the Point of Beginning, said point being on the existing south right of way line of Highway 67 (Hwy 367); thence along a curve to the left having a radius of 1962.20 feet, an arc length of 557.89 feet, and a chord bearing and distance of South 60°52'10" West, 556.01 feet to a point shown on Job 1226 plans as PC sta. 180+81.4, offset 60 feet right; thence North 52°43'27" East, 611.33 feet to the east line of Section 13; thence South 0°26'46" West, 99.59 feet to the Point of Beginning containing 0.38 acres (16,734.56 sq. ft.), more or less.

Both tracts are shown on a plat prepared by AHTD and filed at the State Surveyor's Office of the Arkansas Agriculture Department, Land Survey Division as Document No. 201205170011 recorded 5/17/2012 at 3:00 pm.

2012-074 - Continued

NOW THEREFORE, the above described right of way areas are hereby abandoned by the Commission and released to White County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of White 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.

2012-075

WHEREAS, IN CLARK COUNTY, in the City of Arkadelphia, the Arkadelphia Board of Directors has expressed a desire to alleviate truck traffic from downtown Arkadelphia; and

WHEREAS, Commission Minute Order 2006-087 adopted the Arkadelphia Truck Route Study that identified three feasible alternatives to improve the existing roadway network to enhance traffic operations and safety in the downtown area; and

WHEREAS, the City has requested an additional study to determine the feasibility of a new location bypass to improve traffic flow through the City.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of a bypass of the City of Arkadelphia.

2012-076

WHEREAS, IN FAULKNER COUNTY, on Highway 64, Section 9, the City of Conway has expressed a desire to increase efficiency for the road user along an approximately one mile segment east of Interstate 40; and

WHEREAS, the City has requested a corridor study to determine the need for and feasibility of improvements in this area.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to the Highway 64 corridor east of Interstate 40 in the City of Conway.

2012-077

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 25, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110564	01	ST. FRANCIS	MONROE CO. LN.-GOODWIN (CABLE MEDIAN BARRIER) (S)	40	Y
110587	01	CRITTENDEN	I-55 SLOPE REPAIR (WEST MEMPHIS) (MO TN RAMP) (S)	55	Y
020551	02	JEFFERSON	HWYS. 79B & 190 (PINE BLUFF) (SEL. SECS.) (OVERLAY) (S)	79B & 190	Y
030393	03	HEMPSTEAD	HWY. 67 SIGNALS REHAB. (HOPE) (S)	VAR	Y
040628	04	FRANKLIN	CRAVENS CREEK-PHILPOT ROAD (OZARK) (MILL & INLAY) (F)	40	Y
070291	07	CLEVELAND & DALLAS	SALINE RIVER-SOUTH (S)	167	Y
FS8031	08	CONWAY	ROLLER COMPACTED CONCRETE PAVEMENT (HWY. 213) (CONWAY CO.) (F)	213	N
080469	08	MONTGOMERY	MILL CREEK-NORTH (OVERLAY) (S)	27	Y
090174	09	BENTON	HWY. 102B-GREENHOUSE RD. (CENTERTON) (S)	102	Y
090283	09	CARROLL	INDIAN CREEK STR. & APPRS. (S)	21	Y
100740	10	MISSISSIPPI	HWY. 61-S. HOLLAND ST. (HWY. 18) (BLYTHEVILLE) (S)	18	Y
100783	10	GREENE	GREENE COUNTY (SEL. SECS.) (OVERLAY) (S)	412 & 49B	Y
SA0352	09	BAXTER	HWY. 178-CO. RD. 396 (RESEAL) (S)	---	-
SA0353	09	BAXTER	HWY. 62-HWY. 201 (OVERLAY) (S)	---	-
SA0756	07	CALHOUN	CO. RD. 38 SURFACING (SEL. SEC.) (S)	---	-
SA1657	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 27 (SEL. SECS.) (S)	---	-
SA1766	04	CRAWFORD	CRAWFORD COUNTY OVERLAY NO. 4 (SEL. SECS.) (S)	---	-
SA2032	07	DALLAS	HWY. 8-HWY. 229 (OVERLAY) (S)	---	-
SA2129	02	DESHA	CO. RD. 31 RECONST., SURF., & OVERLAY (SEL. SECS.) (S)	---	-
SA2741	02	GRANT	HWY. 35-NORTH (SURFACING) (S)	---	-
SA2859	10	GREENE	GREENE CO. SURFACING NO. 12 (SEL. SECS.) (S)	---	-

2012-077 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA3139	03	HOWARD	HWY. 369-EAST (SURFACING) (S)	---	-
SA3264	05	INDEPENDENCE	INDEPENDENCE CO. SURFACING NO. 12 (SEL. SECS.) (S)	---	-
SA3934	01	LEE	HWY. 79-HWY. 78 (SEL. SECS.) (S)	---	-
SA4542	09	MARION	MARION COUNTY RESEAL NO. 10 (SEL. SECS.) (S)	---	-
SA4931	08	MONTGOMERY	HWY. 8-CO. RD. 34 (SURFACING) (S)	---	-
BR5006	03	NEVADA	MILL CREEK STR. & APPRS. (S)	---	-
SA5129	09	NEWTON	HWY. 327-NORTHWEST (LEVELING & RESEAL) (S)	---	-
SA5551	03	PIKE	CO. RD. 49-CO. RD. 50 (SEL. SEC.) (SURFACING) (S)	---	-
SA5639	10	POINSETT	HWY. 75-WEST (SURFACING) (SEL. SEC.) (S)	---	-
SA5941	06	PRAIRIE	PRAIRIE COUNTY RESEAL NO. 3 (SEL. SECS.) (S)	---	-
SA6338	04	SCOTT	SCOTT COUNTY SURFACING NO. 3 (SEL. SECS.) (S)	---	-
BR6506	04	SEBASTIAN	BRANCH OF PRAIRIE CREEK STR. & APPRS. (S)	---	-
SA6638	03	SEVIER	SEVIER COUNTY RESEAL NO. 16 (S)	---	-
SA6860	01	ST. FRANCIS	ST. FRANCIS CO. SURF. & STRIPING (SEL. SECS.) (S)	---	-
SA7133	08	VAN BUREN	HWY. 16-SOUTH (OVERLAY) (SEL. SEC.) (S)	---	-
SA7286	04	WASHINGTON	GOSHEN CITY LIMITS-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.

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 John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to approve the Minutes from the previous Commission Meeting of June 12, 2012.

MOTION Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Cromwell Architects Engineers, Inc., Little Rock, Arkansas to provide design services for the construction of the Public Transportation Administration Facility on the grounds of the AHTD Central Office Complex in Little Rock.

MOTION Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions, Inc. to conduct the AHTD's annual equipment auction on Tuesday, October 30, 2012, and any other necessary sale(s).

OTHER DISCUSSION ITEMS

Judy Robertson, Chief Auditor, gave a report on the recent, ongoing and upcoming activities of the Department's Audit Program. The Department's Audit Program is divided into two sections – the Internal Audit and the Motor Fuel Section. Internal Audit provides evaluations of the adequacy and effectiveness of Department operations and controls through both routine and special audits. Motor Fuel Tax audits are provided to ensure compliance with the International Fuel Tax agreement (FTA) and to recommend assessments or credits for motor fuel tax revenues that have been incorrectly reported.

Director Scott Bennett gave a status and update report on the 2011 Interstate Rehabilitation Program. In November 2011, voters authorized the Commission to issue \$575 million in Grant Anticipation Revenue Vehicle (GARVEE) bonds for Interstate rehabilitation. Design consultants have been hired and are developing projects. A Financial Advisor, Bond Counsel, and Trustee have been hired and have been developing a schedule for issuing the first series of bonds. Shepherd Russell, Friday Eldredge & Clark, was present at the meeting along with Mark McBryde, Stephens, Inc. The date of September 11, 2012 is scheduled for the bid opening of the first series of the 2012 Bonds. Mr. Bennett emphasized to the Commission that at least 3 of them had to be present on September 12, 2012 for the execution of the finalized financing documents.

Representative Johnnie Roebuck was present at the meeting and urged the Commission and Director Bennett to consider improvements to Highway 7 between Arkadelphia and Highway 290 near Hot Springs. Chairman Murphy brought up the fact that the Commission approved a Minute Order earlier in the meeting to conduct a study to determine the need for and feasibility of a bypass of the City of Arkadelphia in Clark County. Representative Roebuck thanked the Director and Commission and stated that it was not her intent in any way to take any emphasis from the existing Clark County priorities.

Commissioner Murphy recessed the meeting until after the 10:30 am bid letting.

Mike Boyd, Administrative Officer V, Fiscal Services Division, provided the June 2012 update on state highway revenue. Mr. Boyd noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. However, actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Director Bennett provided the latest information on the Federal highway and transit issues. After nine extensions of SAFETEA-LU, the U. S. Congress has passed and the President has signed Moving Ahead for Progress in the 21st Century (MAP-21), authorizing funding for two full fiscal years (FY 2013 and 2014) plus the three remaining months of this fiscal year (FY 2012) and extending the Highway Trust Fund and tax collections through FY 2016.

Director Bennett brought up that the comment period closed on July 18, 2012 for the Statewide Transportation Improvement Program for Federal Fiscal Years 2013-2016 (STIP). Director Bennett gave a report to the Commission regarding the comments received.

- 18 individuals suggested projects should include provisions for bicyclists
- DeQueen Mayor and Sevier County Judge asked to substitute a bridge replacement project on Highway 70 West of DeQueen with a bridge replacement project on Highway 71 east of DeQueen in Sevier County.
- DeQueen Mayor wanted to include widening Highway 71 from Red Wing to DeQueen in Sevier County
- Remove funds for Northbelt right of way - \$6 million
- Increase funds for Vilonia Bypass-East - \$6 million
- Job 009702 Hwy. 62 Improvements (Green Forest) Carroll County – Revise the job name and continue working on project development to determine the best use of the \$15 million between Alpena and Green Forest

The Commission made the decision to defer the approval of the STIP until after Wednesday, August 1, 2012. To stay within the time lines of having the STIP submitted to the Federal Highway Administration and the Federal Transit Administration, the Chairman will call a special meeting in the near future for the approval of the STIP.

Director Bennett gave a report on the status of the development of the Highway 70 (Broadway Bridge) project. Director Bennett concluded the report with:

- Location/Design Public Hearing is scheduled for August 23
- 30-day comment period following hearing
- AHTD Interdisciplinary Staff will meet in late September to determine the best location and design alternative
- Drop-dead date for decision on cities keeping existing bridge is therefore late September

Chairman Murphy asked the Department to try to come up with a solution for small rural water associations that are not being able to adhere to the Department's Utility Accommodation Policy.

Craig Douglass, Move Arkansas Forward, ended the Commission Meeting by giving an update on the polling for the temporary one-half cent sales tax increase and the cost for the media campaign to promote the passage of the one-half cent state sales tax increase.

The meeting concluded at 1:30 p.m.

2012-078

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., July 25, 2012.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

August 7, 2012

At 1:00 p.m. the meeting was called to order by Chairman Madison Murphy. Roll call was taken with the following Commissioners present:

Madison Murphy, Chairman, via phone
John Ed Regenold, Vice Chairman, via phone
John Burkhalter, Commissioner, via phone
Dick Trammel, Commissioner, via phone
Tom Schueck, Commissioner, present in person

With a quorum noted, Vice Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to open the meeting for discussion.

AHTD Director Scott Bennett briefed the Commission on the Draft 2013-2016 Statewide Transportation Improvement Program (STIP). He noted that \$6 million for right of way acquisition for the Northbelt Freeway in Pulaski County has been moved from that project and placed on a project to widen U. S. Highway 64 in Faulkner and White Counties. The STIP and Metroplan's TIP are consistent on this item. The STIP also includes \$250,000 for the Department's share of a toll study to be undertaken on the Northbelt project, which is also consistent with Metroplan's TIP. The STIP as presented is not consistent with the TIP on the U. S. Highway 70 (Broadway) Bridge Project in Pulaski County – the STIP lists it as a funded project while the TIP lists it as "Pending." It was noted that additional meetings are being planned between local and state officials to address this inconsistency.

Commissioner John Burkhalter moved, Commissioner Dick Trammel seconded and the motion passed for the adoption of the 2013-2016 Statewide Transportation Improvement Program (STIP) as presented by the Department Staff.

Vice Chairman John Ed Regenold moved, Commissioner Tom Schueck seconded and the motion passed to allow the Director to begin the process to hire a consultant for the toll study of the Northbelt Freeway which is included in the 2013-2016 STIP. This study will be jointly funded by Metroplan (50%) and the Department (50%).

Commissioner Tom Schueck moved, Commissioner Dick Trammel seconded and the motion passed to adjourn the meeting at 1:21 p.m.

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 25, 2012 and August 7, 2012.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 11, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Jonesboro, Arkansas, September 11, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-079 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 8:30 a.m., September 11, 2012 in Jonesboro, AR.

2012-080 WHEREAS, the Purchasing Committee has awarded purchases on July 23, 2012, and August 1, 13, 15 and 23, 2012, in the amount of \$202,361.40, \$327,553.00, \$660,000.00, \$213,439.00, and \$125,184.20, respectively, totaling \$1,528,537.60, 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.

2012-081 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 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

2012-081 - Continued

WHEREAS, since 2005, on-call services contracts have been used to supplement Department staff in conducting advanced noise and archeological studies as a part of the environmental process; 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; and

WHEREAS, the current on-call services contracts will expire at the end of 2012.

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.

2012-082

WHEREAS, it has been determined that an Arkansas Travel Demand Model will assist the Department in making informed transportation planning decisions by providing the following information:

- ✓ Estimates of future passenger and freight travel demand
- ✓ Forecasts of rural and intercity travel patterns
- ✓ Analysis of work zones and detours
- ✓ Analysis of emergency preparedness for disaster planning; and

WHEREAS, Phase I of the Arkansas Travel Demand Model (AR TDM) authorized by Minute Order 2009-102 has been completed; and

WHEREAS, funding for Phase II of the AR TDM is included in the Fiscal Year 2013 State Planning and Research (SPR) Work Program and Cost Estimate.

NOW THEREFORE, the Director is authorized to engage the services of a qualified consultant to continue development of a Statewide Travel Demand Model for Arkansas.

2012-083

WHEREAS, the Arkansas State Highway Commission promulgated Railroad Safety and Regulatory Rules (Rules) under Act 726 of “The Railroad Regulatory and Safety Act of 1993”; and

WHEREAS, Act 726 of 1993 was amended by Act 668 of 1995 “to provide more realistic time frames for investigations and other procedures regarding the maintenance or obstruction of railroad crossings ...”; and

WHEREAS, the Rules promulgated in 1993 have been revised accordingly as reflected in the attached Exhibit A.

NOW THEREFORE, the Director is authorized to submit the revised Rules for approval by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council.

2012-084

WHEREAS, IN CONWAY COUNTY, the Institutional Drive System maintained by the Department at the University of Arkansas Community College at Morrilton was recently reviewed; and

WHEREAS, the review revealed that additional drives meet 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 0.90 miles, as shown on the attached sketch, are hereby maintained by the Department as State Highway 888, Section 1.

2012-085

WHEREAS, IN SALINE COUNTY, Job 060389, Dog Creek Relief Str. & Apprs. (S), is complete and the new portion of roadway is open to traffic; and

WHEREAS, the bypassed portion of Highway 298, Section 5 is no longer needed for highway purposes.

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.

2012-085 - Continued

- The portion of Highway 298, Section 5 that was bypassed by Job 060389 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 298, Section 5.

2012-086

WHEREAS, local and regional officials from Arkansas and Mississippi expressed an interest in an improved connector between Interstate 40 at Brinkley, Arkansas and Interstate 55 near Batesville, Mississippi and the Delta Regional Authority provided the Mississippi Department of Transportation with partial funding to study the proposed connector; and

WHEREAS, Minute Order 2007-163 authorized the Director to enter into any necessary agreements with the Mississippi Department of Transportation to study the need for and feasibility of an improved connector between Interstates 40 and 55, including providing an equal share of any additional funds needed for the study; and

WHEREAS, the Feasibility Study for an Enhanced Corridor between Batesville, Mississippi and Brinkley, Arkansas has been completed and the analysis has determined that the costs associated with constructing an improved connector would exceed the associated positive economic impacts.

NOW THEREFORE, this study is adopted with no further action needed at this time.

2012-087

WHEREAS, IN POINSETT COUNTY, the Environmental Assessment for the Future Interstate 555 Access Road from Marked Tree to Payneway (the Project) received final approval from the Federal Highway Administration (FHWA) on July 18, 2012; and

WHEREAS, FHWA has determined that the Preferred Alternative as shown on the attached map will meet the purpose and need of the Project, which is to construct an access road that will provide an alternate route across the St. Francis Sunken Lands for traffic that cannot use an Interstate type facility once access control has been established to convert Highway 63 to Interstate 555; and

WHEREAS, Congressionally-earmarked funds for the Project were made available under the Federal Fiscal Year (FFY) 2008 Department of Transportation Appropriations Act and the FFY 2009 Omnibus Appropriations Act; and

WHEREAS, approximately \$3.3 million in Congressionally-earmarked funds and State match are currently available for the Project.

NOW THEREFORE, the Director is hereby authorized to engage the services of a qualified engineering consultant to perform design services and to proceed with construction of the Project as funds become available.

WHEREAS, the Department utilizes specialized underbridge inspection units, typically referred to as “snoopers”, to assist in performing the bridge safety inspections in accordance with the National Bridge Inspection Standards (NBIS); and

WHEREAS, these units are utilized to access the underside of bridges when performing inspections and maintenance repairs; and

WHEREAS, eight Districts have their own unit and District 10 shares a unit with District 1; and

WHEREAS, three of the units are 1986 models that have served their useful life, are in poor condition, and need to be replaced.

2012-088 - Continued

NOW THEREFORE, the Director is hereby authorized to proceed with the purchase of four new underbridge inspection vehicles to replace the three 1986 underbridge units and have one of the units assigned to District 10.

2012-089 WHEREAS, the Arkansas State Highway Commission will receive bids on the following projects at the September 12, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
040490	04	WASHINGTON	SOUTH CITY LIMITS-HWY. 412 (SPRINGDALE) (S)	265	Y
040578	04	WASHINGTON	ARMSTRONG AVE.-STONE BRIDGE RD. (SEL. SECS.) (FAYETTEVILLE) (S)	16	Y
040643	04	CRAWFORD & WASHINGTON	CHESTER-HWY. 74 SLIDE REPAIR (S)	540	Y
R50116	05	STONE	LITTLE RACCOON CREEK-COVE PRONG CREEK (S)	5	Y
050189	05	WHITE	HWY. 13 EXTENSION (SEARCY) (S)	13	Y
050268	05	JACKSON	JACKSON CO. AREA HEADQUARTERS (NEWPORT) (S)	384	Y
090281	09	BAXTER	NORTH FORK RIVER STR. & APPRS. (NORFORK) (S)	5	Y
100679	10	CRAIGHEAD	HWY. 49 CONNECTION-WEST (S)	226	Y
100740	10	MISSISSIPPI	HWY. 61-S. HOLLAND ST. (HWY. 18) (BLYTHEVILLE) (S)	18	Y
SA0240	02	ASHLEY	ASHLEY CO. OVERLAY NO. 3 (SEL. SECS.) (S)	---	-
SA0552	09	BOONE	BOONE COUNTY OVERLAY NO. 3 (SEL. SECS.) (S)	---	-
SA3265	05	INDEPENDENCE	HWY. 106-NORTH (OVERLAY) (S)	---	-
SA4430	09	MADISON	CO. RD. 21-CO. RD. 22 (OVERLAY) (S)	---	-
SA5250	07	OUACHITA	OUACHITA CO. OVERLAY NO. 13 (SEL. SECS.) (S)	---	-
SA5942	06	PRAIRIE	DES ARC CITY LIMITS-WEST (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.

MOTION

Commission Chairman Madison Murphy brought up the first order of business, the previous Commission Minutes of July 25, 2012 and August 7, 2012. They were approved without discussion.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the August 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual

OTHER DISCUSSION ITEMS - Continued

state revenue received is slightly down compared to projected (budgeted) revenue for this year. This is mainly due to the transfer of \$2.7 million to General Revenue to offset the sales tax exemption on trucks and trailers (Act 1058 of 2011).

Director Bennett provided the latest information on the Federal highway and transit issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for two full fiscal years (FY 2013 and 2014) plus the three remaining months of this fiscal year (FY 2012).

Director Bennett gave a brief presentation on the Department receiving the America's Transportation Award - "Under Budget – Small Project" for the recently completed Prescott Railroad Overpass

Director Bennett gave a report on the latest information regarding projects completed, under construction and scheduled in the northeast Arkansas area. This included the projects included in the Statewide Transportation Improvement Program for Fiscal Years 2013 through 2016 and projects proposed for the 0.5% Sales Tax Program. Also, the Minute Order in Poinsett County, to engage the services of a qualified engineering consultant to perform design services and to proceed with construction of Future Interstate 555 Access Road from Marked Tree to Payneway as funds become available, was submitted to the Commission by Director Bennett and passed unanimously.

Commissioner Dick Trammel brought up his concerns with farmers not being able to move their equipment when the highway is designated I-555. Director Bennett explained that with the I-555 designation, but without the frontage road, farm vehicles would be forced to take a 90-mile detour to travel between Payneway and Marked Tree.

Craig Douglass, Move Arkansas Forward, gave a brief report on where the campaign is to date.

There was a brief recess and then at 10:00 am the Commission watched as competitive bids were received electronically for the sale of GARVEE Bonds. There were 9 bids received, with J. P. Morgan Securities submitting the lowest bid at 1.62%. Dennis Hunt, Stephens, Inc., gave a brief explanation on the bidding process. Director Bennett accepted the bid of J. P. Morgan Securities. A Minute Order will be presented to the Commission at their meeting tomorrow, September 12, 2012, at 9:30 am in Little Rock, finalizing the bond sale.

Jonesboro Mayor Harold Perrin played a video explaining the needs in northeast Arkansas. He thanked the Commission for all the work done on Highway 226, and encouraged the eastern bypass and the designation of I-555 to Interstate standards.

Mayor of Corning Dewayne Phelan thanked the Commission and stated that Director Bennett's presentation addressed his concerns. He expressed the benefits of Highway 67.

Mike Cameron, Cameron Construction and member of the Jonesboro Regional Chamber of Commerce, made a plea to the Highway Commission for Highway 63 and its designation as Interstate 555. Mr. Cameron presented the Commission with letters from local businesses supporting the completion of the work on this highway.

Mayor of Marked Tree Wayne Nichols expressed the importance of a frontage road connecting Highway 149 and Highway 75 in Marked Tree.

Ed Way, Jonesboro Chamber of Commerce, ended the meeting by thanking the Commissioners for coming to Jonesboro.

2012-090

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:50 a.m., September 11, 2012 in Jonesboro, AR.

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 12, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 12, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Thomas B. Schueck, Member

2012-091 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., September 12, 2012.

