

POLK COUNTY BOARD OF COMMISSIONERS
Minutes of January 14, 2015
Dallas Civic Center, 945 SE Jefferson St., Dallas, OR 97338

1. CALL TO ORDER & ATTENDANCE

At 6:00 p.m., Commissioner Ainsworth called the meeting of the Polk County Board of Commissioners to be in session. Commissioner Pope and Commissioner Wheeler were present.

Staff present: Greg Hansen, Administrative Officer
 Sheriff Bob Wolfe
 District Attorney Aaron Felton
 Community Corrections/Juvenile Director Marty Silbernagel

2. PUBLIC HEARING: PROPOSED OPERATING LEVY

Greg Hansen explained that in November, he recommended that the Board consider placing a local option tax measure on the May 2015 ballot in the amount of \$0.45/\$1,000 assessed value for five years (meaning taxes on a \$200,000 home would increase by \$90 annually). The Board accepted this recommendation, and this is the fifth of nine public hearings to collect public input on this process. The Board will make a final decision on moving forward on this process or not after the final public hearing. Since 2008, due to the loss of federal timber payments, an increase in non-county controlled benefit costs, and stagnant property taxes, the staffing levels within the Polk County Public Safety system have dropped from 112 FTE (full-time equivalents), to 78 FTE, an over 30% drop. The proposed levy would fund 22 FTE: 12 in Sheriff-Patrol, 5 in Sheriff-Jail, 5 in District Attorney-Prosecution, and also fund the rental of 2 additional Juvenile detention beds.

Sheriff Wolfe explained that within the city limits, the Polk County Public Safety Departments performs many functions: when a municipal police agency arrests a suspected criminal, they are lodged and handed off to the Polk County jail, which is operated under the Sheriff's office. Once in the jail, the inmate is charged with a crime and directed to circuit court, which means that their case is tried by the Polk County District Attorney's office. If convicted, this offender then goes into the Polk County Community Corrections caseload, where they are supervised by a Parole Officer. Many responsibilities of the Sheriff's office cannot be performed by State and Municipal police agencies by law: some of these include entering and serving restraining orders and Property and money seizures. The Sheriff's office also provides a great deal of back up for the Municipal police departments, who's departments are also feeling the negative effects of the County public safety cuts.

Sheriff Wolfe went onto explain that the funding crisis the county is facing is not caused by a mismanagement of funds, but the result of the loss of O&C timber funding. Since 2008, the County has seen reductions and eventual elimination in payments that had been received from the harvesting of Federal Timber Land located in Polk County. This has created over a \$2.4 million shortfall for the County General Fund, which is where a majority of public safety funding is budgeted from. This is the reason why the public safety system in the County has been cut so dramatically. These cuts have resulted in the elimination of 24/7 patrol coverage (10-hr per day patrols since March 29, 2014), 1,500 calls so far this year that have been taken without a patrol response, minimum staffing in the jail (resulting in \$79,000 in overtime expenses so far in this fiscal year), and the deactivation of POINT (County drug enforcement and investigations). The Sheriff's office has also seen a 34% drop in overall arrests, a 47% drop in DUII arrests and a 54% drop in drug arrests over the last year, putting everyone who lives in the County at risk. The only way to restore these services is the ballot measure that is proposed. Without more funding, things will not get better.

Commissioner Ainsworth opened the Public Hearing.

Monte Pearson, 2465 SW Oakwood Dr., Dallas, testified that he is in favor of the levy. He understands that this problem is caused by lost timber revenue and the County will most likely never get it back. Mr. Pearson asked if the other general fund departments have also been cut as drastically as the Sheriff's office. Greg Hansen explained that every other department in the General Fund (Assessor, Tax/Treasurer, Clerk, Community Development) have also been cut to minimum staffing, however, because the Sheriff's office is the largest part of the General fund, it takes the most cuts. Other departments within the County (Public Works, Health Services) receive state and federal dedicated funding, which cannot be used for anything other than those programs. Some of these programs outside the General Fund also continue to grow in FTE because their funding streams continue to grow. Mr. Pearson feels that the County should continue to cut other non-constitutionally required programs to help fund the Sheriff's office.

