

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING  
October 10, 2019

The Arkansas State Police Commission met on Thursday, October 10, 2019 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Vice Chairperson Christenson called the meeting to order at 10:02 a.m.

MEMBERS PRESENT:

Commissioner Jane Christenson, Vice-Chairperson  
Commissioner Neff Basore, Secretary  
Commissioner Bill Benton  
Commissioner Steve Edwards  
Commissioner John Allison

MEMBER ABSENT:

Commissioner Bob Burns, Chairman  
Commissioner Jeffery Teague

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Lt. Colonel Shawn Garner
Lt. Colonel Tim K’Nuckles	Major Charles Hubbard
Major Lindsey Williams	Major Jeff Drew
Major Mark Hollingsworth	Major Forrest Marks
Captain Randall Dias	Captain David Moore
Captain Jason Aaron	Sherry Woods
Jenna Castleberry	Emma French
Robin Gifford	Lieutenant Mike Moyer
Captain Kyle Drown	Captain Barry Saffold
Lieutenant Alex Krneta	Corporal Corey Ray
Captain John D. Carter	Captain Paulette Ward
Captain Brady Gore	Trooper Jonathan Bass
Caitlin Teague	Loretta Williams
Bill Sadler	Phillip Warriner
Corporal Brandon Trewyn	Gary Glisson
Captain Mike Hagar	Sergeant Lorie Ring
Jonathan Nettles	Kelli LaPorte
Trooper Drew Pannell	Donna Humphries

OTHERS PRESENT:

J. R. Hankins, DPS	Jackie Baker, DPS
John Smith, DPS	Retiree Kathy Sparks
Sara Farris, Attorney General’s Office	Retiree Dale Saffold
Ro Arrington, ADFA	Edmund Hurst, Crews & Associates
Jocelyn Pannell	Damon Young, ASPF

PLEDGE OF ALLEGIANCE:

Commissioner Allison led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on October 3, 2019.

Commission Vice Chairperson Christenson stated she would like to give an update on Commission Chairman Burns. She stated she went by to see him yesterday at the hospital, he had some heart surgery that morning and was looking pretty good actually for just going through surgery that morning. He is hoping that he’s going to get through this with flying colors and be home as soon as possible. I know how much we all miss him not being here at the meetings so if you would keep him in your prayers. Also, Lieutenant Matt Miller from Troop I is having bypass surgery at the Heart Hospital on Friday, so keep him in your prayers.

MINUTES:

Commissioner Edwards made a motion to approve the minutes of the September 12, 2019 regular monthly commission meeting. Commissioner Basore seconded and the motion passed.

PROMOTION CERTIFICATE:

Colonel Bill Bryant presented a promotion certificate to Lieutenant Kyle Drown promoting him to Captain in the Highway Patrol Division, Troop J.

OFFICIAL COMMENDATIONS:

Sergeant Lori Ring gave an overview of the nomination of Corporal Brandon Trewyn for an Official Commendation.

Sergeant Ring stated Corporal Brandon Trewyn was on patrol when he heard a call for assistance from Judsonia Police Officer, Ricky Brown, with a suspect running on foot. The suspect was armed with a knife and was shot twice by Officer Brown. Trooper Drew Pannell was on scene just before Corporal Brandon Trewyn. Corporal Trewyn then retrieved his trauma kit from his patrol unit and ran to render aid to the injured suspect. Corporal Trewyn knelt on the left side of the suspect and Trooper Pannell knelt on the right as they began a patient assessment. The suspect had been shot twice causing two entrance wounds and exit wounds damaging his abdomen, back and left elbow area. Trooper Pannell assisted Corporal Trewyn as he applied a chest seal to wounds on the left and right side of the suspect. At that point, Trooper Pannell noticed a large amount of blood on the suspect's left arm. When he looked closer he saw what appeared to be a bullet hole in the suspect's coat. After asking if anyone had scissors, they determined none were available. Based on the amount of blood and because he could not remove the coat to fully see the wound, Corporal Trewyn made the decision to place a tourniquet on the suspect's upper left arm. Moments later, Northstar EMS arrived on scene. Both of Northstar's EMTs stated the aid rendered by Corporal Trewyn and Trooper Pannell was a great help. Not only was the bleeding controlled but the time saved resulted in a better outcome for the patient. The suspect was transported to White County Medical where he was taken into surgery. Once stable, he was transported to Little Rock for further surgeries. Corporal Trewyn acted with a selfless sense of urgency while rendering aid to this suspect. Corporal Trewyn's extraordinary actions serve as an outstanding example of his commitment to the Arkansas State Police and the community he serves. For these reasons, I recommended him for the Official Commendation.

Colonel Bryant presented an Official Commendation to Corporal Brandon Trewyn.

