DAH - HISTORIC PRESERVATION

Enabling Laws

Act 793 of 2007 A.C.A. §13-7-101 et seq. A.C.A. §13-7-501 et seq.

History and Organization

The Arkansas Historic Preservation Program (AHPP) was created by the Arkansas General Assembly in 1969. The mission of the Arkansas Historic Preservation Program is to fulfill the objectives of the National Historic Preservation Act through the identification, preservation, and protection of the cultural resources of the State of Arkansas. The AHPP is charged with "conducting relations with representative of the federal government, the respective offices in other states, governmental units within Arkansas, organizations and individuals with regard to matters of historic preservation including the program carried out under Public Law 89-655 (16 U.S.C. & 470, et seq.)" by Act 480 of 1977 as amended. In 1975 AHPP became a division of the Department of Arkansas Heritage.

Statutory Responsibilities:

The state and federal legislation that jointly set out the AHPP responsibilities specify areas in which the Agency must operate. These include: the development of a plan for the historic, architectural, and cultural resources of the State; the conduct of surveys of those resources; the acceptance of conservation easements on those resources; the preparation of nominations to the National Register of Historic Places; administration of a review procedure for publicly funded undertakings that may affect historic properties within the state; administration of the federal preservation tax incentives program for the state; the provision of technical assistance to historic property owners; and administration of the Certified Local Government program (currently there are 15 CLG cities).

Activities:

The AHPP administers an annual County Courthouse Restoration Grants program, a Historic Preservation Restoration Grants program and a Documentary Media grant program utilizing Real Estate Transfer Tax funds.

The AHPP administers the Main Street Arkansas program and various grant programs. Act 729 of 1987, which established the Arkansas Natural and Cultural Resources Council (ANCRC) and Trust fund, provides funding for operation of Main Street Arkansas and AHPP activities utilizing RETT funds. Also utilizing RETT funds AHPP is administering a Model Business grants program, Slipcover grant program and a Downtown Revitalization grants program for the active Main Street cities. Mail Street Arkansas runs the Arkansas Downtown Network to provide services to a broader audience. Main Street Arkansas also is a key partner in the Rural Heritage Development Initiative, using heritage based economic development to strengthen the economy in the Arkansas Delta. Arkansas was chose in 2006 as one of two national pilots and partners with the National Trust for Historic Preservation and the W.K. Kellogg Foundation in this effort.

The agency also administers the federally funded Certified Local Government (CLG) grant program. A minimum of 10% of the annual federal funds received are required to be passes through to CLG cities under this competitive grant program. In addition, AHPP will supplement the federal funds with RETT funds for these CLG grants.

AHPP personnel visit schools around the state to make presentations on Arkansas's historic resources and also offers a variety of lesson plans. The AHPP provides programming for adult audiences through the agency's popular "Sandwiching in History" and "Walks Through History" tour programs and presentations for historical societies, service organizations, local government meetings and other groups. The AHPP helps sponsor the Arkansas Historic Preservation Conference, which focuses on current issues in preservation, giving attendees the latest information on preservation. The annual conference is sponsored in part by the Historic Preservation Alliance of Arkansas and other preservation organizations.

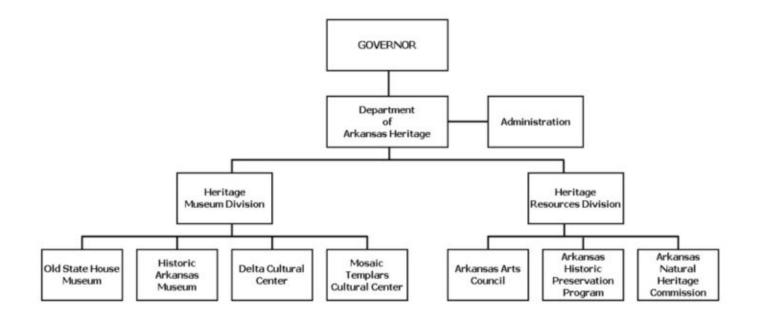
The AHPP's public information efforts include regular press releases to media around the state as well as e-newsletters from both the AHPP and Main Street Arkansas. In addition, <u>www.arkansaspreservation.org</u> includes a wide range of information. The agency also provides educational materials through publications, including studies of specific Arkansas history subjects and a popular series of driving tours based on thematic listings of National Register properties.

