

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
May 11, 2017

The Arkansas State Police Commission met on Thursday, May 11, 2017 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Shepherd called the meeting to order at 10:04 a.m.

MEMBERS PRESENT:

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

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Lt. Colonel Tim K’Nuckles
Major Mike Foster	Major Lindsey Williams
Sherry Woods	Jenna Castleberry
Emma French	Gary Glisson
Bill Sadler	Jackie Baker
Harmony Daniels	Lieutenant Roby Rhoads
Lieutenant David Lafferty	Bridget White
Sergeant John Blackmon	Sergeant Ted Jones
Lieutenant Darran Austin	Sergeant Elvis Mull
Sergeant Shannon Shepherd	Trooper Glen Bates
Corporal Kevin Growns	Trooper Caleb Pevehouse
Captain Mike Hagar	Lieutenant David Cooper
Trooper Tim Callison	Corporal Brandon Cook
Trooper Kyle Sheldon	TFC Terry Sawyer
Captain Charles Hubbard	Captain Jeff Drew
Sergeant Mike Moyer	Lieutenant Stacie Rhoads
Elaine Lee	Greg Downs
Mary Claire McLaurin	

OTHERS PRESENT:

Olan Reeves, Asst. Attorney General	Lisa Jones
Angela Mull	Edmund Hurst, Crews & Associates
Robert Arrington, ADFA	Michelle Allgood, Mitchell Williams

PLEDGE OF ALLEGIANCE:

Commissioner Basore led the pledge of allegiance.

NOTIFICATION OF MEDIA:

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

MINUTES:

Commissioner Basore made a motion to approve the minutes of the April 13, 2017 monthly Commission Meeting. Commissioner Burns seconded and the motion passed.

WEAPON RESOLUTIONS:

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 Ray Ervin efficiently and effectively served the Arkansas State Police for a period of twenty-three years and two months;

WHEREAS: Corporal Ray Ervin retired from this department March 31, 2017;

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 Ray Ervin 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 Thursday, May 11, 2017, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS455, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Corporal Ray Ervin efficiently and effectively served the Arkansas State Police for a period of twenty-three years and two months;

WHEREAS: Corporal Ray Ervin retired from this department March 31, 2017;

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 Ray Ervin 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 Thursday, May 11, 2017 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC535479, that Corporal Ray Ervin has carried be affixed at \$100.00, and that Corporal Ray Ervin be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Corporal Jeff Boyd efficiently and effectively served the Arkansas State Police for a period of twenty-three years, six months and eleven days;

WHEREAS: Corporal Jeff Boyd retired from this department March 31, 2017;

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 Jeff Boyd 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 Thursday, May 11, 2017, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS541, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Corporal Jeff Boyd efficiently and effectively served the Arkansas State Police for a period of twenty-three years, six months and eleven days;

WHEREAS: Corporal Jeff Boyd retired from this department March 31, 2017;

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 Jeff Boyd 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 Thursday, May 11, 2017 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC622744, that Corporal Jeff Boyd has carried be affixed at \$100.00, and that Corporal Jeff Boyd be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: TFC Brian Burke efficiently and effectively served the Arkansas State Police for a period of six years, two months, and twenty-two days;

WHEREAS: TFC Brian Burke retired from this department March 31, 2017;

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: TFC Brian Burke 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 Thursday, May 11, 2017, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number MPD828, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: TFC Brian Burke efficiently and effectively served the Arkansas State Police for a period of six years, two months, and twenty-two days;

WHEREAS: TFC Brian Burke retired from this department March 31, 2017;

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: TFC Brian Burke 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 Thursday, May 11, 2017 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D588312M, that TFC Brian Burke has carried be affixed at \$100.00, and that TFC Brian Burke be permitted to purchase the shotgun for his personal use.

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

PROMOTION CERTIFICATES:

Colonel Bill Bryant presented a promotion certificate to Sergeant Ted Jones promoting him to Sergeant in the Criminal Investigation Division, Company E.

Colonel Bill Bryant presented a promotion certificate to Sergeant John Blackmon promoting him to Sergeant in the Criminal Investigation Division, Company C.

