ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT LITTLE ROCK, ARKANSAS

May 4, 2016

ADMINISTRATIVE CIRCULAR NO. 2016-06

TO: ALL DIVISION HEADS AND DISTRICT ENGINEERS

We are transmitting herewith for your information and records a copy of the Minutes of the Commission Meetings in Little Rock, AR on April 20, 2016.

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

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Scott E. Bennett Director of Highways and Transportation

c: Commission

MINUTES OF THE MEETING OF THE ARKANSAS STATE HIGHWAY COMMISSION

April 20, 2016

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, April 20, 2016. Members present were:

> Dick Trammel, Chairman Thomas B. Schueck, Vice Chairman Robert S. Moore, Jr., Member Frank D. Scott, Jr., Member Alec Farmer, Member

- 2016-031 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., April 20, 2016.
- 2016-032 WHEREAS, the Purchasing Committee has awarded purchases on February 24, 2016, and March 9 and 23, 2016, in the amount of \$612,521.82, \$445,536.00 and \$334,030.00, respectively, totaling \$1,392,087.82, and supply and service contracts, in accordance with authority previously conveyed, all of which have been documented by official minutes which are of record in the files of the Commission and Equipment and Procurement Division.

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

2016-033 WHEREAS, the Arkansas State Highway and Transportation Department's cartographic services maintain up-to-date and accurate mapping for the State of Arkansas; and

> WHEREAS, the State Highway Map, which is widely requested and used within the Department and by other state agencies and the public, is continually updated as part of this process.

NOW THEREFORE, the Director is authorized to enter into the necessary contracts and agreements for printing the 2016-2017 State Highway Map.

2016-034 WHEREAS, accounting and procurement limitations restrict the authorization of road improvement projects by the District administrative staff to a maximum of \$50,000; and

WHEREAS, road improvement projects costing between \$50,000 and \$100,000 require approval from both the State Maintenance Engineer and the Assistant Chief Engineer for Operations; and

WHEREAS, road improvement projects in excess of \$100,000 from Maintenance funds now require approval by the Highway Commission; and

WHEREAS, these accounting and procurement limitations cause restrictions to the type and scope of road improvement projects the Districts are able to perform with routine Maintenance funds.

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

- Up to \$100,000 District Engineer approval.
- \$100,000 to \$250,000 Special Project Authorization approval by State Maintenance Engineer and Assistant Chief Engineer for Operations.
- Over \$250,000 Highway Commission approval.
- 2016-035 WHEREAS, it is necessary for the Department to conduct various planning studies in order to provide information that is critical to decision makers for developing, operating and managing the transportation system; and

WHEREAS, the Department currently has on-call contracts that have been found to be an effective method of providing additional expertise and capacity to Department staff; and

WHEREAS, the current on-call contracts expire in December 2016.

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.

2016-036 WHEREAS, it is necessary for the Department to provide timely design services for selected projects in order to proceed with construction; and

WHEREAS, in accordance with Minute Order 2011-038 passed on April 13, 2011, the Department currently has on-call contracts with consultants to conduct design services on an as needed basis; and

WHEREAS, these on-call consultant 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 to perform design services on an as needed basis, and enter into any necessary contracts for Calender Years 2017 through 2020.

2016-037 WHEREAS, the Arkansas State Highway Commission (Commission) acquired property in connection with Job No. 009951, Hindsville-Huntsville Bypass Route 412, Madison County, Arkansas, as Tract No. 43 from property owners, Clifton E. Wood and wife, Nancy S. Wood, by Warranty Deed filed for record as Instrument No. L201001068 on May 6, 2010, in the Circuit Clerk's office of Madison County, Arkansas, and by Certification of Trust for the Wood Family Trust, dated September 8, 2010, said assets to be held in a Trust titled as Clifton E. Wood and Nancy Sue Wood, Trustees of the Wood Family Trust filed for record as Instrument No. L201002342 on September 13, 2010, and in the Circuit Clerk's office of Madison County, Arkansas; and

WHEREAS, the Commission acquired Tract No. 43 of Job No. 009951 for ONE HUNDRED SEVENTY-NINE THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$179,750.00); and

