

DAH - HISTORIC PRESERVATION

Enabling Laws

Act 233 of 2012
A.C.A. §13-7-101 et seq.
A.C.A. §13-7-501 et seq.

History and Organization

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 conducting 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 (CLG) program (currently there are 19 CLG cities).

Activities:

The AHPP administers an annual County Courthouse Restoration Grants program and a Historic Preservation Restoration Grants program using Real Estate Transfer Tax (RETT) 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 the Downtown Revitalization grants program for the active 17 Main Street cities. Main Street Arkansas runs the Arkansas Downtown Network to provide services to a broader audience.

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 passed through to CLG cities under this competitive grant program. In addition, AHPP will supplement the federal funds with RETT funds for these CLG grants.

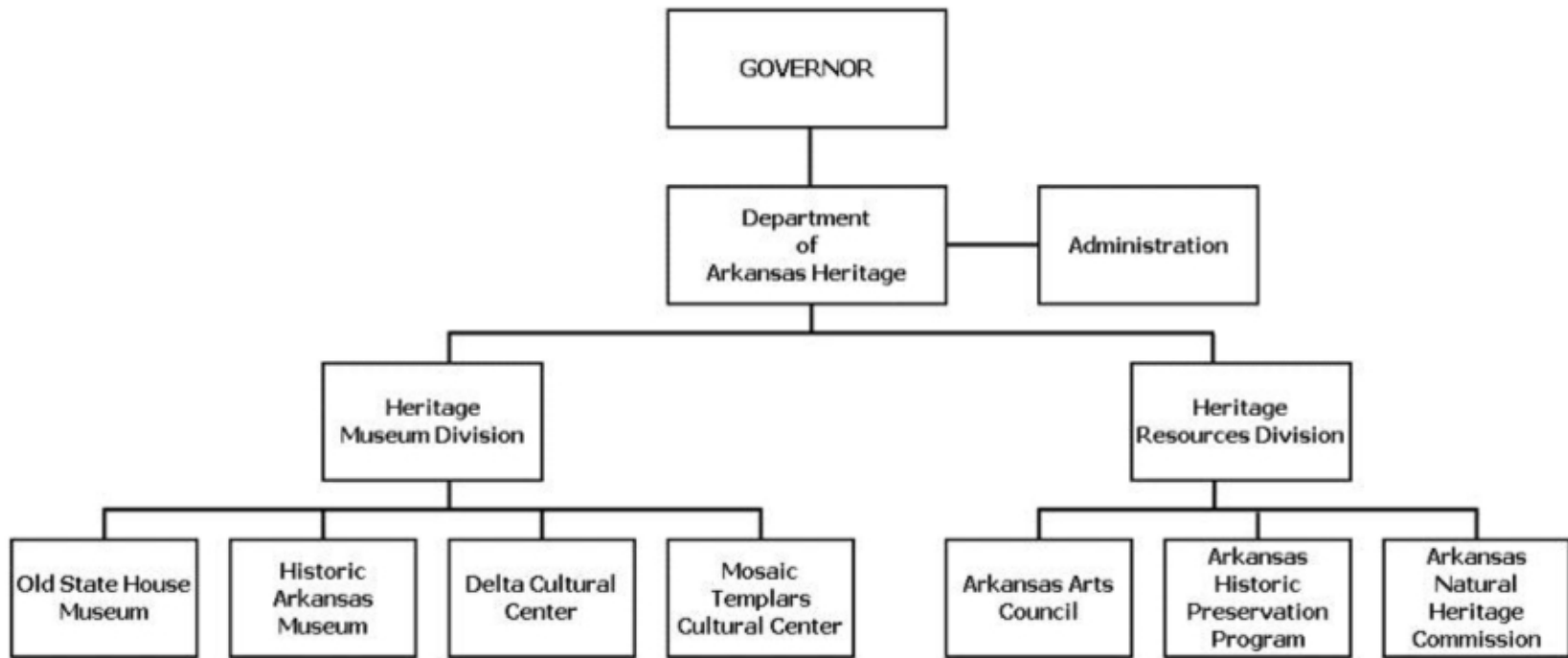
AHPP personnel visit schools around the state to make presentations on Arkansas's historic resources and also offers a variety of lesson plans. The AHPP provides programming for adult audiences through the agency's popular "Sandwiching in History" and "Walks Through History" tour programs and presentations 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, www.arkansaspreservation.org 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 hosts Facebook pages for the agency, Main Street Arkansas, the AHPP Cemetery Preservation program, and the Arkansas Civil War Sesquicentennial, as well as websites for the AHPP and ACWSC.

