

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES July 24, 2013

1. CALL TO ORDER & ATTENDANCE

At 9:05 a.m., Commissioner Wheeler declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Pope and Commissioner Ainsworth were present, A CD of the proceedings is on file in the Board of Commissioners' Office.

Staff present: Greg Hansen, Administrative Officer
 Bob Wolfe, Sheriff
 Aaron Felton, District Attorney

2. ANNOUNCEMENTS

Regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. The Tuesday meeting is held in the Board of Commissioners' Office Conference Room, 850 Main Street, Dallas, Oregon. The Wednesday meeting is held in the Courthouse Conference Room, 850 Main Street, Dallas, Oregon. Each meeting begins at 9:00 a.m. and is conducted according to a prepared agenda that lists the principal subjects anticipated to be considered. Pursuant to ORS 192.640, the Board may consider and take action on subjects that are not listed on the agenda.

Department Head/staff meetings with the Board of Commissioners are held on Monday, Thursday, and Friday. The meetings are held in the Board of Commissioners' Office Conference Room and are conducted between 9:00 a.m. and 5:00 p.m. The principal subjects anticipated to be considered are on-going, upcoming, and new matters bearing on County operations. Pursuant to ORS 192.640, the Board of Commissioners may consider and take action on subjects not listed within this announcement.

The Board of Commissioners will attend an event with Jackson Family Wines, State Representatives, and local wine producers on Monday, July 29, 2013, beginning at 3:00 pm at the Chemeketa Northwest Viticulture Center, 215 Doaks Ferry Road, Salem, OR 97304.

The Board of Commissioners will attend a meeting of the Local Public Safety Coordinating Council, Monday, August 5, 2013 at noon in the Courthouse conference room.

The Board of Commissioners will attend a meeting with the Confederated Tribes of Grand Ronde on Tuesday, August 6, 2013 beginning at 2:30 in the Confederated Tribes of Grand Ronde Governance Center, Grand Ronde, OR 97347.

3. COMMENTS (for items not on this agenda)

4. APPROVAL OF AGENDA

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE AGENDA.

MOTION PASSED UNANIMOUSLY.

5. APPROVAL OF CONSENT CALENDAR

MOTION: COMMISSIONER AINSWORTH MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE CONSENT CALENDAR.

MOTION PASSED UNANIMOUSLY.

6. APPROVAL OF MINUTES OF JULY 17, 2013

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER AINSWORTH SECONDED, TO APPROVE THE MINUTES OF JULY 17, 2013.

MOTION PASSED UNANIMOUSLY.

7. PUBLIC HEARING - PUBLIC SAFETY OPERATING LEVY

This public hearing is for the purpose of receiving public testimony regarding the possible submission of a Polk County Public Safety Local Option Tax Authorization. The Board of Commissioners is considering placing an operating levy on the November 5, 2013 ballot to fund Public Safety for 4-years, for an amount not to exceed \$0.60/\$1,000.

Greg Hansen presented the staff report. Polk County has been discussing alternative funding issues for years as revenues in the General Fund have continued to decline. In December of 2012, the Commissioners decided to move forward in the process of considering an operating levy as a means of addressing the County's Public Safety needs. A Citizen's Committee was formed and met three times: in January, February, and June. The Committee recommended the County place a 3-year Operating Levy on the ballot for the November 2013 election at a rate not to exceed \$0.60/\$1,000.

Commissioner Wheeler opened the public hearing and asked if anyone wished to testify:

Sheriff Wolfe testified that this Levy is countywide. It is not just for more deputies, not just for the Sheriff's Office, but also for the District Attorney's office and Community Corrections, and Juvenile. The Sheriff is already unable to provide 24-hour patrol services. The Sheriff feels that it is necessary to move forward with the levy, and the result will have a huge impact on the community.

District Attorney Felton testified that his office is not able to meet the demand. His Deputy DA's are carrying a caseload on average of over 150 (compared to 60 in other counties). If this levy does not pass, DA Felton will have to find ways to downsize the workload, which may involve not prosecuting property crimes and Class B & C misdemeanor crimes. The voters of the County have to make a decision whether or not to hold people accountable at all levels of crime.

John Teague, City of Dallas Police Chief and resident of 11180 Simpson Rd., spoke in support of the levy. He stressed that this levy serves all citizens in the County that travel the highways. Chief Teague also does not want to see the County stop prosecuting lower level misdemeanor crimes.