WHEREAS, Clifton E. Wood and Nancy Sue Wood, Trustees of the Wood Family Trust have asked the Commission to repurchase a portion of said Tract No. 43 of Job No. 009951, which the District Engineer of District 9 has determined is not now, nor in the foreseeable future will be, needed for highway purposes. However, it is necessary to retain the control of access to that portion of Tract No. 43 of Job No. 009951 being more particularly described as follows:

Part of Tract No. 43

Part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 17 North, Range 26 West, Madison County, Arkansas, being more particular described as follows:

Commencing at an existing 5/8 inch rebar being used as the northeast 1/16th corner of said Section 30; thence North 02°19'21" East along the east line of the Northwest Quarter of the Northeast Quarter of Section 30 for a distance of 245.21 feet to a point on the southerly right of way line of Relocated U.S. Highway 412 as established by AHTD Job 009951 for the POINT OF BEGINNING; thence continue North 02°19'21" East along the east line of the Northwest Quarter of the Northeast Quarter of Section 30 for a distance of 43.42 feet to a point on the southerly right of way line of Relocated U.S. Highway 412 as established by AHTD Job 009951; thence South 80°11'39" East along said right of way line a distance of 155.62 feet to a point on the west line of Tract 43R as established by AHTD Job 009951 and released by Minute Order # 2015-008; thence along said west line and the southerly right of way line of Relocated U.S. Highway 412 as established by AHTD Job 009951 the following courses: thence South 05°19'08" West, a distance of 42.30 feet; thence South 45°00'38" West, a distance of 85.00 feet; thence leaving said West line and continuing along said right of way line, North 44°59'19" West along said right of way line a distance of 52.55 feet; thence along said right of way line on a curve to the

left, having a radius of 713.54 feet for an arc distance of 72.33 feet, a chord bearing of North 48°13'20" West, and a chord distance of 72.30 feet to the point of beginning of the herein described parcel, containing 0.27 acres, more or less (11,733 square feet more or less), as shown on plans referenced as AHTD Job 009951; and Prepared by: DJH Rev 10/12/2015 DJH.

WHEREAS, the Commission acquired in fee property known as Tract No. 45 of Job No. 009951 from the Ruben Ramirez, of lawful age and unmarried, and Jaime Ramirez, of lawful age and unmarried, as joint tenants with right of survivorship, of Job No. 009951, Hindsville-Huntsville Bypass Route 412, Madison County, Arkansas, by Warranty Deed dated November 23, 2009, filed for record on January 20, 2010, as Instrument No. L201000151 in the Circuit Clerk's office of Madison County, Arkansas; and

WHEREAS, the Commission acquired Tract No. 45 of Job No. 009951 for SIX THOUSAND FIVE HUNDRED FIFTY AND NO/100 DOLLARS (\$6,550.00); and

WHEREAS, that Ruben Ramirez and Jaime Ramirez assigned their right to repurchase a portion of Tract No. 45 of Job No. 009951, pursuant to Ark. Code Ann. 27-67-332, to the Wood Family Trust, Clifton Wood, Trustee, and Nancy Wood, Trustee; and

WHEREAS, Clifton Wood, Trustee, and Nancy Wood, Trustee, of the Wood Family Trust, have asked to purchase a portion of Tract No. 45 of Job No. 009951, which the District Engineer of District 9 has determined that portion of Tract No. 45 of Job No. 009951 to be declared surplus is not now, nor in the foreseeable future will be, needed for highway purposes. However, it is necessary to retain the control of access to that portion of Tract No. 45, being more particularly described as follows:

