

**ARKANSAS DEPARTMENT OF HUMAN SERVICES**

**STATE INSTITUTIONAL SYSTEM BOARD**

Arkansas Health Center  
6701 Hwy 67  
Benton, AR

Thursday, April 12, 2012

Members Present: Clara Ferron, Vice Chairman  
Stephen Foti, Secretary  
Dianne Thomas  
Micheal Burden  
Doug Kidd  
Bonnie Coates

DHS Staff Present: Steve Jones, Deputy Director, Department of Human Services  
Stacy Crawford, Assistant Director, Division of Youth Services  
Doyle Young, Program Administrator, Division of Youth Services  
Breck Hopkins, Office of Chief Counsel  
John Althoff, Director of Program Development, DBHS  
Allen Rushing, Maintenance Director, Arkansas Health Center, DBHS  
Glenn Sago, Director of Hospital Operations, Arkansas State Hospital, DBHS  
Jay Hill, Assistant Nursing Home Admin, Arkansas Health Center, DBHS  
Scottie Leslie, Assistant to DBHS Director, DBHS  
Susan Carson, Assistant to AHC Director, DBHS  
Lisa Dodson, Material Management Asst., Ark Health Center, DBHS  
Liz Ganahl, Division of Youth Services

Ms. Clara Ferron, Vice Chairman, called the meeting to order at 12:45 p.m.

Ms. Ferron thanked everyone for coming to the meeting.

**APPROVAL OF MINUTES FROM JANUARY 12, 2012 MEETING**

**Mr. Doug Kidd made a motion for the minutes of January 12, 2012 meeting to be approved. Mr. Micheal Burden seconded the motion. Motion was passed.**

## **DIVISION OF BEHAVIORAL HEALTH SERVICES REPORT**

The Division of Behavioral Health Services Quarterly report had been previously distributed and is attached to the meeting minutes.

### **ARKANSAS STATE HOSPITAL**

Mr. Glenn Sago presented the report for the Arkansas State Hospital (ASH).

Mr. Sago reported all of the ASH ARRA Projects have been completed.

Mr. Sago reported ASH was inspected by Centers for Medicaid & Medicare Services (CMS) and one of the things they were hammered on was the Forensic Unit which is fifty years old. Surveyors came in and surveyed the new hospital and then surveyed the Forensic Unit. The two buildings are like night and day and the surveyors said the Forensic Unit was terrible. Governor Beebe gave ASH the money to remodel.

#### **Forensic Activities Center Flooring:**

The carpeted flooring in the Activities Center has been in place since 1990. It has 90 to 100 patients and staff using the center daily. The carpet is worn out and unable to clean. Our environmental architect has tested carpet such as this in the past and has found a large amount of staph in the carpet. The activity floor and surrounding offices have 8,000 square feet to be covered. The 2,000 square feet of office and classroom floors will be covered by a vinyl composition (VC) tile at a cost of \$7,000. The 6,000 square feet of gym floor will be covered with a 10 millimeter rubberized covering at a cost of \$83,540. The new floor will make it safer for our patients to use the facility. The project will be underway by May 30, 2012 using money provided by the Governor's office. This project has been sent to ABA for review and bidding.

#### **New Roof for Forensic Administration & Visitation:**

The roof is leaking bad and is not patchable. We are attempting to replace it using monies from the Governor's Office. The estimated cost is \$343,790. The project will be completed by June 30, 2012. This project has been sent to ABA for review and bidding.

#### **New Flooring for Units 5 and 6:**

On Forensic Patient Units 5 and 6, the concrete terrazzo floor was put down in 1961. It is pitted, cracked and chipped. The project is to install a vinyl composition (VC) tile over the floor. This new floor will be so much easier to care for. This project will also be using monies from the Governor's Office at an estimated cost of \$160,000. This project will also be completed by June 30, 2012. This project is still being reviewed by the architect. We are also getting ready to gut all of the bathrooms and put in new ceilings, new tile floors and showers. The commodes and the sinks are not suicide proof. We have found stainless steel commodes and sinks that are all push button operated and with no handles to tie something to. We are going to put these in all of the bathrooms. In every patient's room there is a vanity top with a sink in it and we are also going to replace those sinks with the push button stainless steel sinks. We have replaced all of the windows. The old windows were tempered glass and the patients were kicking the windows out and throwing chairs through them. We were losing 7-8 windows a week. We reinforced the steel frames and put ½ inch Lexan in them. We have not had any more busted windows.

