



NORCOR

CORRECTIONS FACILITIES

Wasco-Gilliam-Hood River-Sherman
201 Webber Street
The Dalles, OR 97058-3507
541-298-1576 telephone
541-298-1082 facsimile



NORCOR

Board of Directors

Minutes of the Board Meeting

February 15, 2018

1.0 PRELIMINARY BUSINESS:

Quorum was determined and the Board Meeting was called to order on February 15, 2018 @ 10:00 AM by Tom McCoy, Chairman.

Present: Bryan Brandenburg- NORCOR Administrator **Board Members:** Tom McCoy- Sherman County Commissioner, NORCOR Board Chairman; Steve Shaffer- Gilliam County Judge, NORCOR Board Vice-Chairman; Scott Hege- Wasco County Commissioner (*alternate for Rod Runyon, Wasco County Commissioner*); Bob Benton- Hood River County Commissioner; Brad Lohrey- Sherman County Sheriff; Amber DeGrange- Sherman County Juvenile Director (*representing the Juvenile Directors Oversight Committee at this meeting*)

Guests: Ruben Cleveland- NORCOR Attorney; Diana McDougale- NORCOR Attorney; Tyler Stone- Wasco County Administrator; Jeff Justesen- NORCOR Detention Manager; Jim Patterson- Hood River County Juvenile Director; Alley Brown- Wasco County Resident; Lynn Gill- Wasco County Resident; Connie Krummrich- Wasco County Resident and Member of Gorge ICE Resistance; Solea Kabakov- Wasco County Resident; Antonia Kabakov- Wasco County Resident; Neita Cecil- The Dalles Chronicle; Joel Kabakov- Columbia Gorge Community College Faculty; Judy Zimmerman- Mid-Columbia Unitarian Universalist Church Minister; Tim Shechtel- Wasco County Resident; John Boonstra- Hood River Clergy; Jean Sheppard- Hood River County Resident and ACLU Volunteer Attorney; Steve Curley- KMSW Radio; Corliss Marsh- Wasco County Resident; Michael Byrne- Hood River County Resident; Tyler Bean Kelly- Zion Lutheran Church Pastor; Amber Orion- Gorge ICE Resistance and Wasco County Resident; Richard 'Red' Stevens- St. Paul's Episcopal Church Pastor; Sloane Borrego- Wasco County Resident; Lane Magill- Wasco County Sheriff; Juli Twidwell- NORCOR; Beth Anderson- NORCOR

Steve Shaffer moved to approve the Minutes of the December 14, 2017 Board Meeting. Brad Lohrey seconded the motion. The motion passed unanimously.

Former Board Member, Ron Rivers- Hood River County Commissioner, who was being recognized by the NORCOR Board, was not in attendance at this time.

Tom McCoy introduced Ruben Cleveland and Diana McDougale, the Legal Counsel who will be replacing the late founding legal representative for NORCOR, Will Carey. Then there were introductions of all who were present.

2.0 BUSINESS ITEMS:

- ***2.1 Public Comments/Questions –***

Tom McCoy opened up the five minute session for public comment or question. Tom noted that he had distributed to the rest of the Board Members a letter that had been sent by those associated with Gorge ICE Resistance. Tom then invited those in attendance with any questions or concerns on new topics to present them at this time.

Connie Krummrich, Wasco County Resident and Member of Gorge ICE Resistance, shared the three areas of concern that were addressed in the letter to the Board Members: 1) the confusion and disparities in reports about the legal status of detainees, 2) the treatment of detainees- specifically the lack of availability of in-person visitation, and 3) the issue of looking forward and finding a way to fund NORCOR without the ICE contract. Gorge ICE Resistance is urging NORCOR to return in-person visitation for all people housed in NORCOR.

Judy Zimmerman, Mid-Columbia Unitarian Universalist Church Minister and Hood River County Resident, commented that in her work with detainees, since last May, she has heard them share their pain and anguish at being denied contact visitation with their families and urged the Board to find a creative solution to balancing the budget without the ICE contract.

- ***2.2 Sheriff and Juvenile Board Representative Designation –***

Brad Lohrey noted that the Sheriffs had met and decided that he would continue to represent the Sheriffs on the NORCOR Board, with Lane Magill as his alternate. Amber DeGrange noted that the Juvenile Directors had also met and discussed the issue, but that no decision as to representation had been made at this time.

