

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING  
August 14, 2014

The Arkansas State Police Commission met on Thursday, August 14, 2014 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Futrell called the meeting to order at 10:06 a.m.

MEMBERS PRESENT:

Commissioner Woody Futrell, Chairman  
Commissioner Frank Guinn, Secretary  
Commissioner Dr. Lewis Shepherd  
Commissioner John Allison  
Commissioner Bob Burns  
Commissioner Jane Christenson

MEMBERS ABSENT:

Commissioner Wallace Fowler, Vice-Chairman

STATE POLICE PERSONNEL ATTENDING:

Colonel Stan Witt	Lt. Colonel Tim K’Nuckles
Donna Humphries	Sergeant Bobby Brown
Sergeant Todd Quick	Captain Lindsey Williams
Corporal Mike Dawson	Lieutenant Forrest Marks
Captain Ron Stayton	Corporal Jeff Whitlock
Lieutenant David Sims	Sergeant Paulette Ward
Lieutenant Stacie Rhoads	Emma French
Sergeant Kim Warren	Captain Bryan Davis
Lieutenant Scott Woodward	Captain Alex Finger
Captain Wesley Smithee	Lieutenant Charles Hubbard
Lieutenant Jason Aaron	Janet Chappelle
Sherry Woods	Lieutenant David Lafferty
Jackie Baker	Harmony Daniels
Lieutenant Darran Austin	Gary Glisson
Captain Steve Coppinger	Major Mike Foster
Captain Jim Howington	Alexis Winters
Sergeant Eric Agee	Major Les Braunns
Karis Chastain	

OTHERS PRESENT:

Jesse F. Quick	Carolyn Quick
Liza Jane Brown	Sondra Quick
Joe Thielke, ASP Foundation	Julie Chavis, AG’s Office
Greg Hatcher	

PLEDGE OF ALLEGIANCE:

Commissioner Christenson led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on August 4, 2014.

MINUTES:

Commissioner Christenson made a motion to approve the minutes of the July 10, 2014 monthly Commission Meeting and the August 7, 2014 Conference Call Meeting. Commissioner Guinn seconded and the motion passed.

OFFICIAL COMMENDATION:

Sergeant Eric Agee gave an overview of the incident for which Corporal Mike Dawson was nominated for an Official Commendation.

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Sergeant Agee stated on December 24, 2013, Troop A Communications dispatched him to a female on the Interstate 430 bridge, the female was suppose to be standing outside her vehicle on the bridge. While I was driving up Interstate 430, it was reported that the female had jumped off the bridge. I arrived on the river bridge and noticed a red Chevrolet pickup parked on the shoulder, and then I noticed the female sitting on the guard rail facing the river with both legs over the rail. Corporal Mike Dawson was off duty, driving southbound on Interstate 430 in his personal vehicle when he noticed three vehicles parked along the right shoulder. As he drove by he noticed one of the subjects sitting on the guard railing facing north towards the other two subjects. Corporal Dawson pulled over and began backing up and noticed the subject swing both legs over the rail. Before Corporal Dawson could get out of his vehicle, Sergeant Eric Agee arrived on scene. Sergeant Agee parked and walked up to the left and a Mr. Brian Counts was talking to the female subject. When Sergeant Agee asked the female to come off the guard rail, she started yelling and crying, and he then advised her he would leave her alone. The female kept sitting and standing on the rail, Sergeant Agee motioned for Mr. Counts to keep talking to her to distract her. Corporal Mike Dawson was just behind him as Sergeant Agee was able to grab the female with both hands around her mid-section and pull her off the rail. Corporal Dawson assisted by grabbing her from the front placing her left arm behind her back and forced her to the ground in fear of her being combative. At this point, Sergeant Agee requested Corporal Dawson to take care of the female. Sergeant Agee secured the scene and began collecting information from witnesses. Corporal Dawson maintained control of the female who was crying and shivering, but was never combative. Corporal Dawson calmed her down and stayed right with her until MEMS arrived, then helped her into the ambulance and remained at her side until her parents arrived. Corporal Dawson took the time to stop and provide assistance to a citizen of the State of Arkansas in her time of need. Without Corporal Dawson's assistance, Sergeant Agee stated a life could have been lost on Christmas Eve.