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.

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, 2011

Findings

Recommendations

Audit findings are reported under DAH-Central Administration.

State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012

None

Employment Summary

	Male	Female	Total	%
White Employees	12	10	22	92 %
Black Employees	0	2	2	8 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			2	8 %
Total Employees			24	100 %

Publications

A.C.A. 25-1-204

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

Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

Appropriation	2011-2012		2012-2013		2012-2013		2013-2014						2014-2015					
	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	1,639,040	14	3,000,000	8	0	8	0	8	0	9	0	9	0	8	0	9	0	9
491 Historic Preservation-Federal Program	781,271	10	1,768,974	16	1,602,955	16	1,565,868	16	1,565,868	16	1,565,868	16	1,566,111	16	1,566,111	16	1,566,111	16
960 Hist Pres - Main Street - Cash in Treasury	0	0	21,530	0	24,247	0	21,530	0	32,342	0	32,342	0	21,530	0	30,842	0	30,842	0
Total	2,420,311	24	4,790,504	24	1,627,202	24	1,587,398	24	1,598,210	25	1,598,210	25	1,587,641	24	1,596,953	25	1,596,953	25

Funding Sources		%		%		%		%		%		%		%		%		%
Fund Balance	4000005	2,503	0.1	42,232	0.9	67,702	4.1	67,702	4.1	67,702	4.1	67,360	4.1	67,360	4.0	67,360	4.0	
Federal Revenue	4000020	781,271	31.7	1,768,974	36.4	1,565,868	94.6	1,565,868	94.0	1,565,868	94.0	1,566,111	94.4	1,566,111	93.9	1,566,111	93.9	
Cash Fund	4000045	39,729	1.6	47,000	1.0	21,188	1.3	32,000	1.9	32,000	1.9	25,688	1.5	35,000	2.1	35,000	2.1	
Inter-agency Fund Transfer	4000316	1,639,040	66.6	3,000,000	61.8	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	
Total Funds		2,462,543	100.0	4,858,206	100.0	1,654,758	100.0	1,665,570	100.0	1,665,570	100.0	1,659,159	100.0	1,668,471	100.0	1,668,471	100.0	
Excess Appropriation/(Funding)		(42,232)		(67,702)		(67,360)		(67,360)		(67,360)		(71,518)		(71,518)		(71,518)		
Grand Total		2,420,311		4,790,504		1,587,398		1,598,210		1,598,210		1,587,641		1,596,953		1,596,953		

The FY13 Budget exceeds Authorized in the Historic Preservation-Real Estate Transfer Tax appropriation due to a transfer from the Natural and Cultural Resources Council 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 FY13 Budget in the Historic Preservation-Federal Program appropriation exceeds the authorized due transfer from the Miscellaneous Federal Grant Holding Account.

Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012						FY2012 - 2013					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
25	25	0	25	0	0.00 %	24	24	0	24	0	0.00 %	24	24	0	24	0	0.00 %

Analysis of Budget Request

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 35 of Act 237 of 2010 [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 (8) Regular positions and four (4) Extra Help positions. Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases.

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 Change Level Request includes one (1) additional position with Regular Salaries and Personal Services Matching of \$44,248 each year of the biennium.

