



STATE OF ARKANSAS
**Department of Finance
and Administration**

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November 3, 2010

David Maxwell, Director
Arkansas Department of Emergency Management
Building 9501, Camp Joseph T. Robinson
North Little Rock, Ar. 72199-9600

Dear Mr. Maxwell,

Based on the information presented in your correspondence, dated October 11, 2010, the following determinations have been made:

Due to the required level of travel and the responsibilities assigned, a waiver under Sec. 5, Paragraph C, of Executive Order 10-14, regarding the status designation of commuter has been granted to the following positions:

Director
Deputy Director

Similarly, based on the information provided, your request for the status designation of commuter for the following positions has been denied:

Administration Division Director
Preparedness Division Director
Chief Information Officer
Disaster Management Division Director
Maintenance Branch Manager

Due to the required level of travel and the responsibilities assigned, a waiver under Sec. 5, Paragraph A, of Executive Order 10-14, regarding the status designation of Regular Travel Status has been granted to the following position(s):

Area Coordination Supervisor
Southwest Area Coordinator
Northeast Area Coordinator
Northwest Area Coordinator
Southeast Area Coordinator

Please be aware that, under Section 4 of Executive Order 10-14, all vehicles must carry red, Official Business Only license plates and each must carry the official seal of either

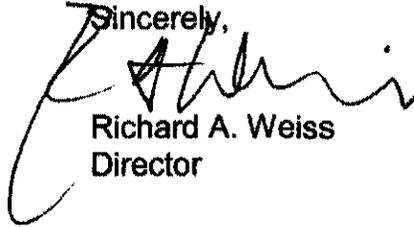
the State or your agency. Unless otherwise stated, this requirement applies to vehicles assigned to employees operating under a status designation of commuter.

Please also be aware that, under Section 3 of Executive Order 10-14, all vehicles not assigned to individual employees must be pooled, made available to any authorized employee and must remain on State property when not in use.

Additionally, please recall that Executive Order 10-14 requires State vehicles be used solely for purposes of official State business.

Thank you for your assistance and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Weiss', written over the typed name.

Richard A. Weiss
Director



MIKE BEEBE
GOVERNOR

**STATE OF ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT**



DAVID MAXWELL
DIRECTOR

October 25, 2010

Mr. Stan C. King
Chief Information Officer
DF&A Administrative Services
PO Box 2485
Little Rock, AR 72203

Dear Mr. King:

Following further review of required agency travel, we wish to file this amendment to our waiver request of October 11, 2010, specifically item #7 concerning our Maintenance Branch Manager position.

After moving into our new building on Camp Robinson in 2007, there were many occasions that required the Maintenance Branch Manager to return to the building after hours to resolve issues. Now that we have been in the building for quite some time, we have been able to utilize computer technology that allows many of our building's functions to be handled remotely; thereby reducing occasions requiring actual presence at the building after hours. There are times when an on-site presence is required, but we feel such instances have been significantly reduced through remote computer access and fine-tuning of maintenance systems.

Therefore, we ask that our Maintenance Branch Manager position be removed from consideration in your review of our vehicle waiver request. We appreciate your consideration in this matter.

Sincerely,

David Maxwell
Director and State Homeland Security Adviser

DM:to



MIKE BEEBE
GOVERNOR

STATE OF ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT



DAVID MAXWELL
DIRECTOR

October 11, 2010

Mr. Stan C. King
Chief Information Officer
DF&A Administrative Services
P. O. Box 2485
Little Rock, AR 72203

Dear Mr. King:

The Arkansas Department of Emergency Management requests waivers for the following vehicles as relates to Executive Order 10-14. These waivers permit assignment of a state vehicle for response after normal business hours, commuting and or permitting the use of state vehicles without state or agency insignia and "Official Business Only" license plates. All of the employees for which these waivers are requested are on call at all times as part of the agency's continuity of operations plan for statewide emergencies and disaster recovery preparedness.