Jean Sherbeck, 744 SE St. Andrews Lane, Dallas, testified that she has attended many Board of Commissioner's meetings and observed County budget hearings (held the first week of April) and can attest to the struggle that the Board and Budget Committee have faced when it comes to making the cuts to the public safety system. This levy is the opportunity for the voters to provide adequate public safety services for themselves. Educating the voters is crucial and would like the Board to continue to reach out to the voters and provide the information of the need for this levy to the public.

Margo Lucas from Buena Vista, testified that she serves as the Legislative Liaison for the Salem Cannabis Industry Association. She reminded the Board that the County is not the only one with a tightened budget, but many citizen are on a budget as well. Ms. Lucas thinks the levy is too costly but would support a 'scaled back' levy amount. She pointed out that with the legalization of marijuana there will be less arrests in the future, and if the County would lift the currently imposed moratorium on marijuana dispensaries there would be law enforcement monies available from the sales of this substance. Ms. Lucas is willing to work with the Board on developing some rules and regulations for these businesses to come into the county. DA Aaron Felton is concerned that there will be an increase in DUI's with the legalization of marijuana, but because there is no equivalent Blood Alcohol Content test for marijuana impairment, the DA anticipates having to spend more staff time on these cases.

Wanda Davis, 876 SE Miller Ave in Dallas, testified that she doesn't think that the levy is big enough and won't result in sustainable funding. Ms. Davis supports the levy but feels that if the levy passed then the five years that the levy would be active should be used to find long-term sustainable plan for funding these services.

Rachel Daberkow from Independence expressed concern that many citizens are living under limited resources and are struggling, and some might not be able to support the levy not because they don't want to, but because they financially can't afford to.

Ken Mayer from Dallas commented that government asking for higher taxes is never ending. He requested the Board be straightforward with the citizens and admit that once the five year levy is complete the County will be asking for another levy in five years. Mr. Mayer explained that he won't support the levy until the Board has a sustainable end solution for the budget shortfall that does not involve higher taxes.

Joe Koubek, 565 SE Mifflin St., Dallas, testified that as a volunteer firefighter, he needs to have law enforcement patrols available 24/7 to respond to calls and 'watch the backs' of the other first responders. The volunteer fire department now responds to domestic violence assaults, attempted suicides, motor vehicle accidents, and shootings, without Sheriff Patrols there to clear the scene. Oregon State Police won't even respond after 2am, and when they do it is usually 45 – 60 minutes before they arrive. Mr. Koubek understands the judicial system and the time and resources it takes to prosecute cases. The District Attorney is up against paid attorneys who have endless resources, and the voters need to provide him the resources he needs. Polk County voters brag about having one of the lowest tax rates in the state, and this is the result. Voters have shot themselves in the foot. Mr. Koubek encouraged the Board to continue finding ways to educate and convince voters living within the city limits about how the cuts to the Sheriff, Jail, District Attorney, Community Corrections, and Juvenile affect them.

Gary Weis submitted a statement via e-mail that the Sheriff read into the record:

“Sheriff, I am unable to attend the public meeting tonight because of a prior engagement. As a gun owner and one who carries I want to let you know that I support a levy or whatever it takes to properly fund the Sheriff's office. With the change in marijuana laws I anticipate more criminal activity in Polk County and I am not looking forward to getting in a gunfight with criminals. What happens in the county will spill over into the cities and therefore it is absolutely necessary that we have adequate law enforcement presence in Polk County. Please read this statement on my behalf if possible. Thanks, Gary Weis. “

Mike Stevenson from Monmouth testified that he graduated from the Western Oregon University Criminal Justice program and is in support of the proposed levy. He is a renter and anticipates his rent to go up if this levy passes, but would not have a problem paying more for law enforcement. He has seen a significant increase in drug activity where he works, and he relies on law enforcement to address that problem, which makes not having it difficult.

