

MINUTES OF MEETING
GOVERNMENTAL AFFAIRS COMMITTEE (GAC)
Ouachita Events Building, Ponce de Leon Center, 1101 Desoto Blvd.
Friday, May 4, 2018, 8:00 AM

Highlights of the meeting are summarized below:

A presentation by Keith Gibson, CEO of Pinnacle Communications, and Bill Stuckey, Director of Business Development, Pinnacle Telecom, concerning broadband issues with Hot Springs Village.

Reminders and Calendar

- Next POA Board meeting is 9:00 AM, Wednesday, May 6, Ouachita Events Building, Ponce de Leon Center.
- Next GAC meeting is 8:00AM, Friday, June 1, Ouachita Events Building, Ponce de Leon Center.

ATTENDANCE

Committee Members Present

Pamela Avila
Michael Dollar
Jim Harlow
Richard Johnson
Greg Jones
Lu Otto
Curt Malone
David Whitlow
Jerry Yeric

Committee Members Absent

Bob Hebert
Keith Keck

Ex-Officio Members Present

Bob Shoemaker

POA Board Members

Mike Medica
Bob Cunningham

Justices of the Peace

Larry Griffin, Garland County

Press

Lewis Delavan, Village Voice

Others Present

Bill Stuckey, Pinnacle Telecom
Keith Gibson, Pinnacle Communications
Marcy Mermel, HSV Chamber Board
David Childs, Property Owner

OPENING OF MEETING

Call to Order: Chair Michael Dollar called the meeting to order at 8:00 AM.

Introductions: Guests were introduced.

Agenda: The agenda was approved as submitted.

Minutes: The minutes of the April 6, 2018 meeting were approved.

CHAIRMAN'S REMARKS

Michael Dollar introduced Pinnacle Communications executives. The company has roots in Arkansas and is based in Fort Smith.

SPECIAL PRESENTATION

The presentation was given by Keith Gibson, CEO of Pinnacle Communications, and Bill Stuckey, Director of Business Development at Pinnacle Telecom. Their company has experience providing communication service to rural areas, specifically

- Traditional business phone service
- Cloud-based voice and phone service
- Fiber-optic internet service, and
- Custom built network services.

Pinnacle currently serve western and northwest Arkansas and sections of eastern Oklahoma with state of the art fiber-optic networks. The company serves the cities of Fort Smith, Alma, Ozark, and Lavaca in Arkansas, as well as Panama, Shady Point, Poteau and Muskogee, Oklahoma.

There are 18 private phone companies in Arkansas regulated by the Public Service Commission. Many rural residents are demanding broadband to have available for a variety of reasons: delivery of entertainment (streaming) service, education, rural healthcare, and greater commercial and economic growth. Broadband availability is as critical today as electrical service was in the 1930's.

There are many obstacles preventing attainment of that goal. High-speed broadband is not as effective when delivered through copper wire. Wireless is not effective in highly forested and mountainous terrain as we have in the Village. Coverage would be best achieved with fiber-optic cable, the expansion of which is very expensive. Because of these limitations, expansion of broadband services to all areas of the Village is not profitable.

There is some hope that electric cooperatives will consider being more proactive in providing this service. Gibson and Stuckey suggested that the Village write to the governor asking for assistance in solving these problems.

REPORTS

POA Governance Report – Mike Medica

- The recently completed audit report was the best Hot Springs Village has had.
- HSV Board voted to adopt the Comprehensive Master Plan.
- Changes to the Declarations were approved by the board and will go to the property owners for a vote in the fall.
- New board members were sworn in for the 2018-19 year.
- Desoto paving has begun.
- The Barcelona Road washout continued to be an unsolved issue.
- The culvert on Ponce de Leon Drive near Magellan Golf Course was completed in three days.

POA Operational Report – Lesley Nalley

Nalley, though out of town, reported by email that she had attended the Washington DC Fly-In, joining members of the Hot Springs Chamber. The delegation was briefed by Westerman, Boozman, Cotton and McCarthy on topics ranging from broadband to tax reform. The delegations were strongly encouraged to seek private investment for broadband, noting the current federal/state funding was for areas with no broadband, not areas with “slow” service or areas that predominately had service.

