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Summer 2015

Director's Message

Kevin Niehaus, BCS Director

New Notary Public Application System

The Business and Commercial Services Division of the Secretary of State (BCS) is excited to announce a new and improved system for the commissioning of notaries public in Arkansas. During Secretary Martin's first term, we automated many of the commonly used services of BCS such as "Auto-Drop" for corporate filings and online submissions for non-profit annual reports. The new online notary system is another step in making our services more accessible to our constituents and is a great way to begin Secretary Martin's second term. The new system, which launched in early May of this year, will enhance not only the commissioning process of new and renewing notaries, but will also improve the ability for notaries to manage their commission records throughout their ten-year terms.

After an extensive search, the Arkansas Secretary of State's Office selected PCC Technology Group as the vendor for this project. PCC has created similar systems for many other states including Connecticut and New Mexico. The new system will replace the outdated Windows 2000-based software which had been used by BCS since the early part of this millennium. Users now have an improved commissioning experience as a "wizard" will guide the applicants through their online application.

The system's new web-portal is located at <http://bcs.sos.arkansas.gov>. The online wizard will reduce common errors which can cause time-sensitive interruptions in the application process. Applicants will be able to better track the status of their application through the online search page and email notifications. The online system is available for current notaries as well to make changes and amendments to their record throughout their commission.

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The Secretary's Minute

New Business Portal to Create One-Stop Shop

Mark Martin

ARKANSAS SECRETARY OF STATE

During the Regular Session earlier this year, the Legislature passed [Act 1190](#) "to establish a state business portal within the Office of the Secretary of State" and "to promote efficient interactions between business and state government." We are in the beginning stages of this project, but the idea is to create a one-stop shop online where everything you need from state government in starting your business can be found in one place.

We want to encourage entrepreneurship to create a better business climate in our state. No one likes red tape and we want to cut as much of it as possible. We want to make it easier to own and operate a business in Arkansas. To that end, we are continuing to strive to make things as simple as possible for our customers. Ninety-five percent of the business and commercial services that are available from our office can now be done online. We are working to make that 100%.

On a different note, for those businesses who missed the recent Franchise Tax deadline, **you can still pay them between now and December 31 and remain in good standing.** So far, our office has processed over 131,000 tax filings.

[\[Click here to file your franchise tax\]](#)

We have another deadline soon approaching. **Nonprofit Annual Reports are due August 1**, but don't worry, this can be done online as well – saving you time and postage. There are approximately 20,000 nonprofit organizations registered in Arkansas. [\[Click here to file your annual report\]](#)

With all of that said, I hope that you are having a productive and profitable summer so far. If there is anything our office can do to help your business succeed, please don't hesitate to call.



Arkansas Business To Watch: *Radius Group Solutions*

Construction spending is recognized as a leading economic indicator. It is this intersection of finance, labor, real estate, and various services that can increase economic prosperity.

An important element of construction spending is the lending, or loan component. This is the interim, or temporary loan that a contractor or developer requests from their bank. Once a construction loan is approved, the bank and the contractor create draw schedules that determine the disbursement of funds as the project advances. Common frustrations for the lender and borrower are in draw schedule management, verification of project milestones, and timely release

of funds to purchase materials and pay labor costs.

Radius Group Solutions, founded in 2010 by executives experienced in banking, real estate, and information technology, has created a solution that replaces time-consuming administrative tasks and spreadsheets with desktop and mobile tracking, funding, and reporting. *LoanTrak* is a secure, cloud-based project management system designed to support banks in the construction lending process.

“Radius *LoanTrak* is an innovative, cost-efficient software as a service (SaaS) offering for community banks to effectively manage construction loan projects,” says CEO of Radius Group,

Mike Montgomery. “It increases loan officers’ productivity and reduces risks of over-funding.”

Besides benefiting loan processing, *LoanTrak* helps contractors by allowing time and location-stamped images from a mobile device, to provide the bank a rapid visual evaluation of a project’s progress, allowing for expedient release of funds. Projects can move forward with the pace of construction without always relying on site inspectors for verification.

Radius Group Solutions is headquartered in Little Rock and has community bank customers in Arkansas and 11 other states. You can learn more about *LoanTrak* at www.radiusgroupsolutions.com.

Notary Law Changes and Updates

In Case You Missed It:

Changes from 2013 89th General Assembly ([Act 492 of 2013](#))

- All notary seals of office, including rubber stamps AND embossers, MUST use blue or black ink.
 - Reminder: It’s required that all notary seals be clear, legible and capable of photographic reproduction.
 - Reminder: All notary public seals of office must include the following information:
 - Official notary public name as written on certificate of commission
 - Commission expiration date
 - County of commission – the notary’s county of residence
 - Commission number – if the notary has been issued one
 - The words “Notary Public” and “Arkansas”
 - Cannot contain: The Great Seal of the State of Arkansas or the outline of the State of Arkansas.
- Notary public applicants (new and renewals) cannot have been convicted of a felony.
- The Arkansas Secretary of State now has the ability to require applicants to demonstrate that they have reviewed the law concerning notaries public and understand the duties of a notary public.

- If a notary needs to transfer their commission from one county to a new county due to a change in residence, the notary may now use a certified copy of the bond issued by the original county of commission. Previously, you could only transfer a commission if you had the original bond.

Notaries may only take a deposition under [Rule 28 of the Arkansas Rules of Civil Procedure](#) and [Rule 28 of the Federal Rules of Civil Procedure](#).