Part of Tract No. 45

Part of the Northwest Quarter of the Northeast Quarter of Section 30, Township 17 North, Range 26 West, Madison County, Arkansas, being more particularly described as follows: Commencing at an existing 5/8 inch rebar being used as the northeast 1/16th corner of said Section 30; thence North 02°19'21" East along the east line of the Northwest Quarter of the Northeast Quarter of Section 30 for a distance of 245.21 feet to a point on the southerly right of way line of Relocated U.S. Highway 412 as established by AHTD Job 009951 for the POINT OF BEGINNING; thence along said right of way line on a curve to the left having a radius of 713.54 feet for an arc distance of 102.06 feet, a chord bearing of North 55°13'23" West and a chord distance of 101.97 feet to a point; thence South 80°11'39" East along said right of way line a distance of 86.78 feet to a point on the east line of the Northwest Quarter of the Northeast Quarter of Section 30; thence South 02°19'21" West along said east line a distance of 43.42 feet to the point of beginning of the herein described parcel, containing 0.04 acres, more or less (1,744 square feet more or less), as shown on plans referenced as AHTD Job 009951; and Prepared by: DJH Rev 10/12/2015 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 those portions of Tract Nos. 43 and 45 of Job No. 009951 being offered for sale in the amount of FOUR HUNDRED AND NO/100 DOLLARS (\$400.00).

NOW THEREFORE, that the above-described properties are declared surplus; upon receipt of the consideration of FOUR HUNDRED AND NO/100 DOLLARS (\$400.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the right, title, interest or equity of the above-described properties those portions of Tract Nos. 43 and 45 of Job No. 009951 to Clifton Wood, Trustee, and Nancy Wood, Trustee, of the Wood Family Trust, and hereby releasing the same from the State Highway System; a copy of this Minute Order and the Quitclaim Deed shall be recorded in Madison County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the boundaries designed herein. Any Federal-Aid Funds from this disposal shall be credited to Federal-Aid Funds or otherwise credited as permitted by Federal law.

2016-038

WHEREAS, Arkansas receives Federal-aid Congestion Mitigation and Air Quality (CMAQ) funds from the Fixing America's Surface Transportation (FAST) Act; 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 2013-037 approved \$197,000 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, 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 \$213,000 for FFY 2017 through FFY 2020, to enter into appropriate interagency agreements, and to participate in coordination activities for air quality planning.

2016-039 WHEREAS, IN SEBASTIAN COUNTY, along Highway 255, Section 3 and Frontier Road from Massard Creek to Highway 22, a distance of approximately 3.01 miles, the need exists for capacity improvements; and

WHEREAS, upon completion of the project, Highway 255 will be rerouted along Frontier Road; and

WHEREAS, the City of Fort Smith, the City of Barling, and the Fort Chaffee Redevelopment Authority have offered to partner with the Department to fund these improvements; and

WHEREAS, the City of Barling has also agreed to accept ownership of Highway 253, Section 1, and the bypassed portion of Highway 255, Section 3 upon completion of the project.

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NOW THEREFORE, the Director is authorized to enter into the necessary agreements with the cities of Fort Smith and Barling and the Fort Chaffee Redevelopment Authority and to proceed with surveys, plans, and construction of this improvement as funds become available.

2016-040 WHEREAS, the Arkansas State Highway Commission will receive bids on the following projects at the May 11, 2016 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
020539	02	ARKANSAS & JEFFERSON	BAYOU METO STRS. & APPRS. (S)	11	Y
030460	03	PIKE	MURFREESBORO (SEL. SECS.) (OVERLAY) (S)	27 & 301	Y
090426	09	BOONE	MAIN ST./BOWER AVE. SIGNAL REHAB. (HARRISON) (S)		
012257	VAR	VARIOUS	ENHANCED STRIPING (DISTS. 1, 5, 6 & 10) (S)	VAR	Y
C04008	09	BENTON	ROGERS DIXIELAND RD. OVERLAY (SEL. SEC.) (S)		-
C05004	09	BOONE	ALPENA OVERLAY (SEL. SECS.) (S)		1.4
C15002	08	CONWAY	MORRILTON OVERLAY (SEL. SECS.) (S)		
C18006	01	CRITTENDEN	GILMORE & TURRELL OVERLAY (SEL. SECS.) (S)		-
C28002	10	GREENE	LAFE & MARMADUKE OVERLAY (SEL. SECS.) (S)		5
C33003	05	IZARD	OXFORD OVERLAY (SEL. SECS.) (S)		<u>.</u>
C38006	10	LAWRENCE	LYNN & STRAWBERRY OVERLAY (SEL. SECS.) (S)	•	12
C56004	10	POINSETT	FISHER OVERLAY (SEL. SECS.) (S)		-
C65006	04	SEBASTIAN	BARLING, HACKETT & HUNTINGTON OVERLAY (SEL. SECS.) (S)		ά.
C67001	05	SHARP	ASH FLAT, CAVE CITY & EVENING SHADE OVERLAY (SEL. SECS.) (S)		
C69001	05	STONE	MOUNTAIN VIEW OVERLAY (SEL. SECS.) (S)		
C72004	04	WASHINGTON	FAYETTEVILLE GREGG AVE. & NORTH ST. REHAB. & OVERLAY (SEL. SECS.) (S)		2

