

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
February 08, 2017

The Arkansas State Police Commission met on Wednesday, February 08, 2017 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Shepherd called the meeting to order at 10:01 a.m.

MEMBERS PRESENT:

Commissioner Dr. Lewis Shepherd, Chairman
Commissioner Bob Burns, Secretary
Commissioner Jane Christenson
Commissioner Neff Basore
Commissioner Bill Benton
Commissioner Steve Edwards

MEMBER ABSENT:

Commissioner John Allison, Vice-Chairman

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Lt. Colonel Tim K’Nuckles
Major Mike Foster	Major Ron Stayton
Major Forrest Marks	Captain Mike Kennedy
Captain Mark Hollingsworth	Major Lindsey Williams
Sherry Woods	Jenna Castleberry
Emma French	Captain Jeff Drew
Bill Sadler	Captain Charles Hubbard
Phyllis Huitt	Jackie Baker
Elizabeth Johnson	Lieutenant David Cooper
Robin Gifford	Lieutenant Randall Dias
Corporal Tiffany Dycus	Captain Alex Finger
Bridget White	Lieutenant Paulette Ward
Captain John Carter	Captain Brady Gore
Lieutenant Ben Cross	Captain Wesley Smithee
Sergeant Kim Warren	Sergeant Dennis Morris
Lieutenant David Lafferty	Lieutenant Roby Rhoads
Lieutenant Ronnie Qualls	Elaine Lee

OTHERS PRESENT:

Olan Reeves, Asst. Attorney General	Brooks Jackson, ASP Foundation
Edmund Hurst – Crews & Associates	Russel Viegas – Crew & Associates
Ro Arrington - ADFa	Major General Mark Berry – TAG
John Bryant – Mitchell Williams	

PLEDGE OF ALLEGIANCE:

Commissioner Burns led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on February 02, 2017.

Commission Chairman Shepherd welcomed the newly appointed Commissioner Steve Edwards from Mariana. He has already been sworn in and we thank you for your next seven years of service to the Arkansas State Police Commission. On behalf of all the commissioners, we want to welcome you.

MINUTES:

Commissioner Christenson made a motion to approve the minutes of the January 12, 2017 monthly Commission Meeting. Commissioner Basore seconded and the motion passed.

WEAPON RESOLUTION:

Major Mike Foster presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Corporal Victor D. Coleman efficiently and effectively served the Arkansas State Police for a period of thirty years, five months, and seventeen days;

WHEREAS: Corporal Victor D. Coleman retired from this department December 31, 2016;

WHEREAS: His departure creates a vacancy that will be most difficult to fill, which is recognized by each and every member of the Arkansas State Police Commission;

WHEREAS: Corporal Victor D. Coleman has made formal request that his service weapon be retired with him and remain in his possession;

BE IT THEREFORE RESOLVED: The Arkansas State Police Commission, in its regular meeting at Arkansas State Police Headquarters in Little Rock, Arkansas on Wednesday, February 08, 2017, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS034, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioners Basore/Christenson made a motion to approve the above weapon resolution presented to the Commission. Commissioner Burns seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Corporal Victor Coleman efficiently and effectively served the Arkansas State Police for a period of thirty years, five months, and seventeen days;

WHEREAS: Corporal Victor Coleman retired from this department December 31, 2016;

WHEREAS: His departure creates a vacancy that will be most difficult to fill, which is recognized by each and every member of the Arkansas State Police Commission;

WHEREAS: Corporal Victor Coleman has made formal request that his shotgun be retired with him and remain in his possession;

BE IT THEREFORE RESOLVED: The Arkansas State Police Commission, in its regular meeting at Arkansas State Police Headquarters in Little Rock, Arkansas on Wednesday, February 08, 2017 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D578654M, that Corporal Victor Coleman has carried be affixed at \$100.00, and that Corporal Victor Coleman be permitted to purchase the shotgun for his personal use.

Commissioner Burns made a motion to approve the above weapon resolution presented to the Commission. Commissioner Benton seconded and the motion passed.

DIVISION REPORTS:

Fiscal Section – Emma French

Ms. French gave an overview of the reports which were distributed to the Commission. She explained we are at 58%. Our appropriation act is in Joint Budget and it will probably set there for a while, we do not expect it to have any movement anytime in the next few weeks. I really do not have anything else to add. We do have Mitchell Williams, ADFA and Cruse and Associates here and they are going to cover our bond issue.