Colonel Stan Witt presented an Official Commendation to Corporal Mike Dawson.

PROMOTION CERTIFICATES:

Colonel Stan Witt presented a promotion certificate to Sergeant Bobby Brown promoting him to Sergeant in the Highway Patrol Division, Troop H.

Colonel Stan Witt presented a promotion certificate to Sergeant Anthony Todd Quick promoting him to Sergeant in the Highway Patrol Division, Troop A.

Colonel Witt stated while he was up front he wanted to recognize another employee of the Arkansas State Police. Colonel Witt stated CACD Investigator Karis Chastain has been working in Crimes Against Children Division for 11 years, and she recently received the 2014 Ordinary Hero Award for Washington County which was given to her by the Children's Safety Center for her work and service to protect the children in Northwest Arkansas and her work in our Crimes Against Children Division. Colonel Witt stated this is a very extraordinary award and he is very pleased to recognize Karis Chastain.

WEAPONS RESOLUTIONS:

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

R E S O L U T I O N

WHEREAS: Captain Joel Mullins efficiently and effectively served the Arkansas State Police for a period of thirty-four years, nine months, and twenty-one days;

WHEREAS: Captain Joel Mullins retired from this department June 30, 2014;

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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: Captain Joel Mullins 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, August 14, 2014, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS430, 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 Guinn seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Captain Joel Mullins efficiently and effectively served the Arkansas State Police for a period of thirty-four years, nine months, and twenty-one days;

WHEREAS: Captain Joel Mullins retired from this department June 30, 2014;

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: Captain Joel Mullins 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, August 14, 2014 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D591205M, that Captain Joel Mullins has carried be affixed at \$100.00, and that Captain Joel Mullins be permitted to purchase the shotgun for his personal use.

Commissioner Shepherd 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: Captain Leonard Hogg efficiently and effectively served the Arkansas State Police for a period of thirty-six years, eleven months, and twenty-nine days;

WHEREAS: Captain Leonard Hogg retired from this department June 30, 2014;

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: Captain Leonard Hogg 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, August 14, 2014, in accordance with Act 547 of 2003, awards him his Glock Model 21,

Serial Number PKS065, 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 Burns seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Captain Leonard Hogg efficiently and effectively served the Arkansas State Police for a period of thirty-six years, eleven months, and twenty-nine days;

WHEREAS: Captain Leonard Hogg retired from this department June 30, 2014;

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: Captain Leonard Hogg 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, August 14, 2014 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC541308, that Captain Leonard Hogg has carried be affixed at \$100.00, and that Captain Leonard Hogg be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Corporal Janice Simonetti efficiently and effectively served the Arkansas State Police for a period of twenty-six years, and twenty-eight days;

WHEREAS: Corporal Janice Simonetti retired from this department June 30, 2014;

WHEREAS: Her 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 Janice Simonetti has made formal request that her service weapon be retired with her and remain in her 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, August 14, 2014, in accordance with Act 547 of 2003, awards her Glock Model 21, Serial Number PKS095, 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 Guinn seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Corporal Janice Simonetti efficiently and effectively served the Arkansas State Police for a period of twenty-six years,

and twenty-eight days;

WHEREAS: Corporal Janice Simonetti retired from this department June 30, 2014;

WHEREAS: Her 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 Janice Simonetti has made formal request that her shotgun be retired with her and remain in her 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, August 14, 2014 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D605847M, that Corporal Janice Simonetti has carried be affixed at \$100.00, and that Corporal Janice Simonetti be permitted to purchase the shotgun for her 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: Corporal Thomas Gregory efficiently and effectively served the Arkansas State Police for a period of twenty-four years, and two months;

WHEREAS: Corporal Thomas Gregory retired from this department June 30, 2014;

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 Thomas Gregory 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, August 14, 2014, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS447, 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 Burns seconded and the motion passed.

#### R E S O L U T I O N

WHEREAS: Corporal Thomas Gregory efficiently and effectively served the Arkansas State Police for a period of twenty-four years, and two months;

WHEREAS: Corporal Thomas Gregory retired from this department June 30, 2014;

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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 Thomas Gregory 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, August 14, 2014 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D588793M, that Corporal Thomas Gregory has carried be affixed at \$100.00, and that Corporal Thomas Gregory be permitted to purchase the shotgun for his personal use.