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	JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
	C76029	04 & 03	POLK & SEVIER	COVE, DE QUEEN & WICKES OVERLAY (SEL. SECS.) (S)		2
	C76030	01	ST. FRANCIS & MONROE	CALDWELL, FARGO & ROE OVERLAY (SEL. SECS.) (S)		(#)
	C76037	04 & 09	WASHINGTON & BENTON	SPRINGDALE OVERLAY AND REHAB. (SEL. SECS.) (S)	S	
	C76038	10	RANDOLPH & CLAY	BIGGERS, KNOBEL & RECTOR OVERLAY (SEL. SECS.) (S)		2 8
	SA0939	02	CHICOT	HWY. 160-NORTH (RECONSTRUCTION) (S)	85	3
	SA1355	07	CLEVELAND	CLEVELAND CO. RESEAL NO. 10 (SEL. SECS.) (S)		i j
	SA1838	01	CRITTENDEN	CRITTENDEN CO. OVERLAY NO. 2 (SEL. SECS.) (S)		-
	SA1934	01	CROSS	CROSS COUNTY OVERLAY NO. 3 (S)		
	FA2809	10	GREENE	HWY. 351-WEST (SURFACING) (S)		en e
	SA2943	03	HEMPSTEAD	HEMPSTEAD CO. RD. 7 LEVEL & RESEAL (SEL. SECS.) (S)		×
	SA3142	03	HOWARD	TOLLETTE CITY LIMITS-CO. RD. 3 (LEVELING & RESEAL) (S)		÷1
	SA4136	03	LITTLE RIVER	LITTLE RIVER CO.SURFACING AND RESEAL (SEL. SECS.) (S)		-
	SA4275	04	LOGAN	ST. SCHOLASTICA-NORTH (BASE & SURFACING) (S)	<u>e</u>	3 9 3
:	SA5445	01	PHILLIPS	HWY. 1-EAST (BASE & SURFACING) (S)		-
2	SA6139	10	RANDOLPH	RANDOLPH CO. OVERLAY NO. 5 (SEL. SECS.) (S)	•	67.6
2	SA6439	09	SEARCY	SEARCY COUNTY OVERLAY NO. 9 (SEL. SECS.) (S)		3
5	SA6642	03	SEVIER	HORATIO CITY LIMITS-CO. RD. 15 (LEVEL & RESEAL) (S)		÷
F	FA6713	05	SHARP	SOUTH BIG CREEK STR. & APPRS. (S)		
S	A6733	05	SHARP	HWY. 63-NORTH (OVERLAY) (S)		ž.
S	A6864	01	ST. FRANCIS	CO. RD. 21-CO. RD. 202 (SURFACING) (S)		*

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JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
SA7390	05	WHITE	HWY. 267-CO. RD. 629 (BASE & SURFACING) (S)		<u>;</u> #

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 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 Dick Trammel opened the meeting by asking Craig Douglass, Executive Director of the Arkansas Good Roads Foundation, to introduce their Executive Committee members in attendance. Craig Douglass introduced the following members:

> Jim Wooten, President D. B. Hill III, Vice-President Judge Michael Lincoln Shannon Newton Mark Lamberth

> > - 10 -(Continued)

Harold Beaver Clay McGeorge Bob Crafton, Treasurer, Not present David Morris, Not present

Others present at the meeting that were introduced: Angel Correa, Federal Highway Administration; Steve Ferren, Arkansas Oil Marketers Association; Amy Miller, Asphalt Pavement Alliance; Robert Moery, Governor's Office and his guest Philip Taldo, Governor's Working Group on Highway Funding; Mike Foster, Pickering Firm; L.M. Dunkin, City of Jonesboro; and Alan Meadors, American Concrete Pavement Association.