Each time a notary public signs their name on a document, they now must use blue or black ink.

A notary’s commission may now be revoked if the notary is found by a court to have charged fees higher than allowed under Arkansas notary law.

Changes from 2015 90th General Assembly ([Act 570 of 2015](#))

- Arkansas notaries are no longer required by law to charge each time they perform a notarial act.
- Notaries may now charge for actual round-trip mileage, calculated using the **federal rate for mileage reimbursement**, between the location of service by the notary public and the place of residence or business of the notary public, whichever distance is less.
- Notaries may now renew their commissions up to 60 days before their current commission will expire. Previously, a renewal application could only be submitted up to 30 days prior to the commission expiration date.

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Arkansas notaries in good standing will also be able to apply to become Electronic Notaries (eNotary) easily through this new web portal. The new notary system will integrate the eNotary commission enhancement with a notary’s traditional commission – these two systems were previously housed in separate databases. Prospective eNotaries will be able to complete the entire application process online, which includes the commission

enhancement application, fee payment and registration for the required training and examination. Improved search features will allow the public to more easily find local notaries and eNotaries.

With the implementation of this new system, we look forward to better serving our constituents through our mission of providing exceptional customer service at the highest levels of integrity, excellence and accessibility.

Arkansas Business Icons: *Post Familie Winery*

The Beginning: A “Familie” Affair

Post Familie Winery began in 1880 when Jacob Post, an immigrant from Germany, settled his family in Altus, a thriving railroad town in western Arkansas near the Arkansas River. The Post family capitalized on their German heritage as grape growers and vintners, and sold their products to local passengers on the railroad. At the time, there were over 40 different families producing wine in the area.

When Prohibition began in 1920, the families that decided to continue making wine (legally) formed a co-op winery on the site of the present-day Post Familie Winery, previously known as the Bachman Winery. James Post was the head winemaker for the co-op and a leader in the community. The wine produced was made for the Catholic Church, although “Ma Post” sold wine illegally at the family’s diner; a crime resulting in her subsequent arrest and incarceration. She later said it was the best vacation of her life.

As Prohibition ended, many families got out of the grape business and the Post family began acquiring more vineyard plots and distinguishing themselves in the wine industry. Fast forward four generations to Matthew Post Sr., his wife Betty, and their twelve children, who nearly all work for the winery and manage a prestigious and growing wine brand.

Altus – Arkansas Wine Country

In addition to fertile, sandy soil and Arkansas’ temperate climate, the location of the Arkansas River and an effect called thermal inversion helps make Altus and St. Mary’s Mountain ideal for growing grapes. Thermal inversion is when a layer of warm air lays over a layer of cold air. The presence of the Arkansas River and the elevation of the mountain causes this effect on St. Mary’s Mountain. The warm air helps prevent late spring frosts that can damage grapes when they are still immature.

A Modern Operation

The winery’s original facilities have been upgraded over the years in many ways. Previously, red oak tanks were used to store and age the wine, but have since transitioned to stainless steel. This allows greater control of the wine-making process, resulting in a better product. The winery also made significant upgrades to their bottling facilities, creating an overall ease of production and giving the wine a longer shelf life.

As a company, Post Familie Winery is unique to Arkansas. They are the farmers, the producers, the manufacturers, the salespeople, and the distributors. This has created local jobs and allowed the winery to have direct control of the supply chain from top to bottom, making it easier to fix any problems that might arise. Post Familie Winery is a true farm-to-table operation.



Their growth through the years has reflected the growth of Arkansans’ interest in wine. They have seen an increase in cooerage in their cellars and have done a complete remodel of their tasting room and gift shop. They recently opened The Trellis Room, a restaurant and event venue that focuses on using local foods in the lunches they serve on Tuesdays, Wednesdays and Thursdays. The

Trellis Room is operated by sixth generation granddaughter Chef Terese Post.

In addition to the winery, key staff members from Post Familie Wineries, such as Lee Green, and local officials, including Altus Mayor Veronica Post, work directly with the Viticulture Enology Science and Technology Alliance [VESTA] program at the Arkansas Tech University – Ozark campus. VESTA gives students hands-on experience in the wine industry which creates an educated workforce from which local businesses can hire. For more information about VESTA, visit: www.vesta-usa.org.

Through their daily tours, tastings and new restaurant, Post Familie Winery is a vital part of the economic and tourism industry of the Arkansas River Valley and Arkansas as a whole. Post Familie wines can be found anywhere in Arkansas that sells wine off-premise, as well as in areas of Oklahoma, Louisiana, Missouri, Tennessee and Mississippi. If someone can’t find it in their store, they may ask the store to contact the winery or let Lee Green at Post Familie Wineries [1-800-275-8423] know and he’ll resolve the issue quickly. For more information about Post Familie Wineries, please visit: www.postfamilie.com.



Travel the Arkansas Wine Trail at www.arkansas.com/travel-tools/trips-trails/detail/?id=faf6c758-33ea-4963-9042-43aca4cd4d0b.

Note: This article is part of an ongoing series featuring iconic Arkansas businesses and business leaders.

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Use a mobile QR app to scan
this code and order certificates
of good standing or search
entities *on the go!*

2015 Annual Report for Nonprofit Corporation

File Electronically Today

Deadline: August 1, 2015

Prepare and update your 2015 report online at
www.sos.arkansas.gov/BCS

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*Contact Business and Commercial Services Division
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