- One (1) new G186C DAH Program Coordinator Position (grade C117) to allow the Agency to develop hands-on repair and restoration workshops around the state, develop and distribute educational materials that would instruct people on maintenance and rehabilitation of historic structures, develop instructional videos of specialized repairs involved in rehabilitations in addition to better meeting the increasing demands for site visits. This position is necessary due to extraordinary demand for technical assistance around the state in addition to projects that are not possible with only one coordinator.

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

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 477 - Historic Preservation-Real Estate Trsfer Tax

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

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2011-2012	2012-2013	2012-2013	2013-2014			2014-2015		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	735,199	406,328	0	0	0	0	0	0	0
#Positions		14	8	8	8	9	9	8	9	9
Extra Help	5010001	40,835	42,838	0	0	0	0	0	0	0
#Extra Help		4	4	4	4	4	4	4	4	4
Personal Services Matching	5010003	236,983	129,663	0	0	0	0	0	0	0
Operating Expenses	5020002	130,268	610,000	0	0	0	0	0	0	0
Conference & Travel Expenses	5050009	34,705	50,000	0	0	0	0	0	0	0
Professional Fees	5060010	27,742	100,000	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	433,308	1,661,171	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		1,639,040	3,000,000	0	0	0	0	0	0	0
Funding Sources										
Inter-agency Fund Transfer	4000316	1,639,040	3,000,000		0	0	0	0	0	0
Total Funding		1,639,040	3,000,000		0	0	0	0	0	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		1,639,040	3,000,000		0	0	0	0	0	0

FY13 Budget exceeds 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 appropriation acts.

Change Level by Appropriation

Appropriation: 477 - Historic Preservation-Real Estate Trsfer Tax
Funding Sources: TGP - Natural & Cultural Resources Historic Preservation Fund

Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	0.0	0	8	0	0.0
C01	Existing Program	0	1	0		0	1	0	

Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	0.0	0	8	0	0.0
C01	Existing Program	0	1	0		0	1	0	

Justification

C01	At the present time, the Arkansas Historic Preservation Program has only one technical assistance position that serves the entire State of Arkansas. The person who currently fills this position has been here for over ten years and has developed such a trusted reputation for sound technical advice and direction that he is inundated with phone calls and requests for site visits. In addition to fielding requests for general technical assistance, this position is responsible for the following: 1. Review and approval of design plans and specifications for Historic Preservation Restoration grants, Courthouse Restoration grants and easement projects. 2. Review and approval of design plans and specifications for ANCR, National Park Service (and other federal projects requiring State Historic preservation Office, SHPO, input). 3. On-site technical assistance to individual property owners often associated with privately initiated projects, grants and tax credits. 4. Daily administration responsibilities and correspondence with grantees. 5. Special projects including presentations to groups regarding all technical assistance and financial incentives available throughout our office and through federal sources. 6. Work with the National Register (NR) staff to insure that NR properties maintain their status. 7. Work with the easement coordinator to insure that easement properties that undertake projects are in compliance with the easement. Because of the extraordinary demand for technical assistance around the state, there are projects that are simply not possible with only one coordinator. The addition of another full time technical assistance coordinator would allow us to develop hands-on repair and restoration workshops around the state (something constituents have wanted for), development and distribution of educational materials that would instruct people on maintenance and rehabilitation of historic structures, the development of instructional videos of specialized repairs involved in rehabilitations, in addition to better meeting the increasing demand for site visits. A review of the past year indicates that the technical assistance coordinator made 105 site visits (general and grant related) and had approximately 455 constituent contacts requesting technical assistance for a variety of projects.
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Analysis of Budget Request

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 Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases.

