

ARKANSAS DEPARTMENT OF HUMAN SERVICES
STATE INSTITUTIONAL SYSTEM BOARD

October 10, 2019 / 12:30 p.m.

Arkansas Juvenile Assessment and Treatment Center
Alexander, Arkansas

Members Present: Micheal Burden, Vice-Chair
Rafael Figueroa, Jr., Secretary
Porter Brownlee
James Luker
Dr. Mike Russell
John Yarbrough

DHS Staff Present: Kara Benca, Assistant Director, Quality Assurance, Division of Youth Services
Michael Crump, Director, Division of Youth Services
Kim Davis, Quality Assurance Administrator
Marq Golden, Assistant Director of Diversion, Division of Youth Services
Elaine Lee, OCC
James Scroggins, Arkansas State Hospital
Alicia Davis, Division of Youth Services
Scottie Leslie, Division of Aging Adult and Behavioral Health Services

Others in Attendance: Phyllis Bell, Senior Advisor for Child Welfare, Governor's Office
Leah Santos, Governor's Office
Nick Ortiz, Governor's Office

Agenda Item 1: **CALL TO ORDER**

Micheal Burden, Vice-Chair, called the meeting to order at 12:30 p.m.

Two new board members were appointed to complete the terms of previous board members and they were introduced. Mr. S. Porter Brownlee will complete the term vacated by Mr. Brett Chumley and Mr. John Yarbrough will complete the term vacated by Ms. Connie Thomas. It was also announced that James Luker, also in attendance, has been reappointed to a full-term on the board.

Agenda Item 2: **APPROVAL OF MINUTES**

Mr. Burden asked members if they had all received copies of the minutes from the July 10th meeting and had time to review them. All members had and were asked if there were any questions, additions, or corrections.

There being none recommended, Dr. Mike Russell made a motion to approve the minutes of the July 10, 2019, board meeting; Mr. James Luker seconded the motion. Motion was approved.

Agenda Item 3: **DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES (DAABHS) REPORT**

Arkansas State Hospital (ASH)

Mr. James Scroggins began the report for the Arkansas State Hospital indicating that Phase 1 of the forensic building roof project is now underway and staff are pursuing bids through DBA for Phase 2.

The fire control system project is still underway as Triple S Alarm begins to combine systems in the old buildings into the new buildings.

The room-by-room project has moved into the forensics building, where slopes on door edges, bed frames, and bathroom fixtures will be converted, eliminating all potential ligature hazards. The estimated completion date is December 2019. This puts the hospital in a good position for unscheduled surveys, which are coming soon.

Arkansas Health Center (AHC)

Mr. Scroggins directed board members to the report submitted by the Arkansas Health Center and had nothing additional to add.

With no further discussion, **Dr. Mike Russell made a motion to approve the DAABA report. Mr. James Luker seconded the motion. Motion was approved.**

Mr. Micheal Burden, Vice-Chair, thanked Mr. Scroggins for his attendance at the meeting today.

Agenda Item 4: **DIVISION OF YOUTH SERVICES (DYS)**

Ms. Kara Benca, Assistant Director for Quality Assurance, Service Delivery, and Compliance, submitted a report outlining all projects at DYS residential facilities and spoke about some.

- At Mansfield (MJTC), the water storage tower project is complete. The tower was drained and the interior was cleaned, scraped, and re-painted. The Long Building remodel project, which board members toured at the last meeting, is also complete. Mark Hooten, DYS Physical Plant Manager, is at Mansfield today for a final walkthrough of these projects.
- Also at MJTC, work has begun on the anti-climb fence and the project should be completed in December. Lots of progress has been made since the project started. This project will also include improvements to the sally-port at the main entrance.
- At Alexander (AJATC) work on fence improvements and the addition of anti-climb sections should be completed in December as well.