OFFICIAL COMMENDATIONS:

Major Mike Foster gave an overview of the nomination of Corporal Kevin Grows for an Official Commendation.

Major Foster stated Corporal Kevin Grows responded to a call from Perry County regarding a welfare concern in the Perryville area as he was the closest unit. This occurred on January 2, 2016. He was advised that a juvenile had a belt around his neck and was threatening to kill himself. The mother of the juvenile remained on the phone with 911. Corporal Grows ascertained if there were any weapons in the home and the mother indicated there were none. She also requested Corporal Grows make entrance through the rear door of the home. Finding the door locked, Corporal Grows kicked in the door and along with a friend of the juvenile went to the juvenile's room. The juvenile was finally located inside the closet with a belt around his neck, falling into the bedroom when Corporal Grows opened the closet door. The juvenile was conscious; Corporal Grows removed the belt from his neck and took him into the living room to await the arrival of EMS. The juvenile's mother transported her son to a hospital. Corporal Grows made calls to two hospitals in Little Rock and notified the mother by phone that Children's Hospital would accept her son, expecting them to arrive at their emergency room. The quick actions of Corporal Kevin Grows prevented a tense situation from getting worse. His follow up after the threat was over to assist in locating a hospital that would take the juvenile was above and beyond the call of duty.

Colonel Bill Bryant presented an Official Commendation Award to Corporal Kevin Grows.

Major Mike Foster gave an overview of the nomination of Trooper Herbert Bates for an Official Commendation.

Major Foster stated this incident happened on February 27, 2016; a 16 year-old boy fell near the falls in Petit Jean State Park. The fall injured his back, neck and other areas making it impossible for him to walk. Trooper Bates was on-duty and responded to the scene to assist. The injured boy was located approximately one mile down in the canyon from the top of the mountain. Trooper Bates assisted with securing the boy to a back board and helped carry him back up the mile long trek to an ambulance.

On Sunday, March 6 a 13 year-old girl fell approximately 30 feet from a cliff. It took rescue personnel four hours to carry her out of the canyon. Trooper Bates was off-duty on this date yet responded to the scene and assisted with carrying the girl up the steep incline to the top where she was transported to a hospital.

On two different occasions, a little more than a week apart, Trooper Bates went into the forest, traversing rocks, brush and steep terrain to assist with the rescue of a young person who had been injured at Petit Jean State Park. Once while on-duty wearing full uniform and once while off-duty, both actions by Trooper Bates demonstrate a dedication to serve his community that goes above and beyond the call of duty.

Colonel Bill Bryant presented an Official Commendation Award to Trooper Herbert Bates.

Captain Ron Casey gave an overview of the nominations of Sergeant Shannon Shepherd, Corporal Brandon Cook, Trooper Tim Callison, Trooper Kyle Sheldon, and Trooper Terry Sawyer for Official Commendations.

Captain Ron Casey stated he has a heartfelt story to tell that happened last year in April. A young boy by the name of Toxey Andrews who is 10 years old was fixing to have a birthday party. His mom gathered up invitations to send out to classmates and people in the school and neighborhood. Well when the birthday party came around nobody showed up and it devastated the little boy. Trooper Kyle Sheldon's wife Shaylynn works with the boy's mother Angela Andrews. Shaylynn found out about the situation and told Trooper Sheldon about what had happened to Toxey. At that point, Trooper Sheldon told Trooper Terry Sawyer and they came up with the idea of doing something for Toxey. Troopers Sheldon and Sawyer contacted Ms. Andrews and asked if they could actually have a party for Toxey and Ms. Andrews agreed. Trooper Sheldon then requested and received approval from Sergeant Shannon Shepherd. Troopers Sheldon and Sawyer then contacted Trooper Tim Callison, Corporal Brandon Cook, and Corporal David Forthman to gather up a little bit of money to help with this party. They all agreed to give money and they decided they wanted to participate in the party. They ran the plans by Sergeant Shepherd again and he donated money too. The troopers got together and bought Toxey several birthday gifts and a birthday cake. They held the party on April 4, 2016, kind of a surprise party, they showed up and you can just imagine how excited Toxey was the day of the party. These guys ate birthday cake with Toxey, gave him his presents and played basketball and other games. This hit Facebook and went nationwide and even as far as Germany. So their actions made an extremely sad 10 year-old boy a very happy child and they are deserving of Official Commendations.