The AHPP houses the Arkansas Civil War Sesquicentennial Commission, which seeks to support a statewide observance of the 150th anniversary of the American Civil War between 2011 and 2015. The agency also coordinates the efforts of the Arkansas Civil War Heritage Trail, a group of six regional volunteer organizations that work to identify, protect, interpret and promote Civil War-related properties around Arkansas. The AHPP documents the activities of the regional trail groups in the Arkansas Battlefield Update newsletter.

The AHPP works with the National Park Service and the Trail of Tears Association, as well as with State Historic Preservation Offices in other states, to identify and preserve properties associated with the Cherokee Removal of the 1830s.

Review Committee:

The Arkansas Historic Preservation Program maintains a Review Committee whose members' appointments, qualifications and responsibilities in the administration of the program are in accordance with those defined in 36 CFR 61.4 and Act 1977, #480.



Agency Commentary

See Agency Commentary in DAH - Central Administration.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT AUDIT OF : DEPARTMENT OF ARKANSAS HERITAGE

FOR THE YEAR ENDED JUNE 30, 2007

Findings	Recommendations
Audit findings are reported under DAH-Central Administration.	· · · · · · · · · · · · · · · · · · ·

Employment Summary

	Male	Female	Total	%
White Employees	12	11	23	92 %
Black Employees	0	2	2	8 %
Other Racial Minorities	0	0	0	0 %
Total Minorities Total Employees			2 25	8 % 100 %

Publications

Required for Reason(s) for Continued Publication and Distribution # of Statutory Name Authorization General Copies Governor Assembly None N/A Ν Ν 0 N/A

A.C.A. 25-1-204

Department Appropriation Summary

		н	listorical Da	ta						Ager	ncy Request	and E	xecutive Re	ecomn	nendation			
	2007-20	08	2008-20	09	2008-20	09			2009-20	10					2010-20	11		
Appropriation	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
477 Historic Preservation-Real Estate Trsfer Tax	2,904,265	17	3,000,000	8	0	8	0	8	0	10	0	8	0	8	0	10	0	8
491 Historic Preservation-Federal Program	585,106	8	1,467,425	17	1,308,698	17	1,361,309	17	1,361,309	17	1,361,309	17	1,379,464	17	1,379,464	17	1,379,464	17
960 Hist Pres - Main Street - Cash in Treasury	14,267	0	10,342	0	28,350	0	10,342	0	28,342	0	28,342	0	10,342	0	12,342	0	12,342	0
Total	3,503,638	25	4,477,767	25	1,337,048	25	1,371,651	25	1,389,651	27	1,389,651	25	1,389,806	25	1,391,806	27	1,391,806	25
Funding Sources		%		%				%		%		%		%		%		%
Fund Balance 4000005	14,024	0.4	270	0.0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Federal Revenue 4000020	585,106	16.7	1,467,425	32.8			1,361,309	99.2	1,361,309	98.0	1,361,309	98.0	1,379,464	99.3	1,379,464	99.1	1,379,464	99.1
Cash Fund 4000045	513	0.0	10,072	0.2			10,342	0.8	28,342	2.0	28,342	2.0	10,342	0.7	12,342	0.9	12,342	0.9
Inter-agency Fund Transfer 4000316	2,904,265	82.9	3,000,000	67.0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total Funds	3,503,908	100.0	4,477,767	100.0			1,371,651	100.0	1,389,651	100.0	1,389,651	100.0	1,389,806	100.0	1,391,806	100.0	1,391,806	100.0
Excess Appropriation/(Funding)	(270)		0				0		0		0		0		0		0	
Grand Total	3,503,638		4,477,767				1,371,651		1,389,651		1,389,651		1,389,806		1,391,806		1,391,806	

The FY08 Actual and FY09 Budget exceeds Authorized in the Historic Preservation – Real Estate Transfer Tax appropriation due to a transfer from the Natural and Cultural Resources Council (NCRC) Grant Fund (481) by authority of A.C.A. § 15-12-103 (3).

The Actual number of positions exceeds the Authorized in the Historic Preservation – Real Estate Transfer Tax appropriation due to the flexibility inherent in the authorization of all positions through one salary section in the Agency's appropriation act.

The FY09 Budget exceeds the Authorized in the Historic Preservation – Federal Program due to salary adjustments during the 2007-2009 biennium and a transfer from the Miscellaneous Federal Grant holding account.