**Ms. Bonnie Coates made a motion for the ASH report to be approved. Mr. Stephen Foti seconded the motion. Motion was passed.**

### **ARKANSAS HEALTH CENTER**

Mr. Jay Hill gave the report for the Arkansas Health Center (AHC).

Mr. Hill stated a tour of Building 80 and the improvements will be available after the SIS Board meeting. Mr. Hill reported on the AHC ARRA Projects.

#### **Building 80 Water Problems:**

Mr. Hill reported the Building 80 water issues have been ongoing and has been discussed for the last year. Eight monitoring wells were drilled around Building 80 and have confirmed the presence of an underground water source. Its exact location has not been identified. The DBHS architect and environmental consultant, Morris and Associates, has recommended a French drain and sump pump solution to remove any existing water from underneath Building 80 at a cost of approximately \$200,000. It is unknown to what degree water exists beneath the building. These corrective plans are under consideration with respect to the costs involved. The flooring problems caused by the ground water have been corrected on Maple Court, which was most affected by the water's presence. Ceramic tiles were laid by the AHC maintenance staff to replace the damaged linoleum squares installed during the remodel the previous year. This was completed at a cost of approximately \$15,000. The new floor is functioning well and gives every indication of being a permanent solution to the water encroachment. The neighboring unit, Willow Court, is showing signs of floor deterioration and the tile solution is being considered for this unit as well. A ball park figure for the entire unit would be around \$30,000 which would include all hallways, the front, and the nurse's station. Mr. Burden asked if the flooring was the only problem with the water. He asked if there was mold. Mr. Hill replied not to his knowledge. Mr. Burden asked if there was always a problem with the water or did it come after you remodeled the building. Mr. Hill reported the water problem has been there since the building was built but it became worse after the remodeling. Mr. Allen Rushing stated it was prior to building. We investigated with the architects the geological survey prior to construction and they recommended a sump pump drainage system be installed before the building was built and it was not put in. Mr. Hill stated the building was built in 1980 and felt there was a water problem back then since it was built on a pylon system and not flat on the ground. Mr. Hill stated after the Willow Court flooring is finished, the pumps and French drain will not be constructed at this time.

#### **Central Kitchen Remodel:**

The remaining work for this project was the replacement of two (2) rooftop HVAC units which were damaged by contractors during the remodel. The units were damaged by two different companies. One unit has been replaced; the other will be replaced up the contractor's receipt of liability insurance coverage. The fire suppression system for the Central Warehouse, which was part of the larger remodel project, has been installed.

#### **Building 7 Improvements:**

Work has been completed on all three (3) wings of the upper hall, with painting to commence on the lower floor. The project is 80% complete.

**Energy Savings Program:**

Mr. Hill reported AHC has been added to the Energy Savings Program that DYS has been a part of. Mr. Hill asked the Board's permission to function in the program in the same manner as DYS. Mr. Hill stated the Arkansas Health Center (AHC), which is in the SIS Board perimeter, has been surveyed, consisting of eleven (11) facilities/buildings, 363,300 square feet, recommending several changes in HVAC systems and controls, lighting systems and controls, building envelope improvements and water conservation measures. Act 1761 permitted the State to enter into an agreement with an energy service company, who guarantees the 20% energy savings or the company pays the difference. The other act that was passed by Legislature is ACT 1363, which is a \$12,000,000 sustainable Building Revolving Loan Fund that State agencies could borrow the money from to pay for this program.

**Mr. Micheal Burden made a motion to approve Arkansas Health Center to join the DHS Energy Savings Program. Ms. Dianne Thomas seconded the motion. Motion was passed.**

**Building 26 Roof Replacements:**

Building 26 is the facility's water treatment plant. AHC brings in water from the nearby Saline River, treats it and provides water not only to the facility, but to the city of Haskell. The roof on Building 26 is leaking in multiple places and the issue has been questioned by the Department of Health. To date none of the leaks are near the interior water basins. However, should these leaks allow rainwater with possible roof contaminants to enter the city water source, roof repairs would be mandated by the Department of Health. The roof was replaced somewhere between 1980-1985. The roof covers 1650 square feet and the wall surfaces total 27,000 square feet. The roof replacement is estimated at \$19,800 and the tuck point work (should it be required from roof to ground) is estimated at \$189,000, for a total of \$210,000. It is highly unlikely that the tuck point work would require the entire surface area of the walls. Additionally, the exterior water basins are in need of patchwork and painting. This can be completed by AHC maintenance staff at a cost of materials only.