- ***2.3 16/17 Audit Review- Polly Rogers & Co.- Tara Kamp, CPA –***

Copies of the 2016/2017 Fiscal Year Financial Audit Report were handed out to the Board. Bryan Brandenburg noted that Tara Kamp was unable to make it to this meeting to explain the report and answer any questions. Bryan shared that the result of the audit was clean but that there was one item of note which he invited Juli Twidwell to explain. Juli explained that the report notes that the appropriations were overspent in the following line items: General Fund was overspent by \$49,000, Capital Outlay was overspent by \$8,510, and Debt Service was overspent by \$973. Juli further explained that one cause of this could be that the auditors moved money and made adjustments which were not anticipated. Juli further explained that the Debt Service line item was tricky because money had been pulled out of General Fund to pay for the Bond Levy in 2016/2017. Juli noted that

no budget bottom line was overspent and the Budget had not been broken. Tom McCoy asked if there was a consensus that the Audit Report was acceptable; there were no additional comments or questions and there was a consensus to accept the Audit Report.

- **2.4 Appointment of Budget Officer –**

Brad Lohrey moved to appoint Bryan Brandenburg as the NORCOR Budget Officer. Steve Shaffer seconded the motion. The motion passed with unanimous approval.

- **2.5 Approval of Budget Calendar –**

Bryan Brandenburg urged those present to check their calendars for the dates listed on the Budget Calendar. Bryan noted that he could not meet on March 8, 2018 and after some discussion it was decided that the first Budget Committee Meeting would be moved to March 14, 2018 at 10:00 AM. Bob Benton made a motion to accept the Budget Calendar with the date of the first Meeting being changed to Wednesday, March 14, 2018. Steve Shaffer seconded the motion. The motion passed unanimously.

- **2.6 Adoption of Resolution and Order Number 17/18-2 –**

Bryan Brandenburg read Resolution and Order Number 17/18-2 into the record; this Resolution adjusts the budget to increase revenue by \$260,234 and to decrease expenses by \$93,685, for a net gain of \$353,919. Scott Hege asked if this resolution was necessary since there is legally no need for a resolution to increase revenue or decrease expenses. Juli Twidwell answered that the Board had asked to have the adjustments from the proposed adjustments column on the monthly financial report document reflected in the actual on the document at the six month point. Scott noted that making this adjustment, which is not necessary, would change the budgeted amount to the actual amount. Bryan Brandenburg noted that the Board had asked for the changes that were being tracked to be adjusted into the Budget at mid-term, which was now. Scott reiterated that this budget adjustment was not necessary and does not actually do anything for NORCOR since the expenses are being decreased rather than increased. Steve Shaffer noted his concern, agreeing with Scott, that this was an unnecessary adjustment to make to the Budget. Steve Shaffer moved to approve Resolution and Order Number 17/18-2, a Resolution to increase revenue by \$260,234 and to decrease expenses by \$93,685, for a net gain of \$353,919. Bob Benton seconded the motion and it was approved with unanimous approval.

- **2.7 Juvenile Consultant Discussion –**

Bryan Brandenburg referenced the Juvenile information packets that had been given out to the Board and gave a review of the Intake, Rules, and Policy changes that had been made at the Juvenile Facility in the wake of the DRO Report that came out in December of 2017. Bryan urged the Board to find a different and cheaper way to accomplish the Juvenile Consultant Review and asked that the Review wait until all the necessary Policy changes were completed and up-to-date. Amber DeGrange pointed out that the initial portion of the Juvenile Consultant Review cost to NORCOR is only \$8,000 and is within the Juvenile Operating Contingency budgeted funds. Amber further noted that this Review would be meaningful for reestablishing trust and that because of the current lack of