Administrative Services – Captain Mike Kennedy

Captain Mike Kennedy presented an oral summary of the written report distributed to the Commission. He began by reporting the Human Resources/Personnel transactions for the month; the civilian transactions include six new hires, three promotions, four voluntary resignations, and one extra help resignation. The commissioned transactions included two promotions, five lateral transfers, and one voluntary resignation. We currently have seven department members on military deployment.

Regarding the ASP Health Plan, the January paid claims were \$1,316,000 and that is an increase of \$255,000 over last month. Our fund balance is \$190,000 lower than last month for a total fund balance is \$6.1 million. We received a total of \$183,325 in stop loss reimbursement for the month of January. We will continue to monitor the claims and balance and if you have any questions, I will try to answer them.

NEW BUSINESS:

ADFA Bond Presentation

Ro Arrington, Public Finance Officer with Arkansas Development Finance Authority stated as you know we are the bond issuing authority for the Arkansas State Police. With me today is a representative from Williams and Anderson, a bond counsel on the transaction that is being proposed. Mitchell Williams has a bond resolution to present to the ASP Commission for consideration.

Good Morning, my name is John Bryant with Mitchell Williams, a law firm here in Little Rock and before you today is a resolution that is requesting that the Arkansas Development Finance Authority (ADFA) issue tax exempt revenue bonds to the department for the purposes of financing the cost of the project that consists of the construction and equipping of five headquarters facilities to be located around the state. Refunding certain prior bond indebtedness the department could simply determine that separate fundings are in the best interest of the department, establishing debt service reserves funds with the bonds and paying cost of issuance. The bonds will be secured by pledge of the drivers' license fees; the principal amount not to exceed \$35,000,000 will have an interest rate not to exceed 4.25% and will mature no later than March 31, 2035. This resolution requests that ADFA issue the bonds and authorize the officers of the Commission and the department to execute and deliver all documents necessary for the bond issue and taking any other additional steps that are needed. If you have any questions about the resolution, I will be happy to answer them.

R E S O L U T I O N

WHEREAS: The General Assembly of the State of Arkansas has adopted the Arkansas State Police Headquarters Facilities and Equipment Financing Act, codified at Arkansas Code Annotated Sections 12-8-601, *et seq.* (the "Act"); and

WHEREAS: The Act provides a method for providing financing for the Headquarters Facilities (as defined in the Act) to be utilized by the Arkansas State Police by the issuance of tax-exempt revenue bonds by the Arkansas Development Finance Authority ("ADFA"); and

WHEREAS: ADFA has previously issued its Drivers' License Refunding Revenue Bonds (Arkansas State Police - Wireless Information Network Project) Series 2011 (the "Series 2011 Bonds") and its Drivers' License Refunding Revenue Bonds (Arkansas State Police - Headquarters and Wireless Data Equipment Project) Series 2014; and

WHEREAS: Previously, the Commission determined that Arkansas State Police ("ASP" or the "Department") should make improvements to and construct various troop headquarters facilities located throughout the State (the "Project") and has incurred preliminary expenses related to examining the feasibility of the

Project, including but not limited to architectural, engineering, and design costs; and

WHEREAS: The Commission wishes to request that ADFA proceed with a plan of financing to issue revenue bonds to finance the costs associated with the Project, to refund the Series 2011 Bonds, if determined to be in the best interest of ASP, to establish a debt service reserve fund, and to pay costs of issuance associated with the Bonds, and the Commission will pledge drivers' license fees to the payment of such revenue bonds as authorized by the Act.

NOW, THEREFORE, BE IT RESOLVED, THAT:

- Section 1. ADFA is hereby requested to proceed with the sale and issuance of revenue bonds to finance the costs associated with the Project, to refund the Series 2011 Bonds, if determined to be in the best interest of ASP, to establish a debt service reserve fund, and to pay costs of issuance associated with the Bonds. The Commission hereby agrees to take such action as is necessary on its part to pledge drivers' license fees, as authorized by the Act, as security for such bonds. Such bonds shall be in a principal amount not to exceed \$35,000,000, shall bear interest at a rate not to exceed four and 25/100 percent (4.25%), calculated on the basis of true interest cost (after taking into account original issue discount and premium and underwriter's discount, but excluding costs of issuing such bonds), and shall mature not later than March 31, 2035.
- Section 2. The Director of the Department, Chief Financial Officer and other officers of the Department are hereby authorized to approve the plan of financing and the documents necessary to issue the bonds, including a Loan Agreement between the Department and ADFA.
- Section 3. The Director, the Chairman, the Secretary of the Commission, and the officers of the Department are hereby authorized and directed to do all things and to take all appropriate actions necessary or advisable to carry out the intent and purposes of this Resolution and to implement fully the intent and purposes of the Act, including, but not limited to, the execution and delivery of all papers, documents, certificates, agreements and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.
- Section 4. All actions heretofore taken by representatives of the Department in connection with the Project and the offer and sale of the bonds are hereby in all respects ratified and approved.
- Section 5. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
- Section 6. This Resolution shall be in force and effect immediately upon and after its passage.