The FY08 Actual exceeds the FY09 Budget in the Main Street - Cash in Treasury appropriation due to a reduced level of total cash funding available in FY09.

The Inter-agency Fund Transfer reflects the transfer of Real Estate Transfer Tax funding from the NCRC (Business Area 0887).

Agency Position Usage Report

		FY20	06 - 20	07			FY2007 - 2008						FY200)8 - 20)09		
Authorized		Budgetee	1	Unbudgeted		Authorized						Budgeted		Unbudgeted			
in Act	Filled	Unfilled	Total	Total	Authorized Unused	in Act	Filled	Unfilled	Total	Total	Authorized Unused	in Act	Filled	Unfilled	Total	Total	Authorized Unused
25	25	0	25	0	0.00 %	25	25	0	25	0	0.00 %	25	25	0	25	0	0.00 %

Appropriation: 477 - Historic Preservation-Real Estate Trsfer Tax

Funding Sources: TGP - Natural & Cultural Resources Historic Preservation Fund

This appropriation provides for state grant funding collected from the Real Estate Transfer Tax for Historic Preservation/Main Street Programs. The Director of the Department of Arkansas Heritage is designated as the disbursing officer for grant funding and appropriation provided by the Natural and Cultural Resources Council (NCRC).

According to A.C.A. §15-12-103 (3), "Ten percent (10%) of the net amount [of the Real Estate Transfer Tax, after deducting 3% for the Constitutional Officers Fund] shall be credited to a fund to be known as the 'Natural and Cultural Resources Historic Preservation Trust Fund', to be used by the Council for providing a source of funds for the operation of the state historic preservation program and the 'Main Street' program."

Under this authority, the Natural and Cultural Resources Council is authorized to grant appropriation and funding to the Historic Preservation Program pursuant to special language in Section 36 of Act 793 of 2007 [Appropriation 481]. This authorization entrusts the Director of the Department of Arkansas Heritage to allocate grant appropriation and funding as determined by the conditions of the grant and the state agency.

Base Level includes eight Regular positions and four Extra Help positions. Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study. The salary and matching appropriation for these positions (as well as any supporting operations appropriation) is not reflected on the Appropriation Summary Report for the Historic Preservation-Real Estate Transfer Tax appropriation (477). The appropriation and funding will be transferred from the NCRC-Main Street Program appropriation (481) by authority A.C.A. §15-12-103(3).

The Agency requests the following two additional positions:

- One Grants Coordinator with an annual salary of \$35,554 in FY10 and \$36,372 in FY11. This position will be used to coordinate all of the Agency's grant programs including the Historic Preservation Historic Preservation Restoration Grants, County Courthouse Grants, Documentary Media Grants, Main Street Model Business Grants, Slipcover Grants, Downtown Revitalization Grants and Certified Local Government Grants.
- One Administrative Specialist II with an annual salary of \$21,827 in FY10 and \$22,329 in FY11. This position will serve as a full time receptionist to provide administrative support for the agency.

Appropriation for these positions will come from Real Estate Transfer Tax appropriation transfer authority.

The Executive Recommendation provides for Base Level.

Appropriation Summary

Appropriation:

477 - Historic Preservation-Real Estate Trsfer Tax

Funding Sources: TGP - Natural & Cultural Resources Historic Preservation Fund

		ŀ	listorical Data	3		Agency Red	uest and Exe	cutive Recomn	nendation	
		2007-2008	2008-2009	2008-2009		2009-2010			2010-2011	
Commitment Ite	m	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	742,671	413,644	0	0	0	0	0	0	0
#Positions		17	8	8	8	10	8	8	10	8
Extra Help	5010001	50,151	42,838	0	0	0	0	0	0	0
#Extra Help		4	4	4	4	4	4	4	4	4
Personal Services Matching	5010003	228,629	115,570	0	0	0	0	0	0	0
Operating Expenses	5020002	477,285	493,000	0	0	0	0	0	0	0
Conference & Travel Expenses	5050009	55,543	64,000	0	0	0	0	0	0	0
Professional Fees	5060010	27,028	178,498	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	1,319,506	1,681,450	0	0	0	0	0	0	0
Capital Outlay	5120011	3,452	11,000	0	0	0	0	0	0	0
Total		2,904,265	3,000,000	0	0	0	0	0	0	0
Funding Sources	s									
Inter-agency Fund Transfer	4000316	2,904,265	3,000,000		0	0	0	0	0	0
Total Funding		2,904,265	3,000,000		0	0	0	0	0	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		2,904,265	3,000,000		0	0	0	0	0	0

The FY08 Actual and FY09 Budget exceed Authorized appropriation due to a transfer from the Natural and Cultural Resources Council (NCRC) Grant Fund (481) by authority of A.C.A. §15-12-103 (3).