Mr. Doug Kidd asked how much money was being made by AHC by selling water to the city of Haskell and if the money went into a state general fund or some special fund. Mr. Hill reported he did not know the amount because the check goes directly to the financial section but he would find out. Mr. Hill stated the check goes into a separate 1-DE fund that is used for various projects such as capital improvements and water improvements. Mr. Kidd asked if there was a fund balance kept for emergencies. Mr. Hill reported they do keep a balance and at anytime it could become necessary to use those funds for an emergency improvement. Mr. Burden stated he felt AHC should use those funds when necessary to fix the roof before it gets worse as long as the fund is not depleted.

**Mr. Micheal Burden made a motion to approve AHC to use the 1-DE fund to fix the roof on Building 26 when critically needed, providing the fund is not depleted. Ms. Bonnie Coates seconded the motion. Motion was passed.**

Mr. John Althoff, Director of Program Development, DBHS presented the Arkansas Services Center report.

**Arkansas Services Center – Jonesboro:**

Mr. Althoff reported the Arkansas Building Authority (ABA) received a single bid for the purchase of the Jonesboro property on January 12, 2012. The bid was in the amount of \$106,666.00. The Arkansas Services Center (ASC) ownership rejected the bid. Two (2) "For Sale" signs remain on the property

advertising the sale with contact information for the Arkansas Business Authority (ABA). ABA officially closed the property from all access and operations on January 31, 2012 and keys were turned over to Craig Parsons of DHS/DAS. Mr. Parsons has been charged with handling any issues or needs that may arise for property and is currently working on arranging mowing services. ABA will conduct any future formal bids for the disposition of the property and recommended to Mr. Parsons the property be advertised in the local newspaper, the Arkansas Democrat Gazette and the ABA website for sale with a scheduled bid date every 3-4 months. We are currently waiting authorization from the owners to advertise the next bid date. The market value of the property (land only) is \$5,185,000 but this will require removal of the improvements which includes asbestos abatement - all estimated at approximately \$2M.

Mr. Burden suggested a minimum bid be placed in the advertisement. Mr. Burden felt this would save a lot of time and money in the long run. Mr. Althoff stated ABA is handling the bids and he would convey the request to them. Mr. Althoff stated there were periodic meetings called by ABA and he would bring it up at the next meeting.

**Little Rock Community Mental Health Center (LRCMHC):**

Mr. Breck Hopkins reported that on April 3, 2012, the Division of Youth Services sent the SIS Board members two documents from the Little Rock Community Mental Health Center (LRCMHC). One document is a clean version of the lease that LRCMHC proposes. The second document is a mark-up showing the changes made by LRCMHC to the lease proposed by the SIS Board. Mr. Hopkins reminded the Board that at the last meeting, the Board directed him to prepare a \$1.00 a year lease with the LRCMHC assuming all operational and maintenance costs, submit the proposed lease to LRMHC's lawyer, and ask that LRMHC sign the lease within 60 days. Mr. Hopkins stated that he sent a proposed lease that tracked one provided to him by the Arkansas Building Authority for use as a sample containing all the terms requested by the SIS Board. LRCMHC proposed several changes to the original lease. The first change concerns the exclusive use of a parking lot. Another change provides for automatic renewal *ad infinitum*, which raises constitutional problems. LRCMHC also proposed making the lease subject to the completion and acceptance of a feasibility study. On page 3 Section 9 regarding termination, LRCMHC added a provision requiring the state to pay the LRCMHC for any building improvements if the lease is terminated for cause, and to pay LRCMHC's moving costs. Mr. Hopkins stated that the Division of Behavioral Health Services does not recommend this provision. Mr. Stephen Foti stated that while the LRCMHC needs protection for its interests, the Board needs to protect its interests as well. Mr. Hopkins also recommended against accepting parts of Section 5 regarding maintenance. Ms. Ferron asked if the building was insured. Mr. Foti asked if we could meter the building separately for utilities. Mr. Sago stated it can be separately metered for electric and gas but not for water. If it is not separately metered what they intend to pay us is some undisclosed amount on a square footage basis and not necessarily the actual bill. Mr. John Althoff stated the LRCMHC has been paying a per square foot amount and at one time, 16 years ago, it did cover the cost of the utilities but now we are losing money every month because the rent is the same. Ms. Ferron asked Mr. Hopkins his opinion of the lease. Mr. Hopkins opined that the state cannot agree to the provisions indemnifying LRCMHC and that there are legal concerns with perpetual renewal. Mr. Hopkins added that it may be possible to agree to some of the changes, for example, giving LRCMHC exclusive right to the parking lot. Mr. Sago objected to the parking lot provision. After much discussion, the Board concluded that it would accept only the original lease.

