



NORCOR CORRECTIONS FACILITIES

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NORCOR Board of Directors Minutes of the Board Meeting July 20, 2017

PRELIMINARY BUSINESS:

Quorum was determined and the Board Meeting was called to order on July 20, 2017 @ 10:05 AM by Scott Hege, alternate for Rod Runyon, Chairman.

Present: Bryan Brandenburg-NORCOR Administrator. **Board Members:** Scott Hege- Wasco County Commissioner (*alternate for Rod Runyon-Wasco County Commissioner, NORCOR Board Chairman*); Tom McCoy- Sherman County Commissioner, NORCOR Board Vice-Chairman; Steve Shaffer- Gilliam County Judge; Molly Rogers- Wasco County Juvenile Director

Guests: Will Carey- NORCOR Attorney; Rev. Red Stevens- St. Paul's Episcopal Church, Rector; Rev. John Boonstra- United Church of Christ, Clergy; Rev. Marilyn Roth- St. Paul's Episcopal, Clergy; JoAn Henricks- The Dalles Resident; Solea Kabakov- Gorge ICE Resistance Leader; Jim Patterson-Hood River County Juvenile Director; Amber DeGrange- Sherman County Juvenile Director; Amber Orion- The Dalles Resident; MariRuth Petzing- Hood River Resident; Pamela Zachary-Morneault- White Salmon Resident; Roberta Cook- The Dalles Resident; Steve Kramer- Wasco County Commissioner; Jean Sheppard- Volunteer Attorney, Immigration Counseling Services and ACLU; Neita Cecil- The Dalles Chronicle Reporter; Juli Twidwell- NORCOR; Beth Anderson- NORCOR

Tom McCoy made a motion to accept the July 20, 2017 Board Meeting Minutes as they stand. Steve Shaffer seconded the motion. The motion passed with unanimous approval.

Scott Hege asked if there was anything that needed to be added to the Agenda for the current meeting. Bryan Brandenburg noted that there was a need for an Executive Session to be added to the end of the Work Session.

BUSINESS ITEMS:

- **2.1 Discussion/Work Session on Permanent Tax Levy Options** – Scott Hege opened up the discussion by asking what the issues were that needed to be discussed. Molly Rogers noted that there had been a sense that there was a willingness to pursue moving forward with putting the Bond Levy before voters again,

but there was a concern about timelines. Molly added that there was also a need to review what happened with the previous Bond Levy that went before voters in an effort to improve the chances of it passing the next time. Molly outlined that there are four different times that the Bond Levy could be put before voters:

- 1. General Election- November 2017
- 2. Primary Election- May 2018
- 3. General Election- November 2018
- 4. Special Election, however, this option has significant costs attached to it

Tom McCoy brought up the fact that there may already be a Special Election in January, which might give another option for bringing the Bond Levy before voters again.

Molly noted that one of the concerns with the timing of presenting the Bond Levy to voters for a second time is that in Wasco County, the School District is interested in pursuing a Bond. Molly further noted that Hood River County is borrowing funds from their reserves to fund their county government, and input from Hood River as to their needs regarding the timing for the Bond Levy would be helpful.

Steve Shaffer brought up the fact that a decision on the timeline on a new Bond Levy needs to be decided on right away. Steve further noted that his big issue is reviewing what was done well and what went wrong last time in Wasco County. Steve added his opinion that the November 2017 General Election would be too early to try again with the Bond Levy; the May 2018 Primary Election would be a better time to add the Bond Levy to the ballot in order to be able to pull a PAC together to answer some questions that the citizens of the four counties have.

Tom McCoy noted that since the Bond Levy had passed in Sherman, Gilliam, and Hood River Counties, then Wasco County really should take the lead in this discussion. Scott Hege noted his surprise that the Bond Levy had passed in Sherman and Gilliam Counties, but not in Wasco County and asked if there had been significant efforts in those two counties to get the message out. Steve Shaffer noted that other than having an article in the newspaper about it, discussing it three or four times in county court meetings, meeting with the two cities, and meeting with each of the districts that would be affected by this and letting them know how much money they would lose if the Bond Levy had passed, there was no other effort put into getting the message out to voters. Steve noted that his personal opinion was that he was not in favor of the Bond Levy in light of the fact that the taxing districts in the two cities in Gilliam County would lose money if it passed. Bryan Brandenburg noted that Hood River County had made a concentrated effort to get the word out about the Bond Levy and had spent a lot of time talking about it.