Gene Henshaw of 2424 Bridlewood Dr., Dallas, and a member of the Citizen's Committee, testified that the Sheriff's office is efficient, and there is no more room to cut. Mr. Henshaw is against increasing taxes to increase government, but this operating levy is to replace lost timber revenue and restore vital public services.

Fritz Ulrich of 462 Simcrest Ave. NW, Salem testified in opposition of the levy and read a statement of non-support into the record. One of the concerns expressed by Mr. Ulrich was the cutting of lower level personnel while increasing salaries, to which District Attorney Felton responded that his salary is paid by the State, and the District Attorney does not receive a salary supplement from the County.

Joseph Koubek of 565 Mifflin St., Dallas, testified in support of the levy. He is a volunteer responder with the Fire Department and is concerned about the Sheriff's office decreasing ability to respond to calls in which a crime occurred, because the medical responders cannot enter the house without it first being cleared by law enforcement.

Hearing no further public testimony, at 9:35 a.m., Chair Wheeler asked if there was a need for an Executive Session. Staff answered that there was not and the Public Hearing was recessed until 7pm.

At 7pm, Chair Wheeler called the Public Hearing back into session. Greg Hansen repeated the staff report.

Sheriff Wolfe added to his testimony from this morning. The Sheriff informed the audience that the consistent reduction in public safety staff has been caused by the Federal Government reducing, and now eliminating, the O&C timber funding. Public safety encompasses more than the Sheriff, it includes the District Attorney, Juvenile, Corrections, and Jail. The Sheriff clarified that the Citizens Committee had discussed providing a stipend to each City to provide a POINT member, but the Sheriff feels that those funds would be better used to hire additional County staff that could be on the POINT Team but also perform other duties for the County. The Sheriff currently has 11 patrol deputies. Four are assigned to Grand Ronde, two are detectives, and 0.5 is a Forest deputy, leaving 4.5 patrol deputies to cover the County 20 hours per day, seven days a week. In addition, the Sheriff is mandated by law to provide Court Security, but since the jail is a minimum staffing, when the Court requests a deputy in the Courtroom, the Sheriff has to pull one of the patrol deputies off the road to fulfill the Court Security request.

District Attorney Felton added to his testimony from this morning. DA Felton reported on the status of his office. In the last three years, his office has lost two criminal prosecutors, leaving the County with only three. The current prosecutors cannot meet the demand of their increasing caseloads. If the levy does not pass, DA Felton will have to look at cases and identify what cases are the priorities to prosecute. If the levy passes the DA plans to restore two prosecutor positions and one staff position.

Burney Krauger of 233 S. Atwater St., Monmouth, and retired Polk County Sheriff's Detective, testified in support of the levy. Mr. Krauger stressed that the County can't afford to not pass the levy. The Sheriff and DA's office are already struggling with getting cases prepared within 60 days, as is granted in the sixth amendment (right to a speedy trial), and he doesn't want to see the County stop prosecuting lower level crimes. Mr. Krauger also reported on the significant impact the Sheriff's office and District Attorney's office has in stopping and preventing child and sexual abusers, and of putting families back together after these crimes have occurred.

Robin Olsen of 13605 Corvallis Rd., Monmouth, testified in support of the levy. Polk County provides a good quality of life thanks to the public servants and does not want to see that change. Mr. Olsen asked how the County would allocate the funding if this levy passes. Greg Hansen responded that in Fiscal Year 2008-2009 the County had 112 public safety employees. Current staffing for 2013-2014 is at 81 employees. If the levy is approved it should restore the public safety employee level to 100, divided amongst the Sheriff's Office, District Attorney's office, Community Corrections and Juvenile departments.

Jean Sherbeck of 744 SE St Andrews Lane, Dallas, and member of the Citizens Committee, read a statement into the record. Ms. Sherbeck stressed that Polk County's permanent tax rate of \$1.716/\$1,000, when combined with the proposed tax rate of \$0.60/\$1,000, is still less than the permanent tax rate of neighboring counties, including Marion, Benton, and Yamhill.