During the trip, Nalley reported that she was approached by a potential partner for a lodge in Hot Springs Village. This person noted the PR surrounding our CMP and excitement over a potential investment here.

The POA will soon roll out the Gold Star Vacation Rental Program. This program is meant to highlight on a voluntary submission basis those rental home that meet high standards and will be showcased on our website.

Work is continuing behind the scenes on redesign of the POA website. The hope is to have explorethevillage.com and HSVPOA.org merged soon.

The Hot Springs Village Area Chamber of Commerce – Michael Dollar

- WINROCK International hosted a program at Lake DeGray Lodge to encourage organizing Clark, Garland, and Hot Spring Counties in a collaborative effort to address economic development and education in their regions. Gov. Asa Hutchinson and Congress Bruce Westerman addressed

attendees via video recording. Elected officials, college presidents, mayors, chamber executives, and community leaders attended. In an opening presentation called *Components for Successful Regional Collaboration*, Stan Green, Chairman, U of A Technology Development Foundation and Northwest Arkansas Council, explained how NW AR grew. Stan chaired the successful effort to build the NWA Regional Airport.

- Consultants they hired 10+ years ago reported back: Help your current companies grow and maintain your quality of life. This was a surprise to them.
- Advice given:
 - 1) Be vision-driven, not opportunity-driven.
 - 2) Upper-level leadership is very important.
 - 3) If you think you can, or if you think you can't, you're probably right!
 - 4) Stay ahead. Include younger people (they have ideas).
 - 5) Students solving industry problems may lead to start-ups.
 - 6) Compete but collaborate.
 - 7) Focus on the positives to help regional strengths.
 - 8) Take some risks.
- The Chamber congratulated Members and Staff of Barcelona Baptist Church during a Chamber Ribbon Cutting for their new 22,000 square foot Outreach Center. Saturday, (APR 7th)
- The Chamber Executive Director judged 60+ students from high schools across the state in the *Job Interview* category at SkillsUSA competition at Hot Springs Convention Center. (APR 10th)
- The Chamber congratulated Arvest Bank during their ground-breaking ceremony for a new branch bank on N Highway 7. (APR 11th)
- The Chamber Executive attended the POA Board Retreat, led by Dr. Ruth Czirr, Consultant for Boards of Directors and a Clinical Community Psychologist. (APR 19th and 20th)
- The Chamber coordinated Fountain Lake EAST Program students on video shoots of the Visitor Center and surrounding area.

Central Region MetroPlan - Keith Keck

Central Region MetroPlan conducted their annual board retreat here in Hot Springs Village on April 16-17. The Board discussed at length restructuring options to handle a potential expanded role in development of a regional plan for Central Arkansas. The Board reviewed its current vision and how it supports a potential expanded planning role. Both the restructuring and the vision are being sent to an eight-member task force for review and potential revisions.

During this retreat, Hot Spring Village showcased our facilities to many Board members who had never traveled to our community. Board members were thoroughly impressed the care provided by the POA and the overall experience of a retreat here in our Village.

Highways (Tri-Lakes MPO) – David Whitlow

The Tri-Lakes MPO Policy Board did not meet in April. The next scheduled meeting of the board will be May 24th, 2018.

A public involvement meeting will be held on Tuesday, May 8, 2018, 4:00-7:00 p.m. at Fountain Lake School, Safe Room A. The purpose of the meeting is to discuss the proposed safety improvement to Highway 5 between Highway 7 and Deerpark Road in Garland County.

Initial work on Project #061439 has begun. This project will involve several safety improvements between the Junction of Highways 5 and 7 to Highway 128. The project also included a new guardrail that has been installed the on east side of Cedar Mountain.

Hot Springs – Jerry Yeric

The half-cent state sales tax passed in 2012 for funding the \$80 million widening of Highway 70 (Connecting Arkansas Program) is a temporary tax which also supplements the Hot Springs public works budget. Part of the \$1.8 billion tax projected to raise over its 10-year term is turned back to local governments, providing matching money for the state-aid project that the city will use this year to pave parts of Fox Pass Road and Seventh Street and the city's cost-share for a traffic signal at West St. Louis Street and Airport Road.