Sergeant Lori Ring gave an overview of the nomination of Trooper Drew Pannell for an Official Commendation.

Sergeant Ring stated Trooper Drew Pannell was on patrol when he heard a call for assistance from Judsonia Police Officer, Ricky Brown, with a suspect running on foot. The suspect was armed with a knife and was shot twice by Officer Brown. Corporal Brandon Trewyn was on scene just before Trooper Drew Pannell. Corporal Brandon Trewyn retrieved his trauma kit from his patrol unit and ran to render aid to the injured suspect. Corporal Trewyn knelt on the left side of the suspect and Trooper Pannell knelt on the right as they began a patient assessment. The suspect had been shot twice causing two entrance wounds and exit wounds damaging his abdomen, back and left elbow area. Trooper Pannell assisted Corporal Trewyn as he applied a chest seal to wounds on the left and right side of the suspect. At that point, Trooper Pannell noticed a large amount of blood on the suspect's left arm. When he looked closer he saw what appeared to be a bullet hole in the suspect's coat. After asking if anyone had scissors, they determined none were available. Based on the amount of blood and because he could not remove the coat to fully see the wound, Corporal Trewyn made the decision to place a tourniquet on the suspect's upper left arm. Moments later, Northstar EMS arrived on scene. Both of Northstar's EMTs stated the aid rendered by Corporal Trewyn and Trooper Pannell was a great help. Not only was the bleeding controlled but the time saved resulted in a better outcome for the patient. The suspect was transported to White County Medical where he was taken into surgery. Once stable, he was transported to Little Rock for further surgeries. Trooper Pannell acted with a selfless sense of urgency while rendering aid to this suspect. Trooper Pannell's extraordinary actions serve as an outstanding example of

his commitment to the Arkansas State Police and the community he serves. For these reasons, I recommended him for the Official Commendation.

Colonel Bryant presented an Official Commendation to Trooper Drew Pannell

Captain Jason Aaron gave an overview of the nomination of Trooper John Bass for an Official Commendation.

Captain Jason Aaron stated I am here today to recognize Trooper John Bass with an official commendation for his actions on August 24, 2018. Trooper Bass conducted a traffic stop on Interstate 40. On this traffic stop, he observed what he believed to be criminal behavior suspecting the occupants of this vehicle. As a result of that, he ended up searching the truck and found a false compartment in the auxiliary gas tank that was located in the bed of the pick-up truck. They had cut out the bottom of this auxiliary fuel tank and filled the compartment with 68 pounds of marijuana and a Ruger 9mm pistol. A good arrest and as time went by, Trooper Bass was contacted by Missouri Highway Patrol. Missouri Highway Patrol was working a cold homicide that had occurred in Tuscumbia, Missouri where they had located a subject that had been shot in the head. They had some suspects in mind, in fact they had developed a suspect, Joseph McKenna, which Joseph McKenna was the driver of the vehicle that Trooper Bass had stopped. Missouri Highway Patrol running a background and criminal history of this Joseph McKenna discovered that he had been arrested in Arkansas, they contacted Trooper Bass and started talking. Missouri Highway Patrol Investigators came down to Arkansas where they processed the truck because it was seized as a result of Trooper Bass's traffic stop. Missouri Highway Patrol Investigators were able to take into evidence the Ruger 9MM pistol, submitted it for ballistics at the crime lab in Missouri and determined this 9 MM pistol that Trooper Bass seized was the murder weapon, tying in Joseph McKenna. This was much larger than just a traffic stop with a load of dope and a pistol. This solved a homicide investigation where the victim was actually the operator of a large scale marijuana grow in California, where this Joseph McKenna and associate had set up the victim on a delivery and they murdered him in a field and flew out to California to their suppliers house to take over his operation. He was ultimately arrested in California as well on those charges. But as a result of Trooper Bass' traffic stop, Missouri Highway Patrol was able to close a homicide investigation and as a result it tied into a much larger investigation. This drug operation covered 15 states with organized crime and terrorism. As of April of this year Federal authorities have now issued 22 federal indictments as a result of this traffic stop that Trooper Bass made. Again, in my opinion this is what the Arkansas State Police is about, it is about making traffic stops taking it to its full extent and putting bad guys in jail. I would like to thank you and congratulate Trooper John Bass for his work.

Colonel Bryant presented an Official Commendation to Trooper John Bass.

Commission Vice Chairperson Christenson stated it is always a highlight of our Commission Meeting when we are able to do so many commendations and also promotions. We congratulate each of you for all that you do for our local communities and the State of Arkansas. Again congratulations.