- 1) 2008 Dodge Durango – AR license plate: 259 OIF, VIN: 1194. We are requesting a waiver on this vehicle as relates to items 4 and 5B for David Maxwell, Director. Director Maxwell is the senior staff duty officer for our agency and is on call 24-hours/7 days a week. In the event of an emergency/disaster he may need to respond to the State Emergency Operations Center (SEOC), or to the disaster site alongside the Governor to view damage first-hand and to assure survivors that everything possible is being done to assist them. The director serves as the Governor's Authorized Representative to the Federal Emergency Management Agency (FEMA) for state and federally declared emergencies. As the State Homeland Security Adviser, Director Maxwell holds a Top Secret Security clearance and is responsible for information sharing and collaboration with various governmental entities, as well as responding to terrorist threats and actual incidents. This vehicle is unmarked due to risks associated with his role in Homeland Security. Immediate response capability is critical in the adequate performance of his job.
- 2) 2008 Dodge Durango – AR license plate: 260 OIF, VIN: 1193. We are requesting a waiver on this vehicle as relates to items 4 and 5B for Jay Winters, Deputy Director. Deputy Director Winters is on call 24-hours/7 days a week for immediate response to the SEOC in the event of activation and may also need to respond to the disaster site alongside the Governor to view damage first-hand and to assure survivors that everything possible is being done to assist them. Mr. Winter's duties also include disaster/emergency response and

recovery. The Deputy Director assumes the Emergency Management and Homeland Security responsibilities of the agency director in the Director's absence. This vehicle is unmarked due to risks associated with his role in Homeland Security. Immediate response capability is critical in the adequate performance of this job.

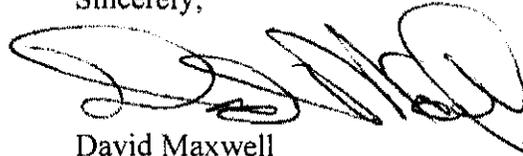
- 3) 2009 Dodge Nitro – AR license plate: 278 LHM, VIN: 4957. We are requesting a waiver on this vehicle as relates to 5B for Tina Owens, Administration Division Director and the agency's Chief Fiscal Officer. Ms. Owens is on call 24-hours/7 days a week for immediate response to the SEOC in the event of activation. Her role of Team Chief in the SEOC requires immediate response capability to ensure coordination of the State's response to any disaster/emergency. She is listed third in the agency's order of succession and must be available to fulfill the responsibilities of the agency if so required.
- 4) 2008 Dodge Durango – AR license plate: 587 DXY, VIN: 6139. We are requesting a waiver on this vehicle as relates to 5B for Sheila Annable, Preparedness Division Director. Ms. Annable is on call 24-hours/7 days a week for immediate response to the SEOC in the event of activation. Her role of Team Chief in the SEOC requires immediate response capability to ensure coordination of the State's response to any disaster/emergency. She is listed fourth in the agency's order of succession and must be available to fulfill the responsibilities of the agency if so required.
- 5) 2006 Chevrolet Impala – AR license plate; 114 DXY, VIN: 1216. We are requesting a wavier on this vehicle as relates to 5B for Ken Gibson, Chief Information Officer and the Information Technology Division Director. Mr. Gibson is on call 24-hours/7 days a week for immediate response to the SEOC in the event of activation. His role of Team Chief in the SEOC requires immediate response capability to ensure coordination of the State's response to any disaster/emergency. He is listed fifth in the agency's order of succession and must be available to fulfill the responsibilities of the agency if so required. In addition, he is responsible for the information technology systems of the SEOC including the 24/7 statewide emergency communications.
- 6) 2008 Dodge Durango – AR license plate: 255 LHM, VIN: 1191. We are requesting a wavier on this vehicle as relates to 5B for Scott Bass, Disaster Management Division Director. Mr. Bass is the Deputy State Coordinating Officer in the event of a state or federally declared disaster. His responsibilities include activation of the SEOC, operational duties within the SEOC and disaster/emergency response and recovery activities. He is on call 24-hours/7 days a week to respond to the SEOC in the event of activation, which requires immediate response to the agency.
- 7) 2009 Ford pickup – AR license plate: 101 BIJ, VIN: 9227. We are requesting a wavier on this vehicle as relates to 5B for Tom Rogers, Maintenance Branch Manager. He is responsible for the 24/7 operation of the SEOC. His after-hours response is necessary to ensure proper operation of the SEOC so that it is in ready mode for activation. He is on call 24-hours/7 days a week to respond to the needs of the SEOC both during and outside of activation which requires immediate response to the agency.