SIS BOARD MEETING

October 10, 2019

Page 3

- Also for AJATC, the facility lease was sent to board members on August 28, 2018. Ms. Benca asked Mr. Burden if he had received, signed, or had any questions concerning the lease for Rite of Passage, the provider that operates the facility.
- Leases with Youth Opportunity Investments for the four (4) remaining residential facilities are currently under review by the Division of Building Authority, a division in the new Department of Transformation and Shared Services. As soon as the review is complete, they will be distributed to board members for approval.
- DYS will seek approval for projects brought to the board's attention at previous meetings. One is to commence repairs at the Records Building (Building 7) here at AJATC. A tree fell on the building during a storm this spring, leaving a large hole in the roof and side of the building. The insurance review is complete and bids have been solicited. DYS will have approximately \$100,000 in expenses to repair the building and would like to begin right away.
- As you are aware, DYS received approval from the board and has been seeking funds to complete sewer operation repairs at Mansfield and funds are now available. Staff is seeking approval to begin soliciting bids for the project. Mr. Micheal Burden asked if DYS plans to repair the operation or tie into the city system and Ms. Benca said the plan would be to repair and operate the facility.
- Lastly, DYS sought to relocate a generator to better serve the facility at Dermott and, with approval, is ready to begin this project as well.

Following Ms. Benca's report, Mr. Micheal Burden stated that he did not remember the board approving the project at the Long Building at Mansfield and asked Mr. James Luker if he remembered approving the project. Mr. Luker remembers the project, but not necessarily approving the project. Mr. Crump commented that plans for the Long Building project were underway when he came on board with DYS this past winter. Mr. Burden reminded staff and board members that the SIS Board is supposed to approve any expense that exceeds \$20,000.

Dr. Mike Russell asked for further details on the lease at the AJATC facility and much discussion surrounding leases ensued. First, both the Rite of Passage (ROP) and Youth Opportunity Investments (YOI) contracts are renewable for up to seven (7) years, during which time a lease is signed each year. DYS operates the land/buildings, while the providers man the facilities and make minor repairs. The contract for the AJATC facility is in its 4th year, with the property lease renewable each year.

However, the contract for YOI is new and, as of yet, no leases have been signed as they have not been received back from review by the Division of Building Authority, even though the contract went into effect July 1, 2019. Mr. Burden explained he found it troubling that the process seems really backwards and that, in the private sector, no one would be able to occupy a property without a lease. He stated that at minimum there should be a walk-through at each facility in which DYS and contractor properties are identified.

Mr. Luker stated he understood that youth were already in residence when the YOI contract began then Mr. Crump stated that in the future with the approval of the board, the division could seek a memorandum of understanding (MOU), 90-day agreement, or transitional lease in place with a provider while awaiting finalization of state lease agreements.

SIS BOARD MEETING

October 10, 2019

Page 4

He also stated that disclosure for all property and equipment available to providers was a part of the Request for Proposal (RFP) and was visible to potential providers during pre-bid walk-throughs at each location.

Mr. Porter Brownlee asked if the lease agreements were standard for facilities without much change year-to-year and Mr. Marq Golden replied they were. Mr. Brownlee then stated that perhaps in the future board members could receive a copy of the standard operating lease while the renewal process is underway. This was recognized as a good pre-emptive solution by all parties.

Dr. Mike Russell made a motion to approve the lease at the AJATC facility with Rite of Passage. Mr. James Luker seconded the motion. Motion was approved.

Dr. Mike Russell asked if the providers had provided certificates of insurance and was assured that they did. He, along with Mr. Brownlee, would like to see copies of the providers' insurance records.

With no further discussion, **Dr. Mike Russell made a motion to approve the DYS report. Mr. Porter Brownlee seconded the motion. Motion was approved.**

Agenda Item 5: **NEW BUSINESS**

Under new business, Mr. Micheal Burden re-opened the discussion for DYS lease. The lease agreement between AJATC and Rite of Passage (ROP) was passed around and reviewed by all board members. DYS staff was advised that if any changes are made by the Division of Building Authority to any lease, the lease must be reapproved by the board.

Dr. Mike Russell made a motion to approve the lease at the AJATC facility with Rite of Passage. Mr. James Luker seconded the motion. Motion was approved.