The Inter-agency Fund Transfer reflects the transfer of Real Estate Transfer Tax funding from the Natural and Cultural Resources Council (Business Area 0887).

The Actual number of positions exceeds the Authorized number due to the flexibility inherent in the authorization of all positions through one salary section in the Agency's appropriation act.

Appropriation: Funding Sources:

477 - Historic Preservation-Real Estate Trsfer Tax TGP - Natural & Cultural Resources Historic Preservation Fund

-				Agency Req	uest		-		-
	Change Level	2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	0.0	0	8	0	0.0
C01	Existing Program	0	2	0		0	2	0	

Executive Recommendation

	Change Level	2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	0.0	0	8	0	0.0
C01	Existing Program	0	0	0		0	0	0	

JustificationC01Historic Preservation Program – Grants Coordinator and Administrative Specialist II (paid from RETT). The Grants Coordinator will coordinate all of
our grant programs: Historic Preservation Restoration Grants, County Courthouse Grants, Documentary Media Grants, Main Street Model Business
Grants, Slipcover Grants, Downtown Revitalization Grants and Certified Local Government Grants. This position is necessary as the volume of grants
given by this agency has continued to increase in the past ten years and can no longer be coordinated by an extra-help position. This year, the
AHPP will award 96 grants totaling more than \$2.3 million. The position will facilitate activities with grant review committees, coordinate all awards,
monitor progress, evaluate progress, monitor invoices, authorize payments, coordinate with the various program areas on selection, serve as agency
liaison with government officials and serve as agency spokesperson on all grant programs. The request for an Administrative Specialist II is for a
position to serve as a full-time receptionist and administrative support for the agency. As the programs and services of the AHPP have continued to
expand, we need to rely on this position to communicate and provide consistent information to government officials and to the general public.

Appropriation: 491 - Historic Preservation-Federal Program

Funding Sources:FHP - Historic Preservation Federal

The Historic Preservation Program is charged with coordinating the State Historic Preservation Plan with the representatives of the Federal Government, other States, and governmental units within Arkansas, State Agencies, organizations, and individuals with regard to matters of historic preservation (A.C.A. §13-7-106). This appropriation provides federal funding from the United States National Park Service for the Historic Preservation Program.

Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries includes Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Agency requests the continuation of Base Level appropriation of \$1,361,309 in FY10 and \$1,379,464 in FY11 with 17 Regular positions and 2 Extra Help positions.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 491 - Historic Preservation-Federal Program

Funding Sources: FHP - Historic Preservation Federal

Historical Data

Agency Request and Executive Recommendation

		2007-2008	2008-2009	2008-2009		2009-2010			2010-2011	
Commitment Iter	m	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	267,381	640,661	626,732	664,510	664,510	664,510	679,765	679,765	679,765
#Positions		8	17	17	17	17	17	17	17	17
Extra Help	5010001	7,552	18,672	18,672	18,672	18,672	18,672	18,672	18,672	18,672
#Extra Help		2	2	2	2	2	2	2	2	2
Personal Services Matching	5010003	84,187	194,552	199,754	214,587	214,587	214,587	217,487	217,487	217,487
Operating Expenses	5020002	105,289	205,394	205,394	205,394	205,394	205,394	205,394	205,394	205,394
Conference & Travel Expenses	5050009	1,247	5,046	5,046	5,046	5,046	5,046	5,046	5,046	5,046
Professional Fees	5060010	0	44,000	44,000	44,000	44,000	44,000	44,000	44,000	44,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	119,450	359,100	209,100	209,100	209,100	209,100	209,100	209,100	209,100
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		585,106	1,467,425	1,308,698	1,361,309	1,361,309	1,361,309	1,379,464	1,379,464	1,379,464
Funding Sources	S									
Federal Revenue	4000020	585,106	1,467,425		1,361,309	1,361,309	1,361,309	1,379,464	1,379,464	1,379,464
Total Funding		585,106	1,467,425		1,361,309	1,361,309	1,361,309	1,379,464	1,379,464	1,379,464
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		585,106	1,467,425		1,361,309	1,361,309	1,361,309	1,379,464	1,379,464	1,379,464

The FY09 Budget in Regular Salaries exceeds the Authorized amount due to salary adjustments during the 2007-2009 biennium.