Scott Hege led the discussion back to the timing issue and asked the Board if the expectation was to make a decision at this meeting about the timing of pursuing the Bond Levy again. Scott pointed out that the first questions to be answered were whether or not the Board was going to go out for this Bond Levy again, and if so, when? The Board was hesitant to make a firm decision without Hood River County present to give input to the decision. Tom McCoy suggested making a tentative decision at this meeting and then having it ratified at the next Board Meeting. Scott noted that Wasco County had not talked about the timing of going out for the Bond Levy again. Scott further added his opinion that financial need should be driving the discussion of whether this Bond Levy is even needed or not. Tom added that NORCOR's finances had changed dramatically between when the original discussion of pursuing the Bond Levy had started and when it was voted on. Bryan

Brandenburg added that subsidies from the four counties work out to \$3.8 million, while operational costs for NORCOR are a little more than \$6 million; without the ICE contract of about \$1 million, the four counties would need to up their subsidies to \$4.8 million or find a way to make up that difference. JoAn Henricks asked if the current budget was posted on the website. Juli Twidwell answered that the final adopted Budget was posted on the website under public documents. JoAn asked if there was a specific date on the actual document, which would make it easier for the public to understand that it was the latest budget document. Tom McCoy answered that there would be no date on the document, but that it would be listed as the Adopted Budget. Molly Rogers asked Bryan how many ICE contracted detainees the Budget was based on. Bryan answered that the budget was based on 22 ICE detainees which works out to about \$1 million in the current budget. Molly noted that the ICE numbers are very volatile and that the contract with ICE, which does not include a guaranteed minimum number of detainees, makes NORCOR vulnerable to a \$1 million budget deficit at any point. Molly added that with this information in mind, the financial stabilization that comes from the Bond Levy is still a need. Scott noted that he had just looked at the NORCOR website and did not find the Budget posted there. Scott then requested that the Budget be put back on the website. JoAn requested that a date be added to the document when it is added to the website, so that the public is more aware of what is going on with NORCOR's budget. Steve Shaffer noted that the \$1 million in the Budget matches the amount that is in the Budget for Reserve Funds. Steve further noted that while it may not seem, at this moment, that NORCOR is in need of the financial stability of the Bond Levy, it would be nice for the counties that subsidize NORCOR to have an ability to put some of those funds to use in other needed areas. Scott asked if the Federal contract with ICE was worth the problems and controversy that it creates. Scott noted his opinion that the controversy with the ICE contract is a large part of the reason that the Bond Levy did not pass in Wasco County. Molly noted that the intention of the Bond Levy is to offset contribution of the four counties to NORCOR. Molly added that the big concern, especially for Hood River County and for Wasco County was that the subsidy to NORCOR was quickly becoming the biggest line item in their general fund budgets, so the \$1.3 million generated by the Bond Levy was not really extra revenue for NORCOR, but to help offset county subsidies. Will Carey noted that the subsidies that come in from the counties does not pay the whole cost of running NORCOR. Scott Hege added the suggestion that the NORCOR staff analyze the current financial information in an effort to be able to show and explain the need for the Bond Levy to the constituency as well as to aid the decision of whether or not to keep the federal contracts. Steve Shaffer noted that he is comfortable with the new direction that NORCOR is going in, and that for this period of time, the contract with the federal government needs to continue. Steve added that the funding problems really come from Wasco and Hood River counties rather than from Sherman and Gilliam counties. Tom noted that, at this moment in time, it may appear that NORCOR does not need the stabilization of a Bond Levy, but the history of the past five years shows just how much the stabilization is needed. Scott Hege noted that 10-15 years ago federal contracts were a big part of the financial operation of NORCOR. Tom McCoy added that when NORCOR was first built the federal contracts were a key part.