Russ Knoll, from Oak Grove Road in West Salem encouraged everyone in attendance to start a phone chain and invite their friends and family to attend one of the remaining hearings, post on facebook and write letters to the editor in support of our local law enforcement.

Brian Dalton, 1650 Bridlewood Dr., and Mayor of Dallas, read a statement on behalf of the Dallas City Council.

“Thank you for the honor of presenting today on this important topic. I believe that I speak for the Dallas City Council and proponents of our community in saying that we fully recognize how robust and effective the County public safety system is and is vital to our well-being. The merits of the case speak loudly. Tragically speaking, an operating levy is the only way to pay for the system we need. However, in tough economic times, when cynicism towards government runs high, gathering public support for a levy is an obvious hurdle. Jumping this hurdle depends upon the levy's structure, wise timing for the ballot placement, and a sound campaign for its passage. I think that is why you are all here tonight: to listen. A little over 70% of county voters residing in our five municipalities (means that) if the measure goes down in the cities, it fails. Period. To help us make our case with our voters, here is what we need: first, a deep and enthusiastic collaboration between the leadership of the County and the cities. Second, enough time to organize a good campaign with a central organization of fundraising mechanism, and above all a clear campaign strategy. Third, access to campaign materials, especially brochures and

yard signs. And finally, we need to hear a detailed explanation of the benefits derived from the taxes: not just in dollars, percentages, and staffing levels, but in a full description of the tangible programs and benefits that city dwellers will see in their daily lives to excite them to vote for it in a wave. I seriously doubt that anyone here tonight quibbles with the compelling need for a strong public safety system. Therefore I trust that you will hear some very good information to help you reach your conclusions regarding a levy content, timing, affordability, and strategy. Dallas is a very collaborative community and we work very well together. I suggest you play to this strength. We are here to help. Thanks very much.”

Commissioner Pope reiterated some of the concerns that were made regarding O&C timber funding ever coming back, but he is actively engaged in congressional efforts to restore some sort of funding from the federal lands within our county. Commissioner Pope feels it is important to have a ‘stop-gap’ system in place to restore the public safety system, but is not done fighting the battle to get the County’s natural resources back to work and providing opportunity to restore some of this money. Regarding other funding opportunities, Commissioner Pope does not feel that taxes on legalized marijuana will be a solution to this funding shortfall. There is a very challenging taxing system in this State, that cannot be fixed at the local level. The County pursues every funding opportunity it has, but even those small revenue increases are overrun by inflation and increased costs of doing business in the county.

District Attorney Aaron Felton acknowledged that the City of Dallas has a thriving municipal court for misdemeanors. However, for felonies, it is the District Attorney’s Prosecutor’s job to hold these people accountable for the crimes they commit. The Polk County District Attorney has the smallest staff per capita of any other office in the State. This levy is needed to meet the obligations of holding these criminals accountable.

Commissioner Wheeler explained that it is not a matter of being able to afford the levy, but instead can we not afford it? \$90/year (for a \$200,000 assessed value home) is approximately \$0.25 per day, or a cup of coffee per day. Public safety employees put their lives on the line everyday to keep this community safe, and the County is asking for \$0.25 per day. If this system continues to deteriorate, then at some point the county is going to hit the point of no return.

Commissioner Ainsworth explained that this issue for him is about quality of life and he wants everyone inside and outside the city limits to feel safe in the community of Polk County.

3. ADJOURN

Commissioner Ainsworth reminded the public of the other scheduled upcoming public hearings on this issue.

Hearing no further business, Commissioner Ainsworth adjourned the meeting at 7:10 p.m.

POLK COUNTY BOARD OF COMMISSIONERS

Mike Ainsworth, Chair

Jennifer Wheeler, Commissioner

Craig Pope, Commissioner

Minutes: Heather Merrill
Approved: January 21, 2015