- 8) 2008 Dodge Durango – AR license plate: 254 LHM, VIN: 1188. We are requesting a wavier on this vehicle as relates to 5A and 5B for Rick Kelley, Area Coordination Supervisor. Mr. Kelley is the field representative for the Central Area which covers 11 counties and supervises four area coordinators (SW, SE, NW and NE Arkansas). He must have the ability to respond to his area, as well as to any of the other four in the absence of another area coordinator. He is on call 24-hours/7 days a week to respond to either the SEOC in the event of activation, or directly to the disaster site either in his area or as support to another area. Time is a critical factor in the adequate performance of his job, so he must be able to respond immediately. His response to emergencies is the only means of assuring a state government representative will be immediately available to provide damage assessment information to the SEOC and to assist local governments with recovery efforts.
- 9) 2008 Dodge Durango – AR license plate: 100 BIJ, VIN: 1186. We are requesting a wavier on this vehicle as relates to 5A and 5B for Teresa Smith, Southwest Area Coordinator. Ms. Smith is the field representative for the Southwest Area which covers 15 counties. She must have the ability to respond to her area, as well as to any of the other four areas in the absence of another area coordinator. She is on call 24-hours/7 days a week to respond directly to the disaster site either in her area or as support to another area. Time is a critical factor in the adequate performance of her job, so she must be able to respond immediately. Her response to emergencies is the only means of assuring a state government representative will be immediately available to provide damage assessment information to the SEOC and to assist local governments with recovery efforts.
- 10) 2008 Dodge Durango – AR license plate: 257 LHM, VIN: 1187. We are requesting a wavier on this vehicle as relates to 5A and 5B for Anthony Coy, Northeast Area Coordinator. Mr. Coy is the field representative for the Northeast Area which covers 17 counties. He must have the ability to respond to his area, as well as to any of the other four in the absence of another area coordinator. He is on call 24-hours/7 days a week to respond directly to the disaster site either in his area or as support to another area. Time is a critical factor in the adequate performance of his job, so he must be able to respond immediately. His response to emergencies is the only means of assuring a state government representative will be immediately available to provide damage assessment information to the SEOC and to assist local governments with recovery efforts.
- 11) 2008 Dodge Durango – AR license plate: 258 LHM, VIN: 1185. We are requesting a waiver on this vehicle as relates to 5A and 5B for Tim Gehring, Northwest Area Coordinator. Mr. Gehring is the field representative for the Northwest Area which covers 17 counties. He must have the ability to respond to his area, as well as to any of the other four in the absence of another area coordinator. He is on call 24-hours/7 days a week to respond directly to the disaster site either in his area or as support to another area. Time is a critical factor in the adequate performance of his job, so he must be able to respond immediately. His response to emergencies is the only means of assuring a state government representative will be immediately available to provide damage assessment information to the SEOC and to assist local governments with recovery efforts.

12) 2008 Dodge Durango – AR license plate: 253 LHM, VIN: 1190. We are requesting a waiver on this vehicle as relates to 5A and 5B for Ken Ouellette, Southeast Area Coordinator. Mr. Gehring is the field representative for the Southeast Area which covers 15 counties. He must have the ability to respond to his area, as well as to any of the other four in the absence of another area coordinator. He is on call 24-hours/7 days a week to respond directly to the disaster site either in his area or as support to another area. Time is a critical factor in the adequate performance of his job, so he must be able to respond immediately. His response to emergencies is the only means of assuring a state government representative will be immediately available to provide damage assessment information to the state EOC and to assist local governments with recovery efforts.

Your approval of these waivers will be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Maxwell', written over a horizontal line.

David Maxwell
Director and State Homeland Security Adviser

DM:kp