Pertaining to YOI leases, Mr. Crump stated he would ask YOI representatives to present their intended use of the property and along with proof of insurance at the January board meeting. Several board members expressed concerns that the leases might be available prior to the January meeting. If this occurs, board members would like the leases e-mailed to them prior to a conference call meeting for discussion. DYS staff will work within these guidelines to provide copies and information to board members.

Ms. Kara Benca introduced Kim Davis, the new Quality Assurance Administrator for DYS. Ms. Davis stated DYS is seeking approval from the board to purchase 40 acres in Lewisville, Arkansas (LJTC) in Lafayette County. At present, DHS owns the buildings, but leases the land. The land is now owned by Farmers Bank and Trust. DYS staff received data that a recent appraisal estimated the value of the land at \$350,000 but that the bank would consider an offer and acceptance of \$105,000. As Senator Bruce Maloch is the current president of Farmers Bank and Trust, DYS has already sought approval through DBA.

Mr. Micheal Burden believes owning the land is a good option for DYS. Dr. Mike Russell asked if DYS had received a survey of the property. Ms. Davis indicated the only items received at DYS were a copy of the appraisal and a copy of the offer and acceptance agreement. Mr. Porter Brownlee agreed with Dr. Russell that a survey should have been included with the appraisal.

Mr. James Luker asked what prompted DYS interest in the land purchase. Mr. Marq Golden replied that after the bank took ownership of the property from the previous owner bank staff approached DHS staff. The purchase is desirable to DYS since a new land-owner might not be interested in maintaining the existing 90-year lease agreement, of which approximately 60 years remain. Mr. Burden agreed purchasing the land would protect the interest of DYS should others buy border properties and use them for other purposes, perhaps a hunting lease, as the leased buildings only occupy a few (two or three) of the forty (40) acres.

Dr. Mike Russell made a motion that DYS pursue the 40-acre land purchase at Lewisville for \$105,000. Mr. John Yarbrough seconded the motion. The motion passed with 4 ayes and 1 nay.

Mr. John Yarbrough asked if staff would send copies of the existing lease agreement along with the land survey and photos to board members. This information will be sent along with lease information for YOI.

Agenda Item 6: **OLD BUSINESS**

Ms. Benca asked the board if they would like to vote to proceed with the repair project at the Records Building at AJATC. It is believed insurance will cover the majority of repair costs. Board members would like to review the request for proposal and final award for the project. This information will be e-mail to board members.

Mr. Burden asked if DHS and Governor's staff would introduce themselves to the new board members and introduction were made. Asking if there was any additional discussion, Mr. Burden reminded those in attendance that the board's main focus is to ensure buildings and youth are cared for in the best possible manner.

Mr. Michael Crump, DYS Director, updated board members on the transformation that has been on-going since the beginning of 2019, relaying plans the division is implementing to better serve youth entrusted to DYS custody including increased quality assurance and contract monitoring, added monitoring visits, visits utilizing staff from other DHS divisions (i.e. DCCECC), and independent monitoring by AFMC. Corrective action plans are being written and reviewed more frequently.

The DYS treatment team now has individualized treatment plans for juveniles, meeting with each youth, family members, probation officers, etc., which allows clients to understand the emphasis on treatment and behavior modification versus incarceration.

Mr. Burden mentioned a recent news article about an escape where reference was made that not enough staff was on site at Mansfield during the incident. Mr. Crump referenced another article where it was mentioned the sheriff was not contacted by DYS staff and reported that neither of these were true. Mr. Crump has had numerous communications with the sheriff's office, who is happy with the changes improvements he has seen at the facility. Mr. Crump believes the articles are carrying over statements from previous articles.

Agenda Item 7: **ADJOURN**

The next meeting was scheduled to be held at the Mansfield Juvenile Assessment and Treatment Center in Mansfield, Arkansas on Wednesday, January 8, 2020.

There being no further business, **Dr. Mike Russell made a motion to adjourn the meeting; Mr. Porter Brownlee seconded the motion. Motion was approved.**

The meeting adjourned at 2:10 p.m.

Respectfully Submitted:

Micheal Burden, Vice-Chair
State Institutional Systems Board