The Hot Springs Board of Directors expanded the city's planning to include most of National Park College, allowing the school to connect its new Student Commons Building to city utilities. The board adopted an ordinance in October that exempts schools, colleges, universities and long-term care facilities in the planning area from regulations limiting utility connections outside the corporate area. Gov. Asa Hutchinson designated three census tracts intersecting at Central Ave. and Reserve St. as Opportunity Zones, incentivizing capital sitting idle on corporate balance sheets to be invested in the downtown area. Included in last year's Tax Cuts and Jobs Act, Opportunity Zones are the tax code's newest incentive for spurring private investment in developing urban and rural areas. Tracts designated in Garland County comprise the Central, Whittington and Park corridors, making investment in the Arlington Resort Hotel & Spa and Majestic Hotel property Hot Springs purchased in 2015 eligible for incentives.

Hot Springs is among 11 Arkansas cities that will share \$98,378 in grants through the Arkansas Historical Preservation Program's Certified Local Government program. Hot Springs received a \$12,600 CLG grant to update the Central Avenue Historic District National Register of Historic Places nomination, and for attendance at the national CLG conference and staff and commissioner training.

Garland County—Jerry Yeric

Proceeds from the county's voluntary tax for animal control services are funding \$50 spay and neuter vouchers. These vouchers are available at the Garland County Sheriff's Department.

The National Park College Student Government Association and the Garland County Farm Bureau will host a State and Local Candidate Forum at 6 p.m., May 4th in the Frederick M. Dierks Center for Nursing and Health Sciences.

Early Voting for the May 22nd Primary begins May 7th.

National Demographics: An Update on the 2020 Census and ACS - Lu Otto

Some years in the future, when the definitive history of the U.S. Census bureau is written, historians are likely to earmark the last week in March 2018 for special attention. It was near the end of March 2018 that two decisions were handed down that affect the 2020 decennial census and, probably, future decennial censuses as well.

The first decision was Congressional authorization of the 2020 decennial census budget. This authorization occurred four days before the Census Bureau is required by law (April 1, 2018) to give two years advance notice of the detailed questions that will be asked in the 2020 decennial census. The 2020 Census will begin April 1, 2020.

Noting that 70% of the costs of each decennial census cycle - currently estimated to be \$15.6 billion for the 2020 census - comes in the final 2 years of the decennial cycle, Congress passed a spending bill that awarded the Census Bureau \$2.8 billion for the current fiscal year ending September 30, 2018. Finally, the dismal trend of many years of underfunding census preparations was reversed. The authorization was nearly double the president's 2018 request for the agency and almost \$1 billion more than what was thought to be needed in the eighth year of the 10-year census cycle to prepare and conduct the next decennial census. Of the \$2.8 billion dollar total, \$2.5 billion was earmarked for the 2020 headcount and the American Community Survey. By any standard, the congressional authorization was a huge budget boost for the 2020 census effort. Funding appeared to reflect a bipartisan recognition among lawmakers that the success of the census in all districts and in all states could be in jeopardy and that it was up to Congress to ensure a good outcome.

On the one hand, "money matters." On the other hand, "money isn't everything." Even as census advocates praised Congressional generosity for passing the final 2018 spending bill, the Census Bureau was about to experience a migraine over a second decision made three days later, one day before the Census Bureau faced the requirement that it must give its two years advance notice of the detailed questions that will be asked in the 2020 decennial census. The second mandate came from the desk of Commerce Secretary Wilbur Ross, to whom the Census Bureau reports.

Last December, the Department of Justice had upset the usual orderly process of nailing down the final version of the census questionnaire by asking the Census Bureau to consider adding a question about citizenship. Justice officials argued that the change was needed to enforce federal laws regarding voter eligibility by determining who is a citizen, an argument that inflamed immigration and human rights advocates who argued that immigrants, already distrustful of the government, would avoid filling out the census out of fear that their answers could jeopardize their immigrant status in the country. Such a reaction would further depress response rates, forcing the Census Bureau to spend more money on follow-up and imperiling the accuracy of the count. Similar arguments were made at the state and federal level noting that the Census is also used for the once-in-a-decade process of drawing new districts for the U.S. House of Representatives.