trust within the Juvenile community there is a sense of urgency which accompanies this request for the Juvenile Consultant Review. Amber noted that the main point of the Juvenile Consultant Review is to offer a snapshot to NORCOR's partners that the facility is a safe place in which to house their youth. Bob Benton asked for clarification on what is being talked about. Amber answered that this discussion was regarding the cost of the proposed Module 1 of the Juvenile Consultant Review at over \$13,000 but that after donations from the Oregon Youth Development Council and the Oregon Youth Authority (each in the amount of \$3,000) the cost to NORCOR for this Module would be less than \$8,000. Brad Lohrey asked if an RFP was necessary for this process. Amber answered that since the cost to NORCOR was less than \$10,000 there was no need for an RFP. Brad noted that the actual cost of the Review was over \$10,000 whether NORCOR was being asked to come up with the entire amount or not and asked again if an RFP was necessary for this process. Steve Shaffer noted that they should refer to legal counsel, added that he agreed with Brad, and wondered if this Review would actually fall under the Professional Services category. Ruben Cleveland noted that even if the Board decided to look at this as a \$13,000 cost, this is not something that would need an RFP, but they could possibly do an informal solicitation or intermediate procurement policy. Amber once again spoke to the sense of urgency inherent in the need for this review to be done. Amber presented a Resolution to the Board that would allow the necessary funds to be moved from the Contingency Fund to be able to pay for this Review. There was discussion regarding the formatting of the Resolution and the amount that should be included within this Resolution. Brad Lohrey asked if this process was being rushed and if all of the concerns in the DRO Report had been addressed or if this entire process would need to be done once again in a few months when the concerns are officially fixed. Amber objected that using the term fixed implies that something was broken in the first place. Amber then answered that the top concerns noted in the DRO Report have been addressed and all of the top priority issues have been changed as needed and appropriate. Brad then made a motion to approve the Resolution with a fifth clause that up to \$13,176 be used to pay for Module 1. Scott Hege asked if the motion needed to be worded differently and if there was need for a Resolution and Order Number. Juli Twidwell answered that she does need the Resolution to have wording that gives permission to move the specific amount from the Contingency Fund. Brad withdrew his motion. Scott Hege made a motion to pass Resolution and Order Number (to be determined), as proposed, changing the amounts under Item Number 3 to the amount of \$13,176, not to exceed \$13,176. Brad Lohrey seconded the motion. Ruben Cleveland asked to take a look at the Procurement Policy before the Resolution is signed. Amber asked for clarification that the Juvenile Directors are able to enter into conversations with Mike Brown for the Juvenile Consultant Review. Tom McCoy answered that if the Resolution passed then the Juvenile Directors would be able to enter into conversations regarding the Review. The Resolution passed with unanimous approval.

Scott Hege asked if the face-to-face visitation had been increased. Jeff Justesen answered that all visitation had been increased through policy changes and that face-to-face visitation through the glass is a normal practice for the Juvenile Detention Center.

Tim Shechtel, a resident of Wasco County, encouraged Amber DeGrange to keep working and keep looking to the future of the juvenile facility and making decisions that would make the NORCOR

Juvenile facility better and more attractive to other agencies and municipalities. Amber noted that the Juvenile side receives outside funding from contracts and added that the facility is very attractive to other agencies. Amber further noted that the Juvenile facility is considered a vital link in regional services. Jeff added that prior to the DRO Report, our partners across Oregon were very positive about NORCOR's Juvenile Detention Center.

Joel Kabakov, an Instructor with Columbia Gorge Community College and a Wasco County Resident, asked the Board to consider putting together a citizens advisory board together in the future to build trust in the community. Steve Shaffer agreed that more minds create more opportunities.

- **2.8 NORCOR Update/Status/ Budget- Bryan Brandenburg –**

- Bryan presented the Financial Document that was in the Board Packet. Amber DeGrange asked about in the Juvenile revenue: 1) wondering why the Federal Inmate Housing was adjusted up to \$60,000, and 2) how the \$58,000 received so far is 51%? Juli Twidwell answered that the financial document is not something in which she enters information, but that the information is pulled directly from the accounting software that is used. Bryan asked Amber if that answered her question. Amber answered that it did not, but she would talk with Juli about it later. Tom McCoy asked about the Projected Ending Fund balance on the last page and where it comes from. Juli answered that had requesting a projected Ending Fund balance that included any proposed adjustments to the Budget. Tom noted that he simply wants the best and most educated guesses as to what the Ending Fund Balance might be. Juli noted that she can remove the Projected Ending Fund Balance if that was what the Board wants to do, but that her current best guess was that the Ending Fund Balance would be closer to the Actual Ending Fund Balance that uses actual numbers from the year. Bryan noted that he would take the Projected Ending Fund Balance off of the bottom of the last page to avoid further confusion.
- Bryan presented the statistics regarding averages, length of stay, recidivism, etc. Scott Hege asked if the average number of beds per day per county use could be calculated through the numbers given on the graphs. Bryan answered that it could be calculated that way.
- Bryan reported that he and Jeff Justesen had testified at the Joint Session of the Judiciary Committee regarding the DRO Report. He had also spoken to the Hood River City Council about the DRO Report and Immigration and offered tours to the Council Members so that they could see for themselves what NORCOR is up to.
- The Intercom and Keying systems for the jail are finished being upgraded.
- The company that is removing the rocks off of NORCOR property has worked out a deal that they will remove the rocks and then level the ground at no cost to NORCOR, saving the estimated cost of \$90,000.
- The Yoga Program at NORCOR was featured in an article in Gorge Magazine.
- Insitu has agreed to rent out the 5 acre parcel of land beginning in April. This results in an additional \$60,000 of Revenue per year.