2012-092 WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Title 27, Chapter 64, Subchapter 4 of the Arkansas Code of 1987 Annotated and an election held on November 8, 2011, to issue general obligation bonds of the State of Arkansas (the "State") for the purpose of financing improvements to interstate highways in the State; and

WHEREAS, pursuant to Minute Order No. 2012-073, adopted July 25, 2012 ("Minute Order 2012-073"), the Commission authorized the sale of a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds in the aggregate principal amount of \$225,000,000 (the "Bonds"); and

WHEREAS, pursuant to a Preliminary Official Statement, dated August 24, 2012, and an Official Notice of Sale, dated August 24, 2012 (the "Notice of Sale"), the Bonds were offered for public sale on September 11, 2012; and

WHEREAS, at said sale the bids shown in Exhibit A attached hereto were received by the Commission in the form prescribed by the Notice of Sale; and

WHEREAS, the Commission's Financial Advisor, Stephens Inc., recommended that the lowest and best bid for the Bonds by J.P. Morgan Securities LLC (the "Purchaser") be accepted; and

WHEREAS, as authorized by the Notice of Sale, the principal amount of the Bonds to be issued was reduced from \$225,000,000 to \$197,005,000; and

WHEREAS, the purchase price of the Bonds to be paid by the Purchaser is \$230,424,276.54 (including accrued interest);

NOW THEREFORE:

1. The acceptance by the Director of the bid of the Purchaser for the sale of the Bonds as authorized by Minute Order 2012-073 is hereby in all respects ratified and approved.

2. The "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 B.

3. The "Series Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2012 and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit C.

4. The Chairman and the Director are authorized to execute such writings and take such action as may be appropriate to cause the 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.

5. Representatives of the Arkansas State Highway and Transportation Department (the "Department") are hereby authorized and directed to submit the documents necessary to receive federal highway funds from the Federal Highway Administration. Such documents shall be submitted at such time within a federal billing cycle so that the payment of federal highway funds to the Department can be made seven days prior to each payment date on the Bonds or as close to such date as possible (but no greater than seven days prior to each payment date on the Bonds).

6. The Director is hereby authorized and directed to work with Friday, Eldredge & Clark, LLP, as Bond Counsel, to develop, adopt and implement written procedures to monitor compliance with federal tax requirements with respect to tax-exempt obligations of the Commission. The Director is further authorized to appoint a Responsible Person who will have primary responsibility for monitoring post-issuance tax compliance.

7. The Chairman and the Director are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as they or any of them deem necessary or advisable to provide for the issuance, sale and delivery of the Bonds.

MOTION

Vice Chairman John Ed Regenold moved, Commissioner John Burkhalter seconded and the motion passed to accept the Staff's recommendation for the proposed 2013-2015 biennium budget for presentation to the legislature.

2012-093

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m., September 12, 2012.

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 11, 2012 in Jonesboro, AR and September 12, 2012 in Little Rock, AR.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 24, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 24, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-094 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., October 24, 2012.

2012-095 WHEREAS, the Purchasing Committee has awarded purchases on September 5 and 27, 2012, and October 5 and 11, 2012, in the amount of \$1,227,451.64, \$752,346.75, \$28,396.04, and \$868,891.00, respectively, totaling \$2,877,085.43, 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.

2012-096 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has requested participation in the AASHTO's Engineering Technical Service Programs; and

WHEREAS, these programs provide benefits to the member departments through the pooling of resources and expertise from across the country; and

2012-096 - Continued

WHEREAS, the benefits include technical services in a wide variety of areas, pooled resources for a common goal, and reducing duplication of effort; and

WHEREAS, these memberships include AASHTO Transportation System Preservation Technical Services Program (TSP²), Equipment Management Technical Services Program (EMTSP), National Transportation Product Evaluation Program (NTPEP), Technical Service Programs to Develop AASHTO Materials Standards (DAMS) and Load and Resistance Factor Design Bridges and Structures Specification Maintenance (LRFDSM); and

WHEREAS, these memberships are regarded as being highly beneficial to the Department with the means to exchange ideas, information, and best practices with other highway agencies.

NOW THEREFORE, the Director is authorized to utilize SPR funds to pay annual membership dues for participation in these programs.

2012-097

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Safe Routes To School (SRTS) Program; and

WHEREAS, the Arkansas State Highway and Transportation Department has been notified of the availability of the Federal Fiscal Year 2012 SRTS Program apportionment.

NOW THEREFORE, the Director is authorized to solicit applications for SRTS Program funding made available in Federal Fiscal Year 2012.

2012-098

WHEREAS, Arkansas House Joint Resolution 1001 of 2011 (proposed Constitutional Amendment Number 1) provides, subject to a favorable vote of the people, for a temporary one-half cent increase in the state sales tax to finance a bond program that will construct and improve a four-lane grid system across the state; and

2012-098 - Continued

WHEREAS, proposed Constitutional Amendment Number 1 will appear on the November 6, 2012 General Election Ballot; and

WHEREAS, if approved, it will be necessary for the Department to supplement its existing workforce in order to implement this \$1.8 billion program in a timely and efficient manner; and

WHEREAS, since the One-Half Cent State Sales Tax Program is temporary, it has been determined that increasing Department staff would not be an efficient use of this revenue; and

WHEREAS, Program Management has been found to be an effective method to allow for surges in technical and professional expertise needed to meet the demands of an accelerated program.

NOW THEREFORE, upon voter approval of Constitutional Amendment Number 1, the Director is authorized to request proposals from qualified consulting firms able to serve as the Program Manager for the One-Half Cent State Sales Tax Program.

FURTHERMORE, the Director is authorized to enter into any necessary contracts and agreements to implement this service.

2012-099

WHEREAS, IN POPE COUNTY, Job 008818, Little Creek & Illinois Bayou Strs. & Apprs. (S) realigned portions of Highway 164, Section 4.

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 bypassed portions of Highway 164, Section 4, are hereby removed from the State Highway System.
- The newly constructed portions of roadway are hereby added to the State Highway System as part of Highway 164, Section 4.

2012-100

WHEREAS, IN DREW COUNTY, it has been determined that an improvement is warranted at the below listed railroad crossing to improve safety and to assist in economic development.

NOW THEREFORE, the Director is authorized to proceed with an improvement at the crossing subject to the following conditions:

1. Maintenance of the surface performed by the City 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	Monticello	Hwy. 35	City of Monticello	New Surface

2012-101

WHEREAS, IN PULASKI AND CLARK COUNTIES, the Department has received Federal Rail-Highway Crossing Hazard Elimination in High Speed Rail Corridor discretionary funds for improvements at two at-grade crossings.

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

1. Maintenance of the signals and gates 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 or Street</u>	<u>Railroad</u>	<u>Recommendation</u>
Clark	Beirne	Hwy. 51	Union Pacific	Install Signals and Gates

2012-101 - Continued

<u>County</u>	<u>City</u>	<u>Highway or Street</u>	<u>Railroad</u>	<u>Recommendation</u>
Pulaski	Alexander	Hwy. 111	Union Pacific	Upgrade Circuitry

2012-102

WHEREAS, IN NEVADA COUNTY, on Highway 67 in the City of Prescott, State Job 030409, Hwy. 67 Signals Rehab. (Prescott) (S), is scheduled to replace existing signals at the intersections with Highway 24 and Elm Street; and

WHEREAS, the improved signals will require circuitry interconnects with existing Union Pacific Railroad (UPRR) signals.

NOW THEREFORE, the Director is authorized to proceed with improvements at Highway 24 and Elm Street subject to the following conditions:

1. Maintenance of the improvements 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>
Nevada	Prescott	Hwy. 24 & Elm Street	UPRR	Signal Circuitry Interconnects

2012-103

WHEREAS, it has been determined that improvements are warranted to enhance safety at seven railroad crossings; and

WHEREAS, Federal-aid Railway-Highway Crossing Safety funds are available for these improvements.

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

1. Maintenance of the signals or 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>ROUTE</u>	<u>RAILROAD</u>	<u>RECOMMENDATION</u>
Benton	North of Siloam Springs	CR 6 / Davidson Rd.	Kansas City Southern	Install Lights and Gates
Desha	Dumas	W. Bowles St.	Union Pacific	Upgrade Lights and Install Gates
Greene	North of Paragould	CR 835	Union Pacific	Install Lights and Gates
Greene	South of Paragould	Hwy. 69	Union Pacific	Upgrade Lights and Install Gates
Hempstead	Hope	Walker St.	Union Pacific	Upgrade Lights and Install Gates
Jefferson	Pine Bluff	Dixiewood Rd.	Union Pacific	Install Lights and Gates
Phillips	Helena-West Helena	Hwy. 49 / Hwy. 242	Arkansas Midland	Remove abandoned crossing on Hwy. 49 and install salvaged crossing panels at Hwy. 242

2012-104

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 24, 2012 letting;

<u>JOB NO.</u>	<u>DISTRICT</u>	<u>COUNTY</u>	<u>JOB NAME</u>	<u>ROUTE</u>	<u>APHN</u>
110555	01	PHILLIPS	HWY. 49 SIGNALS (HELENA-W. HELENA) (S)	49 & 49B	Y

2012-104 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020070	02	JEFFERSON	HWY. 65B-NORTH (S)	79B	Y
040376	04	SEBASTIAN	HWY. 71-HWY. 22 (BASE & SURF.) (S)	71	Y
040489	04	WASHINGTON	HWY. 112 SPUR-NORTH (FAYETTEVILLE) (S)	112	Y
040644	04	WASHINGTON	HWY. 220 SLIDE REPAIRS (DEVIL'S DEN) (S)	220	N
061243	06	HOT SPRING	I-30 SLIDE REPAIR (W. OF MALVERN) (S)	30	Y
080378	08	MONTGOMERY	LICK CREEK STR. & APPRS. (NORMAN) (S)	8	Y
080385	08	YELL	LITTLE ROCK & WESTERN RR STR. & APPRS. (OLA) (S)	7	Y
100688	10	POINSETT	WILSON AVENUE STR. & APPRS. (HARRISBURG) (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.

OTHER DISCUSSION ITEMS

Commission Chairman Madison Murphy brought up the first order of business, the previous Commission Minutes of September 11 and 12, 2012. The Minutes were approved without discussion.

Director Bennett gave an overview of the International Association of Business Communicators Bronze Quill Award Program as being an annual program that recognizes excellence in writing, design, photography, and interactive communications. The Department recently received an Award of Merit in the Media Relations Division for the “Stay Away For A Day” media campaign as part of the traffic management during construction of the Big Rock (I-430/I-630) Interchange Improvement Project.

The FHWA Administrator’s Award of Merit is the highest FHWA honor that can be given to a non-FHWA employee. This award recognizes significant efforts to assist FHWA which are beyond the call of regular duty for non-FHWA employees. Sandy Otto, FHWA Division Administrator, presented this award to Elizabeth Mayfield-Hart, Staff Planning Engineer, for Elizabeth’s efforts in updating the FHWA’s Traffic Monitoring Guide (TMG). The TMG provides State highway agencies and Metropolitan Planning Organizations with detailed approaches, procedures, and methods in collecting, processing, and reporting traffic data for all public roadways. State highway agencies, local governmental agencies, and private organizations and businesses follow the FHWA TMG to achieve data quality, consistency, and compatibility.

Director Bennett provided a brief update of the status of the Department's Partnering Program. Minute Order 2005-007 adopted formal guidelines for local governments and other State agencies to partner with the Department to accelerate the implementation of highway improvement projects. Although these formal guidelines were adopted in 2005, the Department has accurate records of partnering dating back to 1996. From 1996 through 2016, a total of \$587.5 million in partnering projects have been completed, let to contract, or scheduled. Of this total, \$187.2 million, or almost 32%, has been or is being provided by other local entities.

One of these partnering projects is for the widening of Highway 45 from Highway 255 to Phoenix Avenue in Fort Smith. The total cost of this project is approximately \$14 million, with the City providing 50% of the costs. Mayor Sandy Sanders and City Manager Ray Gosack attended the Commission meeting and presented a ceremonial check to the Department for the City's share of the project costs.

Larry Dickerson, Chief Fiscal Officer, provided the September 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual state revenue received is slightly down compared to projected (budgeted) revenue for this year. This is mainly due to the transfer of \$2.7 million to General Revenue to offset the sales tax exemption on trucks and trailers (Act 1058 of 2011).

Director Bennett provided the latest information on the Federal highway and transit issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed a Joint Resolution for funding for 6 months of FY 2013 (October 1, 2012 through March 27, 2013). Congress will be in recess from September 24th through November 13th, at which time they will return for a "lame-duck" session.

Director Bennett recognized Tommy Fish, Executive Vice President of the Arkansas Associated General Contractors. Tommy will retire on November 30, 2012 after 21 years with AGC.

Craig Douglass, Move Arkansas Forward, ended the Commission Meeting by giving an update on the polling for the temporary one-half cent sales tax increase.

2012-105

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:10 a.m, October 24, 2012.

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 24, 2012.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

November 28, 2012

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, November 28, 2012. Members present were:

R. Madison Murphy, Chairman
John Ed Regenold, Vice Chairman
John Burkhalter, Member
Dick Trammel, Member
Thomas B. Schueck, Member

2012-106 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., November 28, 2012.

2012-107 WHEREAS, the Purchasing Committee has awarded purchases on November 15, 2012, in the amount of \$149,866.26, 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.

2012-108 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.

2012-108 - Continued

NOW THEREFORE, the Director is authorized to issue an allotment for Calendar Year 2013 described as the "ANNUAL SEALING PROGRAM" in the amount of \$10,000,000 to cover the maintenance and roadway surfaces including asphalt surface treatments and leveling.

2012-109

WHEREAS, Constitutional Amendment Number 1 was approved by Arkansas voters at the November 6, 2012 General Election; and

WHEREAS, this Amendment will provide for a temporary one-half cent increase in the State sales tax to finance a bond program that will construct and improve a four-lane grid system across the State; and

WHEREAS, since the One-Half Cent State Sales Tax Program (Program) is temporary, it has been determined that increasing Department staff would not be an efficient use of this revenue; and

WHEREAS, it has been determined that the Department should supplement its existing workforce in order to implement this \$1.8 billion program in a timely and efficient manner; and

WHEREAS, on-call consulting firms capable of performing construction engineering and inspection services can be used to monitor the Program's construction activities to ensure contractor compliance with all plans and specifications.

NOW THEREFORE, the Director is authorized to request proposals, select qualified firms, and enter into any necessary contracts to perform construction engineering and inspection services as needed to execute the Program.

2012-110

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

2012-110 - Continued

WHEREAS, underwater bridge inspection of twenty bridges have been identified that would require the experienced services of qualified professional engineers and divers; and

WHEREAS, the 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 bridges as funds become available.

2012-111

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.

2012-112

WHEREAS, the Arkansas State Highway Commission (Commission) is authorized, pursuant to the Constitutional Amendment approved at the November 6, 2012 election, to issue bonds for the purpose of constructing and improving four-lane highways across the State (Program); and

WHEREAS, the bonds are to be designated "State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds" (Bonds); and

WHEREAS, the Bonds may be issued in the maximum aggregate principal amount of \$1,300,000,000; and

WHEREAS, the Bonds may be issued in one or more series from time to time; and

WHEREAS, it is appropriate for the Commission to declare its "official intent" for the reimbursement of certain expenditures from the proceeds of the Bonds, as prescribed by the United States Treasury Department Regulation §1.150-2 (Regulation).

NOW THEREFORE:

1. The Commission hereby expresses its official intent to advance its own funds to pay for costs of the Program prior to the issuance of the Bonds and to reimburse itself from Bond proceeds for such expenditures.
2. Bond proceeds may be used to reimburse the Commission within three (3) years after the date of the expenditure.

WHEREAS, IN ARKANSAS COUNTY, Job 020326, U.P. Railroad Overpass (Stuttgart)(S), is complete and the new portion of roadway is open to traffic; and

WHEREAS, the bypassed portions of U. S. Highway 165, Sections 5 and 6 are no longer needed for highway purposes.

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 existing portion of roadway from the junction of Highway 146, Section 1S to the junction of U. S. Highway 165 is hereby redesignated as Highway 146, Section 1S.

2012-113 - Continued

- The remaining portions of U. S. Highway 165, Sections 5 and 6 that were bypassed by Job 020326 are 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 U. S. Highway 165, Sections 5 and 6.

2012-114

WHEREAS, IN PULASKI COUNTY, in the City of Little Rock, adjacent to Interstate 30, Section 23, a hydraulic study has revealed that flooding occurs within the Crooked Creek drainage basin; and

WHEREAS, flooding of the Interstate 30 eastbound main lanes and south frontage road in this area has been an ongoing problem; and

WHEREAS, it has been determined that this flooding could be alleviated by improvements that include widening the Crooked Creek channel and constructing a levee between the Crooked Creek channel and south frontage road.

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

2012-115

WHEREAS, a radio tower location that the Department has leased for over fifty 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 terms and conditions of the proposed sale call for transfer of fee simple interest in the property to the Department for \$35,000.00; and

2012-115 - Continued

WHEREAS, the property to be acquired is generally described as the Ramsey Tower site, and said tract is 2.07 acres, more or less, located in the Southwest quarter of the Northeast quarter and a part of the Southeast quarter of the Northeast quarter, all being in Section 32, Township 9 South, Range 14 West, lying west of a county road approximately 0.8 miles north of Highway 8, in Dallas County.

NOW THEREFORE, the Director is authorized to take all necessary action to complete the purchase.

2012-116

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the November 28, 2012 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020544	02	JEFFERSON	HWY. 104-HWY. 65 (PINE BLUFF) (CABLE MEDIAN BARRIER) (S)	530	Y
BB0407	04	CRAWFORD & SEBASTIAN	HWY. 22-I-40 (F)	540	Y
040521	04	WASHINGTON	HWY. 62 BYPASS (BS. & SURF.) (PRAIRIE GROVE) (S)	62	Y
BB0614	06	PULASKI & SALINE	BINGHAM RD.-GRANT CO. LINE (S)	530	Y
060897	06	LONOKE	I-40/HWY. 89 INTCHG. (LONOKE) (S)	40 & 89	Y
BB0804	08	POPE	MILL CREEK-HWY. 331 (F)	40	Y
080465	08	CONWAY & FAULKNER	PLUMERVILLE-CONWAY (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	40	Y
090369	09	BENTON	HWY. 62/102-NORTH (CABLE MEDIAN BARRIER) (S)	71	Y
100404	10	LAWRENCE	HWY. 230-HWY. 63 (BS. & SURF.) (S)	67	Y
100667	10	CRAIGHEAD	CASH BYPASS-EAST (S)	226	Y
100687	10	LAWRENCE	BLACK RIVER STR. & APPRS. (BLACK ROCK) (F)	63	Y
012167	01 & 10	CRITTENDEN & MISSISSIPPI	HWY. 63-BLYTHEVILLE (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	55	Y

2012-116 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
012169	09 & 04	BENTON & WASHINGTON	SILOAM SPRINGS-TONTITOWN (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	412	Y
SA5130	09	NEWTON	CO. RD. 10 BASE (SEL. SEC.) (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.

Commission Chairman Madison Murphy brought up the first order of business, the previous Commission Minutes of October 24, 2012. The Minutes were approved without discussion.

MOTION Chairman Madison Murphy stepped down as Chairman to allow the Commission to select a new Chairman prior to the upcoming legislative session.

MOTION Commissioner Dick Trammel moved, Commissioner John Burkhalter seconded and the motion passed to elect Vice Chairman John Ed Regenold as Chairman of the Arkansas State Highway Commission.

MOTION Chairman John Ed Regenold moved, Commissioner Dick Trammel seconded and the motion passed to elect Commissioner John Burkhalter as Vice Chairman of the Arkansas Highway Commission.

MOTION Commissioner Madison Murphy moved, Commissioner Tom Schueck seconded and the motion passed to have the Director draft a letter to Metroplan that modifies the previous proposal stating the Department will pay \$15 million up front for preliminary engineering for Northbelt, provided Metroplan will provide a commitment letter for their share of the original proposal which is half of the \$52 million (\$26 million) needed for preliminary engineering and right of way acquisition for Northbelt.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the October 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual state revenue received is slightly down compared to projected (budgeted) revenue for this year. This is mainly due to the transfer of \$2.7 million to General Revenue to offset the sales tax exemption on trucks and trailers (Act 1058 of 2011).

Director Bennett provided the latest information on the Federal highway and transit issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed a Joint Resolution for funding for 6 months of FY 2013 (October 1, 2012 through March 27, 2013). Congress returned from a recess on November 13th, and are now in a “lame-duck” session.

With the passage of Issue #1 on November 6, Director Bennett gave an update on the implementation of the program under the 0.5% Sales Tax Program. In January 2013 a Program Manager will be hired, a Financial Advisor will be hired and Bond Counsel will be hired. In early 2013 projects will be assigned to existing On-Call Design Consultants and projects will be scheduled. In late 2013 bonds should be issued and the first contracts should be awarded.

Director Bennett gave an update on local utility issues on highway projects. At the July 25, 2012 Commission meeting, it was mentioned that some small, rural water associations are experiencing problems in complying with the Department’s Utility Accommodation Policy. In some cases, these utility providers cannot afford to relocate their utility lines to accommodate highway widening projects. Chairman Murphy requested that the Department try to come up with a solution for these problems. After Director Bennett presented numerous options, Chairman Murphy asked the Staff to come back in January with more development on limiting the projects to the Four-Lane Grid System, plus Bridge Replacement and Safety projects. Then possibly have the Commission consider on a case-by-case basis.

Director Bennett reported to the Commission the proceeds from the 2012 Equipment Auction as being approximately \$900,000.00.

Director Bennett reported to the Commission that the Department had recently implemented an automated Workforce Management System, and the Department was recognized with a plaque for continuous improvements in human capital management efficiency and productivity. Director Bennett presented the plaque to Crystal Woods, Division Head of Human Resources Division.

Director Bennett updated the Commission on the urgency of replacing the Broadway Bridge. The Commission instructed the Director to give a deadline to local elected officials by the end of the business day on Friday, November 30, 2012 to have a firm commitment on their level of contribution for the project in order for the consultant to proceed. If the Department does not hear by this date, the consultant will proceed with the plate girder option.

2012-117

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:20 p.m., November 28, 2012.

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 28, 2012.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 9, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 9, 2013. Members present were:

John Ed Regenold, Chairman
Dick Trammel, Member
Thomas B. Schueck, Member
R. Madison Murphy, Member

2013-001 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., January 9, 2013.

2013-002 WHEREAS, the Purchasing Committee has awarded purchases on December 13, 2012, in the amount of \$25,762.15, 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.

2013-003 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 necessary contracts and agreements for printing the 2013 Highway Map.

2013-004

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.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing and rehabilitation program for 2013 in the amount of \$50 million.

2013-005

WHEREAS, some state highways are posted for weight restrictions below the maximum weight limits allowed by State law; and

WHEREAS, the “Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways” to accommodate non-divisible overweight loads by permit was developed and implemented in 2008; and

WHEREAS, current Maintenance Assessment agreements expired on December 31, 2012 and evaluations have determined that new values for the Roadway Maintenance Assessment payments by the permit applicants are warranted to recover damage costs on the weight restricted highways.

NOW THEREFORE, the Director is authorized to enter into new agreements with permit applicants and to implement the new values for the Roadway Maintenance Assessment schedule. The new agreements shall be in effect until December 31, 2013.