Commissioner Neff Basore made a motion to approve the above resolution presented to the Commission. Commissioner Burns seconded and the motion passed.

Commission Chairman Shepherd stated at this time we would like to recognize a momentous event, this is the last meeting for Major Ron Stayton as a commissioned police officer with the Arkansas State Police. He began his service on April 29, 1985 and his duty spans eight years in the Highway Patrol Division, eighteen years in the Criminal Investigation Division, and the last three and one half years in the Crimes Against Children Division. In his last role, he has made tremendous improvements in that division including new employees, new procedures, and he has just been an all around policeman's policeman.

I asked him this morning about his time here and his plans and he said well I am still a young man and the Lord is not through with me yet. I do not know what the next phase of my life will be, but am looking forward to it and will miss the days with the Arkansas State Police and Commissioners. I think it is appropriate for his many years of service that we commend Major Ron Stayton for the work that he has done for the Arkansas State Police.

Major Stayton thanked Chairman Shepherd for his kind words.

EXECUTIVE SESSION:

Commission Chairman Shepherd asked Colonel Bryant if there was a need to go into Executive Session and Colonel Bryant stated we have several personnel matters to discuss.

Commission Chairman Shepherd asked if there was a motion. Commissioner Basore made a motion to go into Executive Session for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of an employee, Commissioner Christenson seconded and the motion passed. The Commission went into Executive Session at 10:11 a.m.

The open meeting resumed at 11:08 a.m. and Commission Chairman Shepherd asked Colonel Bryant if he had any recommendations.

Colonel Bryant stated we have several promotions up for consideration and the first one will be the Captain position in the Director's Office, Office of Professional Standards and my recommendation to the Commission would be to promote Lieutenant Paulette Ward to ASP Captain in the Office of Professional Standards. Commissioner Christenson made a motion that Lieutenant Ward be promoted to Captain, Commissioner Burns seconded and the motion passed.

The second one up for consideration is the Lieutenant position in the Criminal Investigation Division, Company C and my recommendation to the Commission would be to promote Sergeant Dennis Morris to ASP Lieutenant in Company C. Commissioner Benton made a motion that Sergeant Morris be promoted to Lieutenant, Commissioner Basore seconded and the motion passed.

The next position is the Lieutenant position in the Criminal Investigation Division, Company E and my recommendation to the Commission would be to promote Sergeant Kim Warren to ASP Lieutenant in Company E. Commissioner Christenson made a motion that Sergeant Morris be promoted to Lieutenant, Commissioner Burns seconded and the motion passed.

The next position is the Sergeant position in the Highway Patrol Division, Troop J and my recommendation to the Commission is Corporal Matthew Williams for promotion to Sergeant in the Highway Patrol Division, Troop J. Commissioner Basore made a motion that Corporal Williams be promoted to Sergeant, Commissioner Christenson seconded and the motion passed.

The next position is the Sergeant position in the Administrative Services Division, Training and my recommendation to the Commission is Corporal Michael Gunnett for promotion to Sergeant in Training. Commissioner Christenson made a motion that Corporal Gunnett be promoted to Sergeant, Commissioner Benton seconded and the motion passed.

Colonel Bryant stated the last position will not require Commission approval, but it is an ASP Sergeant in Troop C. I am going to do a lateral transfer of Sergeant Albert Miller from Troop I to Troop C in the Highway Patrol Division. I just wanted to inform the commission of that lateral transfer.

Chairman Shepherd thanked Colonel Bryant for his recommendations and the Commissioners for their validation of those recommendations. I would like to personally say on behalf of the commission, congratulations to all of those officers who have been promoted today.

NEXT MEETING:

Commissioner Basore asked Commission Chairman Shepherd if the March meeting could be moved to a week earlier than what is scheduled. Everyone agreed and Commission Chairman Shepherd stated next month's Commission Meeting will be held on Thursday, March 02, 2017 at 10:00 a.m.

With no more business, Commission Chairman Shepherd asked for motion to adjourn. Commissioner Christenson made a motion to adjourn the meeting, Commissioner Benton seconded and the motion passed. Commission Chairman Shepherd adjourned the meeting at 11:13 a.m.

Commission Chairman

Commission Secretary