- Bryan has been meeting with MCMC and GOBHI with the goal of working together to put in a 16 bed substance abuse treatment program in the work release area as well as a 6 bed crisis psychiatric hold facility. Tom McCoy asked if this would be part of the jail. Bryan answered that it would not be a part of the jail, but it would be an RFP instead. The potential with this project is an additional \$400,000 in Revenue.
- There is interest from two different counties in renting out the four available beds from the Mental Health Unit.
- Bryan reported that he had visited the Tacoma Detention Facility. Bryan reported that there was no difference between the Tacoma Detention Facility and NORCOR, with the exception of the Tacoma Detention Facility being a bigger facility. Bryan had asked specifically about the visitation policy while he was there. He reported that he was told that there is no in-person visitation allowed except on rare occasion, when it has been requested and then approved by the Director of the Facility. Tim Shechtel noted that it is posted on the Tacoma Detention Facility website that contact visits are allowed and that the post on the website lists all of the rules for visitors to follow regarding the contact visitation policy. Bryan restated that he had been told that contact visiting is not allowed. Tim Shechtel noted that he had also toured the Tacoma Detention Facility and had seen people coming out of visitation. Bryan again restated that he had been told that contact visits do not happen at that Facility. Bryan also noted that contact visitation would not be allowed at NORCOR because it would be too much of a security risk.

Amber Orion asked if a private corporation would be managing the substance abuse treatment and crisis psychiatric hold facilities. Bryan answered that whichever organization applied for the RFP to provide the service would be the organization managing the facilities. Amber then asked if there was a way for the community to stay informed as to who would be taking over the mental health facilities. Bryan answered that he would continue to keep the Board informed throughout the process as to how it is moving forward and even if it is still moving forward.

A member of the public asked if the Board agrees with Bryan's firm statement that in-person visits, through the glass, will not be allowed at NORCOR. Bryan answered that in-person visitation is too much of a security risk. Bryan added that it is a space issue as well since there are only three attorney booths available for the attorneys and the clergy to use. Bryan further stated that there was a case where one inmate was allowed an in-person visit in the attorney booths, but that the circumstances were extraordinary. Bryan noted that he has not had any inmates requesting in-person visits and that if they are requested, he would be open to considering those requests, but that in-person visitation would be the exception and not the standard operating procedure. Tom McCoy answered that Board has not discussed this Operating Procedure and those are generally up to the discretion of the Administrator. A member of the public implored the Board to discuss this issue further. Scott Hege noted that there is a difference between contact visits and in-person visits. Scott then asked Bryan if the security risk comes from contact visits and if the security risk comes from the possibility of

something being transferred during the visit. Bryan answered that it is to eliminate contraband issues and that there is a serious enough contraband issue as it is. Scott asked if the reason in-person visits are not being allowed as a normal practice is more of a space issue than a security issue. Bryan affirmed that was the case. Scott then asked the members of the public if they were advocating for in-person visits rather than contact visits. There was a consensus among the members of the public who were present that they were advocating for in-person visits rather than contact visits. Bryan noted that he will not allow contact visits because of the security risks involved, but he will consider granting requests for in-person visits, and that he did grant the one request for in-person visitation that he did receive. A member of the public noted that NORCOR is here because the Hood River jail was considered cruel and unusual punishment. There was a consensus by the Board that this issue could take all day to discuss. Tom McCoy noted that there were still many things on the agenda to accomplish and there was a need to move on.