2013-006

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 401 in fee from the Virgil E. Wingo and Vivian H. Wingo, for Job No. 8517-4, in an eminent domain case as Arkansas State Highway Commission vs. Virgil R. Wingo and Vivian H. Wingo, et al., Conway County Circuit Court Case No 5749 filed for record on June 28, 1967, in the Circuit Clerk’s office of Conway County, Arkansas; and

WHEREAS, Virgil Wingo, Jeanne M. Wingo and Joan Wingo Barrington, heirs of Virgil E. Wingo and Vivian H. Wingo, transferred their right to repurchase said portion of tract pursuant to Ark. Code Ann. §27-67-332 to Gregory L. Nash and Martha Nash, husband and wife; and

WHEREAS, Gregory L. Nash and Martha Nash, husband and wife, have asked to purchase a portion of Tract No. 401 which the District Engineer for District Eight has determined that the portion of Tract No. 401 to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said portion of Tract No. 401 being more particularly described as follows:

AHTD Job No. 8517 Sec 4 Part of Tract No. 401

A part of the Southwest Quarter of the Southwest Quarter of Section 10 and a part of the Southeast Quarter of the Southeast Quarter of Section 9, all in Township 6 North, Range 16 West Conway County, Arkansas, more particularly described as follows:

Commencing at a 1" square bolt that is locally accepted as the corner for Sections 9, 10, 15 and 16, Township 6 North Range 16 West, thence the following courses and distances:

North 01°53'40" East along the section line between Sections 9 and 10, 761.85 feet to a point on the south right of way of Interstate 40, thence the following courses and distances along the right of way; South 58°36'23" East, 68.80 feet to the Point of Beginning; thence South 53°18'23" East, 407.40 feet to a 5"x5" concrete right of way monument; thence South 61°46'34" West, 698.38 feet to a 5"x5" concrete right of way monument; thence North 28°07'12" West, 368.58 feet to a 5"x5" concrete right of way monument; thence North 61°43'53" East, 525.00 feet to the Point of Beginning containing 5.18 acres, more or less, as shown on plat prepared by AHTD and filed at the State Land Surveyor's Office of the Arkansas Agriculture Department, Land Survey Division as Document No. 201205310001 recorded 5/31/2012 at 8:30am.

WHEREAS, the Commission acquired Tract No. 401 for FIFTY-SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$56,500.00) and 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. 401 being offered for sale is THREE THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$3,900.00).

NOW THEREFORE, that part of Tract No. 401 above-described, is declared surplus; upon receipt of the sum of THREE THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$3,900.00) and approval from the Federal Highway Administration, the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above-described portion of Tract No. 401 to Gregory L. Nash and Martha Nash, husband and wife; 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 Federal Funds.

2013-007

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee property known as Tract No. 71R from Elizabeth A. Denham and Sidney W. Denham, Trustees of the Elizabeth A. Denham Trust for Job No. R30095, U. S. Highway 71 Relocation Fouke - North, Miller County, Arkansas, by Warranty Deed dated September 21, 2000, and filed for record on October 16, 2000, in Deed Record Instrument Number D406-P00834, of the Deed Records of Miller County, Arkansas; and

WHEREAS, N. Kay Denham and Mary P. Denham, as substitute Co-Trustees of the Elizabeth A. Denham Trust, have assigned the Trust's right to reacquire Tract No. 71R to Allison Smith and Erin Bledsoe, which the District Engineer for District Three has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 71R to be transferred to Allison Smith and Erin Bledsoe, is more particularly described as follows:

Part of the East Half of the Northwest Quarter of Section 6, lying South and West of Relocated U. S. Highway 71, Township 17 South, Range 27 West, Miller County, Arkansas, more particularly described as follows:

Beginning at the Southeast corner of the Southeast Quarter of the Northwest Quarter of Section 6; thence North 87° 33' 06" West along the South line thereof a distance of 401.917 meters to the Southwest corner of the East one half of the Northwest Quarter of Section 6; thence North 02° 12' 12" East along the West line of the East one half of the Northwest Quarter of Section 6 a distance of 626.892 meters to a point on the Southwesterly right of way line of relocated U. S. Highway #71 as established by AHTD Job R30095; thence South 36° 15' 22" East along said right of way line a distance of 345.971 meters to a point; thence South 39° 44' 47" East along said right of way line a distance of 161.585 meters to a point; thence South 44° 47' 40" East along said right of way line a distance of 108.356 meters to a point on the East line of the Southeast Quarter of the Northwest Quarter of Section 6; thence South 02° 23' 18" West along said East line a distance of 163.626 meters to the point of beginning and containing 15.377 hectares, more or less, (37.997 acres, more or less) and as shown on AHTD Right of Way Job R30095 Sheet 10.

Dh 1/31/12

WHEREAS, Tract No. 71R was acquired by the Commission for NINETY-THREE THOUSAND SEVEN HUNDRED TWENTY-SEVEN AND NO/100 DOLLARS (\$93,727.00).

NOW THEREFORE, the above-described property (Tract No. 71R) is declared surplus; upon receipt of the sum of NINETY-THREE THOUSAND SEVEN HUNDRED TWENTY-SEVEN AND NO/100 DOLLARS (\$93,727.00), the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the interest of the Commission in and to the above-described property to Allison Smith and Erin Bledsoe; a copy of the Quitclaim 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.

WHEREAS, the ASHC (Commission) acquired property known as Tract No. 108 in fee from the Gerald L. Harp Family Trust, Gerald L. Harp, Trustee, for Job No. 040236, White River Bridge, Beaver Lake, Route 412, Sec 2, Washington County, Arkansas, by Warranty Deed dated February 3, 1997, filed for record on March 4, 1997, in Deed Record

Book No. 97 at page 12914 in the Circuit Clerk's office of Washington County, Arkansas; and

WHEREAS, the Gerald L. Harp Family Trust, Gerald L. Harp, Trustee, transferred its right to repurchase said tract pursuant to Ark. Code Ann. 27-67-332 to Matt Still and Candy Still, husband and wife, who in turn transferred their right to repurchase to Carlton Anderson and Donna Anderson, husband and wife; and

WHEREAS, Carlton Anderson and Donna Anderson, husband and wife, have asked to repurchase a portion of Tract No.108 which the District Engineer for District Four has determined that the portion of Tract No. 108 to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said portion of Tract No. 108 being more particularly described as follows:

Job No. 040236

Part of Tract No. 108

Part of the Northwest Quarter of the Southeast Quarter of Section 1, Township 17 North, Range 29 West, Washington County, Arkansas being more particularly described as follows:

Commencing at an existing rebar marking the Southwest Corner of the Northwest Quarter of the Southeast Quarter; Thence along the West line on said Forty, North $02^{\circ} 24' 15''$ East, 808.09 feet to an existing rebar on the South right of way line of Highway 412 Relocation; Thence leaving said West line and along said right of way line, South $88^{\circ} 24' 34''$ East, 160.88 feet to an existing rebar and the Point of Beginning; thence continue along said right of way line the following bearings and distances: North $81^{\circ} 23' 38''$ East 142.44 feet to a set rebar; Thence South $71^{\circ} 29' 35''$ East, 270.11 feet to a set rebar; Thence leaving said right of way line, South $06^{\circ} 52' 32''$ West, 16.32 feet to a COE monument; Thence North $78^{\circ} 27' 50''$ West, 403.17 feet to the Point of Beginning, containing 0.28 of an acre and subject to any Easements of Record, as recorded by Commissioner of State Lands Document # 804405, received 8/23/04. As shown on right of way plans accepted as Exhibit "A" AHTD Job No. 040236.

WHEREAS, the Commission acquired Tract No. 108 for TWO HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$220,000.00) and 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. 108 being offered for sale is ONE THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$1,300.00).

NOW THEREFORE, that part of Tract No. 108 above-described, is declared surplus; upon receipt of the sum of ONE THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$1,300.00) the Chairman of the Commission is authorized and directed to execute and deliver a quitclaim deed conveying the above-described portion of Tract No. 108 to Carlton Anderson and Donna Anderson, husband and wife; 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 remonumented. Any Federal Funds from this disposal shall be credited to Federal Funds.

WHEREAS, a Welcome Center is currently under construction along I-40 in West Memphis and will be completed in the near future; and

WHEREAS, the existing Welcome Center located along I-40 in West Memphis, west of the new location, has exceeded its service life, is in poor condition, and will no longer be needed after the opening of the new Welcome Center; and

WHEREAS, there is a need for additional truck parking along I-40 in this area.

NOW THEREFORE, upon the opening of this new facility, the Director is authorized to close the existing Welcome Center, remove the building that is in place, and make the necessary improvements to convert the existing facility into a truck parking area as funds become available.

2013-010

WHEREAS, the existing Pulaski County Area Headquarters #1 facility and Resident Engineer’s Office #61 in North Little Rock on Eureka Garden Road were constructed in 1963; and

WHEREAS, at this existing location, insufficient area is owned to properly accommodate the necessary maintenance activities; and

WHEREAS, relocation of this Resident Engineer’s Office, and this Pulaski County Area Headquarters, along with the Sealing Crew building, has been a priority for the Department for several years; and

WHEREAS, an area of property west of Interstate 440 on Highway 70 has become available, and would serve the useful needs of the Department.

NOW THEREFORE, the Director is authorized to complete the work to purchase the property and construct a Resident Engineer’s Office, Sealing Crew building and Area Headquarters Complex, including buildings, appurtenances, fencing and related items, as funds become available.

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

2013-011

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the January 9, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110541	01	WOODRUFF	BAYOU DEVIEW STR. & APPRS. (S)	38	Y
040645	04	SEBASTIAN	HWYS. 71 & 271 (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	71 & 271	Y
060897	06	LONOKE	I-40/HWY. 89 INTCHG. (LONOKE) (S)	40 & 89	Y
061385	06	PULASKI	PUBLIC TRANSPORTATION ADMINISTRATION FACILITY (LR) (S)	30	Y
080378	08	MONTGOMERY	LICK CREEK STR. & APPRS. (NORMAN) (S)	8	Y
080436	08	VAN BUREN	HWY. 65/HWY. 9/HWY. 330 SIGNAL (VAN BUREN CO.) (S)	65, 9 & 330	Y

2013-011 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080466	08	FAULKNER	VILONIA BYPASS (CABLE MEDIAN BARRIER) (S)	64	Y
100567	10	CRAIGHEAD	NORTH OF BLACK OAK-MONETTE BYPASS (S)	18	Y
100643	10	CRAIGHEAD	CASH BYPASS (GR. & STRS.) (S)	226	Y
100768	10	CRAIGHEAD & POINSETT	JONESBORO-MARKED TREE (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	63	Y
012168	04 & 08	CRAWFORD & JOHNSON	OKLA. ST. LINE-LAMAR (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	40	Y

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.

R. Madison Murphy
Commissioner Emeritus

WHEREAS, ten years have passed since January 2003, and with their passing will cause to expire in January 2013, 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*."

Director Bennett reported to the Commission that Scott Wroten, Section Head of Acquisition, was selected as the recipient of the nationally-recognized George C. Askew Award for 2012. The award brings recognition, on a national level, to Certified Public Manager program participants and graduates for "the use of premier management practices exemplifying the philosophy of the Consortium in the completion of an exceptional curriculum project." Scott's project goal was to reduce the number of condemnation cases that reach a jury as a result of eminent domain action. A secondary goal was the anticipated time saving in the acquisition process.

MOTION

Commissioner Dick Trammel moved, Commissioner Tom Schueck seconded and the motion passed to approve the Minutes of November 28, 2012.

MOTION Commissioner Dick Trammel moved, Commissioner Madison Murphy seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firms of Bowlby & Associates, Inc., of Franklin, TN, Garver, LLC, of North Little Rock, AR, and URS Corporation, of Little Rock, AR, to provide on-call highway noise analysis and abatement services.

MOTION Commissioner Dick Trammel moved, Commissioner Tom Schueck seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firms of Flat Earth Archeology, LLC, of Cabot, AR, Historic Preservation Associates, LLC, of Fayetteville, AR, and Panamerican Consultants, Inc., of Memphis, TN, to provide on-call archaeological investigation services.

MOTION Commissioner Madison Murphy moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Atkins North America, Inc., of Austin, TX, to conduct the feasibility study for tolling the Highway 440 (Northbelt) project in Pulaski County.

MOTION Commissioner Madison Murphy moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Michael Baker Jr., Inc., of Little Rock, AR, to provide the consultant services for the Future I-555 Access Road from Payneway to Marked Tree.

MOTION Commissioner Madison Murphy moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Alliance Transportation Group, Inc., Austin, TX, to provide consultant services for the Development of Phase II of the Arkansas Statewide Travel Demand Model.

MOTION

Commissioner Madison Murphy moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to develop guidelines that the Commission would consider on a case-by-case basis when small, rural water associations cannot afford to relocate their utility lines to accommodate highway widening projects, and to limit the new guidelines to projects on the Four-Lane Grid system. The Commission addressed the following five current AHTD Projects that are located in Fulton, Union, Calhoun and Van Buren Counties, and authorized the Director to incur non-reimbursable utility relocation costs on these projects.

- Job 050230, Hwy. 9–So. of Hwy. 342 (Mammoth Spring) (Hwy. 63)
- Job 070280, El Dorado–Hwy. 335 (Hwy. 167)
- Job 070281, Hwy. 335–Ouachita River (Hwy. 167)
- Job 070282, Ouachita River Str. & Apprs. (Hwy. 167)
- Job 080391, N. of Bee Branch–Co. Rd. 28 (Hwy. 65)

MOTION

Commissioner Madison Murphy moved, Commissioner Dick Trammel seconded and the motion passed to go into Executive Session at 11:35 am to conduct an annual performance review of Director Scott Bennett.

MOTION

Commissioner Madison Murphy moved, Commissioner Tom Schueck seconded and the motion passed to close the Executive Session and reopen the public Commission Meeting at 12:00 pm. Chairman John Ed Regenold made brief remarks that they were satisfied with Director Bennett's performance, and the direction the Department was going. No formal action was taken.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the December 2012 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. However, actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed a Joint Resolution for funding for 6 months of FY 2013 (October 1, 2012 through March 27, 2013). As of January 2, 2013, there has been no action on Federal transportation issues since the November 28, 2012 Commission meeting.

Lorie Tudor, Assistant Chief-Engineer-Planning, gave an update on the status of development of the various projects included in the Temporary 0.5% Sales Tax Program.

2013-013

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:00 p.m., January 9, 2013.

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, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

January 31, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, January 31, 2013. Members present were:

John Ed Regenold, Chairman, via phone
John Burkhalter, Vice Chairman
Dick Trammel, Member, via phone
Thomas B. Schueck, Member
Robert Moore, Jr., Member

2013-014 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 1:00 p.m., January 31, 2013.

MOTION Vice Chairman John Burkhalter moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with Garver, LLC, North Little Rock, AR, to serve as the Program Manager for the One-Half Cent Sales Tax Program.

MOTION Commissioner Dick Trammel moved, Vice Chairman John Burkhalter seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with Stephens, Inc., Little Rock, AR to serve as the Financial Advisor for the One-Half Cent Sales Tax Program.

2013-015 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:30 p.m., January 31, 2013.

January 31, 2013

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 27, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 27, 2013. Members present were:

John Ed Regenold, Chairman
John Burkhalter, Vice Chairman
Dick Trammel, Member
Robert Moore, Jr., Member

2013-016 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., February 27, 2013.

2013-017 WHEREAS, the Purchasing Committee has awarded purchases on January 8, 11, and 29, 2013, in the amount of \$290,621.00, \$39,990.00, and \$43,750.00, respectively, totaling \$374,361.00, 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.

2013-018 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 2013, 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 2013 in the amount of \$38,514.00.

2013-019

WHEREAS, the Arkansas State Highway and Transportation Department has an extensive applicant recruiting and application process for new hires and for promotion opportunities; and

WHEREAS, the Department annually processes applications for approximately 300 positions for new hires and approximately 500 position vacancies for promotions; and

WHEREAS, the current applicant recruiting and application process system is a manual process prone to errors, misplaced records and inefficiencies; and

WHEREAS, the Department's staff has evaluated the benefits of an Applicant Tracking System and found that it would be highly beneficial to the Department.

NOW THEREFORE, the Director is authorized to solicit and evaluate proposals for development and implementation of an Applicant Tracking System.

2013-020

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Federal Fiscal Year 2012 Recreational Trails Program; and

WHEREAS, Minute Order 2012-057 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.

2013-021

WHEREAS, the Arkansas State Highway and Transportation Department often awards professional engineering and architectural services contracts based on qualifications and negotiated fees; and

2013-021 - Continued

WHEREAS, the AASHTO *Uniform Audit & Accounting Guide* was developed to standardize methods to determine Indirect Cost (Overhead) Rates, a significant factor in the negotiated fees, and for audit uniformity from state to state; and

WHEREAS, the provisions in the AASHTO *Uniform Audit & Accounting Guide* have been recently updated for a 2012 Edition which will give the Department greater confidence in the figures that professional service firms provide during the negotiating processes; and

WHEREAS, it will be beneficial to the Department to always rely upon the latest standards published by AASHTO for the *Uniform Audit & Accounting Guide*.

NOW THEREFORE, the most recent AASHTO publication of the *Uniform Audit & Accounting Guide* along with any revisions or addendums are hereby adopted as the standard for accounting, reporting and auditing the overhead rate of professional engineering and architectural firms seeking to perform services for the Department.

2013-022

WHEREAS, the Federal Highway Safety Improvement Program provides funds to the States for the purpose of achieving a significant reduction in fatalities and serious injuries on the roadway system; and

WHEREAS, in order to be eligible for these Federal-aid funds, each State's Department of Transportation must develop, implement, and update a Strategic Highway Safety Plan (SHSP) in a cooperative process with Local, State, Federal, and private sector safety stakeholders; and

WHEREAS, a SHSP should identify and analyze highway safety issues and opportunities and provide a comprehensive framework for reducing highway fatalities and serious injuries on all public roads; and

WHEREAS, Arkansas' current SHSP was adopted by Commission Minute Order 2007-091 in July 2007; and

2013-022 - Continued

WHEREAS, the Arkansas Highway Safety Steering Committee comprised of representatives from the engineering, enforcement, education and emergency medical services sectors has updated Arkansas' SHSP; and

WHEREAS, the updated SHSP has identified key safety needs and recommends a comprehensive Toward Zero Deaths focus to reduce fatalities on the State's roadway system.

NOW THEREFORE, the updated SHSP is hereby adopted as a planning guide for improving highway safety in Arkansas.

2013-023

WHEREAS, the Arkansas Highway Commission is vested with the duty to establish highway policies and administrative practices for the guidance and direction of the Department; and

WHEREAS, these policies will be supported by regulations and guidelines proposed and written by the staff for implementation.

NOW THEREFORE, upon enactment of a governing policy by the Commission, the Director is authorized to make revisions, corrections or clarifications to the supporting regulations as may be required in order to maintain the intent of the policy.

2013-024

WHEREAS, IN CRAIGHEAD COUNTY, the Institutional Drive System maintained by the Department at the Arkansas State University in Jonesboro Campus was recently reviewed; and

WHEREAS, the review revealed that one additional drive meets the criteria for inclusion into the State Maintenance System as established by Commission Policy 4201 on August 2, 1961, while several 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 7.86 miles, as shown on the attached sketch, will be maintained by the Department as State Highway 877, Section 1.

2013-025

WHEREAS, IN POPE COUNTY, construction of the Russellville Bypass is complete and open to traffic; and

WHEREAS, this improvement relocated a portion of Highway 247, Section 0 in the City of Pottsville; and

WHEREAS, the City of Pottsville has passed Ordinance No. 12-13, agreeing to accept all responsibility for maintenance of the portion of Highway 247 that joins the newly constructed portion of Highway 247, north to the junction with Highway 331.

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 247, Section 0 that joins the newly constructed portion of Highway 247 north to the junction of Highway 331 in the City of Pottsville is hereby removed from the State Highway System.
- The portion of Highway 247 from the junction of Highway 331 north to the junction of U. S. 64 in the City of Pottsville, is hereby redesignated as Highway 331, Section 0.
- The newly constructed portion of roadway is hereby added to the State Highway System as a part of Highway 247, Section 0.

2013-026

WHEREAS, the Interstate 69 Corridor was designated as a Corridor of the Future by the United States Department of Transportation through the Federal Highway Administration; and

WHEREAS, Minute Order 2008-108 authorized the Director 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; and

WHEREAS, the I-69 Innovative Financing Study has been completed.

2013-026 - Continued

NOW THEREFORE, the Commission acknowledges the completion of the study on behalf of the Interstate 69 Steering Committee and directs the Department to make the study available to others.

2013-027

WHEREAS, IN BENTON COUNTY, the karst topography and endangered or threatened species in the Cave Springs Recharge Area are environmental issues; and

WHEREAS, the United States Fish and Wildlife Service (USFWS) has expressed concerns that future projects could negatively affect this environmentally sensitive area; and

WHEREAS, the USFWS, the Northwest Arkansas Regional Planning Commission (NARPC) and the Arkansas State Highway and Transportation Department (Department) have determined that assessment of the current status of these environmental issues and the development of future conservation plans are needed in order to ensure timely approval of construction projects in this area by the USFWS; and

WHEREAS, the NARPC has approved \$500,000 in 2013 Federal-aid Surface Transportation Program – Attributable funds to conduct the Cave Springs Area Karst Resource Conservation Study; and

WHEREAS, this study will be of benefit to the Department for timely approval of future highway construction projects in this area; and

WHEREAS, the Department is willing to provide the initial \$125,000 of matching funds and, if necessary, up to \$500,000 in matching funds to the NARPC in order to fully finance this study.

NOW THEREFORE, the Director is authorized to enter into any necessary agreements with the NARPC to assist with the financing of the Cave Springs Area Karst Resource Conservation Study.

2013-028

WHEREAS, IN SEBASTIAN COUNTY, it has been determined that an improvement is warranted at the below listed railroad crossing to improve safety.

NOW THEREFORE, the Director is authorized to proceed with an improvement at the crossing subject to the following conditions:

1. Maintenance of the signals and surface performed by the Railroad 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>Route</u>	<u>Railroad</u>	<u>Recommendation</u>
Sebastian	Ft. Smith	Newlon Rd.	Arkansas & Missouri	Install Flashing Lights and Gates, Track Realignment and new Surface

2013-029

WHEREAS, the City of Hope, by Resolution 2012-04, has acknowledged the Highway 278 bridge over Interstate 30 as the Veteran’s Memorial Bridge; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2009-033 and the City’s request meets these guidelines.

NOW THEREFORE, the Director is authorized to permit the installation of signs in each direction on the approaches to the Highway 278 bridge over Interstate 30 at Hope in accordance with Commission Policy.

2013-030

WHEREAS, the existing in-ground ductwork, light fixtures, and floor covering for the District 3 Administration Building have exceeded their serviceable life and are in poor condition; and

WHEREAS, it has been determined that the most feasible means of repair is to plug the ductwork, remove the ceiling material, light fixtures and floor covering, lower (modify) the fire protection sprinkler system, and replace with new overhead ductwork, ceiling material, light fixtures, and floor covering.

2013-030 - Continued

NOW THEREFORE, the Director is authorized to proceed with this renovation work at the District 3 Administration Building as funding becomes available.

Work to be done by contract as a Building Project.

2013-031 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the February 27, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
BB0109	01	CRITTENDEN	I-40-JERICHO (S)	55	Y
BB0403	04	CRAWFORD & FRANKLIN	DYER-CRAVENS CREEK (S)	40	Y
050260	05	WHITE	HWY. 157-HWY. 167 (PH. II) (S)	67	Y
BB0806	08	POPE & CONWAY	ATKINS-PLUMERVILLE (S)	40	Y
080386	08	CONWAY	EAST FORK POINT REMOVE CREEK-NORTH & SOUTH GRADE IMPVTS. (S)	95	Y
080411	08	FAULKNER	PALARM CREEK-WEST (WIDENING) (F)	40	Y
012177	01 & 06	VARIOUS	NO. LITTLE ROCK-ST. FRANCIS CO. LN. (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	40	Y

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.

Commission Chairman John Ed Regenold brought up the first order of business, the previous Commission Minutes of January 9, 2013. The Minutes were approved without discussion.

MOTION

Commissioner Dick Trammel moved, Vice Chairman John Burkhalter seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Toole Design Group, LLC, Silver Springs, MD to provide consultant services to develop the Arkansas State Bicycle and Pedestrian Transportation Plan.