Chairman Dick Trammel congratulated Tom Schueck and Scott Bennett for being named on the Arkansas Business Power List in Construction and Government, and also Shannon Newton for being named on the list in Transportation.

Chairman Trammel also recognized Director Bennett for being appointed to a four-year term chairing the Standing Committee on Planning with the American Association of State Highway and Transportation Officials.

Randy Ort, Assistant Chief – Administration, introduced the Highway Commissioners to their new iPads. Mr. Ort went over a tutorial so the Commissioners can now view their meeting notebooks and other highway information electronically.

MOTION Commission Chairman Dick Trammel brought up the previous Commission Minutes of March 2, 2016. Commissioner Frank D. Scott, Jr. moved, Vice Chairman Tom Schueck seconded and the motion passed to approve these previous Minutes. MOTION

The Commission approved Minute Order 2015-100 on October 14, 2015, authorizing the Department to advertise for consultant services to inspect the underwater portion of select bridges. Vice Chairman Tom Schueck moved, Commissioner Alec Farmer seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the firm of Infrastructure Engineers, Inc., of Edmond, OK, to provide consultant services to inspect the underwater portion of select bridges.

OTHER DISCUSSION ITEMS

Mike Boyd, Chief Fiscal Officer, provided the March 2016 update on state highway revenue. Mr. Boyd noted that state highway revenues to the Department from traditional sources are up a total of \$9.8 million in the State Fiscal Year (SFY) 2016 compared to the same period for SFY 2015. With the revenue from the Natural Gas Severance Tax coming in significantly lower for this year compared to last year, total revenues available are \$10.4 million lower for this year. Actual state revenue received is \$2.0 million lower compared to projected (budgeted) revenue for this year.

In closing, Mr. Boyd stated that March revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 3.19% higher, (\$451,076) than projected by the Department of Finance and Administration (DF&A). This revenue source has come in higher than DF&A's projections for 6 of the past 9 months, and is cumulatively 0.07%, or \$328,466, over DF&A's projections to date.

Director Bennett provided the latest information on the Federal highway and transit funding issues. Director Bennett noted that the passage of the FAST Act has ensured federal funding for the next five years. Now the issue becomes sufficient state revenue to provide the matching funds required for Federal-aid funds. The Governor has indicated he will call a special session of the legislature following the 2016 fiscal session in order to pass a funding package designed to meet the Department's most immediate needs.

However, any highway package is dependent upon passage of the Governor's "Arkansas Works" changes to the state Medicaid expansion. The policy portion of that bill passed on April 6, 2016 in a special session called by the Governor. The funding for "Arkansas Works", which must pass the House and Senate with a super majority of 75 percent, is under consideration in the fiscal session that began on April 13, 2016. Failure to fund "Arkansas Works" would create an approximate \$100 million shortfall in the state budget, which will result in jeopardizing the Governor's highway plan.

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

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

Director Bennett presented a summary of the apparent low bids and bidders from the March 23, 2016 Bid Letting.

Director Bennett provided a list of upcoming meetings and events, including the May 13, 2016, Searcy Bypass Dedication, and the May 25, 2016, Rural Development Conference in Rogers. Director Bennett presented recent awards that the Department has recently received:

- Rogers Group, Inc. and the Department received a National Asphalt Pavement Association 2015 Quality in Construction Award for the work on Highway 92 between Highway 9 and Highway 16
- Hutchens Construction Group and the Department received a national Asphalt Pavement Association 2015 Quality in Construction Award for the work on Highway 62 between Avoca and North Garfield

Amy Miller, Asphalt Pavement Alliance, presented Director Bennett and D. B. Hill, the 2015 Asphalt Pavement Alliance Perpetual Pavement Award for State Highway 62, Carroll County. This being the 6th Perpetual Pavement Award that AHTD has received.

Robert Phelps, Executive Director, Keep Arkansas Beautiful Commission, ended the meeting by presenting Director Bennett with the 2015 State Agency Partnership Award by Keep America Beautiful.

2016-041 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:35 a.m., April 20, 2016.

> 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 20, 2016.

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Lindy H. Williams Commission Secretary