3.0 REPORTS AND DISCUSSION – ACTION THAT MAY BE REQUIRED:

- ***3.1 Sheriff Board –***

Brad Lohrey reported that the Sheriffs had met but that there was nothing further to report at this time.

- ***3.2 Juvenile Directors –***

Amber DeGrange reported that the Juvenile Directors Oversight Committee (JDOC) has been meeting regularly and went through the Action Plan that they have been following in their meetings. Amber further reported that the Grievance Policy, the Level System, the Discipline System, and the Documentation system had been worked on and implemented since the last meeting. There is a big focus on getting the kids out to do more activities. Amber reported that the Juvenile Directors had been in the back more regularly and that the kids are responding positively to all of the changes. The next big project that the JDOC will be working on is Education. Sara Radcliff and Lisa Rose from DRO came by to drop off books from a book drive that the DRO had done for NORCOR. They also did interviews with the kids while they were here to drop off the books, but the JDOC has not heard back on the results of those interviews at this time.

Scott Hege asked how the JDAI report from 2015 relates to what is currently being worked on. Bryan Brandenburg noted that the current policies have been revised to fit the Standards within the JDAI Report. Amber DeGrange added that the JDAI Standards are standards to aspire to since there are some of the Standards that cannot be attained here at NORCOR. Bryan agreed that some of the Standards are out of reach, but added that most of the Standards are going to be reached.

- ***3.3 Legal Counsel –***

Ruben Cleveland reported that the passing of Will Carey had left some big shoes to fill, but that he is also a partner in the same firm and that he has plenty of experience working with governmental

entities. Rueben wanted to let the Board know that, even though Will is gone, NORCOR will not be left high and dry.

- **3.4 Commissioners Comments –**

Bob Benton reported that Ron Rivers was unable to make it to the meeting today because of the coming cold temperatures. Bryan Brandenburg presented the plaque that was meant to be given to Ron and gave the plaque to Bob Benton to give to Ron Rivers. Tom McCoy offered a piece of the cake that was in honor of Ron Rivers to all in attendance before they leave today.

Scott Hege brought up the issue of face-to-face visitation and encouraged the Board to talk about it and clearly understand the issue from an operational standpoint. Steve Shaffer agreed that the Board needs to revisit the issue of face-to-face visitation but that the daily operation of the jail is the responsibility of the Sheriffs and that the Sheriffs and the Executive Director need to get together and decide if it works for them and then, if necessary, to bring it to the Board. Juli Twidwell noted that the Board had discussed and decided to utilize video visitation when it was presented about ten years ago and that it had come down to a matter of cutting down on personnel costs. Tom McCoy asked if the Sheriffs and Bryan Brandenburg could put together the costs of implementing face-to-face visitation and bring it back to the Board.

Scott Hege referred to the letter that had been sent to the Board from the ICE Resisters relating to the possibility of meeting with Bryan Brandenburg to find alternative stable resources to finance NORCOR outside of the ICE contract and added that he thought it would be a good idea for them to meet with Bryan and that Bryan had seemed receptive to meeting with them.

Steve Shaffer wanted to clarify that he was in favor of in-person visitation as long as the cost is not too great and that the Sheriffs are the ones developing the policy surrounding in-person visitation.

Tom McCoy noted that the Board has spent a lot of time talking about stable new funding sources for NORCOR and that the Board welcomes hearing new ideas on this issue. Tom added that they would put together a group where the public could bring their ideas for more stable funding outside of the ICE contract. Members of the public asked if there would be Board Member representation at the meeting since there was concern that Bryan Brandenburg keeps asking the group to bring a plan to him, but they perceive that nothing had been happening beyond that point. Bryan suggested that if they get in touch with him he will sit down and meet with them and then they can go over their ideas together and they can come up with a plan to present to the Board.

- **3.5 Next Board Meeting –**

The next regular scheduled Board Meeting is scheduled for April 26, 2018 @ 10:00 AM.

- **3.6 Executive Session 192.660 (1) (h) –**The Board adjourned into Executive Session at 12:03 PM.

- **3.7 Adjournment:** The meeting was adjourned @ 12:52 PM.

Date

Tom McCoy, NORCOR Board Chair

Date

Respectfully submitted,
Beth Anderson, NORCOR

Beth Anderson, NORCOR