MOTION

Vice Chairman John Burkhalter moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firms of The Citadel Real Estate Services, Little Rock, AR; O.R. Colan Associates, Little Rock, AR; Pinnacle Consulting Management Group, Inc., Oklahoma City, OK, and Universal Field Services, Inc., Tulsa, OK to provide On-Call Right of Way Acquisition Services.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the January 2013 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed a Joint Resolution for funding for 6 months of FY 2013 (October 1, 2012 through March 27, 2013), so some action is needed within the next month in order for Federal Highway and Transit Funding to continue.

Director Bennett gave a report on issues affecting the Commission and the Department during the 89th General Assembly.

2013-032

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:15 a.m., February 27, 2013.

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 31, 2013 and February 27, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

April 17, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 17, 2013. Members present were:

John Ed Regenold, Chairman
John Burkhalter, Vice Chairman
Dick Trammel, Member
Thomas B. Schueck, Member
Robert Moore, Jr., Member

2013-033 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., April 17, 2013.

2013-034 WHEREAS, the Purchasing Committee has awarded purchases on February 22, 2013 (2 meetings), and March 1, 11 and 14, 2013, in the amount of \$176,750.00, \$242,238.91, \$570,576.19, \$657,863.80, and \$2,848,340.00, respectively, totaling \$4,495,768.90, 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.

2013-035 WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) Materials Reference Laboratory (AMRL) is operated by AASHTO and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AMRL are necessary for the Department to establish and maintain proficiency in sampling and testing material; and

2013-035 - Continued

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 2013 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 2013.

2013-036

WHEREAS, the National Academy of Sciences Transportation Research Board (TRB) provides leadership in transportation innovation and progress through research and information exchange, conducted within a setting that is objective, interdisciplinary, and multimodal; and

WHEREAS, the TRB offers opportunities for information exchange on current transportation research and practice, management of cooperative research and other research programs, analyses of national transportation policy issues and guidance on federal and other research programs, and publications and access to research information from around the world; and

WHEREAS, all states provide financial support for TRB's Core Program activities that are designed to support dialogue and information exchange among researchers, practicing transportation professionals, and others concerned with transportation; and

WHEREAS, the Department's participation rate has been approved by the American Association of State Highway and Transportation Officials (AASHTO) members and the TRB 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 activities.

2013-036 - Continued

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.

2013-037

WHEREAS, Arkansas receives Federal-aid Congestion Mitigation and Air Quality (CMAQ) funds from the Moving Ahead for Progress in the 21st Century Act (MAP-21); and

WHEREAS, since 1998, a portion of CMAQ funds have been used in cooperative efforts to address air quality issues in Arkansas; and

WHEREAS, Minute Order 2012-024 approved \$186,000 per year in CMAQ funds to support air quality efforts of the Central Arkansas Regional Transportation Study (CARTS) and the West Memphis-Marion Area Transportation Study (WMATS) through Federal Fiscal Year (FFY) 2016; and

WHEREAS, the Environmental Protection Agency is continuing to raise air quality standards, which puts increasing pressure on local jurisdictions to address air quality issues in order to receive Federal transportation funding; and

WHEREAS, WMATS has indicated that the additional requirements of MAP-21 have resulted in additional responsibilities; and

WHEREAS, it is in the best interest of the Department to continue partnering efforts to address air quality issues with local jurisdictions.

NOW THEREFORE, the Director is authorized to provide additional CMAQ or equivalent funds for use by WMATS and CARTS up to an annual total amount of \$197,000 for FFY 2014 through FFY 2016, to enter into appropriate interagency agreements, and to participate in coordination activities for air quality planning.

2013-038

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 this 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 2013 National Summer Transportation Institute.

2013-039

WHEREAS, the citizens of Arkansas recently approved two separate highway improvement plans that will bring about an unprecedented amount of construction on state highways over the next 10 years; and

WHEREAS, these two plans, the 2011 Interstate Rehabilitation Program (IRP) and the 2012 Connecting Arkansas Program (CAP), were passed based in part on project maps and commitments from the Commission and Department staff; and

WHEREAS, because of these commitments, it will be very important to keep the citizens of Arkansas informed of progress being made on the IRP and the CAP; and

WHEREAS, these much needed improvement programs will also create inconvenience for motorists on our state highways during the construction phase; and

2013-039 - Continued

WHEREAS, the Department staff has created the I-Plan to be used as a communications and marketing plan to provide both accountability for our citizens, and travel information for all motorists during the IRP and the CAP.

NOW THEREFORE, the I-Plan is hereby adopted for use as a guide in developing and implementing a comprehensive communications and marketing plan.

2013-040

WHEREAS, IN HEMPSTEAD COUNTY, a portion of Highway 195, Section 1 was relocated by the Southwestern Electric Power Company under Arkansas State Highway and Transportation Department District Three Permit SP-03-09-002; and

WHEREAS, the construction of the relocated portion is complete and 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 obliterated portion of Highway 195, Section 1, is hereby removed from the State Highway System.
- The newly constructed portion is hereby added to the State Highway System as Highway 195, Section 1.

2013-041

WHEREAS, IN MILLER COUNTY, in the vicinity of the City of Texarkana, the new location segment between Arkansas Boulevard and Highway 71 is substantially complete.

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.

2013-041 - Continued

- The portion of Highway 245, Section 1, from the Stateline to the junction of existing Highway 549, Section 1, is hereby redesignated as Highway 151, Section 0.
- The portion of Highway 245, Section 1, from the junction of existing Highway 549, Section 1, to Arkansas Boulevard is hereby redesignated as Highway 549, Section 1.
- The newly constructed portion of roadway between Arkansas Boulevard and Highway 71 is hereby added to the State Highway System as a part of Highway 549, Section 1.

2013-042

WHEREAS, Minute Order 2010-059 authorized a study to determine the need for and feasibility of improvements to Highway 5 from Hot Springs Village to Benton; and

WHEREAS, the Highway 5 Improvement Study (Hot Springs Village to Benton) has been prepared and has identified several feasible improvement alternatives to enhance safety and facilitate traffic flow.

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

2013-043

WHEREAS, the Arkansas Strategic Highway Safety Plan (2013) has identified enhancing pavement surface friction as a priority safety strategy; and

WHEREAS, an analysis of skid numbers and wet pavement crashes that occurred during 2009, 2010 and 2011 on the Interstate system has been completed; and

WHEREAS, the analysis identified various locations in the State that would benefit from enhancing the pavement surface friction; and

2013-043 - Continued

WHEREAS, this work is eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans and construction of projects that will enhance pavement surface friction at the locations shown on the attached list and map as funds become available.

2013-044

WHEREAS, the Northwest Arkansas Regional Planning Commission (NARPC) has requested that the Department participate in funding the 2013 Northwest Arkansas Imagery Project; and

WHEREAS, the project will include aerial imagery for all of Benton and Washington Counties, and the Beaver Lake areas of Carroll and Madison Counties; and

WHEREAS, this project will be of benefit to the Department for planning and project development in this area.

NOW THEREFORE, the Director is authorized to enter into necessary agreements with NARPC to assist with the financing of the 2013 Northwest Arkansas Imagery Project.

2013-045

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the April 17, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
BB0105	01	ST. FRANCIS	FORREST CITY-EAST (F)	40	Y
110592	01	CRITTENDEN	GAMMON ROAD-HWY. 64 (OVERLAY) (S)	77	Y
110593	01	ST. FRANCIS	HWY. 149-HWY. 79 (OVERLAY) (S)	70	Y
110594	01	PHILLIPS	MONROE CO. LINE-SOUTH (OVERLAY) (S)	49	Y
020521	02	ASHLEY	HWY. 133/9TH AVE. SIGNAL REHAB. (CROSSETT) (S)	133	Y
020546	02	ASHLEY	LOUISIANA LINE-NORTH OF WILMOT (OVERLAY) (S)	165	Y

2013-045 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020555	02	JEFFERSON	HWY. 65-FAIRFIELD RD. (SEL. SECS.) (OVERLAY) (S)	81	N
020556	02	JEFFERSON	UPRR OVERPASS-LINWOOD (NB LANES) (OVERLAY) (S)	65	Y
030313	03	MILLER	LA LINE-DODDRIDGE (BS. & SURF.) (S)	71	Y
030425	03	MILLER	HWYS. 151 & 549 LOOP (TEXARKANA) (CABLE MEDIAN BARRIER) (S)	151 & 549	Y
030431	03	SEVIER & HOWARD	LOCKESBURG-SALINE RIVER (MILL & INLAY) (S)	371	Y
030432	03	HEMPSTEAD	OZAN-WASHINGTON (MILL & INLAY) (S)	278	Y
030433	03	NEVADA	ROSSTON-LITTLE CANEY CREEK (OVERLAY) (S)	278	Y
040518	04	WASHINGTON	E. JOYCE BLVD.-CITY LIMITS (FAYETTEVILLE) (S)	265	Y
040648	04	POLK	SCOTT CO. LINE-SOUTH (OVERLAY) (S)	71	Y
040649	04	LOGAN	BOONEVILLE-WEST & EAST (OVERLAY) (S)	10	Y
FS5028	05	WHITE	SEARCY-WEST (SEL. SECS.) (S)	16	Y
FS5029	05	CLEBURNE	DIAMOND BLUFF RD.-HWY. 25 (S)	16	N
050292	05	SHARP	HWY. 63B-HWY. 175 (OVERLAY) (S)	63	Y
050293	05	FULTON	BAXTER CO. LINE-HWY. 223 (SEL. SECS.) (OVERLAY) (S)	62	Y
050294	05	INDEPENDENCE	HWY. 122-LAWRENCE CO. LINE (OVERLAY) (S)	25	Y
050295	05	JACKSON	HWY. 69S-HWY. 14 (OVERLAY) (S)	69	Y
061394	06	PULASKI	JACKSONVILLE-LONOKE CO. LINE (T.P. WHITE RD.) (OVERLAY) (S)	67	Y
061395	06	HOT SPRING	CENTRAL-MALVERN (OVERLAY) (S)	67	Y
061396	06	LONOKE	LONOKE-WEST (OVERLAY) (S)	70	Y
070289	07	DALLAS & CLEVELAND	HWY. 273-PETERS RD. (CR 24) (F)	167	Y
070399	07	OUACHITA	CHIDESTER-EAST (SEL. SECS.) (OVERLAY) (S)	24	Y
070400	07	CLEVELAND & BRADLEY	SALINE RIVER-NORTH & SOUTH (OVERLAY) (S)	63	Y

2013-045 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
070401	07	UNION	LOUISIANA LINE-NORTH (OVERLAY) (S)	7	N
FS8032	08	POPE	I-40-NORTH (S)	7	Y
FS8033	08	VAN BUREN	HWY. 65-SHIRLEY (S)	16	Y
FS8034	08	VAN BUREN	HWY. 124-DAMASCUS (S)	65	Y
080472	08	YELL	REBEL LANE-NORTH (SEL. SECS.) (OVERLAY) (S)	7	Y
080473	08	FAULKNER	HWYS. 64/65/65B INTERSECTION (CONWAY) (OVERLAY) (S)	VAR	Y
080474	08	PERRY	HWY. 300-SOUTH (OVERLAY) (S)	9	Y
090206	09	BAXTER	BAXTER COUNTY AREA HEADQUARTERS (MT. HOME) (S)	5	Y
090380	09	BAXTER	NORFORK-SALESVILLE (OVERLAY) (S)	5	Y
090381	09	MARION	HWY. 62B W. (YELLVILLE)-EAST (OVERLAY) (S)	62	Y
090382	09	SEARCY	MARSHALL-NORTH & SOUTH (OVERLAY) (S)	65	Y
090383	09	BENTON	HWY. 62-WEST & SOUTH (ROGERS) (SEL. SECS.) (OVERLAY) (S)	12 & 102	Y
100791	10	MISSISSIPPI	HWY. 61 (SEL. SECS.) (OVERLAY) (S)	61	Y
100792	10	RANDOLPH	POCAHONTAS-WEST (OVERLAY) (S)	62	Y
100793	10	POINSETT	HWY. 135-CRITTENDEN CO. LINE (OVERLAY) (S)	63	Y
012170	03 & 07	NEVADA & CLARK	PRESCOTT-GUM SPRINGS (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	30	Y
012179	06 & 05	LONOKE & WHITE	CABOT-BALD KNOB (SEL. SECS.) (CABLE MEDIAN BARRIER) (S)	67	Y
SA0241	02	ASHLEY	HWY. 82-SOUTH (RECONSTRUCTION) (S)	---	-
SA0354	09	BAXTER	HWY. 341-CO. RD. 387 (LEVELING & RESEAL) (S)	---	-
SA1835	01	CRITTENDEN	HWY. 147-WEST OVERLAY (SEL. SECS.) (S)	---	-
SA3046	06	HOT SPRING	HOT SPRING COUNTY OVERLAY NO. 3 (SEL. SECS.) (S)	---	-
SA3341	05	IZARD	HWY. 56-NORTH (SURFACING) (S)	---	-
SA3540	02	JEFFERSON	HWY. 63-HWY. 88 (OVERLAY) (S)	---	-

2013-045 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA4829	01	MONROE	HWY. 86-WEST (RESEAL) (S)	---	-
SA4830	01	MONROE	CO. RD. 38 OVERLAY (SEL. SEC.) (S)	---	-
FA5308	08	PERRY	HWY. 155-EAST (PHASE 2) (S)	---	-
BR5405	01	PHILLIPS	BIG CYPRESS & LICK CREEK STRS. & APPRS. (S)	---	-
SA5855	08	POPE	HWY. 333-EAST (OVERLAY) (S)	---	-
FA6712	05	SHARP	PINE CREEK-LAWRENCE CO. LINE (SURFACING) (S)	---	-
SA7529	08	YELL	CO. RD. 51 WIDENING (SEL. SEC.) (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.

Commission Chairman John Ed Regenold brought up the first order of business, the previous Commission Minutes of January 31, 2013, and February 27, 2013. The Minutes were approved without discussion.

MOTION

Commissioner Dick Trammel moved, Vice Chairman John Burkhalter seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Infrastructure Engineers, Inc., Edmond, OK, to provide consultant services for statewide underwater bridge inspections.

MOTION

Commissioner Tom Schueck moved, Commissioner Dick Trammel seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the following four (4) firms to provide Full Service Construction Management Administration and Construction Inspection Support Services:

- Brown and Gay Engineers, Inc., Frisco, TX
- Florence & Hutcheson, Little Rock, AR
- Jacobs Engineering Group, Inc., Little Rock, AR
- Michael Baker Jr., Inc., Little Rock, AR

It is also recommended that the following four (4) firms provide Construction Inspection Support Services only:

- Garver, LLC, North Little Rock, AR
- Neel-Schaffer, Inc., Pine Bluff, AR
- Parson Brinckerhoff, Inc., Dallas, TX
- Parsons Transportation Group Inc., Memphis, TN

MOTION

On February 27, 2013, the Commission approved four (4) firms to provide the On-Call Right of Way Acquisition Services. On March 25, 2013, The Citadel Real Estate Services indicated that they could not comply with the requirements in the Department's agreement and requested to be withdrawn from consideration as an on-call consultant. Commissioner Robert S. Moore, Jr. moved, Commissioner Tom Schueck seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the next highest ranked firm Briggs Field Services, Inc. of Houston, Texas to provide On-Call Right of Way Acquisition Services.

MOTION

Vice Chairman John Burkhalter moved, Commissioner Robert S. Moore, Jr. seconded and the motion passed to authorize the Staff to enter into negotiations with the firm of Friday, Eldredge & Clark, LLP of Little Rock, AR to provide Bond Counsel Services for the Connecting Arkansas Program (0.5% Sales Tax Program).

MOTION

Director Bennett presented a request from Arkansas State Representative Tommy Wren and the IZARD County Judge David Sherrell proposing a State Highway and City Street Swap in the City of Melbourne. The swap would result in portions of State Highways 289 and 69B becoming the maintenance responsibility of IZARD County. LaCrosse Road would become the maintenance responsibility of the Department. Commissioner Robert S. Moore, Jr. moved, Vice Chairman John Burkhalter seconded and the motion passed to agree to the proposed swap subject to the Director having successful negotiations with local officials regarding the cost for upgrading the portion of roadway to be added to the state highway system to state highway standards. The negotiated proposal will be presented to the Commission for final approval.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the March 2013 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Commissioner Dick Trammel introduced Mike Malone, President and CEO of the Northwest Arkansas Council. Mike Malone gave a brief introduction and then introduced Susan Barrett, Chair of the Northwest Arkansas Infrastructure Workgroup in furtherance of the Greater Northwest Arkansas Development Strategy. Ms. Barrett made a presentation on the Responsible Investment in Infrastructure (RIT) An Innovative Model to Leverage Federal Dollars. Also in attendance were Kip Guthrie and Steven Beam.

Director Bennett gave a report on issues that affected the Commission and the Department during the 89th General Assembly.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The current transportation legislation, Moving Ahead for Progress in the 21st Century (MAP-21), was signed on July 6, 2012. MAP-21 authorized funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed a Joint Resolution that appropriated federal funding through March 27, 2013. The Consolidated and Further Continuing Appropriations Act, 2013 (PL 113-6) was signed by the President on March 26, 2013. The legislation appropriates transportation funding through September 30, 2013.

Randy Ort, Public Information Coordinator, gave a presentation on the *I-Plan: Investing in Infrastructure Improvements for Arkansas – A Communications and Marketing Plan*. With the passage of the 2011 Interstate Rehabilitation Program and the 2012 Connecting Arkansas Program, there will be a significant amount of construction on our highway system in the coming years. In order to provide accurate, adequate, and timely information to the public, Department staff has developed the *I-Plan*. This plan also includes the development and presentation of information to the public to show the Commission's and the Department's accountability for the responsibilities that we have been given. A Minute Order approving the Plan was submitted and approved.

Director Bennett recognized the Department for receiving the 2012 Perpetual Pavement Award for U. S. 82, Section 2 in Lafayette County. This award honors asphalt pavements that were designed and built with outstanding care and exceptional quality. The result is a long-lasting pavement, one that serves the traveling public well, provides true value to the taxpayers, and demonstrates both the convenience and the quality of asphalt pavement.

2013-046

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., April 17, 2013.

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 17, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

June 5, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, June 5, 2013. Members present were:

John Ed Regenold, Chairman
John Burkhalter, Vice Chairman
Dick Trammel, Member
Thomas B. Schueck, Member
Robert Moore, Jr., Member

2013-047 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., June 5, 2013.

2013-048 WHEREAS, the Purchasing Committee has awarded purchases on April 3, 18, 22 and 29, 2013, and May 7 and 15, 2013, in the amount of \$97,950.00, \$2,512,117.08, \$544,200.75, \$414,296.04, \$146,408.00, and \$138,193.50, respectively, totaling \$3,853,165.37, 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.

2013-049 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.

2013-049 - Continued

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

2013-050

WHEREAS, the Arkansas State Highway and Transportation Department operates an IBM mainframe computing environment supporting administrative, financial and operational management systems; and

WHEREAS, finding qualified support staff to maintain and operate this system as existing employees retire from the workforce has become increasingly difficult; and

WHEREAS, the department operates a modern Microsoft server computing environment which present staff have the skill sets to support; and

WHEREAS, consolidating onto fewer hardware, database and application development platforms will reduce complexity, simplify operations and lower costs while improving efficiency and providing better access to department data; and

WHEREAS, migrating these resources will require the conversion of over 1.3 million lines of programming code, millions of archival database records, and several thousand computer files produced in-house over a number of decades; and

WHEREAS, transformation technology and services are available under current state contract to assist with this effort.

NOW THEREFORE, the Director is authorized to proceed with the migration of the IBM mainframe to a Microsoft server platform.

2013-051

WHEREAS, median cable barriers have been proven to be an effective and economical treatment on divided highways to reduce crossover crashes; and

2013-051 - Continued

WHEREAS, Arkansas' Strategic Highway Safety Plan (2013) identified the installation of median cable barriers as a strategy to address roadway departure crashes; and

WHEREAS, a statewide median crossover crash analysis has been completed; and

WHEREAS, the analysis identified various locations in the State that would benefit from the installation of median cable barriers; and

WHEREAS, this work 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 the locations shown on the attached list as funds become available.

2013-052

WHEREAS, the Southeastern Association of State Highway and Transportation Officials (SASHTO) distributes excess funds each year from its annual conference to member states as a scholarship program to support engineering curriculum and scholarship assistance to students in engineering; and

WHEREAS, the Arkansas State Highway and Transportation Department (AHTD) is a member state of SASHTO, and regularly receives distributions to be used in a manner consistent with the purposes of SASHTO; and

WHEREAS, there are unassigned SASHTO scholarship funds available at the University of Arkansas and additional scholarship program funds have now been received from the most recent SASHTO host state.

NOW THEREFORE, the Director is hereby authorized to transfer all unassigned scholarship funds and all additional scholarship funds as they become available to the AGRTC/AHTD Scholarship Program and to enter into an appropriate agreement with the AGRTC for the administration of these funds.

2013-053

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 purpose of the policy is to provide procedures whereby sign owners may obtain permits from the Department to restore the visibility to their signs from adjacent State Highway controlled pursuant to the Regulations for the Control of Outdoor Advertising.

WHEREAS, revisions are needed for clarification and for the efficient administration of the policy.

WHEREAS, the proposed revisions were set forth for public comment from February 6, 2013 to March 8, 2013, and a public hearing was held on these proposed changes on March 8, 2013, during which time written public comments were made a part of the hearing record and oral public comments were received and considered.

WHEREAS, the proposed Policy has incorporated some of the public comments into the revised Policy and a copy of the proposed changes has been attached to this Order.

NOW THEREFORE, having considered the revisions and the public comments, 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.

2013-054

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 2012; and

WHEREAS, Minute Order 2012-097 authorized the solicitation of applications for the available SRTS Program funding for Federal Fiscal Year 2012; and

2013-054 - Continued

WHEREAS, the Department and the Arkansas SRTS Advisory Committee have reviewed and developed funding recommendations for the applications that were submitted.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements and contracts with the projects' sponsors for the implementation of the projects included in the attached list.

2013-055

WHEREAS, IN BENTON COUNTY, the City of Bentonville realigned a portion of Highway 112, Section 2 under the Southwest "I" Street South Improvements Project; and

WHEREAS, the newly constructed roadway is open to traffic; and

WHEREAS, the bypassed portion of Highway 112, Section 2 is no longer needed for highway purposes.

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 bypassed portion of Highway 112, Section 2 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 112, Section 2.

2013-056

WHEREAS, IN BENTON COUNTY, Minute Order 2009-175 authorized a study to determine the need for and feasibility of a proposed overpass of the Kansas City Southern Railway, which is located on Highway 43, east of Highway 264 in the City of Siloam Springs; and

WHEREAS, the Highway 43 Railroad Overpass Feasibility Study has been prepared and has identified several feasible improvement alternatives to enhance safety and facilitate traffic flow.

2013-056 - Continued

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

2013-057 WHEREAS, IN CLARK COUNTY, Minute Order 2012-075 authorized a study to determine the need for and feasibility of a bypass of the City of Arkadelphia; and

WHEREAS, the Arkadelphia Bypass Study has been prepared and has identified several feasible improvement alternatives to enhance safety and facilitate traffic flow.

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

2013-058 WHEREAS, IN LONOKE COUNTY, Minute Order 2003-034 adopted the North Cabot Interchange Study for use as a guide for future project development; and

WHEREAS, the study recommends construction of a new Highway 67 interchange and a new location connection to Highway 367 as illustrated on the attached sketch; and

WHEREAS, the citizens of Cabot approved a sales and use tax bond issue that will provide an estimated \$9,500,000 for the purpose of developing and constructing this improvement; and

WHEREAS, the City of Cabot desires to partner with the Department in funding this improvement.

NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the City of Cabot and to proceed with surveys, plans and construction for this improvement as funds become available.

2013-059 WHEREAS, Menifee, by Resolution 2013-04, has acknowledged Highway 64 through Menifee as the “Frank W Smith Highway”; and

2013-059 - Continued

WHEREAS, the Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2009-033, and the actions taken by Menifee meet these guidelines.

NOW THEREFORE, the Director is authorized to allow the installation of signs along Highway 64 in each direction at the limits of Menifee in accordance with Commission Policy.

2013-060

WHEREAS, the Conway City Council, by Resolution R-13-18, has acknowledged Highway 60 between Exchange Avenue and South German Lane to be named after Conway Police Officer Will McGary who was killed in the line of duty; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2009-033, and the City's requests meets these guidelines.

NOW THEREFORE, the Department is hereby authorized to allow the installation of one sign in each direction commemorating this section of highway as the "Officer Will McGary Memorial Highway" in accordance with Commission Policy.

2013-061

WHEREAS, the Lincoln County Quorum Court, by Resolution 2012-12 has acknowledged the bridge over Interstate 530 currently under construction at the interchange with Highway 11 south of Star City as the "Leslie Leon Bennett Bridge"; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative monuments or signs by Minute Order 2009-033, and the County's request meets these guidelines.

NOW THEREFORE, the Department is hereby authorized to mount a metal plaque in an appropriate location at this bridge in accordance with Commission Policy.

2013-062

WHEREAS, the existing Fulton County Area Headquarters facility located in Salem on Highway 9 was constructed in 1958; and

WHEREAS, at this existing location, insufficient area is owned to properly accommodate the necessary maintenance activities; and

WHEREAS, relocation of this facility has been a priority for the Department for several years.

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, as funds become available.

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

2013-063

WHEREAS, the existing Randolph County Area Headquarters facility located in Pocahontas on Highway 115 was constructed in 1957; and

WHEREAS, at this existing location, insufficient area is owned to properly accommodate the necessary maintenance activities; and

WHEREAS, relocation of this facility has been a priority for the Department for several years.

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, as funds become available.

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

2013-064

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the June 5, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110502	01	LEE	CYPRESS CORNER-NORTH (S)	1	Y
110595	01	MONROE	HWY. 70-SOUTH (OVERLAY) (S)	49	Y

2013-064 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110596	01	WOODRUFF & CROSS	AUGUSTA-EAST (SEL. SECS.) (OVERLAY) (S)	64	Y
020509	02	ASHLEY	HWY. 165 STR. & APPRS. (MONTROSE) (S)	82	Y
020557	02	DREW	HWY. 278-SANDY CREEK (OVERLAY) (S)	35	Y
020558	02	DESHA	HWY. 65-CANAL NO. 43 (SEL. SECS.) (OVERLAY) (S)	165	Y
030436	03	HEMPSTEAD & LAFAYETTE	LEWISVILLE-NORTH & SOUTH (SEL. SECS.) (MILL & INLAY) (S)	29	Y
030437	03	HEMPSTEAD	MCNAB-FULTON (OVERLAY) (S)	355	Y
040650	04	WASHINGTON	HWYS. 71B & 16 (FAYETTEVILLE) (SEL. SECS.) (OVERLAY) (S)	71B & 16	Y
040651	04	FRANKLIN	HWY. 64-NORTH (OVERLAY) (S)	23	Y
040652	04	CRAWFORD	N. HAM TOWN RD.-EAST & WEST (MULBERRY) (OVERLAY) (S)	64	Y
FS5030	05	INDEPENDENCE & JACKSON	HWY. 14-SOUTH (S)	367	Y
FS5031	05	INDEPENDENCE	IZARD CO. LINE-SOUTH (S)	69	Y
050232	05	WHITE	HWY. 367-HWY. 67 (BEEBE) (S)	367S	Y
050290	05	VARIOUS	DISTRICT 5 BRIDGE PAINTING (PHASE I) (2013) (S)	VAR	Y
050296	05	STONE	ROCKY BAYOU-WEST (SEL. SECS.) (OVERLAY) (S)	14 & 66	Y
050300	05	SHARP	SAND HOLE RD.-SOUTH (OVERLAY) (S)	115	N
050301	05	IZARD	HWYS. 9 & 9S (SEL. SECS.) (OVERLAY) (S)	9 & 9S	Y
061388	06	PRAIRIE	WHITE RIVER BRS.SCOUR REPAIR (I-40 & HWY. 38) (PRAIRIE CO.) (S)	40 & 38	Y
061405	06	PRAIRIE	I-40-NORTH (OVERLAY) (S)	11	Y
061406	06	LONOKE	HWY. 165-HWY. 70 (OVERLAY) (S)	15	N
070363	07	CLARK	HWY. 53-HWY. 51 (REHAB.) (S)	8	Y
070404	07	UNION	EL DORADO BYPASS (OVERLAY) (S)	82	Y

2013-064 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
070405	07	BRADLEY	CALHOUN CO. LINE-EAST (SEL. SECS.) (OVERLAY) (S)	278	Y
FS8035	08	CONWAY	VAN BUREN CO. LINE-SOUTH (S)	9	Y
FS8036	08	POPE	HWY. 64-NORTH (S)	105	Y
FS8037	08	CONWAY	HWYS. 213 & 92 (SEL. SECS.) (S)	213 & 92	Y
080479	08	JOHNSON	I-40-WEST (OVERLAY) (S)	64	Y
080480	08	YELL	ENNIS CREEK-NORTH (OVERLAY) (S)	27	Y
090339	09	BOONE	MAIN ST. SIGNALS REHAB. (PH. I) (HARRISON) (S)	7 & 65B	Y
090394	09	NEWTON	JASPER-SOUTH (SEL. SECS.) (OVERLAY) (S)	7	Y
090395	09	BENTON	HWY. 59-EAST & WEST (OVERLAY) (S)	12	Y
BB1003	10	MISSISSIPPI	HWY. 181-HWY. 158 (F)	55	Y
100653	10	CRAIGHEAD & MISSISSIPPI	MONETTE BYPASS-MANILA (S)	18	Y
100796	10	GREENE	HWYS. 49 & 358 (SEL. SECS.) (OVERLAY) (S)	49 & 358	Y
100797	10	CLAY	CORNING-EAST (OVERLAY) (S)	62	Y
100798	10	CRAIGHEAD	HWY. 49-HWY. 63B (OVERLAY) (S)	18	Y
100799	10	LAWRENCE	SOUTH C.L. IMBODEN-NORTH (OVERLAY) (S)	63	Y
SA0352	09	BAXTER	HWY. 178-CO. RD. 396 (RESEAL) (S)	---	-
SA0644	07	BRADLEY	HERMITAGE C.L.-NORTH (LEVELING & RESEAL) (S)	---	-
SA0757	07	CALHOUN	HWY. 274-SOUTHWEST (SURFACING) (S)	---	-
SA0848	09	CARROLL	HWY. 23-WEST (REPAIR & RESEAL) (S)	---	-
SA0938	02	CHICOT	HWY. 65-SOUTHWEST (RECONSTRUCTION) (S)	---	-
SA1056	07	CLARK	HWY. 8-CO.RD. 58 RESEAL (S)	---	-
BR1112	10	CLAY	WHITE WALNUT CREEK STR. & APPRS. (S)	---	-

2013-064 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA1442	07	COLUMBIA	COLUMBIA COUNTY RESEAL NO. 19 (S)	---	-
SA1658	10	CRAIGHEAD	CRAIGHEAD CO. SURFACING NO. 28 (SEL. SECS.) (S)	---	-
SA1767	04	CRAWFORD	ZION RD.-NORTH OVERLAY (S)	---	-
SA2449	04	FRANKLIN	CO. RD. 64 (SEL. SEC.) (RESEAL) (S)	---	-
SA2742	02	GRANT	HWY. 167-I-530 FRONTAGE RD. (RESEAL) (S)	---	-
SA3266	05	INDEPENDENCE	INDEPENDENCE CO. SURFACING NO. 13 (SEL. SECS.) (S)	---	-
SA3267	05	INDEPENDENCE	CO. RD. 79-HWY. 25S OVERLAY (SEL. SECS.) (S)	---	-
SA3645	08	JOHNSON	JOHNSON CO. BASE & SURFACING (SEL. SECS.) (S)	---	-
SA3729	03	LAFAYETTE	STAMPS C.L.-COLUMBIA CO. LINE (RESEAL) (S)	---	-
SA4133	03	LITTLE RIVER	COUNTY ROAD 11 SURFACING (SEL. SEC.) NO. 2 (S)	---	-
SA4643	03	MILLER	MILLER CO. SURFACING NO. 2 (SEL. SECS.) (S)	---	-
SA5344	08	PERRY	HWY. 300-EAST (SEL. SEC.) (LEVEL & RESEAL) (S)	---	-
SA5734	04	POLK	POLK COUNTY LEVELING AND RESEAL NO. 3 (SEL. SECS.) (S)	---	-
SA6250	06	SALINE	NARROWS RD. OVERLAY (SEL. SEC.) (S)	---	-
SA7288	04	WASHINGTON	HWY. 45-NORTH (OVERLAY) (S)	---	-
SA7289	04	WASHINGTON	CO. RD. 48 OVERLAY (SEL. SEC.) (S)	---	-
SA7384	05	WHITE	HWY. 31-WEST (BASE & SURFACING) (S)	---	-
SA7530	08	YELL	HWY. 27-WEST (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.

Commission Chairman John Ed Regenold brought up the first order of business, the previous Commission Minutes of April 17, 2013. The Minutes were approved without discussion.

MOTION

Director Bennett gave a brief summary of the history of the Restore Sign Visibility Policy (RSVP). The Department is currently operating under an RSVP that was adopted in 2006, and is proposing revisions to this policy. Connie Gray, a citizen and sign owner, was present at the meeting and was given 10 minutes to present her comments. After discussion, a motion was made by Commissioner Robert Moore, and seconded by Commissioner Dick Trammel, and passed unanimously to approve the RSVP, as presented by Staff, with Section 4.1 revised to include the following penalties for violation of permit provisions:

MOTION - Continued

- If RSVP permit provisions are violated, the first offense shall be a fine of up to a maximum of \$10,000 and/or the surrendering of the State Billboard permit for that sign, subject to the right to an Administrative Hearing. A second violation from the same sign owner shall result in the State Billboard permit for that sign being revoked, subject to the right to an Administrative Hearing, and the denial of any future requests for RSVP permits from that sign owner.

MOTION

Commissioner Dick Trammel moved, Commissioner Tom Schueck seconded and the motion passed unanimously to approve the 2013-2014 AHTD Operating Budget as presented by Department Staff, including funds for lump sum performance (merit) bonuses if authorized later in the year.

MOTION

Vice Chairman John Burkhalter moved, Commissioner Tom Schueck seconded and the motion passed unanimously to enter into Executive Session at 11:37 a.m. to discuss the Director's performance evaluation and salary.

MOTION

Commissioner Dick Trammel moved, Vice Chairman John Burkhalter seconded and the motion passed unanimously to reconvene at 11:55 a.m. Commissioner Tom Schueck moved, Commissioner Dick Trammel seconded and the motion passed unanimously to increase Director Scott Bennett's annual salary to \$165,022.00, and to request the Director to undertake an evaluation of the need for and impact of salary level adjustments for staff as follows:

- Executive level staff under the parameters of the 2013-2014 budget
- Remaining positions for consideration in subsequent budget cycles

Authorization was also given to the Director to engage the services of a consultant to assist in the salary evaluation if necessary.

OTHER DISCUSSION ITEMS

Larry Dickerson, Chief Fiscal Officer, provided the April 2013 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the increase in the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed the Consolidated and Further Continuing Appropriations Act, 2013, which provides transportation funding through September 30, 2013.

Director Bennett recognized the Department for receiving the Quality in Construction Award that Recognizes Excellence in Asphalt Pavements for 2012 presented to Rogers Group, Inc., Conway, AR, for the I-40-South (Russellville Bypass) Hwy. 247.

Director Bennett recognized the Department for receiving the Quality in Construction Award that Recognizes Excellence in Asphalt Pavements for 2012 presented to Rogers Group, Inc., Conway, AR, for the Highway 285 from Highway 65 to Highway 92(S).

2013-065

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:40 p.m., June 5, 2013.

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 5, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

July 24, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 24, 2013. Members present were:

John Ed Regenold, Chairman
John Burkhalter, Vice Chairman
Dick Trammel, Member
Thomas B. Schueck, Member
Robert Moore, Jr., Member

2013-066 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., July 24, 2013.

2013-067 WHEREAS, the Purchasing Committee has awarded purchases on June 11, 19 and 24, 2013, and July 11, 2013, in the amount of \$1,007,013.00, \$5,095,286.23, \$315,058.42, and \$175,675.60, respectively, totaling \$6,593,033.25, 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.

2013-068 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, many Highway Police officers are currently equipped with body armor vests that are reaching an age where the manufacturer's five (5) year warranty is set to expire and replacement of the body armor's ballistic panels is recommended.

2013-068 - Continued

NOW THEREFORE, the Director is authorized to purchase body armor for Highway Police officers utilizing funds of the Highway Police Division.

2013-069

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 four (4) Safety Auditors assigned to vehicles that travel statewide to conduct new entrant safety audits; and

WHEREAS, one hundred percent (100%) federal funding is available through the aforesaid grant program that provides vehicles to the AHP Safety Auditors as the Department's guidelines for passenger vehicle replacement dictate.

NOW THEREFORE, the Director is authorized to purchase up to four (4) replacement vehicles for statewide use by the AHP Safety Auditors utilizing FMCSA federal grant funds as replacement becomes warranted.

2013-070

WHEREAS, the Moving Ahead for Progress in the 21st Century (MAP-21) includes special provisions related to the Highway Safety Improvement Program (HSIP); and

WHEREAS, the HSIP is a core Federal-aid program with the purpose of achieving a significant reduction in traffic fatalities and serious injuries; and

WHEREAS, MAP-21 broadened the list of eligible safety activities to include projects that maintain minimum levels of retroreflectivity of traffic signs and pavement markings; and

WHEREAS, the minimum levels of retroreflectivity are established in the latest edition of the Manual on Uniform Traffic Control Devices.

2013-070 - Continued

NOW THEREFORE, the Director is authorized to identify projects that will increase safety by upgrading pavement markings and signs to meet or exceed current Federal regulations; and

FURTHERMORE, the Director is authorized to proceed with plans and construction of these HSIP projects as funds become available.

2013-071

WHEREAS, the collection of accurate traffic information is necessary for planning, designing, and maintaining highways; and

WHEREAS, the Department has entered into contracts to provide necessary traffic data since 2002; and

WHEREAS, work performed under these contracts has proven beneficial by providing innovative data collection techniques and supplementing in-house capabilities, allowing the Department's field personnel to perform other critical tasks; and

WHEREAS, the current contract is set to expire on December 31, 2013.

NOW THEREFORE, the Director is authorized to engage the services of a consultant to provide necessary traffic data for the three calendar years 2014 through 2016.

2013-072

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.

2013-073

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Amendment No. 91 to the Constitution of the State of Arkansas ("Amendment 91") and an election held on November 6, 2012, to issue State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds, in the aggregate principal amount of not to exceed \$1,300,000,000 (the "Bonds") for the purpose of constructing and improving four-lane state highways; and

WHEREAS, the Commission proposes to offer for sale a series of the Bonds in the maximum aggregate principal amount of \$496,500,000 (the "Series 2013 Bonds"); and

WHEREAS, the Commission is required, pursuant to Amendment 91, to present to the Governor a written report that includes (a) the highway construction and improvements to be financed, in whole or in part, with proceeds of the Series 2013 Bonds (the "Highway Improvements"); (b) the estimated cost of the Highway Improvements; (c) the amount of Series 2013 Bonds necessary to finance the Highway Improvements; and (d) the estimated amount of debt service required to pay the Series 2013 Bonds.

NOW THEREFORE:

1. The Bond Financing Report to the Governor (the "Report"), in substantially the form submitted to the Commission in this meeting, is hereby approved.
2. The Director is hereby authorized to present the Report to the Governor and to request that the Governor, by proclamation, authorize the Commission to proceed with the issuance of the Series 2013 Bonds.

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Amendment No. 91 to the Constitution of the State of Arkansas and an election held on November 6, 2012, to issue State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds, in the aggregate principal amount of not to exceed \$1,300,000,000 (the "Bonds") for the purpose of constructing and improving four-lane state highways; and

WHEREAS, the Commission proposes to offer for sale a series of the Bonds in the maximum aggregate principal amount of \$496,500,000 (the "Series 2013 Bonds"); and

WHEREAS, the Commission will prepare and distribute an Official Notice of Sale requesting bids for the purchase of the Series 2013 Bonds; and

WHEREAS, the Commission will prepare and distribute a Preliminary Official Statement relating to the Series 2013 Bonds.

NOW THEREFORE:

1. The Series 2013 Bonds shall be offered for sale on electronic bids on the date to be specified in the Official Notice of Sale. The Director, after consultation with Stephens Inc., as Financial Advisor, and Friday, Eldredge & Clark, LLP, as Bond Counsel, is authorized to select a date for the sale, which date is expected to be September 10, 2013, and to review the bids from prospective purchasers of the Series 2013 Bonds as they are received pursuant to the Official Notice of Sale and to accept the bid having the lowest true interest cost or to reject all bids, as the Director, in his sole discretion, shall determine.
2. The preparation and distribution of an Official Notice of Sale and Preliminary Official Statement for the Series 2013 Bonds is hereby approved. The Chairman or Director, or one or both of them, are authorized to approve these documents. The signature of the Chairman or the Director on such documents conclusively establishes his approval thereof.

3. The Director is delegated by the Commission the authority to deem final, for purposes of Rule 15c2-12 issued by the Securities and Exchange Commission, the Preliminary Official Statement for the Series 2013 Bonds at such time and in such form as is required by such Rule.
4. The Chairman and Director, or one or both of them, are hereby authorized to execute the documents approved herein; to take such other actions and to approve such other documents as are, in their judgment, necessary or appropriate in order to prepare for the sale of and to sell the Series 2013 Bonds; to authorize the preparation of a Final Official Statement for the Series 2013 Bonds, to execute the Final Official Statement and to deliver copies of the same to the low bidder in accordance with the Official Notice of Sale; to authorize the preparation of a General Resolution providing for the issuance of General Obligation Four-Lane Highway Construction and Improvement Bonds; to authorize the preparation of a Series Resolution prescribing the terms and provisions of the Series 2013 Bonds; and to accomplish the intent of this Minute Order, the General Resolution and the Series Resolution.

2013-075

WHEREAS, IN SALINE COUNTY on Hwy. 5 in Bryant, an original contract dated October 12, 2011, was awarded to Southern State Construction for Job No. 061228, FAP No. STP-9061(4), Hwy. 5 Drainage Structure (Bryant) (S); and

WHEREAS, the Contractor has failed to comply with contract requirements in regard to paying a subcontractor for work completed and accepted on this project; and

WHEREAS, the Contractor has failed to complete punch list items of work in order to complete the project for acceptance.

NOW THEREFORE, IT IS AUTHORIZED that the original contract be terminated, the Contractor be placed in default in accordance with Subsection 108.08 of the Standard Specifications, and the Deputy Director and Chief Engineer coordinate with North American Specialty Insurance Co., as Surety on the contract bond, to arrange for completion of the project in accordance with the plans and specifications and in compliance with the terms and conditions of the contract.

2013-076

WHEREAS, the Commission acquired in fee property known as Tract No. 46 from Timothy D. Hicks and Caren J. Hicks, for Job No. 090002, Bear Creek Springs – Burlington (U. S. Highway 65) Boone County, Arkansas, by Warranty Deed, dated May 18, 2004, filed for record June 3, 2004, in the Circuit Clerks Office of Boone County, Arkansas; and

WHEREAS, Tract No. 46 was acquired for ELEVEN THOUSAND FOUR HUNDRED EIGHTY-EIGHT AND NO/100 DOLLARS (\$11,488.00); and

WHEREAS, Omaha Rural Fire Association, Inc., has asked to purchase a portion of Tract No. 46; Timothy D. Hicks and Caren J. Hicks have assigned their right under Arkansas Code Annotated 27-67-322(b) to reacquire a second portion of Tract No. 46 to Omaha Rural Fire Association, Inc.; and the District Engineer for District Nine has determined that that specific second portion of Tract No. 46 be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said second portion of Tract No. 46 being more particularly described as follows:

PROPERTY LINE OF RELOCATED U. S. HWY 65 AND FOLLOWING SAID NORTH SIDE OF FARMERS LANE N 79° 43' 54" W 67.31 FEET TO A SET ½ INCH IRON PIN WITH CAP MARKED PS 881 ON THE EAST SIDE OF EXISTING ROAD KNOWN AS MYSTIC DRIVE, THENCE LEAVING SAID NORTH SIDE OF FARMERS LANE AND FOLLOWING SAID EAST SIDE OF MYSTIC DRIVE N 06° 34' 01" E 90.72 FEET TO A SET ½ INCH IRON PIN WITH CAP MARKED PS 881 TO POINT OF CURVE, THENCE WITH SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 45° 09' 31", A RADIUS OF 122.97 FEET, AN ARC LENGTH OF 96.92 FEET, WITH A LONG CHORD OF N 16° 00' 45" W 94.43 FEET TO A SET ½ IRON PIN WITH

CAP MARKED 881 ON THE EAST LINE OF SAID SE ¼ OF THE SE ¼ OF SAID SECTION 17, THENCE LEAVING SAID EAST SIDE OF MYSTIC DRIVE AND FOLLOWING EAST LINE OF SAID SE ¼ OF THE SE ¼ OF SAID SECTION 17 N 01° 39' 03" E 136.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.96 ACRES MORE OR LESS AND SUBJECT TO EXISTING EASEMENTS, ROAD RIGHT OF WAYS AND CONTROL OF ACCESS.

This conveyance is subject to controlled access highway regulations and as a part of the consideration for the conveyance of the above-described lands to Grantees from Grantor the Grantees release and relinquish to the Grantor all abutter's existing, future and potential common law or statutory right of access between the main thoroughfare of such highway facility and the Grantees remaining abutting and contiguous land except that there is reserved and excepted to Grantees, their heirs and assigns, the right of direct access, as prescribed and limited by the regulations and policies of the Arkansas State Highway Commission, to any adjacent frontage road if established and while it may be maintained by proper authority in front of said land; provided that such policies and regulations shall not prohibit entry onto the frontage road from the abutting and adjoining lands, however, there shall be no right of direct access from such frontage road to and from the nearest lane of the thruway or main traveled roadway, but such access shall be only at interchange points as may be established and maintained by proper authority.

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated § 27-67-322(c)(3), opined that the current fair market value of that second portion of Tract No. 46 being offered for sale is FIVE THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$5,750.00).

NOW THEREFORE, BE IT RESOLVED, that the above property, excepting any abutter's and access rights to and from U. S. 65, is declared surplus; upon receipt of the consideration of FIVE THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$5,750.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Omaha Rural Fire Association, Inc.; 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 Funds from this disposal shall be credited to the Federal Funds.