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

DIVISION REPORTS:

Fiscal Report – Emma French

Ms. French reviewed the reports which had been distributed to the Commission. She advised we've just started a new fiscal year. We ended the fiscal year in a good position last year, we should have been operating with a budget of \$141 million, and of that \$66.9 of it was general revenue. The rest of it is special revenue.

Administrative Services – Major Les Braunns

Major Braunns presented an oral summary of the written report distributed to the Commission. He began by reporting the Human Resources/Personnel transactions for the month of July; we had four civilian new hires, two civilian voluntary resignations, two promotions, two retirements, one extra help hire, and one disciplinary. Commissioned transactions included two voluntary resignations, twenty-eight promotions, seven lateral transfers, one termination and one disciplinary. Currently we have four military deployments.

In reporting on the 2014-B Troop School, we had 32 applicants going through the last of process, we had one candidate withdraw and two alternates had to withdraw because of being disqualified. We have two alternates remaining, so we have 32 processed with alternates. The Troop School will begin on September 7 and complete on November 20.

Greg Hatcher then spoke to the Commission and he said he just wanted to give a little quick history. We have been with United Health Care through their administrator UMR the last few years, and then this past year we were required to go out for bid and people bid based on the administrative fee. United, QualChoice, and Blue Cross all put in bids, and United and Blue Cross were eliminated because they didn't answer some questions, so QualChoice got the bid. We weren't exactly sure how that would work out, but it has worked out very well. QualChoice is a local carrier that gives local service and has been doing a great job for the State Police, and the administration has been very appreciative. They were actually giving a better rating service wise than we had with United. We had been with CoreSource prior to United, and they also gave us great service. They were local. We had switched to United because they had very deep discounts with the doctors, and they gave us a guarantee that if they did not save us 52% or more on our discounts, they would start giving administrative fees back. As it turned out, United didn't save us a lot of money the first year. We switched to CoreSource and our claims dropped \$2 million, from \$10 million to \$8 million, so it was a very good move and we were concerned when we left United and went to QualChoice that we would lose those discounts. And what we've seen so far is we have not in fact, QualChoice's discounts are running better than United's.

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I don't believe that they're better than United's, I just believe the first six months we had some big hospital claims, and big hospital claims can give you better discounts than say a physician claim. So time will tell, but the reality is what I tell groups, I always tell people United has the deepest discounts and then Blue Cross and QualChoice are right there, just a couple points behind them. The deepest discounts aren't the only thing that matters because Blue Cross has the advantage of being in every nook and cranny nationwide with their physicians and QualChoice has the advantage of being in every nook and cranny in Arkansas, which is where our group is. QualChoice is a little bit better for meeting our Trooper's needs out there, so, the bottom line is we've been pleasantly surprised so far how everything is going. He directed them to the handout he had given the Commission and stated it shows we have a year to year contract with QualChoice, but we can go up to six years before we have to go back out to bid by requirement. I don't think anyone is planning to go back out to bid next year because it is running very well right now, but we always have that option we can go up to six years.

Our fees for 2014 are \$13 per person per month, when I say per person, I mean for every employee not for every member of their family. In 2015, they will go up to \$14.50. This is all we have had so far on the renewal. The reinsurance rates, there are only a couple parts to a self insured plan. There's the administrative fee and then there's the reinsurance rates which are if the claim goes over a certain dollar amount they pay the balance of those, you can't get solid until right before the renewal probably about November. Just because, they want to see if there's any big claims that are coming in to evaluate and it's too early to do that in August. On the dental plan, the administrative fees go from \$3.46 to \$3.63, there is no reinsurance on dental, we just pay the fee when they process the claims. On vision they stay the same at \$2.11. Both of those are with Delta Dental. Again there is no reinsurance there. So, what we are always evaluating is our dental and vision plans being a self funded plan and it's funded by the Troopers. There is no contribution by the State Police. We just want to make sure that we are funding it properly, so you do not have to get in your pockets or into our reserve to help pay for the dental and vision plans. Right now the dental and vision plans is running fine, so we don't feel we need to increase the contributions that the troopers pay.