Those concerns failed to dissuade Commerce Secretary Ross who, in turn, issued an eight-page response memo that makes two main points. First, it accepts DOJ's assertion that a citizenship question is needed to enforce the Voting Rights Act. Civil rights groups dispute that argument. They argue that citizenship is not needed to enforce the law and that collecting such data will actually have the opposite effect, that it will "undermine the law and weaken voting rights enforcement."

Ross's memo further asserts that a question on citizenship has long been a fixture of the decennial census and that his action is simply "reinstating" it. Civil rights advocates reason that the facts suggest otherwise, that though the Census Bureau does have [a 200-year history of asking residents about their origins](#), it has not asked about citizenship. Specifically, in 1820 people were asked whether they were "foreigners not naturalized." In 1850, they were asked about their place of birth; and in 1900, a question was added about what year they entered the country. Moreover, beginning in 1950, those

questions were moved to the long form of the census that goes to only one in six households, meaning that most residents were never asked about their origins or immigration status. Finally, after the 2000 census, the long form was dropped from the decennial census and converted into the American Community Survey, a lengthy questionnaire that annually goes to only about 3 million households. Secretary Ross's second point challenges the notion that the change would depress Census response rates. While acknowledging that both outside experts and leaders within the bureau opposed the change, Ross said that "neither the Census Bureau nor the concerned stakeholders could document that the response rate would in fact decline materially." Civil rights advocacy groups responded by essentially saying that "of course not, because response rate studies had not been conducted by Ross or the bureau to establish the Ross claim."

Perhaps it should be noted that these tit-for-tats have been transpiring during a period when the Census Bureau is without either a permanent director or a permanent deputy director.

Secretary Ross' final directive concludes that "the need for accurate citizenship data and the limited burden that the reinstatement of the citizenship question would impose outweigh fears about a potentially lower response rate."

Politicians, also, were quick to react to Ross's decision. The state of California immediately filed suit claiming the question violates the U.S. Constitution. Last month the California attorney general was joined by colleagues in 18 other states in a letter to Secretary Ross urging him not to add a citizenship question.

Meanwhile, there is a group in Congress who want to prevent future administrations from attempts to add questions to the census at the last minute. For example, Representative Carolyn Maloney (NY) and others introduced bill H.R. 5359 that would require that any new questions be "researched, studied, and tested" for at least 3 years prior to submission. Further, it would require the General Accountability Office, the congressional watchdog agency, to certify that such vetting had occurred before any new questions were added. Some have suggested that Secretary Ross's eleventh-hour decision to add a citizenship question might enhance the prospects of the H.R. 5359 bill, which was seen as having little chance of passage when it was first introduced.

Why an Accurate Census Count Is So Important

The decennial and American Community Surveys (ACS) censuses are much more than just head counts. They are snapshots of our country, the primary data sets used to determine how congressional seats are apportioned, how state and federal dollars are distributed, where businesses choose to ship products, where they build new stores, and a whole lot more. To do all that properly, the count needs to be accurate.

The Commerce Department Secretary's [decision to restore a citizenship question](#) in the census beginning in 2020 has raised concerns about curtailing participation and undercounting people living in the United States, particularly immigrants and minority groups who [express discomfort](#) with answering questions from census workers. The commerce secretary has acknowledged concerns about decreased response rates, but his position remains that a citizenship question will enhance the results by helping calculate the percentage of the population eligible to vote.

An undercount of the population would have far-reaching implications. More specifically, it could skew the data used to determine how many congressional representatives are assigned each state and representation in state legislatures and local government bodies. It would shape how billions of dollars a year are allocated for school and hospital funding. An undercount would bring into question the integrity of a [wide variety of economic data and other statistics](#) that businesses, researchers and policymakers depend on to make decisions, including the numbers used to [forecast Social Security](#) beneficiaries.

Following are examples of commercial, political and research efforts that depend on accurate census data.

Apportioning seats in Congress, state legislatures and the like

The Constitution [requires the government to enumerate](#) the number of people living in the United States every 10 years, and to use that data to apportion the seats in Congress among the states. The calculation is [based on total resident population](#) - citizens and noncitizens alike – and generally shifts power between the states once a decade in line with population and migration trends.

Further, lawmakers use census data to [draw congressional district boundaries](#) within states, an often-controversial process that determines partisan control of the House. Census data also provide the basis for establishing state legislative districts and such local boundaries as City Councils and school boards.