WHEREAS, the Commission acquired in fee property known as Tract No. 48 from Lora Fern Flippo, Trustee of the Lora Fern Flippo Family Trust, dated December 23, 1996, for Job No. 090002, Bear Creek Springs – Burlington (U. S. Highway 65) Boone County, Arkansas, by Warranty Deed, dated March 10, 2004, filed for record March 22, 2004, in the Circuit Clerks Office of Boone County, Arkansas; and

WHEREAS, Tract No. 48 was acquired for THIRTY-NINE THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$39,950.00); and

WHEREAS, Omaha Rural Fire Association, Inc., has asked to purchase a portion of Tract No. 48; Lora Fern Flippo, Trustee of the Lora Fern Flippo Family Trust, dated December 23, 1996, has assigned the right under Arkansas Code Annotated 27-67-322 to reacquire a portion of Tract No. 48 to Omaha Rural Fire Association, Inc.; and the District Engineer for District Nine has determined that portion of Tract No. 48 be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said portion of Tract No. 48 being more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP-20-NORTH, RANGE-21-WEST, BOONE COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT A FOUND 3/8 INCH IRON PIN AT THE NORTH-WEST CORNER OF THE SW ¼ OF THE SW ¼ OF SAID SECTION 16, THENCE WITH WEST LINE OF SAID FORTY S 01° 39' 03" W 161.15 FEET TO A FOUND ½ INCH IRON PIN ON THE EASTERLY PROPERTY LINE OF RELOCATED U. S. HWY 65, JOB # 090002, FOR THE POINT OF BEGINNING, THENCE CONTINUE WITH WEST LINE OF SAID FORTY S 01° 39' 03" W 136.36 FEET TO A SET ½ IRON PIN WITH CAP MARKED 881 ON THE EAST LINE OF SAID SE ¼ OF THE SE ¼ OF SAID SECTION 17, THENCE LEAVING SAID EAST SIDE OF MYSTIC DRIVE AND WEST LINE OF SAID FORTY N 27° 57' 06" W 146.88 FEET TO A FOUND ALUMINUM CAP MARKED AHTD BYD PLS 254 N-E AT STATION 454+00 125.00 RT. ON THE EASTERLY PROPERTY LINE OF RELOCATED U. S. HWY 65, JOB # 090002, THENCE WITH SAID EASTERLY PROPERTY LINE OF RELOCATED U. S. HWY 65 N 84° 50' 24" E 73.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.11 ACRES MORE OR LESS AND SUBJECT TO EXISTING EASEMENTS, ROAD RIGHT OF WAYS AND CONTROL OF ACCESS.

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. 48 being offered for sale is SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$650.00).

NOW THEREFORE, BE IT RESOLVED, that the above property, excepting any abutter's and access rights to and from U. S. 65, is declared surplus; upon receipt of the consideration of SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$650.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Omaha Rural Fire Association, Inc.; 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 Funds from this disposal shall be credited to the Federal Funds.

2013-078

WHEREAS, IN PULASKI COUNTY, Minute Order 2009-178 authorized a study to determine the scope of future improvements along the Highway 10 corridor from Interstate 430 in northwestern Little Rock to the west; and

WHEREAS, the Highway 10 Improvement Study has been prepared and has identified feasible improvement alternatives to relieve congestion.

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

2013-079

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the July 24, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110576	01	MONROE & ST. FRANCIS	BRINKLEY-WHEATLEY (PAVEMENT FRICTION IMPVTS.) (S)	40	Y
040279	04	SEBASTIAN	OKLAHOMA STATE LINE-HWY. 22 (SIGNING) (S)	540	Y

2013-079 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
040605	04	WASHINGTON	HWY. 16-PORTER RD. (WIDENING) (S)	540	Y
FS5032	05	WHITE	HWY. 31-HWY. 367 (S)	267	Y
FS5033	05	CLEBURNE	HWY. 25-HWY. 16 (S)	337	N
050245	05	WHITE	HWY. 16/ELM ST. SIGNAL (SEARCY) (S)	16	Y
061407	06	PULASKI	GEYER SPRINGS RD.-65TH ST. (PAVEMENT FRICTION IMPVTS.) (S)	30	Y
061408	06	PULASKI	HWY. 165-FAULKNER LAKE RD. (PAVEMENT FRICTION IMPVTS.) (S)	440	Y
FS8038	08	FAULKNER	HWY. 107-MT. VERNON (S)	36	N
FS8039	08	VAN BUREN	CLINTON-WEST (S)	16	N
080392	08	POPE	NEWTON CO. LINE-SOUTH (PASSING LANE) (S)	7	Y
012166	07 & 06	CLARK & HOT SPRING	ARKADELPHIA-HWY. 283 (PAVEMENT FRICTION IMPVTS.) (S)	30	Y
012175	05 & 08	WHITE & VAN BUREN	WEIGH/INSPECTION PADS (FAYETTEVILLE SHALE) (PHASE I) (S)	VAR	Y
012200	03 & 07	NEVADA & CLARK	PRESCOTT-HWY. 53 (PVMT. FRICTION IMPVTS.) (SEL. SECS.) (S)	30	Y
C01001	02	ARKANSAS	DEWITT MAXWELL AVE. OVERLAY (SEL. SECS.) (S)	---	-
C03001	09	BAXTER	MT. HOME OVERLAY (SEL. SECS.) (S)	---	-
C03002	09	BAXTER	GASSVILLE OVERLAY (SEL. SECS.) (S)	---	-
C05001	09	BOONE	DIAMOND CITY SURFACING & OVERLAY (SEL. SECS.) (S)	---	-
C06001	07	BRADLEY	WARREN W. PINE STREET OVERLAY (SEL. SECS.) (S)	---	-
C14001	07	COLUMBIA	MAGNOLIA OVERLAY (SEL. SECS.) (S)	---	-
C21001	02	DESHA	MCGEHEE STREET IMPVTS. (SEL. SECS.) (S)	---	-
C36001	08	JOHNSON	LAMAR STREET IMPVTS. (SEL. SECS.) (S)	---	-
C38001	10	LAWRENCE	WALNUT RIDGE OVERLAY (SEL. SECS.) (S)	---	-
C45001	09	MARION	BULL SHOALS RIVERCLIFF DRIVE OVERLAY (S)	---	-
SA0134	02	ARKANSAS	ARKANSAS CO. RESEAL NO. 5 (SEL. SECS.) (S)	---	-

2013-079 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA0553	09	BOONE	BOONE COUNTY OVERLAY NO. 4 (SEL. SECS.) (S)	---	-
SA0759	07	CALHOUN	JOLLY CREEK (DRAINAGE & BASE) (S)	---	-
SA1057	07	CLARK	CLARK COUNTY OVERLAY NO. 5 (SEL. SECS.) (S)	---	-
SA2033	07	DALLAS	DALLAS CO. SURFACING (SEL. SECS.) (S)	---	-
SA2034	07	DALLAS	DALLAS CO. OVERLAY (SEL. SECS.) (S)	---	-
SA2449	04	FRANKLIN	CO. RD. 64 (SEL. SEC.) (RESEAL) (S)	---	-
SA2666	06	GARLAND	GARLAND CO. OVERLAY NO. 12 (SEL. SECS.) (S)	---	-
SA3140	03	HOWARD	HWY. 369-EAST NO. 2 (SURFACING) (S)	---	-
SA3541	02	JEFFERSON	OLD WARREN RD. (SEL. SEC.) (OVERLAY) (S)	---	-
SA3848	10	LAWRENCE	HWY. 67-CO. RD. 53 (OVERLAY) (S)	---	-
BR3904	01	LEE	BIG CREEK STR. & APPRS. (S)	---	-
SA4272	04	LOGAN	RACCOON CREEK STR. & APPRS. (S)	---	-
SA5131	09	NEWTON	HWY. 21-NORTH & EAST (BASE) (S)	---	-
SA5552	03	PIKE	CO. RD. 13-EAST (SURFACING) (S)	---	-
SA5640	10	POINSETT	HWY. 149-WEST OVERLAY (SEL. SEC.) (S)	---	-
SA5943	06	PRAIRIE	PRAIRIE COUNTY SURFACING (SEL. SECS.) (S)	---	-
SA5944	06	PRAIRIE	HWY. 302-NORTHWEST (BASE) (S)	---	-
SA6134	10	RANDOLPH	HWY. 166-WEST (OVERLAY) (S)	---	-
SA6135	10	RANDOLPH	RANDOLPH CO. RESEAL NO. 4 (S)	---	-
BR6207	06	SALINE	NORTH FORK SALINE RIVER STRS. & APPRS. (S)	---	-
SA6339	04	SCOTT	SCOTT CO. SURFACING & PVMT. MKGS. (SEL. SECS.) (S)	---	-
SA6437	09	SEARCY	HWY. 65-WEST (OVERLAY) (S)	---	-
SA6731	05	SHARP	NELSONVILLE-SOUTH RECONST. & OVERLAY (S)	---	-
SA6861	01	ST. FRANCIS	ST. FRANCIS COUNTY SURFACING NO. 3 (SEL. SECS.) (S)	---	-
SA6862	01	ST. FRANCIS	HWY. 334-NORTH (OVERLAY) (S)	---	-

2013-079 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA6937	05	STONE	HWY. 66-WEST (OVERLAY) (S)	---	-
SA6938	05	STONE	CO. RD. 28 (MISENHEIMER RD.) BASE & SURF. (SEL. SEC.) (S)	---	-
SA7287	04	WASHINGTON	CO. RD. 70 OVERLAY (SEL. SEC.) (S)	---	-
SA7385	05	WHITE	CO. RD. 26 BASE & SURFACING NO. 2 (SEL. SECS.) (S)	---	-
SA7630	05	STONE & CLEBURNE	STONE CO. LINE NORTH & 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.

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.

Commission Chairman John Ed Regenold brought up the first order of business, the previous Commission Minutes of June 5, 2013. The Minutes were approved without discussion.

MOTION

After a presentation by Pulaski County Judge Buddy Villines, Vice Chairman John Burkhalter moved, Commissioner Tom Schueck seconded and the motion passed unanimously to accept the Judge's proposal for enhancement of the Highway 70 (Broadway) Bridge Replacement Project. Funding for the enhancements will be the Judge's responsibility. These "enhancements" include:

1. Naming sign: America's Bridge – For Those Who Fought For Freedom and Worked For Peace
2. Flags at center of bridge: U. S. Flag with POW/MIA Flag beneath (between the arches on the east side of the bridge) and Arkansas Flag (between the arches on the west side of the bridge)
3. LED lighting
4. "Walk of Honor" with displays on pedestals and on the railings of the bridge for:
 - a. Each branch of the armed services, including the Reserves and the National Guard
 - b. Acknowledgement of all the wars of America
 - c. Recipients of the Congressional Medal of Honor
 - d. POW/MIA
 - e. Peacemakers

MOTION

Commissioner Dick Trammel moved, Vice Chairman John Burkhalter seconded and the motion passed unanimously to authorize the staff to advertise for an auctioneer service to conduct a public auction(s) of used and surplus equipment with the primary sale to be conducted near the end of October 2013, and the subsequent secondary sale(s) to be conducted as necessary on dates mutually agreed to by the selected auction service and the Department.

OTHER DISCUSSION ITEMS

Randy Frazier, Keep Arkansas Beautiful Foundation (KABF), made a presentation on the "2013 Great Arkansas Cleanup" and on the litter control activities of Keep Arkansas Beautiful Commission. A Minute Order was passed authorizing a contribution of \$25,000 to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

Larry Dickerson, Chief Fiscal Officer, provided the June 2013 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources have been down over the last year. State revenue from the natural gas severance tax is also down, and there has been an overall decrease in state highway revenue to the Department compared to last year. Actual state revenue received is slightly up compared to projected (budgeted) revenue for this year.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed the Consolidated and Further Continuing Appropriations Act, 2013, which provides transportation funding through September 30, 2013.

Jerry Holder of Garver Engineers, the Department's Connecting Arkansas Program (CAP) Manager, presented a Draft Project Schedule for the CAP.

Ryan Bowman with Friday Eldredge and Clark, the Department's Bond Counsel for the CAP, made a presentation of the Bond Financing Report. A Minute Order was approved by the Commission to submit the Report to the Governor.

Dennis Hunt and Mark McBryde with Stephens, Inc., the Department's CAP Financial Advisor, presented a Minute Order to the Commission to authorize the Director to accept the best bid for a bond issue, which is proposed for September 10, 2013. The Minute Order was approved.

The Commission approved the proposed 2014 calendar for Commission meetings and bid lettings.

2013-080

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 2:25 p.m., July 24, 2013.

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 24, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

September 11, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 11, 2013. Members present were:

John Ed Regenold, Chairman
John Burkhalter, Vice Chairman
Dick Trammel, Member
Thomas B. Schueck, Member
Robert Moore, Jr., Member

2013-081 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., September 11, 2013.

2013-082 WHEREAS, the Purchasing Committee has awarded purchases on August 6 and 9, 2013, and September 3, 2013, in the amount of \$205,335.00, \$169,848.72, and \$225,975.00, respectively, totaling \$601,158.72, 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.

2013-083 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 the Department; and

2013-083 - Continued

WHEREAS, the Arkansas Good Roads Transportation Council serves as an effective group to provide this information and education.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 to the Arkansas Good Roads Transportation Council for its public information and education services for calendar year 2013.

2013-084

WHEREAS, Arkansas Highway Police patrol units are currently equipped with mobile video recording systems; and

WHEREAS, these systems are critical to officer safety and for documenting traffic stops and other law enforcement related incidents; and

WHEREAS, the current systems have reached an age where they are no longer dependable and remain in a constant state of disrepair.

NOW THEREFORE, the Director is authorized to purchase replacement mobile video recording systems for use in patrol units utilizing funds of the Arkansas Highway Police Division.

2013-085

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has requested participation in the AASHTO's Engineering Technical Service Programs; and

WHEREAS, these programs provide benefits to the member departments through the pooling of resources and expertise from across the country; and

WHEREAS, the benefits include technical services in a wide variety of areas, pooled resources for a common goal, and reducing duplication of effort; and

WHEREAS, these memberships include the Environmental Technical Assistance Program (ETAP); Equipment Management Technical Services Program (EMTSP); Highway Safety Policy and Management Technical Service Program (SAFETY); Load and Resistance Factor Design (LRFD); Bridges and Structures Specification Maintenance (LRFDSM); National Transportation Product Evaluation Program (NTPEP); Technical Service Program to Develop AASHTO Materials Standards (DAMS); Transportation Curriculum Coordination Council (TC3); and Transportation System Preservation (TSP2); and

WHEREAS, these programs are regarded as being highly beneficial to the Department with the means to exchange ideas, information, and best practices with other highway agencies.

NOW THEREFORE, the Director is authorized to utilize State Planning and Research funds to pay annual membership dues for participation in these programs.

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) is coordinating a joint purchase contract for the 2015-2019 Census Transportation Planning Products (CTPP) Voluntary Technical Services Program; and

WHEREAS, the CTPP is a set of data designed by transportation planners using large sample surveys conducted by the Census Bureau, which provides information on demographic characteristics, home and work locations, and journey to work travel flows; and

WHEREAS, this information supports a variety of state, regional, and local transportation policy and planning efforts that include corridor and project studies and environmental analyses; and

WHEREAS, the CTPP Voluntary Technical Services Program not only ensures production and delivery of this important transportation data, but also provides technical assistance, training, outreach, and associated research; and

2013-086 - Continued

WHEREAS, the time and costs necessary to obtain this information will be substantially reduced by participating in this joint purchase contract coordinated by AASHTO; and

WHEREAS, the Federal Highway Administration has confirmed that this activity is eligible for Federal-aid Statewide Planning and Research funding.

NOW THEREFORE, the Director is authorized to participate in the 2015-2019 CTPP Voluntary Technical Services Program joint purchase contract.

2013-087

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, 2011 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, 2013 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, 2011 Edition, and to collaborate with the Department of Finance and Administration to publish 9,500 copies of the Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 2013 Edition, including the Internet agreement.

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Amendment No. 91 to the Constitution of the State of Arkansas and an election held on November 6, 2012, to issue general obligation bonds of the State of Arkansas (the "State") for the purpose of financing four-lane highway improvements; and

WHEREAS, pursuant to Minute Order No. 2013-074, adopted July 24, 2013 ("Minute Order 2013-074"), the Commission authorized the sale of a series of State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds (the "Bonds") in the maximum aggregate principal amount of \$496,500,000; and

WHEREAS, pursuant to a Preliminary Official Statement, dated August 29, 2013, and an Official Notice of Sale, dated August 29, 2013 (the "Notice of Sale"), the Bonds, in the aggregate principal amount of \$495,000,000, were offered for public sale on September 10, 2013; and

WHEREAS, at said sale the bids shown in Exhibit A attached hereto were received by the Commission in the form prescribed by the Notice of Sale; and

WHEREAS, the Commission's Financial Advisor, Stephens Inc., recommended that the lowest and best bid for the Bonds by Bank of America Merrill Lynch (the "Purchaser") be accepted; and

WHEREAS, as authorized by the Notice of Sale, the principal amount of the Bonds to be issued was reduced from \$495,000,000 to \$468,895,000; and

WHEREAS, the purchase price of the Bonds to be paid by the Purchaser is \$493,656,575.56 (including accrued interest);

NOW THEREFORE:

1. The acceptance by the Director of the bid of the Purchaser for the sale of the Bonds as authorized by Minute Order 2013-074 is hereby in all respects ratified and approved.

2. The "General Resolution Providing for the Issuance of the State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit B.

3. The "Series Resolution Providing for the Issuance of the State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds, Series 2013 and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit C.

4. The Chairman and the Director are authorized to execute such writings and take such action as may be appropriate to cause the 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.

5. The Chairman and the Director are hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as they or any of them deem necessary or advisable to provide for the issuance, sale and delivery of the Bonds.

2013-089

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Title 27, Chapter 64, Subchapter 4 of the Arkansas Code of 1987 Annotated and an election held on November 8, 2011, to issue general obligation bonds of the State of Arkansas (the "State") for the purpose of financing improvements to interstate highways in the State; and

WHEREAS, the Commission proposes to offer for sale a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds in the maximum aggregate principal amount of \$200,000,000 (the "Bonds"); and

WHEREAS, the Commission will prepare and distribute an Official Notice of Sale requesting bids for the purchase of the Bonds; and

WHEREAS, the Commission will prepare and distribute a Preliminary Official Statement relating to the Bonds.

NOW THEREFORE:

1. The Bonds shall be offered for sale on electronic bids on the date to be specified in the Official Notice of Sale, which date is expected to be October 29, 2013. The Director, after consultation with Stephens Inc., as Financial Advisor, and Friday, Eldredge & Clark, LLP, as Bond Counsel, is authorized to select a date for the sale and to review the bids from prospective purchasers of the Bonds as they are received pursuant to the Official Notice of Sale and to accept the bid having the lowest true interest cost or to reject all bids, as the Director, in his sole discretion, shall determine.

2. The preparation and distribution of an Official Notice of Sale and Preliminary Official Statement for the Bonds is hereby approved. The distribution thereof are also hereby approved. The Chairman or Director, or one or both of them, are authorized to approve these forms. The signatures of the Chairman or Director on such documents conclusively establish his approval thereof.

3. The Director is delegated by the Commission the authority to deem final, for purposes of Rule 15c2-12 issued by the Securities and Exchange Commission, the Preliminary Official Statement for the Bonds at such time and in such form as is required by such Rule.

4. The Chairman and Director, or one or both of them, are hereby authorized to execute the documents approved herein; to take such other actions and to approve such other documents as are, in their judgment, necessary or appropriate in order to prepare for the sale of and to sell the Bonds; to authorize the preparation of a Final Official Statement for the Bonds, to execute the Final Official Statement and to deliver copies of the same to the low bidder in accordance with the Official Notice of Sale; to authorize the preparation of a Series Resolution prescribing the terms and provisions of the Bonds; and to accomplish the intent of this Minute Order and the Series Resolution.

WHEREAS, IN GRANT COUNTY, the Highway 167 Bypass (Sheridan), is nearing completion.

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 portions of Highway 167, Sections 10 and 11 that were bypassed are hereby redesignated as Highway 167, Sections 10B and 11B.
- The newly constructed portions of roadway are hereby added to the State Highway System as a part of Highway 167, Sections 10 and 11.

2013-091

WHEREAS, IN MILLER COUNTY, in the vicinity of the City of Texarkana, the newly completed Highway 549 is open to traffic; and

WHEREAS, the bypassed portion of Highway 245, Section 1 is no longer needed for highway purposes; and

WHEREAS, the City of Texarkana has adopted City Ordinance M-81 that agrees to accept the bypassed portion of Highway 245, Section 1, beginning at the junction with Arkansas Boulevard and continuing north to the junction with Highway 296, into the City Street 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 245, Section 1, beginning at the junction with Arkansas Boulevard and continuing north to the junction with Highway 296, is hereby removed from the State Highway System.

2012-092

WHEREAS, IN JEFFERSON, CLEVELAND AND LINCOLN COUNTIES, the segment of the Interstate 69 Connector from Pine Bluff to near Star City is nearing completion.

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 newly constructed portions of roadway are hereby added to the State Highway System as a part of Highway 530, Sections 6, 7 and 8.
- The existing portion of Highway 11, Section 2 is hereby redesignated as Highway 11, Section 2 Spur.
- The newly constructed portion of roadway connecting Highway 11, Section 2 to Highway 425 is hereby added to the State Highway System as a part of Highway 11, Section 2.

2013-093

WHEREAS, IN BENTON COUNTY, Minute Order 2013-056 adopted the Highway 43 Railroad Overpass Feasibility Study as a planning guide for scheduling future improvements; and

WHEREAS, the City of Siloam Springs has offered to partner with the Department to expedite construction of this overpass; and

WHEREAS, the City has offered to share in 20 percent of the project cost, not to exceed \$2 million; and

WHEREAS, the City has also offered to assume maintenance of Highway 43 between Highway 264 and Highway 59 upon completion of the project; and

WHEREAS, this project is eligible for Federal Safety funds.

NOW THEREFORE, the Director is authorized to enter into a partnering agreement with the City of Siloam Springs and to proceed with surveys, plans, and construction of a project to construct a Highway 43 overpass of the Kansas City Southern Railroad as funds become available.

2013-094

WHEREAS, IN CRITTENDEN COUNTY, east of the City of Earle, a pavement and crash analysis has been completed on a section of Highway 64, Section 17; and

WHEREAS, a Connecting Arkansas Program (CAP) project is scheduled for late 2015 to widen this segment, which will include reconstructing the existing lanes; and

WHEREAS, based on this analysis it is recommended that the segment from approximately Log Mile 3.8 to Log Mile 6.0 be resurfaced as an interim improvement to maintain pavement condition and enhance traffic safety until the CAP project is let to contract.

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

2013-095

WHEREAS, IN CONWAY, VAN BUREN, AND CLEBURNE COUNTIES, Highway 92 provides essential connectivity for rural communities and for the timber, agricultural, and natural gas industries in the region; and

WHEREAS, the need to resurface the roadway and to replace two weight restricted bridges has been identified; and

WHEREAS, the Department has applied for and received funding from the United States Department of Transportation's Transportation Investment Generating Economic Recovery grant program for these improvements.

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

2013-096

WHEREAS, the Lee County Quorum Court, by Resolution 2013-3 has identified Highway 79 from the Monroe County Line to the Marianna City Limit as the Veterans Memorial Highway; and

WHEREAS, the Highway Commission has adopted guidelines for the installation of these types of commemorative signs by Minute Order 2009-033.

2013-096 - Continued

NOW THEREFORE, the Director is authorized to permit the installation of signs on Highway 79 at the Monroe County Line and the Marianna City Limit naming it the Veterans Memorial Highway in accordance with Commission Policy.