The Agency Base Level Request includes appropriation of \$1,565,868 in FY14 and \$1,566,111 in FY15 with 16 Regular positions and two (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

Commitment Item	Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	438,324	699,773	741,612	699,873	699,873	699,873	700,073	700,073	700,073
#Positions	10	16	16	16	16	16	16	16	16
Extra Help 5010001	16,761	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	123,676	229,489	229,131	233,783	233,783	233,783	233,826	233,826	233,826
Operating Expenses 5020002	94,813	205,394	205,394	205,394	205,394	205,394	205,394	205,394	205,394
Conference & Travel Expenses 5050009	2,972	5,046	5,046	5,046	5,046	5,046	5,046	5,046	5,046
Professional Fees 5060010	8,550	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	96,175	359,100	359,100	359,100	359,100	359,100	359,100	359,100	359,100
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Grants/Easement 5900046	0	207,500	0	0	0	0	0	0	0
Total	781,271	1,768,974	1,602,955	1,565,868	1,565,868	1,565,868	1,566,111	1,566,111	1,566,111
Funding Sources									
Federal Revenue 4000020	781,271	1,768,974		1,565,868	1,565,868	1,565,868	1,566,111	1,566,111	1,566,111
Total Funding	781,271	1,768,974		1,565,868	1,565,868	1,565,868	1,566,111	1,566,111	1,566,111
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	781,271	1,768,974		1,565,868	1,565,868	1,565,868	1,566,111	1,566,111	1,566,111

FY13 Budget amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2011-2013 Biennium.
Budget exceeds Authorized Appropriation in Grants/Easement due to a transfer from the Miscellaneous Federal Grant Holding Account.

Analysis of Budget Request

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. This appropriation is also used to administer the State Tax Credit program established by Act 498 of 2009 Regular Session. Funding is derived from cash funds generated by technical assistance receipts collected for the Historic Preservation Main Street Program.

Base Level includes appropriation of \$21,530 each year of the Biennium.

The Agency Change Level Request includes \$10,812 in FY14 and \$9,312 in FY15 for the following:

- Operating Expenses: Increase of \$8,000 in FY14 and \$6,500 on FY15 to provide for increase costs association with the State Tax Credit Program.
- Professional Fees: Increase of \$2,812 to provide for workshops and the production of training videos related to the rehabilitation of historic structures.
- Reallocation of Professional & Administrative Fees and Printing to better reflect actual expenses.

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

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2013-2014			2014-2015		
		2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	0	4,342	4,342	4,342	12,342	12,342	4,342	10,842	10,842
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	0	17,188	19,905	17,188	20,000	20,000	17,188	20,000	20,000
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		0	21,530	24,247	21,530	32,342	32,342	21,530	30,842	30,842
Funding Sources										
Fund Balance	4000005	2,503	42,232		67,702	67,702	67,702	67,360	67,360	67,360
Cash Fund	4000045	39,729	47,000		21,188	32,000	32,000	25,688	35,000	35,000
Total Funding		42,232	89,232		88,890	99,702	99,702	93,048	102,360	102,360
Excess Appropriation/(Funding)		(42,232)	(67,702)		(67,360)	(67,360)	(67,360)	(71,518)	(71,518)	(71,518)
Grand Total		0	21,530		21,530	32,342	32,342	21,530	30,842	30,842

Change Level by Appropriation

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

Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	21,530	0	21,530	100.0	21,530	0	21,530	100.0
C01	Existing Program	10,812	0	32,342	150.2	9,312	0	30,842	143.3
C04	Reallocation	0	0	32,342	150.2	0	0	30,842	143.3

Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	21,530	0	21,530	100.0	21,530	0	21,530	100.0
C01	Existing Program	10,812	0	32,342	150.2	9,312	0	30,842	143.3
C04	Reallocation	0	0	32,342	150.2	0	0	30,842	143.3

Justification

C01	The agency is requesting an increase in appropriation to provide for increased costs associated with the State Tax Credit Program. The agency will provide workshops and production of "how to" training videos related to rehabilitation of historic structures.
C04	The agency will not be hosting the annual Main Street Arkansas conference in FY14 or FY15; therefore, the agency requests a reallocation to better reflect actual expenses.