Spending decisions for federal and state dollars

The federal government bases a large amount of its spending decisions on census data. For example, in the 2015 fiscal year, 132 government programs used census information to determine allocations of \$675 billion, much of it for programs that serve lower-income families including Head Start, Medicare, the Supplemental Nutrition Assistance Program, Pell grants for college and reduced-price school lunch programs. Highway spending is also apportioned based on census data.

Informing business decisions

To sell products and services, companies large and small depend on good information to locate potential customers and how much money consumer prospects might spend. The census provides the highest-quality and most consistent information base for such decisions and businesses depend on it for making critical business decisions.

Census data help companies decide where to locate distribution centers to best serve their customers, where to expand or locate new stores and where they have the best chance of seeing a high return on investment – all decisions requiring data integrity.

The calculation for determining congressional districts is based on total resident population , i.e. citizens and noncitizens alike. Texas, Florida, Colorado and Oregon are [projected to gain seats](#) after the 2020 numbers are in. Illinois, Ohio, New York and West Virginia are among the states expected to lose seats. A census undercount could shift those projections.

Planning for health and wellness programs

Low response rates from any demographic group would undermine the validity of various population-wide statistics and program planning.

Researchers use census data to understand the distribution of diseases and health concerns such as cancer and obesity across the United States population, including drilling down to race and ethnicity to identify health patterns across demographics. Public health officials then use the data to target their interventions in at-risk communities. Inaccurate census data could [lead public health officials](#) to invest in solving problems that do not exist or, alternatively, to overlook problems that do exist.

Conducting the census is becoming increasingly difficult due to a variety of factors including increasing cultural and linguistic diversity. Critics argue that adding a citizenship question would make the enumerators' jobs even more difficult by heightening privacy concerns, distrust of government, and reducing participation among immigrants who may fear the information will be used to harm them or their families.

Predicting Social Security Costs

An undercount in the census would also affect forecasts about Social Security payouts, which are already increasing as a share of the federal government's revenue.

When Congress plans for the costs of the nation's Social Security needs, lawmakers rely on demographic projections of the population's future: the number of children expected to be born, the number of people expected to die, and the number of people expected to immigrate, and the like. If baseline data on the current population is inaccurate, [future projections](#) will be skewed causing increased financial challenges down the road.

In summary –

Data from the census and American Community Survey directly affect how more than [\\$675 billion per year](#) in federal and state funding are allocated to local, state and tribal governments. The data are also vital to a host of other planning decisions, such as emergency preparedness and disaster recovery. Conducting the census is a massive undertaking. It requires [years of planning](#) and the support of a massive workforce. Currently, the Census Bureau is conducting the 2018 Census Test in Rhode Island. The [2018 Census test](#) is a critical part of preparations for the nation’s upcoming 2020 Census and includes approximately 265,000 housing units in Providence County. The 2018 Census Test will help the Census Bureau validate its plans for 2020 Census operations, procedures, systems and field infrastructure for the once-a-decade census.

“The goal of the census is to count every person living in the United States once, only once and in the right place,” said Ron Jarmin, Acting Director of the U.S. Census Bureau. Jarmin concluded: “The 2020 Census is easy, safe and important. The census asks just a few questions and takes about 10 minutes to respond. For the first time, you can choose to respond online, by phone or by mail.”

NEW BUSINESS

A work group was formed to draft a letter to the governor consigning broadband. The draft will be submitted to the HSV Board for their consideration. In addition, the work group will draft a letter that residents may use as a guideline to express their personal concerns to the state legislature and officials. This work group consists of Gregg Jones, Pam Avila and Jim Harlow.

Jerry Yeric reported that the committee to plan for a fall election forum continues to meet. That committee includes Jerry Yeric, Bob Shoemaker, Pam Avila, Bob Herbert and Lu Otto.

Bob Harlow reported that the development of the Career Path Center in Benton continues its progress toward a \$39 million plus project. Ten career paths have been identified with the latest being an aviation path in partnership with Henderson State University.

Keith Keck reported by email that parts of the Magellan area of the Village in the 2010 census designation was incorrect. It will be corrected in the upcoming 2020 census.

ADJOURNMENT

Meeting adjourned at 9:35 AM.