

**Minutes of the  
ARKANSAS NATURAL RESOURCES COMMISSION  
September 21, 2016**

The regular meeting of the Arkansas Natural Resources Commission was held Wednesday, September 21, 2016 at 9:30 a.m., at UA Batesville Livestock and Forestry Research Station, 70 Experiment Station Drive, Batesville, Arkansas.

Commissioners in attendance were Chairman Mike Carter, Don Richardson, Neal Anderson, Ann Cash, Fred Fowlkes, Sloan Hampton, Jerry Hunton, Bruce Leggitt and Bill Poynter.

Staff members in attendance included: Bruce Holland, Executive Director; Ryan Benefield, Deputy Director; Edward Swaim, Water Resources Division Manager; Mark Bennett, Water Development Division Manager; Adrian Baber, Conservation Division Chief; Cynthia Bearden, Agency Controller; Crystal Phelps, General Counsel; Deanna Ray, Assistant General Counsel; Blake Walters, Land Resource Specialist; Cody Harrington, Land Resource Specialist; Jessica Wallace, Administrative Services Manager and Carla Hill, Executive Assistant.

Chairman Carter called the meeting of the Arkansas Natural Resources Commission to order.

**WATER RESOURCES DEVELOPMENT DIVISION** – Mark Bennett

**Consideration of Resolutions:**

Mr. Bennett presented Resolution 2016-04. Upon motion by Mrs. Ann Cash, second by Mr. Neal Anderson, the Commission unanimously approved the resolution. Upon motion by Mrs. Ann Cash, second by Mr. Fred Fowlkes, Resolution 2016-05 was approved unanimously. (Resolutions 2016-04 and 2016-05 are attached to the minutes.)

Mr. Bennett introduced guests Mr. Daniel Allen, Raymond James Financial, Inc.; Mr. Ryan Bowman, Friday, Eldredge, & Clark LLC; and Ms. Leigh Ann Biernat, Stephens Inc. Mr. Allen and Mr. Bowman explained the market and bond rates for the approved resolutions.

A list of guests is attached to the minutes.

**REPORT OF THE EXECUTIVE DIRECTOR**- Bruce Holland

Mrs. Crystal Phelps, General Counsel, reported Jacksonville has appealed the July 20 Water Plan Compliance Decision. The record has been filed.

Mrs. Deanna Ray, Associate General Counsel, presented staff comments filed with the U.S. Department of Justice in response to the proposed consent decree in *Dan Eoff v. U.S. Environmental Protection Agency*.

**Status Report on Financial Assistance Programs** - Mrs. Cynthia Bearden presented the financial assistance report dated August 31, 2016. (A copy of the report, Attachment "A", is attached to the minutes.)

**APPROVAL OF MINUTES: July 20, 2016**

Upon motion by Mr. Jerry Hunton, second by Mr. Neal Anderson, the Commission unanimously approved the minutes of the July 20, 2016 regular meeting.

**WATER RESOURCES DEVELOPMENT DIVISION** – Mark Bennett

Mr. Bennett presented staff recommendations for the referenced projects below requesting financial assistance from the Clean Water Revolving Loan Fund (CWRLF); Drinking Water State Revolving Fund (DWSRF); Water, Sewer, Solid Waste (WSSW); and the Drinking Water State Revolving Fund (WDF).

Mr. Bruce Leggitt made the motion for A.L. Franks Engineering Inc. to provide explanation of all fees related to the City of Amity and Tulip Princeton Water Authority. Mr. Fred Fowlkes made a second to the motion. Motion was passed unanimously. Upon motion by Mrs. Ann Cash, second by Mr. Bill Poynter, the Commission approved the following applications.

**APPLICATIONS FOR FINANCIAL ASSISTANCE:**

**MOUNTAIN PINE – Garland County (DWSRF-L)**

**Up to \$500,000**

*PURPOSE OF FUNDS: Replace water tank.*

The Commission approved loan funds in an amount up to \$500,000 for the City of Mountain Pine from the Drinking Water State Revolving Fund in accordance with the established funding priorities. The loan repayment schedule will not exceed thirty (30) years. The Executive Director will set the combined annual borrower rate and loan terms. Approval is contingent upon the City establishing and maintaining a depreciation reserve fund.

**NASHVILLE – Howard County (WSSW-L)**

**Up to \$1,133,000**

*PURPOSE OF FUNDS: Add two pumps & 2,300 lf of main to increase pressure & flow to customers and convert disinfection process from gas chlorine to hypochlorite.*

The Commission approved loan funds in an amount up to \$1,133,000 for the City of Nashville from the Water, Sewer and Solid Waste Fund. The loan is for up to twenty (20) years at three and nine-tenths percent (3.9%) interest. An administrative fee in an amount up to \$133,000 is to be retained by the Commission. Approval is contingent upon the City establishing and maintaining a depreciation reserve fund.