#### DIVISION REPORTS:

##### Fiscal Section – Emma French

Ms. French gave an overview of the reports which were distributed to the Commission. Ms. French stated our report is going to be pretty short this morning. We are ¼ of the way through the year and we are just keeping an eye on things. Ms. French stated that Ro Arrington with Arkansas Development Finance Authority and Edmund Hurst with Crews and Associates will be talking to the Commissioners in a few minutes.

##### Administrative Services – Major Charles Hubbard

Major Hubbard 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 eleven new hires, four promotions, and eight voluntary resignations. The commissioned transactions include three lateral transfers, one voluntary resignation, and three promotions. We currently have eight military deployments.

Regarding the ASP Health Plan, September paid claims were \$1,009,120, a small increase of about \$111.00 from last month and the fund balance is \$104,723 lower than last month for a total fund balance of \$6,578,589. The average discount savings for the month was 79%.

Regarding the Troop School for 2020, we have been going through those applications and we have started the polygraph process. We have about 145 polygraphs scheduled and are working through those now. Since we have started the polygraph process, we have about 81 backgrounds that are out. The Criminal Investigation Division are assisting us with those background investigations. We are hoping to conclude the polygraph portion of that process by October 28 and then once we get all of the backgrounds back we will start the oral interviews hopefully by mid-November.

#### NEW BUSINESS:

Commission Vice Chairperson Christenson stated at this time we will have our new business about the bond refinancing. Good morning, I am Ro Arrington, the Director of Public Finance for the Arkansas Development Finance Authority (ADFA). I think most of you know that ADFA serves as your bond issuer and administrator. We have a policy on bond issues that are outstanding in our portfolio for all state agencies that if refinancing opportunities are out there and the professionals in the investment banking community that serve us, if they find such a refinancing idea that meets minimum standard for savings we let them bring it to us. Then we grant them proprietary status on it and let them present to the agency and let the agency who benefits from the bond issue or it most affects make the decision whether to go forward. We have received one of those ideas on your bond issue that was issued a couple years ago on the facilities, it was with Crews and Associates and at that point we decided that it met our minimum standard of savings and might be something that you ought to consider. It is neither an endorsement nor saying that you should or should not go for it. Edmund Hurst with Crews and Associates is here and he would like to visit with you about the proposal to proceed.

Commissioner Allison asked what the minimum savings is, you talked about the minimum savings requirement. Ro Arrington stated we set the standard at 3% at ADFA, net present value, net of all fees on outstanding debt before we will considered to take it further and I think this one exceeds that. But the state standard for education, I believe stands at 3% and is generally the minimum threshold but in any case, I believe this particular, well, I will let Edmund tell you that.

Edmund Hurst stated so when we did your financing a couple of years ago we put a very flexible prepay provision on it. It is not unusual for long term financing to have like an 8 to 10 year lock out on being able to refinance it. On the one that we did for you, we had it at 3 years and so you are in a position now and a favorable interest rate market to potentially refinance that. At the time when we had interest rates about 3% we thought those were really good and they are, but we are kind of on a race toward zero it seems on interest rates as they continue to drop down. So your bonds are refinaneable in the middle of next year and so we could close a new financing as early as March of next year. It is hard to imagine that now would be the time to start thinking about being in the position to close a financing in March. And you might be in a position where you can even lock in that interest rate by the end of this year or the beginning of next year if you so choose. So interest rates on your current bonds are a little over 3%, we could probably get you about 2.5% or less in the current market today and that's savings. What we like to look at in today's dollars, that's about a million and a half dollars and that's significant related to this outstanding debt. Mr. Arrington was mentioning a threshold of about 3% as when you would want to start thinking about it, right now we are looking at over 5% present value savings. From a math standpoint it looks like it would make sense, there is a couple of ways to take your savings, you could obviously drop your debt service payment over time or if you had a capital improvement project or something like that which you wanted to do you could look at trying to front load that savings so you would have money sooner rather than later. But that is pretty straight forward, it is just taking advantage of lower interest rates and I would be happy to answer any questions.

Commissioner Allison stated so we anticipate rates to continue to drip down. Mr. Hurst stated you are the expert on that, I do know that we are bouncing off the lows of my lifetime right now. If you decided that you wanted to take advantage of some minimum threshold or whatever interest rate makes sense, we can be in a position to, if you started now it would take probably 60ish days to be in a position where you could make a decision if you want to lock interest rates or not.

Commissioner Allison asked so is there a fee for that locked interest rate? Mr. Edmund stated no, the further out you do it, then generally there is a little premium built into that interest rate. If an investor is going to agree in December to deliver you bonds in March, then they might want a little bit higher interest rate than what the current market is. You would see no penalty if you locked it in say the end of January or during February for closing in March.

Commissioner Allison stated so we are headed toward zero and I understand that is a tough call, but what. Mr. Hurst stated we are a believer of you get what you can get when you can get it, so if you like the interest rate and you like the savings I don't know where we are going but it feels like good rates right now.