Wanda Davis of 876 SE Miller Ave., Dallas, testified in support of the levy. Ms. Davis does not want Polk County to become the next Josephine County. Ms. Davis asked what the Commissioners are doing to educate the public about the levy. Commissioner Pope responded that the Commissioners and other elected officials will be speaking at different events, but the

County needs informed volunteers willing to campaign and advocate in support of the levy in order to make it work. Citizens need to be educated about how the public safety system works. It is important for citizens to know and understand that if something does not change with the revenue stream, there will be worse days ahead.

Vern Wells of 838 Corsair Dr., Independence, testified in support of the levy. Mr. Wells stated that he has witnessed the cuts to the Sheriff's office over the years and the current level of staff is unworkable. The County and citizens cannot continue to ask the departments to do more with less.

The Commissioners expressed their gratitude for the support shown by the public at the hearing.

Hearing no further public testimony, Chair Wheeler closed the public hearing and left the record open until August 13, at 5 pm. The decision to proceed with the levy or not is pending for August 14 at 9 a.m. Chair Wheeler adjourned the meeting at 8:07 pm.

The following items were approved by Motion under **5. APPROVAL OF CONSENT CALENDAR:**

(a) CLERK'S FISCAL REPORT

Accept the Clerk's Biannual Fiscal Report under ORS 294.085.

(b) TREASURER'S FISCAL REPORT

Accept the Treasurer's Biannual Fiscal Report under ORS 294.085.

(c) SHERIFF'S OFFICE – CONTRACT NO. 13-134

Approve Cont #13-134 with City of Dallas Fire/EMS for the Regional Fire Communications System.

(d) SHERIFF'S OFFICE – CONTRACT NO. 13-135

Approve Cont #13-135 with Polk Fire District #1 for the Regional Fire Communications System.

(e) SHERIFF'S OFFICE – CONTRACT NO. 13-136

Approve Cont #13-136 with Falls City Fire for the Regional Fire Communications System.

(f) SHERIFF'S OFFICE – CONTRACT NO. 13-137

Approve Cont #13-137 with Spring Valley Rural Fire Protection District for the Regional Fire Communications System.

(g) SHERIFF'S OFFICE – CONTRACT NO. 13-138

Approve Cont #13-138 with SW Polk County Rural Fire Protection District for the Regional Fire Communications System.

(h) SHERIFF'S OFFICE – CONTRACT NO. 13-139

Approve Cont #13-139 with Keizer Fire District for the Regional Fire Communications System.

(i) SHERIFF'S OFFICE – CONTRACT NO. 13-140

Approve Cont #13-140 with Marion County Fire District #1 for the Regional Fire Communications System.

(j) SHERIFF'S OFFICE - CONTRACT NO. 13-141

Approve Contract #13-141 with the City of Dallas Fire/EMS for the Public Safety Communications System.

(k) SHERIFF'S OFFICE - CONTRACT NO. 13-142

Approve Contract #13-142 with Polk Fire District #1 for the Public Safety Communications System.

- (l) SHERIFF'S OFFICE - CONTRACT NO. 13-143**
Approve Contract #13-143 with Falls City for the Public Safety Communications System.
- (m) SHERIFF'S OFFICE - CONTRACT NO. 13-144**
Approve Contract #13-144 with SW Polk County Rural Fire Protection District for the Public Safety Communications System.
- (n) SHERIFF'S OFFICE - CONTRACT NO. 13-145**
Approve Contract #13-145 with the City of Dallas Police Department for the Public Safety Communications System.
- (o) SHERIFF'S OFFICE - CONTRACT NO. 13-146**
Approve Contract #13-146 with the City of Independence for the Public Safety Communications System.
- (p) SHERIFF'S OFFICE - CONTRACT NO. 13-147**
Approve Contract #13-147 with the City of Monmouth for the Public Safety Communications System.
- (q) SHERIFF'S OFFICE - CONTRACT NO. 13-148**
Approve Contract #13-148 with the Confederated Tribes of Grand Ronde for the Public Safety Communications System.
- (r) HUMAN RESOURCES - CONTRACT NO. 13-149**
Approve Contract #13-149, employment agreement with Marty Silbernagel.
- (s) CORRECTIONS - CONTRACT NO. 13-150**
Approve Contract #13-150, with Karen Cox for sex offender treatment.

POLK COUNTY BOARD OF COMMISSIONERS

Jennifer Wheeler, Chair

Craig Pope, Commissioner

Mike Ainsworth, Commissioner

Minutes: Heather Alvarez
Approved: July 31, 2013