The FY09 Budget in Grants and Aid exceeds the Authorized amount due a transfer from the Miscellaneous Federal Grant holding account.

Appropriation: 960 - Hist Pres - Main Street - Cash in Treasury

Funding Sources: NNH - Natural and Cultural Resources Historic Preservation Cash

The Main Street Program was established in 2001 and works with local communities to revitalize downtown commercial areas throughout Arkansas. The Agency utilizes this appropriation to provide professional services and educational training meetings to support Main Street activities. Funding is derived from cash funds generated by technical assistance receipts collected for the Historic Preservation Main Street Program.

Base Level includes appropriation of \$10,342 each year of the biennium.

The Agency requests additional appropriation of \$18,000 in FY10 and \$2,000 in FY11 for the following:

- Operating Expenses: Reduction of \$4,000 in FY11 only to ensure the budget is in line with projected funding levels.
- Professional Fees: Increase of \$18,000 in FY10 and \$6,000 in FY11. The additional appropriation
 requested for FY10 will be used for the Agency to host a tri-state conference and to provide training
 and technical assistance relating to downtown revitalization to communities joining the Arkansas
 Downtown Network (ADN). The additional appropriation requested for FY11 will be used to provide
 training and technical assistance to communities joining the Main Street Arkansas Network, which uses
 a community driven, comprehensive methodology to revitalize older, traditional business districts
 throughout the United States.

The Executive Recommendation provides for the Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation:

960 - Hist Pres - Main Street - Cash in Treasury

Funding Sources: NNH - Natural and Cultural Resources Historic Preservation Cash

		н	listorical Data	3		Agency Re	quest and Exe	cutive Recomm	endation	
		2007-2008	2008-2009	2008-2009		2009-2010			2010-2011	
Commitment Ite	m	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	9,267	8,342	18,350	8,342	8,342	8,342	8,342	4,342	4,342
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	5,000	2,000	10,000	2,000	20,000	20,000	2,000	8,000	8,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		14,267	10,342	28,350	10,342	28,342	28,342	10,342	12,342	12,342
Funding Sources	5									
Fund Balance	4000005	14,024	270		0	0	0	0	0	0
Cash Fund	4000045	513	10,072		10,342	28,342	28,342	10,342	12,342	12,342
Total Funding		14,537	10,342		10,342	28,342	28,342	10,342	12,342	12,342
Excess Appropriation/(Funding)		(270)	0		0	0	0	0	0	0
Grand Total		14,267	10,342		10,342	28,342	28,342	10,342	12,342	12,342

The FY08 Actual exceeds the FY09 Budget in the Main Street - Cash in Treasury appropriation (960) due to a reduced level of total cash funding available in FY09.

Change Level by Appropriation

Appropriation: Funding Sources:

960 - Hist Pres - Main Street - Cash in Treasury NNH - Natural and Cultural Resources Historic Preservation Cash

_				Agency Req	uest		-		
	Change Level	2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	10,342	0	10,342	100.0	10,342	0	10,342	100.0
C01	Existing Program	18,000	0	28,342	274.0	6,000	0	16,342	158.0
C03	Discontinue Program	0	0	28,342	274.0	(4,000)	0	12,342	119.3

Executive Recommendation

	Change Level	2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	10,342	0	10,342	100.0	10,342	0	10,342	100.0
C01	Existing Program	18,000	0	28,342	274.0	6,000	0	16,342	158.0
C03	Discontinue Program	0	0	28,342	274.0	(4,000)	0	12,342	119.3

	Justification
C01	Main Street Arkansas will host a tri-state conference during the first year. Additionally, Main Street Arkansas has accepted 8 new communities into the Arkansas Downtown Network (ADN) and will provide extensive training and technical assistance to those communities. In the second year, several of those communities will officially join the Main Street Arkansas network and will need additional training and technical assistance in the Main Street Four Point Approach to downtown revitalization.
C03	The Agency requests to reduce the operating budget line item by \$4,000 in FY2011 only to ensure that the total agency budget for the second year of the biennium remains in line with projected fund receipts.