

POLK COUNTY BOARD OF COMMISSIONERS
MINUTES January 28, 2015

1. CALL TO ORDER & ATTENDANCE

At 9:00 a.m., Commissioner Wheeler declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Pope was present. Commissioner Ainsworth arrived at 9:05

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

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 a meeting of the Local Public Safety Coordinating Council on Monday, February 2, 2015 at noon in the Courthouse Conference Room, 850 Main St., Dallas, OR 97338.

The Board of Commissioners will hold Public Hearings to receive testimony on the proposed property annexations to the Salem Suburban and Rural Fire Protection District on Wednesday, February 4, 2015 at 9:00 am at the Polk County Courthouse, 850 Main St., Dallas, OR 97338.

The Board of Commissioners will attend annual work session for the Polk County Fair on Saturday, February 7, 2015, beginning at 7:30 am at the Polk County Fairgrounds, 520 S Pacific Hwy West, Rickreall, OR 97371.

3. COMMENTS (FOR ITEMS NOT ON THIS AGENDA)

4. APPROVAL OF AGENDA

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

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

5. APPROVAL OF CONSENT CALENDAR

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

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

6. APPROVAL OF MINUTES

MOTION: COMMISSIONER POPE MOVED, COMMISSIONER WHEELER SECONDED, TO APPROVE THE MINUTES OF THE BOARD MEETING OF JANUARY 21, 2015, AND PUBLIC HEARINGS OF JANUARY 21 AND JANUARY 22, 2015.

MOTION PASSED BY A UNANIMOUS VOTE OF THE QUORUM.

7. PUBLIC HEARING: PROPOSED OPERATING LEVY

Greg Hansen provided the staff report: 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 last 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, in a courtroom that is supposed to have security provided by the Sheriff'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 back up for the Municipal police departments, whose 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, and minimum staffing in the jail (resulting in \$79,000 in overtime expenses so far in this fiscal year). These cuts have also resulted in the elimination of the Sheriff's involvement in following programs: POINT (County drug enforcement and investigations), Forestry Patrol, DUI Enforcement and Seatbelt Grants, Special Response Tactical Team, Computer Forensics Deputy, Crash Reconstruction Technical Assistant, Dumpstoppers Program, Prescription Drug Tack Back Program, Neighborhood Watch and National Night Out. Sheriff Wolfe also explained that the dispatchers for the Willamette Valley 9-1-1 operations center receive verbal abuse every night when they have to tell callers that there is no one available to respond. The victims are not the only ones that feel helpless and heartbroken when there is no law enforcement available to help. The Sheriff's office has 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.

Bob Brannigan, 4340 Kings Valley Highway, testified that although he does not want to pay more taxes, he understands the value of the services that citizens pay for with their taxes, and has a strong support for this levy and hopes the County will work on an implementation plan with the cities. Mr. Brannigan has great concern with the limited patrols and does not think the County should wait for a disaster to happen to pass the levy. Mr. Brannigan also serves as the President of the Dallas Chamber of Commerce and informed the Board that the business community and chamber of commerce are supportive of the levy. Mr. Brannigan volunteered to help on the campaign.

Bill Kluting, 6600 Cooper Hollow Rd., Monmouth, testified that he has fought for 30-years working on a proper forest management plan, and only 3 out of 7 elected Oregon Representatives in DC are fighting for rural Oregon. The State is losing the ability to log their own timber, which will result in not only the loss of funding to government, but also to schools. Mr. Kluting worked on the PAC for the last levy, and feels that it should have passed the first time. He is amazed by the reasons people give him for why they didn't support it: most didn't realize the position the County is in, even though the Board advertised the budget cuts and lack of money, but people were still unaware. Another reason he has heard from people not voting for the last levy is that they are fed up with PERS. However, the County has to pay for PERS, and was not involved with the implementation of this retirement program. Mr. Kluting thinks that the citizens and residents can not afford to not pass the levy.

Eve Scott, Fire Hall Rd., Grand Ronde, testified that she is opposed to the levy. Ms. Scott has lived in rural Polk County for the last 18 years. She has dealt with ongoing issues with her neighbors trespassing, damaging her property, etc. Yet none have ever been arrested or prosecuted, and her calls to the district attorney and deputies go unreturned.

Gene Henshaw, 2424 SW Oakwood Dr. Dallas, urged the Commissioners to vote on the levy this morning. Mr. Henshaw also urged the Commissioners to "mend the fences" with other local jurisdictions and community leaders over the different views on when the timing of the levy should be.

Cary Glasgow, 951 SW Church St., Dallas, testified that she thinks that the public safety service levels currently in the County are unacceptable and echoed Mr. Kluting's sentiment that she does not want Polk County to be the next headline county, but yet opposes the levy. Ms. Glasgow believes that even if the levy passes, it is not a matter of if a tragedy occurs, but when.

Brian Dalton, Mayor of Dallas 1650 Bridlewood Dr., Dallas, testified that he has heard rumors that he is not in support of the levy, however that is not true. Mr. Dalton supported the original levy and unconditionally supports this one as well, however does disagree on the point of timing to give the levy the best chance of success. The Dallas City Council also supported the last levy and Mr. Dalton is working with the City Council on support of this levy and believe that they will lend it equal support this time. The levy is good public policy in difficult circumstances, and believes that collaboration and teamwork will be needed to foster the passage of the levy.