The runoff claims with UMR were still processing through the end of August, so we made the change on January 1 to go from United to QualChoice, so every claim that was incurred by December 31, 2013 gets filed with UMR. Every claim January 1 and on gets filed with QualChoice. You always have runoff because sometimes the doctors and hospitals don't submit the claims for a while. We are about to wrap up the claims going to UMR, after August they will not be processing any more claims. On the flip side of that when you have claims occur on January 1 with QualChoice and you have both QualChoice and UMR paying claims it is hard to get a true picture of the claims for about 3 months.

QualChoice is at an astronomical 63%, which is about as high as you'll ever see it, and we also have to understand that sometimes carriers report things a little differently, so they can be a little bit different on the numbers. But when I talk to doctors and hospitals and ask how people pay, those are people I really listen to on the percentages. Right now it looks good. Probably the most important statistic is total medical and prescription claims and QualChoice total claims for the first six months are \$4,916,000. If we annualize that, that would be 9.8 million and if you add the fixed costs in there we are \$5.5 million six months annualized. This is including the claims in runoff clumped together to be fair. So if you look at how we did in 2013, we finished at \$10,564,000, so we've gone from \$10,564,000 to my projected annualization of \$11,031,077. That is a 5% increase which is not bad. As we get closer to the end of the year, we will be able to give you the actual numbers.

Commission Chairman Futrell thanked Mr. Hatcher for the work he does for the Arkansas State Police on the health plan.

Mr. Hatcher advised he needed a motion to accept moving forward with the increase in administrative fees for the upcoming year. Commissioner Allison made a motion to approve the claims processing and administrative fees for the upcoming year of 2015. Commissioner Christenson seconded and the motion passed.

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Commission Chairman Futrell asked Ms. Humphries to recognize the attending guests. She recognized Tammy Williams and Sherry Thomas from Legislative Research, Julie Chavis from the Attorney General's Office, and Joe Thielke from the Foundation in addition to the Trooper's families who are here with them.

NEW BUSINESS:

Colonel Witt advised the Commission he was requesting to go into Executive Session to discuss personnel matters. The Commission went into Executive Session at 10:34 to discuss personnel matters and returned at 11:35.

Commission Chairman Futrell asked Colonel Witt if he had any recommendations for the Commission. Colonel Witt recommended Todd Harris be reinstated as a trooper in the Highway Patrol Division. Commissioner Guinn made a motion to reinstate Todd Harris, Commissioner Christenson seconded and the motion passed.

NEXT MEETING:

Commission Chairman Futrell asked that the Commission look at their calendars. He stated that they had one meeting set for 18<sup>th</sup> of September, and he asked that it be changed to 9:30 on the 10<sup>th</sup> of September.

Greg Downs advised the hearing officer had already been scheduled, but he would talk to the hearing officer and the other attorney.

The next scheduled meeting will be Wednesday, September 10, 2014 at 9:30 a.m. The Scott Pillow Appeal Hearing will follow the Commission Meeting.

Commission Chairman Futrell also advised a hearing also needs to be set for Mr. Conder on November 13, 2014 with the Commission meeting beginning at 9:00 a.m. and the hearing following adjournment of the meeting.

The regular meeting for October will be held on October 9<sup>th</sup> at 10:00 a.m.

Commission Chairman Futrell asked Colonel Witt if he had anything else. Colonel Witt also recommended the Commission consider Lieutenant Forrest Marks for the vacant Captain position in the Highway Patrol Division, Troop G effective September 1, 2014. Commissioner Burns made the motion that Lieutenant Marks be promoted to Captain, Commissioner Shepherd seconded and the motion passed.

Commission Chairman Futrell congratulated Lieutenant Forrest Marks and told a story of first meeting Lieutenant Forrest Marks when he was a teenager and came to Futrell Marine with his uncle to buy a boat.

Commissioner Christenson made a motion to adjourn which was seconded by Commissioner Allison. With no new business to come before the Commission the meeting was adjourned at 11:42 a.m.

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Commission Chairman

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Commission Secretary