Commissioner Basore asked doesn't this retire the current bond issue and refund the entire amount? Mr. Hurst stated yes sir, this would be paying off all of the bonds that we issued in 2017 and put in place a new bond issue for about the same amount with a lower interest rate. Commissioner Basore asked how do you lock in the interest rate when I assume it will be underwritten and bid, how do you lock in a bond issue three months in advance of your issuance. Mr. Hurst stated we sold them to customers, we get customers to agree to buy them. A normal course of a sale would be 3 to 4 weeks from a closing date, you typically close bonds about a month after you sell the bonds. This being March it is not too far in the future to be able to get customers to buy them.

Commissioner Allison stated that if we decided to go forward and rates suddenly went the other way, I guess we could just cancel right. Mr. Hurst stated yes sir, you are always. Commissioner Allison stated no obligation to us. Commissioner Basore stated you are not obligated to deliver bonds until after the sale date, if the day before it doesn't go to bid, you can stop it all. Or I guess you could cancel the issuance if you don't, if the bid comes back higher than your numbers. Mr. Hurst stated yes, if we are not able to deliver savings that is in line with what your expectations are then certainly, you are not obligated to move forward with anything until such time as we sign an agreement that you are ready to move forward.

Commissioner Allison stated we loved 307, if we loved 307 we would surely love 240 something. Commissioner Allison stated he would recommend that we go forward with it, it is money in our pocket and we don't have to do it when we get down the line, we can pull it back. There is no obligation what so ever and doesn't cost us anything to play, so it would be my recommendation to go forward with it. I mean it is a pretty nice savings, 5% is pretty healthy.

Colonel Bryant stated I think today is mostly just for informational briefing purposes, I don't think we are at the stage where we want to take a formal vote on it. We just wanted the Commission to be briefed in an open setting on what the options are and then I have my checks and balances I have to run through as a state agency. But that was the main purpose today was just an informational briefing.

Commission Vice Chairperson Christenson asked if anyone had any more questions and then thanked Mr. Edmund Hurst.

Commission Vice Chairperson Christenson asked Colonel Bryant if we have any business in executive sessions. Colonel Bryant stated yes we have some promotions to consider today.

#### EXECUTIVE SESSION:

Commission Vice Chairperson Christenson asked for a motion to go into Executive Session. Commissioner Basore made a motion to go into Executive Session for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of employees, Commissioner Allison seconded and the motion passed. The Commission went into Executive Session at 10:28 a.m.

Commission Vice Chairperson Christenson called the meeting back to order at 11:16 a.m. and stated the Colonel has some promotion recommendations.

Colonel Bryant stated we have three promotions today to consider. The first one is the ASP Major position in the Highway Patrol Division, Eastern Region. My recommendation to the Commission would be Captain Jason Aaron for the position of Major in the Highway Patrol

Division, Eastern Region. Commissioner Benton made a motion that Captain Jason Aaron be promoted to Major, Commissioner Basore seconded and the motion passed.

Colonel Bryant stated the next promotion is ASP Sergeant in the Criminal Investigation Division, Company D, Crawford, Franklin, Logan, Sebastian & Scott Counties. My recommendation to the Commission would be Corporal Phillip Pierce for the position of Sergeant in the Criminal Investigation Division, Company D. Commissioner Basore made a motion that Corporal Phillip Pierce be promoted to Sergeant, Commissioner Edwards seconded and the motion passed.

Colonel Bryant stated the last position is ASP Sergeant in the Criminal Investigation Division, Company F, Clay, Craighead, Greene, Mississippi, Poinsett, & Randolph Counties. I will make a lateral transfer of Sergeant Ramey Lovan to the Sergeant position in the Criminal Investigation Division, Company F.

Commission Vice Chairperson Christenson stated congratulations to all of you who were promoted today.

NEXT MEETING:

Commission Vice Chairperson Christenson stated the next regularly scheduled meeting will be held on Thursday, November 14, 2019 at 10:00 a.m.

The appeal hearing scheduled for November 14 has been rescheduled to Thursday, February 13, 2020 with the meeting at 9:00 a.m. and then the appeal hearing will begin at 10:00 a.m.

Commissioner Allison stated some of these decisions, this one today was probably as tough a decision on personnel as I have ever experienced in my career here. When you have such wonderful candidates, you could almost flip a coin. So the ones that didn't get promoted hang in there and the ones that did congratulations.

With no more business, Commission Vice Chairperson Christenson asked for a motion to adjourn. Commissioner Allison made a motion to adjourn the meeting, Commissioner Edwards seconded and the motion passed. Commission Vice Chairperson Christenson adjourned the meeting at 11:21 a.m.

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Commission Chairperson

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Commission Secretary