Mr. Foti asked if the SIS Board legally has the authority to tell some entity they have to move. Mr. Foti felt if Mr. Grunden chose not to sign the lease, he would just wait for this Board to take whatever action there is to try and evict him. Mr. Hopkins stated in his legal opinion, since there is no written lease in place and LRCMHC's tenancy is on a month-to-month basis, that either party can terminate the tenancy upon 30 days' notice. Mr. Hopkins stated the Board has just as much power to terminate the lease as the Tenant. Mr. Foti reminded everyone the lease is not between the SIS Board, even though Chairman Carlton Jones has to sign it, but it is between DBHS and Mr. Grunden. Mr. Foti felt the termination had to come from DBHS. Mr. Hopkins stated he did not think this was true. The statute authorizing the Board to act authorizes the Board to have control over real property and part of that control is leasing. Mr. Hopkins stated whatever the Board decides to do, it will be up to him to send the transmittal letter to Ms. Debra Nye, Mr. Grunden's attorney. The Board decided to go back to the original lease.

**Mr. Micheal Burden made a motion to refuse the suggested lease from LRCMHC, to resend the original lease with minor changes, and set a deadline of May 1, 2012 for LRCMHC to sign the lease or vacate the building by August 1, 2012. Ms. Dianne Thomas seconded the motion. Motion passed.**

**Mr. Stephen Foti made a motion that the Board ask Ms. Jennifer Gallaher, DBHS Director, to attend the SIS Board meetings unless there is good cause for her absence. Ms. Bonnie Coates seconded the motion. Motion passed.**

**Ms. Bonnie Coates made a motion asking staff to create a timeline concerning the LRCMHC lease negotiations and distribute the timeline to the SIS Board. Mr. Micheal Burden seconded the motion. Motion passed.**

## **DIVISION OF YOUTH SERVICES REPORT**

The Division of Youth Services (DYS) quarterly report had been previously distributed to the Board and is attached to the minutes.

Mr. Young introduced Ms. Stacy Crawford, Assistant Director and CFO of DYS.

Mr. Doyle Young presented the DYS report.

### **American Recovery and Reinvestment Act (ARRA) Projects Report:**

Mr. Young reported all of the ARRA projects are complete.

#### **Alexander Juvenile Assessment and Treatment Center:**

The new educational classrooms, kitchen and dining area are complete.

#### **Dermott Juvenile Treatment Center:**

The Dermott educational building is complete.

#### **Colt Juvenile Treatment Center and Harrisburg Juvenile Treatment Center:**

The new education buildings at Colt and Harrisburg are complete.

**Lewisville Juvenile Treatment Center:**

The new dormitory buildings and classroom remodeling are complete.

**Mansfield:**

The replacement of the Mansfield facility is complete.

**DYS Facility Reports:**

**Arkansas Juvenile Treatment and Assessment Center:**

**Building 3:**

Remove old carpet and install 36 yards of carpet in the old library: Whitley Floor Covering, \$1,057.30.

**Building 4:**

Re-key the locks: Dale's Lock and Safe, \$3,401.89.

Installation of phone and data lines to new offices and copiers: Ace Communications, \$1,950.00.

Build 50 running feet of wall and provide doors to create 3 offices: V's Construction \$4,523.00

Install data and voice cables to new office areas: Ace Communications, \$750.00.

Install quad outlet in store room to power copiers and fax: B&K Electric, \$399.70.

Provide materials and labor to install maglock on back door: Advent Systems \$3,319.05.

Repair tamper plates from alarm boxes in Building 4 and replace four pull stations in Building 6: SimplexGrinnell, \$745.28

Relocate office panels from Building 5 to Building 4 to create three offices: V's Construction, \$1,171.75.

Building 5: Remove damaged VCT and install vinyl planks in Infirmary: Whitley Floor Covering, \$8,193.53.

**Building 6:**

The dividing of an existing room into two offices, materials and labor: V's Construction, \$2,490.65.

Relocate outlets and install new quad outlets in four areas: B&K Electric, \$2,136.40.

Provide 5ton/125,000 but furnace and coil: J&B Supply, \$1,167.47.