2013-097 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the September 11, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
030416	03	HEMPSTEAD	HWY. 67/HWY. 278B/HERVEY ST. SIGNAL REHAB. (HOPE) (S)	67 & 278B	Y
040279	04	SEBASTIAN	OKLAHOMA STATE LINE-HWY. 22 (SIGNING) (S)	540	Y
050231	05	STONE	MT. VIEW-WEST (PASSING LANE) (S)	66	N
061267	06	PULASKI	W. MAIN ST./HARRIS RD./JACKSONVILLE CUTOFF INTERS. IMPVTS. (JACKSONVILLE) (S)	---	-
061408	06	PULASKI	HWY. 165-FAULKNER LAKE RD. (PAVEMENT FRICTION IMPVTS.) (S)	440	Y
080377	08	YELL	CENTERVILLE-DARDANELLE (PASSING LANE) (S)	7	Y
080470	08	FAULKNER	HWY. 65 SIGNALS COORDINATION (GREENBRIER) (S)	VAR	Y
100806	10	CRAIGHEAD	WEST OF HWY. 349-HWY. 49 (OVERLAY) (S)	VAR	Y
012145	08 & 06	FAULKNER & PULASKI	PALARM CREEK-HWY. 365 (WIDENING) (F)	40	Y
012175	05 & 08	WHITE & VAN BUREN	WEIGH/INSPECTION PADS (FAYETTEVILLE SHALE) (PHASE I) (S)	VAR	Y
C02001	02	ASHLEY	HAMBURG OVERLAY (SEL. SECS.) (S)	---	-
C09001	02	CHICOT	EUDORA STREET IMPROVEMENTS (SEL. SECS.) (S)	---	-
C09003	02	CHICOT	LAKE VILLAGE STREET IMPROVEMENTS (SEL. SECS.) (S)	---	-
C12001	05	CLEBURNE	GREERS FERRY OVERLAY (SEL. SECS.) (S)	---	-

2013-097 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
C16001	10	CRAIGHEAD	BAY & LAKE CITY OVERLAY (SEL. SECS.) (S)	---	-
C21002	02	DESHA	MITCHELLVILLE AND REED STREET IMPVTS. (SEL. SECS.) (S)	---	-
C26001	06	GARLAND	HOT SPRINGS GOLF LINKS RD. OVERLAY (SEL. SECS.) (S)	---	-
C32001	05	INDEPENDENCE	MAGNESS OVERLAY (SEL. SECS.) (S)	---	-
C52001	07	OUACHITA	CAMDEN ADAMS & MAUL STS. OVERLAY (SEL. SECS.) (S)	---	-
C60001	06	PULASKI	LITTLE ROCK MAIN ST. OVERLAY & STRIPING (SEL. SEC.) (S)	---	-
C65001	04	SEBASTIAN	HARTFORD OVERLAY (SEL. SECS.) (S)	---	-
C68001	01	ST. FRANCIS	HUGHES OVERLAY (SEL. SECS.) (S)	---	-
C70001	07	UNION	SMACKOVER LISBON ST. OVERLAY (SEL. SEC.) (S)	---	-
C76001	07	DALLAS & CLEVELAND	FORDYCE & RISON OVERLAY (SEL. SECS.) (S)	---	-
C76002	07	OUACHITA & COLUMBIA	STEPHENS & TAYLOR OVERLAY (SEL. SECS.) (S)	---	-
C76003	07	BRADLEY & CALHOUN	HERMITAGE, BANKS AND HAMPTON OVERLAY (SEL. SECS.) (S)	---	-
C76004	01	CRITTENDEN & CROSS	EARLE, PARKIN & WYNNE STREET IMPVTS. (SEL. SECS.) (S)	---	-
C76005	02	JEFFERSON & ARKANSAS	ALTHEIMER & HUMPHREY OVERLAY (SEL. SECS.) (S)	---	-
BR0404	09	BENTON	OSAGE CREEK STR. & APPRS. (S)	---	-
SA1551	08	CONWAY	HWY. 92-FAULKNER CO. LINE (SURFACING) (S)	---	-
SA2860	10	GREENE	CO. ROAD 34 SURFACING (SEL. SECS.) (S)	---	-
SA2939	03	HEMPSTEAD	HWY. 195-HWY. 73 BASE (SEL. SECS.) (S)	---	-
BR3904	01	LEE	BIG CREEK STR. & APPRS. (S)	---	-
SA4431	09	MADISON	HWY. 16-NORTH OVERLAY (SEL. SEC.) (S)	---	-

2013-097 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA6339	04	SCOTT	SCOTT CO. BASE & PVMT. MKGS. (SEL. SECS.) (S)	---	-
SA6639	03	SEVIER	SEVIER CO. PAVEMENT MARKINGS 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 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.

Scott Bennett recognized Corporal Derek Canard of the Arkansas Highway Police Division for having been named North American Grand Champion at an international safety inspector competition in Salt Lake City, Utah.

Commission Chairman John Ed Regenold brought up the first order of business, the previous Commission Minutes of July 24, 2013. The Minutes were approved without discussion.

MOTION Commissioner Dick Trammel moved, Vice Chairman Robert S. Moore, Jr. seconded and the motion passed unanimously to accept the Staff's recommendation to enter into an agreement with Blackmon Auctions, Inc. to conduct the AHTD's annual equipment auction on October 29, 2013, and any other necessary sale(s) for Fiscal Year 2014.

MOTION Director Scott Bennett gave the Commission an update on the Legislative Meeting held on Tuesday, September 10, 2013 regarding the Restore Sign Visibility Policy (RSVP) process. Commissioner Robert S. Moore, Jr. moved, Vice Chairman John Burkhalter seconded and the motion passed to amend the Department's policy adopted by Motion on June 5, 2013 to remove the \$10,000 fine, until such time the Department is granted specific statutory authority, and add a \$500 fine for each individual offense as currently allowed.

MOTION Director Scott Bennett brought up the letter dated September 9, 2013, that each Commissioner received from Senator Michael Lamoureux, regarding Pope County underground sprinklers/irrigation system on highway right of way. Commissioner Robert S. Moore, Jr. moved, Commissioner Dick Trammel seconded and the motion passed to allow 90 days for Staff to work with Senator Lamoureux in exploring options for developing proposed legislation acceptable to the Commission and the Department as a solution for this matter. The Department will continue to give notice of encroachments, stating that the Department will not be responsible for any damages that occur to those encroachments that are within highway right of way. Director Bennett will coordinate this effort with Senator Lamoureux.

MOTION In order to provide equal access to the Commission for citizens from all areas of the state, Commissioner Robert S. Moore, Jr. moved, and Commissioner Dick Trammel seconded and the motion passed 4-1, to have all appreciation-type events requested to take place at a venue in the Little Rock/North Little Rock metropolitan area while the Commission is in Little Rock for regularly scheduled business meetings. Commissioner Tom Schueck requested that it be noted in the record that he opposed this motion.

MOTION

As a companion motion to the action above, Commissioner Dick Trammel moved, Commissioner Robert S. Moore, Jr. seconded and the motion passed 4-1, for the Commission to attend appreciation-type events in parts of the State outside central Arkansas up to four times a year at times that do not conflict with the Commission's time in Little Rock for regularly scheduled business meetings. Commissioner Tom Schueck requested that it be noted in the record that he opposed this motion.

OTHER DISCUSSION ITEMS

Mike Boyd, Administrative Officer V, Fiscal Services Division, provided the July 2013 update on state highway revenue. Mr. Boyd noted that state highway revenues to the Department from most traditional sources are down for the first month of State Fiscal Year 2014 compared to State Fiscal Year 2013. However, State revenue from the increase in the natural gas severance tax is up, resulting in a slight overall increase in State highway revenue to the Department compared to last year. Actual state revenue received is also slightly up compared to projected (budgeted) revenue for this year. Also, revenue from the 0.5% Sales Tax is down compared to projections from DF&A.

Minute Order 2013-074, adopted on July 24, 2013, authorized the offering of the first series of General Obligation Four-Lane Highway Construction and Improvement Bonds on September 10, 2013. Dennis Hunt Stephens, Inc., the Department's Connecting Arkansas Program Financial Advisor, reviewed the bids from September 10, 2013, and presented a Minute Order to the Commission. The Minute Order was approved finalizing the sale of this first series of bonds.

Director Bennett presented to the Commission the Minute Order to authorize issuing the second series of bonds for the 2011 Interstate Rehabilitation Program in October of 2013. The Minute Order was approved.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FY 2013 and 2014). The House and the Senate passed the Consolidated and Further Continuing Appropriations Act, 2013, which provides transportation funding through September 30, 2013. Director Bennett presented to the Commission a Minute Order regarding the funding received from the United States Department of Transportation's Transportation Investment Generating Economic Recovery (TIGER) grant program for the Highway 92 Roadway Improvement and Bridge Replacements in Conway, Van Buren and Cleburne Counties. The Minute Order was approved.

Director Bennett gave an update on the status of the Bella Vista Bypass and the results of the toll feasibility study.

Director Scott Bennett informed the Commission that it was not a requirement for the Commission to attend Bid Lettings. The Staff will look into how the Commission can be best informed of the bid letting results without attending.

2013-098

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:40 p.m., September 11, 2013.

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 11, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 30, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 30, 2013. Members present were:

John Ed Regenold, Chairman
Dick Trammel, Vice Chairman
Robert Moore, Jr., Member
Frank D. Scott, Jr., Member

2013-099 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., October 30, 2013.

2013-100 WHEREAS, the Purchasing Committee has awarded purchases on September 12, 2013, in the amount of \$492,375.00, 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.

2013-101 WHEREAS, the Department is currently maintaining several Intelligent Transportation System (ITS) devices along the highway system and will be considering adding more devices in the future; and

WHEREAS, the Intelligent Transportation Society of America is an organization that supports research, development and deployment of ITS technologies; and

WHEREAS, membership in this organization would provide a good resource for information to assist the Department in developing and maintaining policies, regulations, standards, and other ITS related matters.

2013-101 - Continued

NOW THEREFORE, the Director is authorized to pay the annual membership fee to ITS America in the amount of \$3,500.00 for the year 2014.

2013-102

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

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

WHEREAS, the Department has received notice that its share of support for Fiscal Year 2014 is \$20,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support for this AASHTO program for Fiscal Year 2014.

2013-103

WHEREAS, the use of automatic and semi-automatic assault-style rifles by the criminal element in this country is ever increasing; and

WHEREAS, it is critical to both officer and public safety that law enforcement is properly equipped to effectively respond to and efficiently confront this increasing threat.

NOW THEREFORE, the Director is authorized to purchase and equip officers of the Arkansas Highway Police Division with semi-automatic rifles utilizing drug asset forfeiture funds of the Division.

2013-104

WHEREAS, the Department owns and operates 97 fueling stations statewide for both gasoline and diesel fuels; and

WHEREAS, all of these fueling stations store these fuels in underground storage tanks (UST) ranging in size from 2,000 gallons to 10,000 gallons; and

WHEREAS, each of the USTs must be monitored for fuel levels, fuel leakage and ground water intrusion per EPA's and ADEQ's regulations requiring leak detection; and

WHEREAS, the monitoring and inventory control at these sites are presently performed and recorded manually; and

WHEREAS, a fully automated tank gauging and inventory control system would eliminate data entry errors and provide a comprehensive statistical inventory control, reconciliation and continuous leak detection monitoring system.

NOW THEREFORE, the Director is authorized to proceed with acquisition and installation of a Real-time Automatic Tank Gauging System.

2013-105

WHEREAS, Federal transportation planning regulations require each State to carry out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process, including the development of a long-range statewide transportation plan and statewide transportation improvement program (STIP), that facilitates the safe and efficient management, operation, and development of surface transportation systems; and

WHEREAS, a key feature of the Moving Ahead for Progress in the 21st Century Act is the creation of performance management requirements to achieve the most efficient investment of Federal transportation funds by establishing national transportation goals, increasing the accountability and transparency of the Federal-aid highway program and improving project decision-making; and

2013-105 - Continued

WHEREAS, the seven national transportation goals for the Federal-aid Highway program include safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays; and

WHEREAS, the need for software and services to enhance project selection decision-making in order to comply with Federal performance management requirements has been identified.

NOW THEREFORE, the Director is authorized to acquire the necessary software and services needed to implement a performance driven transportation project prioritization system.

2013-106

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 2010-131 passed on September 29, 2010, 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 2015 through 2018.

2013-107

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

2013-107 - 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 2014 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.

2013-108

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.

NOW THEREFORE, the Director is authorized to proceed with a resurfacing and rehabilitation program for 2014 in the amount of \$50 million.

2013-109

WHEREAS, the Arkansas State Highway Commission's Standard Specifications for Highway Construction, Edition of 2003, 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.

NOW THEREFORE, the Director, upon receiving written approval of these specifications from the Federal Highway Administration, is authorized to publish the Standard Specifications for Highway Construction, Edition of 2013, and to distribute these manuals in accordance with Department policy at an appropriate cost per copy.

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Title 27, Chapter 64, Subchapter 4 of the Arkansas Code of 1987 Annotated and an election held on November 8, 2011, to issue general obligation bonds of the State of Arkansas (the "State") for the purpose of financing improvements to interstate highways in the State; and

WHEREAS, pursuant to Minute Order No. 2013-089, adopted September 11, 2013 ("Minute Order 2013-089"), the Commission authorized the sale of a series of State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds in the maximum aggregate principal amount of \$200,000,000 (the "Bonds"); and

WHEREAS, pursuant to a Preliminary Official Statement, dated October 22, 2013, and an Official Notice of Sale, dated October 22, 2013 (the "Notice of Sale"), the Bonds were offered for public sale on October 29, 2013; and

WHEREAS, at said sale the bids shown in Exhibit A attached hereto were received by the Commission in the form prescribed by the Notice of Sale; and

WHEREAS, the Commission's Financial Advisor, Stephens Inc., recommended that the lowest and best bid for the Bonds by J.P. Morgan Securities LLC, as representative of a group of underwriters (the "Purchaser"), be accepted; and

WHEREAS, as authorized by the Notice of Sale, the principal amount of the Bonds to be issued was reduced from \$200,000,000 to \$171,465,000; and

WHEREAS, the purchase price of the Bonds to be paid by the Purchaser is \$200,675,103.16 (including accrued interest);

NOW THEREFORE:

1. The acceptance by the Director of the bid of the Purchaser for the sale of the Bonds as authorized by Minute Order 2013-089 is hereby in all respects ratified and approved.

2. The "Series Resolution Providing for the Issuance of the State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds, Series 2013 and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit B.

3. The Chairman and the Director are authorized to execute such writings and take such action as may be appropriate to cause the Bonds to be issued and to cause the proceeds thereof to be deposited and applied as set forth in the Series Resolution.

4. The Chairman and the Director are hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as they or any of them deem necessary or advisable to provide for the issuance, sale and delivery of the Bonds.

2013-111

WHEREAS, IN JEFFERSON COUNTY, a study to determine needed improvements to Highways 270 and 365 Spur from Highway 104 near the City of White Hall to just east of Jefferson Parkway in the City of Pine Bluff has been completed; and

WHEREAS, the Highways 270 and 365 Spur Needs Study has been prepared and has identified a feasible improvement alternative to enhance traffic flow and safety.

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

2013-112

WHEREAS, IN WASHINGTON COUNTY, Minute Order 2010-060 authorized a study to determine needed improvements to Highway 170 from Highway 62 in Farmington to Highway 62 in Prairie Grove; and

WHEREAS, the Highway 170 Improvement Study has been prepared and has identified a feasible improvement alternative to enhance traffic flow and safety.

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

2013-113

WHEREAS, IN CRAIGHEAD COUNTY, on Highway 18, Section 4, local officials from the City of Jonesboro have expressed concerns involving safety and delays at the Burlington Northern Santa Fe (BNSF) Railway crossing; and

WHEREAS, the City is requesting a study to determine the need for and the feasibility of a proposed overpass of the BNSF Railway; and

WHEREAS, the City has expressed interest to partner with the Department to develop a project to improve safety and alleviate delays due to railroad crossing blockage.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of the proposed railroad overpass.

2013-114

WHEREAS, IN PULASKI COUNTY, in the Cities of Little Rock and North Little Rock, Connecting Arkansas Program funding has been committed to widen Interstate 30 from Interstate 530 to Interstate 40; and

WHEREAS, Interstate Rehabilitation Program funding has been committed to rehabilitate Interstate 40 from Interstate 30 to Highway 67; and

WHEREAS, after investigating project delivery options for these improvements, it appears that the design/build method is the most suitable at this time; and

WHEREAS, prior to selecting a design/build team, it is necessary to conduct the necessary environmental analysis and studies; and

WHEREAS, due to the complex nature of these planned improvements, the need for an experienced consultant firm capable of providing the necessary environmental analysis and studies in accordance with the National Environmental Policy Act has been identified.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm, and enter into any necessary contracts and agreements to perform the required environmental studies and documentation for widening Interstate 30 and rehabilitating Interstate 40 as described above.

FURTHERMORE, once the environmental handling is nearing completion, the Director is also authorized to request proposals, select a design/build team, and enter into any necessary contracts and agreements to implement these improvements.

2013-115 WHEREAS, the construction of a new Welcome Center on Highway 49 in Helena-West Helena is nearing completion; and

WHEREAS, the existing Welcome Center located approximately one mile northwest of this new facility has exceeded its service life and will no longer be needed after the opening of the new one.

NOW THEREFORE, the Director is authorized to close the existing Welcome Center 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.

2013-116 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the October 30, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110583	01	CRITTENDEN	INGRAM BLVD.-EAST (SOUTHLAND DR.) (WEST MEMPHIS) (S)	---	-
005836	05	JACKSON	WHITE RIVER STR. & APPRS. (NEWPORT) (S)	367	Y
061267	06	PULASKI	W. MAIN ST./HARRIS RD./JACKSONVILLE CUTOFF INTERS. IMPVTS. (JACKSONVILLE) (S)	---	-
080379	08	MONTGOMERY	OUACHITA RIVER STR. & APPRS. (S)	27	Y
080387	08	CONWAY	OVERCUP CREEK-NORTH & SOUTH GRADE IMPVTS. (S)	95	N
080390	08	VAN BUREN	HWY. 16 EAST-HWY. 65B SOUTH (CLINTON) (S)	65	Y

2013-116 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080395	08	FAULKNER	CONWAY SOUTH INTERCHANGE-HWY. 365 (GRADING & STRS.) (F)	40	Y
090065	09	BENTON	AVOCA-NORTH GARFIELD (S)	62	Y
090331	09	BENTON	WAGON WHEEL RD.-HWY. 264 (WIDENING) (S)	540	Y
100784	10	CRAIGHEAD	HWY. 49/CLINTON SCHOOL RD./WHITLEY RD. SIGNAL (JONESBORO) (S)	49	Y
FA0624	07	BRADLEY	CO. RD. 4-CO. RD. 134 (RECONSTRUCTION) (S)	---	-
SA2939	03	HEMPSTEAD	HWY. 195-HWY. 73 BASE (SEL. SECS.) (S)	---	-
BR3904	01	LEE	BIG 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.

Chairman John Ed Regenold introduced and welcomed Frank D. Scott, Jr. as our new Highway Commissioner.

John Burkhalter and his wife Penny were present at the meeting and the Commission presented him with a Proclamation commissioning him to serve as an Ambassador of Goodwill for the State Highway Commission and the State Highway and Transportation Department. Mr. Burkhalter is seeking a statewide office, and chose to resign from his seat on the Highway Commission, which was effective on October 4, 2013. The Commission also presented him with a letter stating that an official Glock .40 caliber Arkansas Highway Police service pistol had been purchased for him, but had not arrived yet.

Commission Chairman John Ed Regenold brought up the previous Commission Minutes of September 11, 2013. The Minutes were approved without discussion.

MOTION Commissioner Robert S. Moore, Jr. moved and the motion passed unanimously to elect Commissioner Dick Trammel as Vice Chairman of the Arkansas Highway Commission.

MOTION Vice Chairman Dick Trammel moved, Commissioner Robert S. Moore, Jr. seconded and the motion passed unanimously to enter into negotiations with the firm of Kronos Incorporated, Chelmsford, MA, to provide software and services to implement an Applicant Tracking System for the Highway and Transportation Department.

MOTION Commissioner Robert S. Moore, Jr. moved, Vice Chairman Dick Trammel seconded and the motion passed unanimously to enter into negotiations with the firm of The Traffic Group, Inc., Baltimore, MD, for consultant services for Traffic Data Collection Services.

OTHER DISCUSSION ITEMS

Mike Boyd, Administrative Officer V, Fiscal Services Division, provided the September 2013 update on state highway revenue. Mr. Boyd noted that state highway revenues to the Department from most traditional sources are down for the first three months of State Fiscal Year 2014 compared to State Fiscal Year 2013. However, State revenue from the increase in the natural gas severance tax is up, resulting in a slight overall increase in State highway revenue to the Department compared to last year. Actual state revenue received is also slightly up compared to projected (budgeted) revenue for this year. September revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was also lower than projected by the Department of Finance and Administration (DF&A). This revenue source has now come in under DF&A's projections for two of the three months since the tax went into effect.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal years (FYs 2013 and 2014). The House and the Senate passed the Consolidated and Further Continuing Appropriations Act, 2013, which provided transportation funding through September 30, 2013. At this point in time, Congress has not passed an Appropriations Act for FY 2014 (October 1, 2013 – September 30, 2014). However, a Continuing Appropriations Act was signed by the President on October 16, 2013, which extends funding for the Federal-aid Highway and Transit Programs through January 15, 2014.

MAP-21 created the Federal Lands Access Program (FLAP) to provide funds to improve access to Federal lands. These funds are distributed on a competitive basis and eligible applicants include state, local and tribal governments. The first call for applications has been issued, which are due November 7, 2013. Arkansas currently has \$6.2 million available for projects that meet the FLAP criteria. The Department plans to submit an application for improvements to Highway 220 in Crawford and Washington Counties.

Director Bennett reported that the second Strategic Highway Research Program (SHRP2) was authorized by Congress in 2005. In addition to funding research, SHRP2 also provides funding for technical assistance to implement products that are developed by these research efforts. On October 17, 2013, the Department was awarded funds for assistance to implement two products: (1) Railroad – Department of Transportation Mitigation Strategies and (2) Expediting Project Delivery.

In closing, Director Bennett reported the Federal American Recovery and Reinvestment Act of 2009 (ARRA) provided funding to implement “on the shelf” projects to the states. Arkansas received \$367 million of the total \$35.5 billion made available for highway and transit improvements. Deadlines to have these projects under contract and funds expended were July 31, 2010 and September 30, 2013, respectively. Arkansas was one of 16 states successful in meeting these deadlines.

Minute Order 2013-089, adopted on September 11, 2013, authorized the offering of the second series of GARVEE Bonds for the 2011 Interstate Rehabilitation Program on October 29, 2013. Dennis Hunt, Stephens, Inc., reviewed the bids from October 29, 2013, and presented a Minute Order to the Commission. The Minute Order was approved finalizing the sale of this second series of bonds.

Director Bennett gave an update on the status of the 2011 Interstate Rehabilitation Program and the Connecting Arkansas Program.

Randy Ort, Public Information Officer, gave a presentation on the launching of the IDriveArkansas.com website.

Director Bennett informed the Commission that the Department also received national recognition for its Department publication *Arkansas Highways Magazine*. The AHTD won first place in the category of External newsletter at TransComm 2013, the annual meeting for the AASHTO Subcommittee on Transportation Communications.

Director Bennett informed the Commission that the Department received the American Society of Civil Engineers 2013 Outstanding Engineering Project for the Interstate 630/430 Interchange (Big Rock Interchange), Pulaski County, Arkansas.