Gary Weis, 774 SE Guy Lane, Dallas, testified in support of putting the levy on the ballot. Mr. Weis has a concealed handgun license and feels that he could defend himself but would prefer to spend \$90 per year to support the Sheriff's office so they can handle those situations instead. Mr. Weis

expressed concern for the safety of the deputies on duty, working without adequate backup, who have the right to go home safe to their families after work like everyone else. Mr. Weis also asked about what anticipated effect on crime will be with the recent legalization of marijuana. The Sheriff responded that he is concerned with a rise in DUI, which will be complicated because there is no test for impairment level with marijuana. The Sheriff does not anticipate any increase in revenue from the legalization because most of the taxes will be going to prevention and care, and not much as anticipated to trickle down to law enforcement at a County level.

Lisa Mitchell, 10895 Bethel Road, Amity, testified that she is speaking from two different perspectives: a victim and a first responder. Ms. Mitchell shared her story from last July when she became a victim of domestic violence that escalated and resulted in her home being destroyed by a fire, and was told by the dispatcher that "there is no one we can send." As a first responder, Ms. Mitchell responds to fire, medical and motor vehicle accidents, and explained that a quick, timely response to an emergency situation is critical and increases the likelihood of a more positive outcome. Having law enforcement to respond with first responders is necessary to ensure that there will be a safe outcome not just for the patients, but also the first responders. Ms. Mitchell stressed that not passing a levy is a life or death situation, and if the voters understood the repercussions and gravity of the public safety situation, then the first levy would have been passed. Ms. Mitchell also asked the Sheriff that if the levy passed, how long would it take before he could get new deputies trained and hired; the Sheriff explained that the hiring, background, academy, and training time is approximately 18 months. Ms. Mitchell urged the Board to go out for the levy now and not wait any longer.

Catarina Rosenfeld at 690 White Oak Circle explained that her daughter is currently incarcerated at the Polk County Jail. In May, her daughter fell and broke her back in 5 places, and there is a shard of bone pressing on her spinal column, which threatens permanent paralysis or death. Since being incarcerated, her daughter has been in extreme pain and has not received any pain medication. Her daughter has been begging to see a doctor because her feet have started going numb. Mr. Rosenbaum feels that if the jail had more money, then the inmates would get better care and services, but charging the cities to use the jail would just result in the cities arresting less people. Mr. Rosenbaum begged the Sheriff to release her daughter to the hospital and threatened to sue the County if her daughter does get paralyzed from lack of medical treatment from her time in the jail.

Russ Noll, 1920 Oak Grove Rd., Salem, testified that \$90/year is less than \$0.25/day, less than a cup of coffee or a cigarette. Mr. Noll asked what would happen if the levy passes and then the County receives additional timber funding. Greg Hansen responded that if additional revenues were received, then the County would simply use that to offset the levy amount and levy less than the \$0.45/\$1,000. Mr. Noll also announced that only about 150-180 people have attended these last nine hearings, and there are 77,000 people in the County; the three Commissioners cannot possibly reach them all. Citizens need to help spread the message about the need for this levy.

Rod Buchanan, 1335 Reuben Boise Rd., Dallas, testified that the Commissioners need to make a decision to get this levy on the ballot as soon as possible. Mr. Buchanan and some other citizens have already started a PAC and have started contacting legislatures at the Salem level, and invited supporters to get involved. It is the Commissioners job to lead this campaign, but it is the citizens job to make it happen. Mr. Buchanan explained that on a \$200,000 home, the tax increase equates to approximately \$0.25 per day, which is not very much for safety and security.

Commissioner Pope explained that on the last levy, the Board worked hard but was still not able to get the momentum and engagement needed to get the levy passed, and apathy overruled everything in the last attempt. Through the hearing process for this levy, Craig could see more

citizen support and willingness to get involved, which is what is needed for this levy to get passed. Even if this levy passes, Craig and the Board will still keep working towards getting timber funding back through a sustainable, permanent solution.

Hearing no further testimony, Commissioner Ainsworth closed the public hearing.

Commissioner Wheeler explained that at the beginning, she was apprehensive about considering going out for a levy. However, throughout these hearing she has seen more input from citizens than she has since she started working for the County. Commissioner Wheeler doesn't know how the she could face a victim of a crime and tell them that because of some controversy over timing, the Board is going to wait to put this issue on the ballot for another fiscal year. In addition, the safety of our current officers is in jeopardy and that is unacceptable. Commissioner Wheeler and the rest of the elected officials understand there is a lot of work ahead of them if they proceed with this levy.

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. However, that quality of life continues to go down as public safety budgets continue to get cut.

MOTION COMMISSIONER WHEELER MOVED, COMMISSIONER POPE SECONDED TO ADOPT RESOLUTION 15-04 IN THE MATTER OF CALLING A MEASURE ELECTION TO SUBMIT A LOCAL OPTION TAX (PUBLIC SAFETY OPERATING LEVY MEASURE TO THE VOTERS OF THE COUNTY TO FUND PUBLIC SAFETY NEEDS IN POLK COUNTY.

MOTION PASSED UNANIMOUSLY.

At 10:28 a.m., Commissioner Ainsworth asked if there was need for an Executive Session. Staff answered that there was not and the meeting was adjourned.

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

(a) SHERIFF'S OFFICE – CONTRACT NO. 15-09

Approve Contract No. 15-09, tower space lease agreement with the Marion County Public Works Department

POLK COUNTY BOARD OF COMMISSIONERS

Mike Ainsworth, Chair

Jennifer Wheeler, Commissioner

Craig Pope, Commissioner

Minutes: Heather Merrill
Approved: February 4, 2015