Install 5 ton HVAC unit: Benton Sheet Metal, \$1,476.30.

**Building 7:**

Clean, mop, clean carpets and windows: American Janitorial, \$2,180.00.

**Building 9:**

Replace water valve inside wall, Cottage 1: Dyer Plumbing, \$545.00.

**Building 10:**

Replace the alarm system power supply: SimplexGrinnell, \$720.76.

**Building 18:**

DHS SIS Board Minutes

April 12, 2012

Page 8

Repair the metal roof: Landon Roofing, \$2,831.82.

Parts to rebuild tractor by ADOC: Arkansas Ag Company, \$1,999.57.

Security Building: Provide seven yards of concrete for speaker box forms: Southern Star, \$817.50.

**Colt Juvenile Treatment Center:**

Replace keyways in the Education building: A to Z Enterprises, \$488.25.

**Harrisburg Juvenile Treatment Center:**

Replace keyways in the Education building: A to Z Enterprises, \$488.25.

**Dermott Juvenile Correction Facility:**

Repair bent and broken gate and fence at the Sally Port Gate: United Fence \$1,791.96.

**Dermott Juvenile Treatment Center:**

Repair electric gate controller/motor at the Sally Port Gate: Master Technicians Mechanical, \$382.50.

**Lewisville Juvenile Treatment Center:**

No activity.

**Mansfield Juvenile Treatment Center:**

Long Building: Electrical light junction box repair: All Phase Electric, \$279.28.

Test and label all fiber conduits, fiber optic cabling and Cat 5 wiring: Ace communication, \$2,505.00.

Mr. Young reported there is a water leak at the Mansfield facility. They are having trouble tracking it down. As a result the water is getting into the sewer system and going into the sewer treatment plant. Mr. Young stated we can't take the measurements so we can get our Arkansas Department of Environmental Quality (ADEQ) license back up to date. The extra water gives an inaccurate flow rate for the measurements necessary to send to ADEQ. They have it narrowed down to a particular area and have been monitoring it for the past 2 weeks. If the leak cannot be found, DYS will bring in an expert with electronic equipment to find the leak.

Mr. Young continued stating DYS has inspected and discussed re-roofing the existing roofs on the Colt and Harrisburg facilities. The Colt facility was built in 1994 and has the original roof on it. The Harrisburg facility was built in 1997 and has the original roof. Mr. Young stated when DYS finds money that can be used in this type of endeavor, we want to be proactive and take care of the building before there is deck or structural damage. DYS wants to start getting bids and it will cost more than \$20,000.00. Mr. Young asked permission to get started and to have the Board make a motion for their approval.

**Mr. Micheal Burden made a motion to approve the re-roofing of the existing buildings at the Colt and Harrisburg facilities. Ms. Bonnie Coates seconded the motion. Motion passed.**

Mr. Young stated at the Dermott Juvenile Treatment Center, we are going to get some bids on a walk through gate in the Sally Port gate. The Sally Port gate has to open and closed so many times a day for

pedestrians and it would be so much easier to have a walk through gate. The staff has to park outside so we are trying to eliminate opening the big gate every time someone comes or goes.

Mr. Young reported the 3 empty buildings at the Mansfield facility which were offered to the local fire fighters to burn and use as practice is still pending. We have discovered there are a lot of EPA requirements involved in the destruction of a building using fire whether or not it is supervised by local fire authority. We may have to come back to the Board at a later date with another proposal on that. DYS is going to hire an engineer to look into the destruction of those buildings. It may be that we can tear them down in a safe and expeditious fashion or we may have to put a fence around them until they rot down. We hope we will not have to do that.

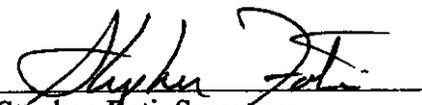
**Mr. Micheal Burden made a motion to approve the DYS report. Mr. Stephen Foti seconded the motion. Motion passed**

**NEXT MEETING:**

The next meeting will be on Thursday, July 12, 2012, at the Department of Human Services, Donaghey Plaza South, Conference Room #5368 on the 5<sup>th</sup> floor. 700 Main Street, Little Rock, Arkansas.

**Mr. Micheal Burden made a motion to adjourn the meeting. Ms. Bonnie Coates seconded the motion. Motion passed and the meeting adjourned at 2:10 p.m.**

Respectfully Submitted:

  
Stephen Foti, Secretary