Colonel Bryant stated he received emails from Australia, New Zealand and London, England complimenting these guys on what they did for this little boy.

Colonel Bill Bryant presented Official Commendation Awards to Sergeant Shannon Shepherd, Corporal Brandon Cook, Trooper Tim Callison, Trooper Kyle Sheldon, and Trooper Terry Sawyer.

Captain Charles Hubbard gave an overview of the nomination of Trooper Caleb Pevehouse for an Official Commendation.

Captain Hubbard stated on March 19, Trooper Caleb Pevehouse responded to a report of a vehicle submerged in water. The driver had driven into high water which had flooded a portion of State Highway 35 in Drew County. Trooper Pevehouse was the first to arrive on the scene and saw a car partially submerged floating in the deep water approximately 50 feet away. 911 Operators informed Trooper Pevehouse that two females were trapped inside the vehicle. Trooper Pevehouse waded out to the vehicle and made contact with the two occupants. By this time most of the passenger compartment was submerged and the females were cold and confused. Trooper Pevehouse was able to communicate with them and talking with them when he noticed the vehicle was sinking deeper in the water, the water was waist deep at this point. Trooper Pevehouse knew the rescue and first responders were still several minutes away. Trooper Pevehouse and a deputy decided to approach the vehicle and assist the two women out of the vehicle to a safe location. Trooper Pevehouse was in full Class A uniform during this rescue and at one point the water level rose to chest high. Trooper Pevehouse never hesitated to assist the two stranded women. His actions were quick and without hesitation and the vehicle eventually sank to the roof in the deep water. If not for the actions of Trooper Pevehouse and the deputy, the two women could have easily drowned in the cold water.

Colonel Bill Bryant presented an Official Commendation Award to Trooper Caleb Pevehouse.

Lieutenant Darran Austin gave an overview of the nomination of Sergeant Elvis Mull for an Official Commendation.

On July 13, 2016 Sergeant Elvis Mull, his wife Angela Mull and Trooper Kyle Bost were on their evening meal break at McAlister's Deli on Westhaven Drive in Little Rock. Across the street is Sonic Drive In, during their meal break there was a shooting that occurred at the Sonic. A citizen noticed the two marked units across the street and immediately ran across the street into the restaurant looking for the two troopers driving the marked units, notified them of the shooting and that one person was seriously injured. Without hesitation, Sergeant Mull, his wife Angela who is a registered nurse and Trooper Bost got up and ran across the street where Trooper Bost and Ms. Mull began emergency aid to the employee of Sonic. Sergeant Mull began securing the scene to make sure it was safe for everyone else and started coordinating with other responding units. All three working together saved the life of the Sonic employee and she is alive and well today. For his actions that night, Sergeant Mull is very deserving of an Official Commendation.

Colonel Bill Bryant presented an Official Commendation Award to Sergeant Elvis Mull.

Commission Chairman Shepherd thanked and congratulated each recipient of promotional certificates and official commendations. Commission Chairman Shepherd stated this underscores what I mentioned in my earlier comments that this agency is full of people who show professionalism and heroism in everyday life in their efforts to protect the citizens of this great state. We see that not only do our officers do that, but their spouses as well, thank you very much for your service to Arkansas.

DIVISION REPORTS:

Fiscal Section – Emma French

Ms. French presented an oral summary of the written report distributed to the Commission. She stated we are working on the year end and I think we have about 6 weeks left. We are preparing our budget for next year which we did not get any new general revenue so we are going to try to do a little but more with the same amount of money.

We have ADFA, Cruse and Associates and Mitchell Williams here to tell you how our bond issue closed out. Ro Arrington with ADFA stated we are the bond issuing agency for most state agencies. We had a successful closing and I am going to let these professionals talk about it in detail and answer any questions you may have regarding the bond issue. First I want to say in my job, what I do is work with state agencies from start to finish on these bond issues. I will say of all the state agencies that I have worked with, none have been better prepared and capable to handle a bond issue than Lt. Colonel Tim K'Nuckles, Emma French and Jenna Castleberry and all the others who supported them in this issue. Never before have I seen anybody really get into the details and want to understand what was going on from start to finish, most agencies go about doing what they are doing and they just say give me this amount of money, let us sign, and go on down the road. I just want to make sure you knew what professional folks you have working with you.