**ALICIA – Lawrence County (WSSW-G)**

**Up to \$7,210**

*PURPOSE OF FUNDS: To replace sewer lift pump station.*

The Commission approved grant funds in an amount up to \$7,210 for the City of Alicia from the Water, Sewer & Solid Waste Fund. An administrative fee in an amount up to \$210 is to be retained by the Commission. Approval is contingent upon the City establishing and maintaining a depreciation reserve fund. Funds will be administered by Arkansas Rural Water.

**LITTLE RIVER COUNTY R.D.A. – Little River County (WDF-L)**

**Up to \$103,000**

*PURPOSE OF FUNDS: To replace water pump station media and underdrains.*

The Commission approved loan funds in an amount up to \$103,000 for the Little River County Rural Development Authority from the Water Development Fund. This loan is for up to twenty years (20) at three and nine-tenths percent (3.9%) interest. An administrative fee in an amount up to \$3,000 is to be retained by the Commission. Approval is contingent upon the Authority establishing and maintaining a depreciation reserve fund.

**NAIL-SWAIN W.A. – Newton County (WDF-G)**

**Up to \$25,750**

*PURPOSE OF FUNDS: To repair water line leaks and failed equipment.*

The Commission approved grant funds in an amount up to \$25,750 for the Nail-Swain Water Authority from the Water Development Fund. An administrative fee in an amount up to \$750 is to be retained by the Commission. Approval is contingent upon the Authority establishing and maintaining a depreciation reserve fund.

**CHANGE IN TERMS:**

Upon motion by Mr. Bruce Leggitt, second by Mr. Fred Fowlkes, the Commission approved the following change in terms:

**DELAPLAINE – Greene County (WDF-G)**

**Up to \$82,400**

Transfer the approval of funds by the Commission on July 20, 2016 from the Water Development Fund (WDF) to the Water, Sewer & Solid Waste Fund (WSSW). All other conditions remain the same.

**HUTTIG - Union County (DWSRF-L)**

**Up to \$525,000**

**(DWSRF-PF)**

**Up to 1,575,000**

Add "the repair or replacement of well" as a purpose for the Drinkwater Water Revolving Loan Fund (DWSRF) assistance approved by the Commission on July 20, 2016.

**TURRELL - Crittenden County (WSSW-G)**

**Up to \$154,500**

Add "emergency repair of sewer lines" as a purpose for the Water, Sewer & Solid Waste Fund (WSSW-G) assistance approved by the Commission on May 20, 2015.

**CONSERVATION DIVISION - Adrian Baber**

**Appointments and Reappointments to Conservation District Boards :**

Mr. Adrian Baber presented Conservation District Board Appointments to the Commission. Upon motion by Mr. Neal Anderson, second by Mr. Don Richardson, the Commission unanimously approved the following appointment:

**APPOINTMENT**

Union County

Leodis Williams

Upon motion by Mr. Jerry Hunton, second by Mr. Neal Anderson, the Commission approved the following reappointments:

**REAPPOINTMENTS**

Arkansas County

Sloan Hampton

Garland County

Gene Parker

Johnson County

Jason James

Johnson County

Robert Kimbrough

Ouachita County

Allen Russell

Poinsett County

Jimmy McDonald

Poteau River

Larry Horn

Prairie County

Tim DeVore

For the record, Mr. Sloan Hampton recused himself from the vote.

**Conservation District Director Emeritus:**

Mr. Adrian Baber presented names for approval. Upon motion by Mr. Neal Anderson, second by Mr. Fred Fowlkes, the Commission unanimously approved the following appointments:

Mr. Earl T. Smith, IZARD County

Mr. J. Randy Young, POPE County

**OTHER BUSINESS:**

Dr. Mark Bryan, Columbia County District Director – The Commission heard from Dr. Mark Bryan disagreeing with the Commission for not reappointing Mr. Steve Whitehead to the Columbia County Conservation District. The Commission countered that Mr. Whitehead had fulfilled his appointment term and the Commission was not obligated to reappoint Mr. Whitehead.

**ADJOURN**

There being no further business, Mr. Bill Poynter moved the meeting be adjourned. A second was made by Mr. Neal Anderson.

 FOR  
\_\_\_\_\_  
Bruce Holland  
Executive Director and Secretary

11/16/16  
\_\_\_\_\_  
Date