Director Bennett updated the Commission on the results of the October 29, 2013, equipment auction.

Director Bennett gave a brief update on the status of Highway 67 from Walnut Ridge/Hoxie to the Missouri state line. He stated that the planning study is nearing completion, and a preferred route can only be identified upon completion of the environmental process. Because of timeline restrictions in Federal law, the environmental process typically does not begin until there are funds available for improvements.

2013-117

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:50 a.m., October 30, 2013.

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 30, 2013.

Lindy H. Williams
Commission Secretary

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 11, 2013

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 11, 2013. Members present were:

John Ed Regenold, Chairman
Dick Trammel, Vice Chairman
Thomas B. Schueck, Member
Robert Moore, Jr., Member
Frank D. Scott, Jr., Member

2013-118 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:00 a.m., December 11, 2013.

2013-119 WHEREAS, the Purchasing Committee has awarded purchases on October 30, 2013, and November 15, 2013, in the amount of \$47,980.00, and \$814,945.90, respectively, totaling \$862,925.90, 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.

2013-120 WHEREAS, the Society for Protective Coating (SSPC) is a non-profit association concerned with the use of coatings to protect structures such as bridges; and

WHEREAS, the SSPC develops and publishes industry standards for surface preparation, coating selection, application, and testing, and produces technical manuals, training courses, professional certification programs, and information regarding environmental regulations and health and safety issues that affect the protective coatings industry; and

WHEREAS, the Department's Environmental Division is required to ensure compliance with the Arkansas Department of Environmental Quality, Occupational Safety and Health Administration, and the U. S. Environmental Protection Agency regulations on the removal of lead-based paint and other toxic metals associated with bridge painting projects; and

WHEREAS, a corporate membership in this association would provide a good resource for information to assist the Department in developing and maintaining policies, regulations, standards, technical expertise, and other bridge coatings related matters.

FURTHERMORE, by becoming a corporate member, the Department will receive a reduced price for conference registration and training course fees for Department staff, which will more than compensate the membership dues.

NOW THEREFORE, the Director is authorized to pay the annual membership fee to SSPC for calendar year 2014.

WHEREAS, accurate flood frequency equations to calculate streamflow during floodflow events are needed for the safe and economical design of highway bridges and culverts; and

WHEREAS, the Director was authorized to enter into a cooperative agreement with the U. S. Geological Survey to fund the development of the StreamStats program that provides an improved process of computing stream flow calculations during flooding events; and

WHEREAS, the equations currently being used by the Department were developed by the U. S. Geological Survey in 1995; and

WHEREAS, the U. S. Geological Survey has submitted a proposal to update these equations to incorporate additional rainfall and streamflow data collected since the 1995 equations were published; and

2013-121 - Continued

WHEREAS, to help reduce costs to any single agency, the U. S. Geological Survey has requested that the Department and U. S. Army Corps of Engineers participate in the funding to update the equations that the StreamStats program uses to estimate streamflow for floodflow events in Arkansas.

NOW THEREFORE, the Director is authorized to enter into a cooperative agreement with the U. S. Army Corps of Engineers to perform this study in cooperation with the U. S. Geological Survey. The Department will contribute State funds in the amount of \$150,000 and the U. S. Army Corps of Engineers will contribute an additional \$150,000 toward the program's continued development.

2013-122

WHEREAS, some state highways are posted for weight restrictions below the maximum weight limits allowed by State law; and

WHEREAS, the "Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways" to accommodate non-divisible overweight loads by permit was developed and implemented in 2008; and

WHEREAS, current Maintenance Assessment agreements expire on December 31, 2013 and evaluations have determined that new values for the Roadway Maintenance Assessment payments by the permit applicants are warranted to recover damage costs on the weight restricted highways.

NOW THEREFORE, the Director is authorized to enter into new agreements with permit applicants and to implement the new values for the Roadway Maintenance Assessment schedule. The new agreements shall be in effect until December 31, 2014.

2013-123

WHEREAS, Arkansas' Strategic Highway Safety Plan (2013) (SHSP) is based on a Toward Zero Deaths (TZD) vision and strategy to significantly reduce roadway fatalities in Arkansas; and

WHEREAS, the SHSP was adopted by Arkansas Highway Commission Minute Order 2013-022; and

2013-123 - Continued

WHEREAS, the SHSP identified educational public outreach campaigns to raise awareness of TZD and work zone safety issues; and

WHEREAS, this work is eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to enter into agreements with Arkansas State Police and other safety partners to begin a TZD and work zone safety outreach campaign in Arkansas as funds become available.

2013-124

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 required that each state develop a Statewide Intermodal Long Range Plan and this requirement has been reiterated in subsequent Federal-aid highway legislation; and

WHEREAS, Moving Ahead for Progress in the 21st Century (MAP-21) requires the development and use of performance measures in the Statewide Intermodal Long Range Plan; and

WHEREAS, MAP-21 further encourages states to develop a State Freight Plan; and

WHEREAS, on-call consultant services have been found to be an effective method of providing additional expertise and capacity to Department staff planning efforts.

NOW THEREFORE, the Director is authorized to request proposals, select consulting firms, and enter into any necessary contracts and agreements with firms for on-call planning services as needs are identified.

2013-125

WHEREAS, the scenic beauty of Arkansas appeals to travelers from all over the country, and as a result, tourism is a major factor in the State's economy. Travel and tourism expenditures in Arkansas amount to over \$5.7 billion each year, contributing over \$400 million in state and local taxes. Annual visitation exceeds 23 million travelers, providing direct employment for some 58,600 Arkansans; and

WHEREAS, in cooperation with the Arkansas Department of Parks and Tourism, the Department is responsible for the maintenance of twelve Arkansas Welcome Centers, which are located at strategic points of entry to the state; and

WHEREAS, these Welcome Centers provide information of Arkansas attractions, scenery, events and history to approximately one million travelers annually; and

WHEREAS, it has been determined that the Red River (located near Texarkana) and the Harrison Welcome Centers are in need of replacement; and

WHEREAS, it has also been determined that Tourist Information Centers would further enhance the State's tourism industry by expanding the opportunity to provide visitors with information of Arkansas attractions, scenery, events and history; and

WHEREAS, the most economical location for these proposed Tourist Information Centers would be at the Department's existing Rest Areas, which are located along major travel routes across the State; and

WHEREAS, construction of Welcome Centers and Tourist Information Centers is an eligible use of Federal Transportation Enhancement Program funds.

NOW THEREFORE, the Director is authorized to identify the most appropriate Rest Area locations to be replaced with Tourist Information Centers.

FURTHERMORE, the Director is also authorized to procure the services of architectural firms, and proceed with the design and construction of the Welcome Centers and Tourist Information Centers as funds become available.

2013-126

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 2014 Highway Map.

2013-127

WHEREAS, Minute Order 2010-076 authorized and directed allocation of resources of the Natural Gas Severance Tax to the restoration and maintenance of the highways in the Fayetteville Shale area; and

WHEREAS, there are also weight restricted bridges located within the Fayetteville Shale area that are in need of improvements or replacement; and

WHEREAS, there are some roads outside of this area that need improvements as a result of activity that originated within the Fayetteville Shale area.

NOW THEREFORE, the Director is authorized to allocate resources from the Fayetteville Shale activity to the restoration and maintenance of the highways and bridges in the Fayetteville Shale area, and any other highways impacted by the natural gas exploration within the State.

2013-128

WHEREAS, the Commission acquired right of way for Job No. 7507, more commonly known as Arkadelphia-Hot Spring County Line Reconstruction, U. S. Highway 67, Clark County, Arkansas, by Clark County Court Order dated July 13, 1956, and being recorded in County Court Records of Clark County, AR; and

WHEREAS, the District Engineer for District 7 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 areas of the right of way to be abandoned are more particularly described below:

From designated Centerline Station 232+00 to Station 232+50 of the originally executed Court Order for Job 7507, dated July 13, 1956 and being recorded in County Court Records of Clark County, AR, inclusive of said records shall hereby be revised, for reduction of 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 follows.

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

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
232+00.00	232+50.00	50'	Existing	50'	120'
			R/W		

DJH 1/24/12

NOW THEREFORE, BE IT RESOLVED, that the above described right of way is hereby released to Clark County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Clark 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 acquired right of way for Job No. 3522, more commonly known as Hope-Prescott, State Highway 67, by Hempstead County Court Order dated September 27, 1956, in Book 6, Page 331, as amended by Minute Order Number 78-395, and being recorded in County Court Records of Hempstead County, AR; and

WHEREAS, the District Engineer for District 3 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 shall be revised, for reduced right of way on the left;

From designated Centerline Station 57+84.72 to Station 67+57.99 of the originally executed Court Order for Job 3522, dated September 27, 1956 and being recorded in County Court Records of Hempstead County, AR, as amended by Minute Order Number 78-395, inclusive of said records shall hereby be revised, for reduction of Right of Way on the left;

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

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

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
57+84.72	59+76.50	191.78	Var 50-5.71	100	Var 150-105.71
59+76.50	60+73.13	96.63	Var 5.71-0.81	100	Var 105.71-100.81
60+73.13	61+69.56	96.43	Var 0.81-(-3.49)	100	Var 100.81-96.51
61+69.56	62+65.82	96.26	Var (-3.49)-(-7.19)	100	Var 96.51-92.81
62+65.82	63+62.21	96.39	Var (-7.19)-(-0.28)	100	Var 92.81-99.72
63+62.21	64+58.23	96.02	Var (-0.28)-7.54	100	Var 99.72-107.54
64+58.23	65+57.96	99.73	Var 7.54-17.35	100	Var 107.54-117.35
65+57.96	66+57.97	100.01	Var 17.35-27.18	100	Var 117.35-127.18
66+57.97	67+57.99	100.02	Var 27.18-37.00	100	Var 127.18-137.00
67+57.99	67+94.16	36.17	Var 37.00-36.94	100	Var 137.00-136.94

D.H. 10/17/13

NOW THEREFORE, the above described right of way is hereby released to Hempstead County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order with the Recorder of Hempstead 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 acquired in fee property known as Tract No. 1XR1 from Lilian Bern and Anthony F. Catroppa and Colleen Catroppa, for Job No. 040489, Highway 112 Spur-North(Garland Ave. Fayetteville), Washington County, Arkansas, by Warranty Deed, dated August 25, 2011, filed for record August 25, 2011, in the Circuit Clerk's Office of Washington County, Arkansas; and

WHEREAS, Tract No. 1XR1 was acquired for TWENTY-ONE THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$21,650.00); and

WHEREAS, David Wilson, has asked to purchase Tract No. 1XR1; Lilian Bern and Anthony F. Catroppa and Colleen Catroppa have assigned their right under Arkansas Code Annotated 27-67-322(b) to reacquire Tract No. 1XR1 to David Wilson; and the District Engineer for District Four has determined that Tract No. 1XR1 be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said Tract No. 1XR1 being more particularly described as follows:

Part of the Southeast Quarter of the Northeast Quarter of Section 8, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Commencing at a point being used as the North Sixteenth Corner of Section's 8 and 9; thence North 86° 57' 46" West along the North line of the Southeast Quarter of the Northeast Quarter of Section 8 a distance of 32.38 feet to a point on the Westerly right of way line of State Highway 112 as established by AHTD Job 9248; thence South 02° 43' 10" West along said right of way line a distance of 704.05 feet to a point on the Northeasterly prescriptive right of way line of Mount Comfort Road as established by the City of Fayetteville right of way Affidavit dated October 22, 2010; thence North 87° 16' 50" West along said right of way line a distance of 4.68 feet to a point; thence North 18° 42' 09" West along said right of way line a distance of 67.63 feet to a point on the Westerly right of way line of State Highway 112 as established by AHTD Job 040489 to the POINT OF BEGINNING; thence continue North 18° 42' 09" West along said right of way line a distance of 67.30 feet to a point; thence North 23° 32' 48" West along said right of way line a distance of 49.01 feet to a point; thence North 31° 19' 43" West along said right of way line a distance of 31.93 feet to a point on the Southerly right of way line of relocated Mount Comfort Road as established by AHTD Job 040489; thence North 79° 07' 29" East along said right of way line a distance of 40.39 feet to a point;

thence South 36° 06' 30" East along said right of way line a distance of 54.11 feet to a point on the Westerly right of way line of Arkansas State Highway 112 as established by AHTD Job 040489; thence South 07° 51' 50" West along said right of way line a distance of 100.80 feet to the point of beginning and containing 0.10 acres or 4,330 square feet more or less as shown on plans prepared by the AHTD referenced as Job 040489.

WHEREAS, the tract is being acquired for the purchase amount paid by the Commission of TWENTY-ONE THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$21,650.00), in accordance with the requirements of Arkansas Code Annotated § 27-67-322(c)(1).

NOW THEREFORE, BE IT RESOLVED, that the above property, is declared surplus; upon receipt of the consideration of TWENTY-ONE THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$21,650.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to David Wilson; 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 remonumented. Any Federal Funds from this disposal shall be credited to the Federal Funds.

2013-131

WHEREAS, the Commission acquired in fee property known as Tract No. 82XR from Robert K. Davis and Elizabeth K. Davis, for Job No. 050189, Highway 13 Extension, White County, Arkansas, by Warranty Deed, dated October 10, 2012, filed for record November 7, 2012, in the Circuit Clerks Office of White County, Arkansas; and

WHEREAS, Tract No. 82XR was acquired for SEVENTEEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$17,300.00); and

WHEREAS, Bobby and Debbie Allison, have asked to purchase Tract No. 82XR; Robert K. Davis and Elizabeth K. Davis have assigned their right under Arkansas Code Annotated 27-67-322(b) to reacquire Tract No. 82XR to Bobby and Debbie Allison; and the District Engineer for District Five has determined that Tract No. 82XR be declared

surplus is not now, nor in the foreseeable future will be, needed for highway purposes; said Tract No. 82XR being more particularly described as follows:

Part of Lots 1 and 2 of West Rose Estates, part of the Northeast Quarter of the Southwest Quarter and part of the Northwest Quarter of the Southeast Quarter all being in Section 7, Township 7 North, Range 7 West, White County, Arkansas, more particularly described as follows:

Commencing at a point being used as the Center Quarter Corner of Section 7, thence North $88^{\circ}56'57''$ West along the North line of the Northeast Quarter of the Southwest Quarter of Section 7 a distance of 91.02 feet to a point on the Westerly right of way line of Arkansas State Highway 13 as established by AHTD Job 050189 for the POINT OF BEGINNING; thence South $36^{\circ}24'12''$ East along said right of way line a distance of 53.44 feet to a point; thence South $07^{\circ}53'58''$ West along said right of way line a distance of 32.00 feet to a point; thence South $07^{\circ}53'58''$ West along said right of way line a distance of 180.15 feet to a point; thence South $16^{\circ}00'01''$ West along said right of way line a distance of 74.03 feet to a point on the Easterly right of way line of Honey Hill Road as established by the Plat of West Rose Estates recorded in Plat Book 166, Pages 548-550; thence North $00^{\circ}40'14''$ East along said right of way line a distance of 250.79 feet to a point; thence North $88^{\circ}24'40''$ West a distance of 40.01 feet to a point; thence North $00^{\circ}40'14''$ East a distance of 128.18 feet to a point on the Southern right of way line of Arkansas State Highway 36 as established by AHTD Job 050100; thence South $85^{\circ}47'13''$ East along said right of way line a distance of 13.04 feet to a point on the Easterly right of way line of Arkansas State Highway 13 as established by AHTD Job 050189; thence South $36^{\circ}24'12''$ East along said right of way line a distance of 68.08 feet to the point of beginning and containing 13,674 square feet more or less as shown on plans prepared by the AHTD referenced as Job 050189.

WHEREAS, three (3) qualified appraisers have, in accordance with the requirements of Arkansas Code Annotated § 27-67-322(c)(3), opined that the current fair market value of Tract No. 82XR being offered for sale is FIFTEEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$15,300.00).

NOW THEREFORE, BE IT RESOLVED, that the above property, is declared surplus; upon receipt of the consideration of FIFTEEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$15,300.00), the Chairman of the Commission is authorized and directed to execute a quitclaim deed conveying the above described property to Bobby and Debbie Allison; 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 the Federal Funds.

2013-132

WHEREAS, IN VAN BUREN COUNTY, three projects are scheduled to widen Highway 65 between south of Bee Branch and Dennard; and

WHEREAS, the Bee Branch Water Association and Dennard Water Association have water lines within the Department's right-of-way that need to be relocated before these widening projects can be implemented and the cost for this utility relocation is non-reimbursable; and

WHEREAS, it has been verified that neither the Bee Branch nor the Dennard Water Associations have the available funds or the customer base to generate the funds needed for this work; and

WHEREAS, at the Commission's January 9, 2013 meeting, a motion was approved that allowed the Department to consider alternative methods to offset non-reimbursable costs for small water associations in order to prevent the delay or cancellation of important highway improvements; and

WHEREAS, one option to offset the cost of non-reimbursable utility relocation is to coordinate with local officials and transfer State Highway mileage to local governments for future maintenance responsibilities; and

WHEREAS, the Van Buren County Quorum Court has agreed to assume maintenance responsibility for Highways 330 and 336 as described in Van Buren County Court Order No. 2013-50; and

WHEREAS, removal of these routes from the State Highway System is considered adequate compensation for the non-reimbursable utility costs as described above.

NOW THEREFORE, the Director is authorized to proceed with the non-reimbursable utility relocation at no cost to the Bee Branch and Dennard Water Associations for the Highway 65 widening projects.

FURTHERMORE, 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 Exhibit "A".

- Highway 330, Section 1 is hereby removed from the State Highway System.
- Highway 336, Section 1 is hereby removed from the State Highway System.

WHEREAS, IN CRAIGHEAD COUNTY, on Highway 49, Section 3, and on Highway 351, Section 2, the City of Jonesboro has expressed concerns regarding congestion and safety; and

WHEREAS, the City has requested a study to determine the need for and feasibility of improvements to facilitate current and future traffic flow and enhance safety along these routes.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to the following routes:

<u>Route</u>	<u>Termini</u>
Highway 49	Highway 351 North - Highway 91
Highway 351	Highway 49 - North

2013-134

WHEREAS, IN PULASKI AND LONOKE COUNTIES, from approximately Main Street in the City of Jacksonville to Highway 5 in the City of Cabot, a pavement analysis has been completed on Highway 67, Sections 10 and 11; and

WHEREAS, two Connecting Arkansas Program (CAP) projects are scheduled for mid-2016 and early 2019 to widen this segment, which will include reconstructing the existing lanes; and

WHEREAS, based on this analysis, it is recommended that a project to patch and grind portions of this segment of Highway 67 be implemented as an interim improvement to enhance ride quality and maintain pavement condition until the CAP projects are let to contract.

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

2013-135

WHEREAS, the Department continues to upgrade or replace some building facilities as they reach or exceed their expected life span; and

WHEREAS, the Planning Division building was one of the first buildings constructed in 1962 for the Department at its current location on I-30 at Baseline Road; and

WHEREAS, the electrical system, the HVAC system and many other features of the building are in dire need of improvement or replacement; and

WHEREAS, the Planning Division building continues to serve as office space for approximately sixty employees.

NOW THEREFORE, the Director is authorized to proceed with required work to renovate the Planning Division building. The work is to be done by contract forces as a Building Project.

2013-136

WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the December 11, 2013 letting;

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
BB0108	01	CRITTENDEN	HWY. 77-I-55 (F)	40	Y
030388	03	MILLER	BROAD ST. STR. & APPRS. (TEXARKANA) (S)	71	Y
BB0412	04	WASHINGTON	JOHNSON MILL BLVD. INTCHNG. IMPVTS. (S)	540	Y
040569	04	WASHINGTON	WEST FORK WHITE RIVER STR. & APPRS. (FAYETTEVILLE) (S)	16	Y
061094	06	PULASKI	BASELINE RD.-J.E. DAVIS DR. (SCOTT HAMILTON DR.) (L.R.) (S)	---	-
061267	06	PULASKI	W. MAIN ST./HARRIS RD./JACKSONVILLE CUTOFF INTERS. IMPVTS. (JACKSONVILLE) (S)	---	-
090269	09	BENTON	CHERRY ST.-MT. OLIVE ST. (KENWOOD ST.) (SILOAM SPRINGS) (S)	---	-
100678	10	CRAIGHEAD	HWY. 226-HWY. 49 (BS. & SURF.) (S)	226	Y
100711	10	GREENE	HWY. 49-HWY. 412 EAST (BS. & SURF.) (S)	412	Y

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 Tom Schueck moved, Commissioner Frank S. Scott, Jr. seconded and the motion passed to approve the Minutes of October 30, 2013.

OTHER DISCUSSION ITEMS

A brief discussion was made regarding a review of the current conditions of the highway department buildings around the state (including the Central Office Main Complex), but no formal action was taken.

Larry Dickerson, Chief Fiscal Officer, provided the November 2013 update on state highway revenue. Mr. Dickerson noted that state highway revenues to the Department from most traditional sources are down for the first five months of State Fiscal Year 2014 compared to State Fiscal Year 2013. However, State revenue from the increase in the natural gas severance tax is up, resulting in a slight overall increase in State highway revenue to the Department compared to last year. Actual state revenue received is also slightly up compared to projected (budgeted) revenue for this year. November revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was also lower than projected by the Department of Finance and Administration (DF&A). This revenue source has now come in under DF&A's projections for four of the five months since the tax went into effect.

Director Bennett provided the latest information on the Federal highway and transit funding issues. The President signed Moving Ahead for Progress in the 21st Century (MAP-21) on July 6, 2012, authorizing funding for the final two months of FY 2012 plus two full fiscal

years (FYs 2013 and 2014). The House and the Senate passed the Consolidated and Further Continuing Appropriations Act, 2013, which provided transportation funding through September 30, 2013. At this point in time, Congress has not passed an Appropriations Act for FY 2014 (October 1, 2013 – September 30, 2014). However, a Continuing Appropriations Act was signed by the President on October 16, 2013, which extends funding for the Federal-aid Highway and Transit Programs through January 15, 2014.

The Highway Trust Fund (HTF) that supports Federal highway and transit investments is expected to have insufficient cash to meet all of its funding commitments, resulting in steadily accumulating shortfalls in Federal Fiscal Year 2015 (10/1/2014 through 9/30/2015). This means states may not be able to obligate – or commit – almost any new Federal highway funds that year, potentially representing a 99.5 percent drop from FY 2014 (i.e., \$40 billion to \$0.2 billion). This situation could also impede Federal reimbursements to states on existing obligations, leading to serious cash flow problems for states. In fact, in the current fiscal year, some states are already cutting back on their Federally-supported capital projects in order to stabilize and protect their cash flow.

Director Bennett gave a brief update on the status of the 2011 Interstate Rehabilitation Program (IRP) and the Connecting Arkansas Program (CAP).

Director Bennett reported that The Research Advisory Committee (RAC) to the American Association of State Highway and Transportation Officials' Standing Committee on Research (SCOR) awarded its 2013 Sweet Sixteen High Value Research Projects at the AASHTO Annual Meeting, held in October in Denver. AHTD received the award for the construction of a roller compacted concrete pavement research test section in the Fayetteville Shale play area.

Director Bennett reported that the Arkansas State Highway and Transportation Department was recognized by the Association of Transportation Safety Information Professionals (ATSIP) 2013 Traffic Records Form for Best Practices in Traffic Records.

Chairman Regenold recognized Frank Vozel, Jr., Deputy Director and Chief Engineer, and his retirement from the Department after 43 years. Randy Ort read a Proclamation honoring his distinguished career.

2013-137

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:25 a.m., December 11, 2013.

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 11, 2013.

Lindy H. Williams
Commission Secretary