Edmund Hurst stated this was a little bit of a challenge or unique financing because of what the legislators did with the drivers license revenues, extending it from 4 year increments to 8 year increments, had the impact of having really large revenue years and then really slow revenue years. Those revenues would range from over \$12 million in some years to maybe under \$2 million in other years. He stated we were able to get Standard and Poor's to put an A credit rating on the financing transaction and then we further bought bond insurance to increase that up to a double A rating to help reduce the borrowing cost. The overall true interest cost on financing was close to 3 percent, at 3.15 percent which we thought was pretty good. Mr. Hurst stated he would be happy to answer any questions from the Commissioners.

Commissioner Allison asked if it was over sold, if there was good demand. Mr. Hurst stated yes sir we did; it was very well received in the marketplace.

Colonel Bryant complimented Ro Arrington, Edmund Hurst and Michelle Williams who worked on the bond issue. He also wanted to echo what Mr. Arrington said about Tim, Emma and Jenna who spent a lot of time on the issue. This is historical for the Arkansas State Police to get five new headquarters, some of them are 61 years old and our agency is 81 years old so we were in dire need of this, but the teamwork that ya'll did, I want to thank you for your efforts.

Commissioner Allison asked if it was a typical to have 3 co-managers on something of this size. Mr. Arrington stated he thinks so; it depends on how we request professionals to come to it and this is considered a professional selection process we did and I like the competition that it brings. We are blessed to have three very competent investment banking groups that call on us and Cruse went above and beyond in leading the team.

Commission Chairman Shepherd thanked them for their report and for working on the bond issue and stated this is a very unique concept, very very smart and well thought out.

Administrative Services – Lieutenant Roby Rhoads

Lieutenant Roby Rhoads 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, two promotions, one lateral transfers, five voluntary resignations, and one retirement. The commissioned transactions included two promotions, one lateral transfer, one retirement and two disciplinarys. We currently have ten department members on military deployment.

Regarding the ASP Health Plan, the April paid claims were \$959,770 and that is a decrease of \$131,923 from last month. The fund balance is \$730,421 higher than last month for a total fund balance of \$5,967,457. The average discount saving for the month of April was 73%. We will continue to monitor the claims and plan utilization.

Lieutenant Rhodes stated we are continuing with our Advanced Roadside Impairment Detection Enforcement training. Lieutenant Rhoads stated we are also hosting blood donations today so if you want to give blood, go down and get a free t-shirt and pass to Magic Springs.

NEW BUSINESS:

Chairman Shepherd asked Colonel Bryant if he had any new business and Colonel Bryant stated no, but we do need to go into executive session to discuss some personnel matters.

EXECUTIVE SESSION:

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, Commissioners Allison/Christenson seconded and the motion passed. The Commission went into Executive Session at 10:38 a.m.

The open meeting resumed at 11:05 a.m. and Commission Chairman Shepherd asked Colonel Bryant if he had any recommendations.

Colonel Bryant stated we have a reinstatement request from a trooper who attended last troop school; he had to resign after completing troop school and he has reapplied; Nathan Williams. We have completed a background and everything looks good and my recommendation to the Commission is that we reinstate Nathan Williams as a trooper with the Arkansas State Police.

Commissioner Benton made a motion that Nathan Williams be reinstated to the rank of trooper, Commissioner Christenson seconded and the motion passed.

NEXT MEETING:

Commission Chairman Shepherd stated the next regularly scheduled meeting will be Thursday, June 08, 2017 at 9:00 a.m.

With no more business, Commission Chairman Shepherd asked for motion to adjourn. Commissioners Allison made a motion to adjourn the meeting, Commissioner Basore seconded and the motion passed. Commission Chairman Shepherd adjourned the meeting at 11:07 a.m.

Commission Chairman

Commission Secretary