Molly Rogers asked about the length of the contracts on the properties. Bryan Brandenburg answered that the lease on the warehouse is a year-long lease with a yearly renewal option. Bryan added that the current warehouse contract is guaranteed for the next 2 years.

Scott Hege reiterated the need for staff to analyze the current financial situation to determine the actual need for a Bond Levy. Tom McCoy noted that it would be great to have a 5-year projection. Molly Rogers clarified that Scott was asking for a current reality of NORCOR's financial outlook. Scott asked Bryan Brandenburg what the

guarantees are on the contracts that NORCOR has. Bryan answered that there is currently a 3-year guarantee with Benton County and a 2-year guarantee on the warehouse. Molly asked if Benton County had a 30 day opt out in the contract. Bryan answered that there was. Molly then asked if Benton County was working on passing a levy or if anything political was going on which would cause them to suddenly opt out of the contract with NORCOR, as has happened in the past with other counties. Bryan answered that there is nothing at this time.

Molly Rogers noted her concern about the actual number of ICE detainees appearing to be lower than anticipated in the budget. Steve Shaffer noted that any shortfall in the ICE numbers and revenue will only affect the Reserve Fund balance. Molly added that the Board is still trying to make a case for the need of the Permanent Tax Levy. Steve noted that a projection of where NORCOR expects to be financially in three years would be helpful. Scott Hege noted that the goal is not to go out for a Bond Levy for the sake of going out for a Bond Levy, but to keep NORCOR financially functional. Scott added that the financial projection put together by staff could be discussed at the next Board Meeting. Molly asked if Board was looking at May 2018 for the Bond Levy. Steve noted that he would really like information from Hood River County before deciding on the timing of presenting the Bond Levy to voters again. Molly added that one of the things that had not been done well in going out for the Bond Levy previously was the creation of a PAC for community outreach.

JoAn Henricks asked the Board if ICE was a contract worth having. JoAn noted that in her experience from working in Benton County the contract with ICE may be a detriment to the NORCOR contract with Benton County.

Jean Sheppard noted that the ICE detainees prefer to be in Tacoma because of the lack of resources here for them. Jean added that keeping ICE detainees who are not hardened criminals here for financial reasons is really inhumane and not fair for them. Scott Hege asked for clarification of whether or not the ICE detainees come here only when Tacoma is out of room for them. Jean answered that the ICE detainees here at NORCOR report that when they are transferred back to Tacoma for dental care or other things that facility actually has empty beds. Scott noted that he doubted that Tacoma was sending detainees and the money it costs to house them to NORCOR without a valid need to do so. Jean gave her opinion that ICE may send detainees to NORCOR as a placeholder, but no matter the reason, it is a terrible cruelty to house them here. Will Carey noted the fact that the ICE detainees that come to NORCOR must be charged with or convicted of a crime. Steve Shaffer asked if the detainees at the Tacoma facility were only from the Tacoma/Seattle area. Bryan Brandenburg answered that the Tacoma facility is a regional holding facility with detainees coming from Washington, Oregon, Idaho, and Alaska. Steve pointed out that family members of a detainee from Idaho might more easily visit with their loved ones here at NORCOR. JoAn Henricks asked for facts about the specific crimes that ICE detainees have been convicted of or charged with and proof that the charges are criminal rather than civil. Bryan answered that NORCOR does not keep detainees that have only been charged with civil crimes and then noted that he sent three people back to Tacoma in the previous week because they did not have criminal charges or convictions. JoAn noted that transparency about the crimes would be the best ally for NORCOR. Bryan answered that there is a Federal Statute which does not allow NORCOR to give out that information. Jean noted that some of the crimes were DUIs. MariRuth Petzing added that some of those DUI crimes were from 20 years ago. Amber Orion noted that NORCOR's inability to properly house these ICE detainees is a moral issue. Molly Rogers asked if any follow-up had been done regarding the differences between NORCOR and the Tacoma facility. Bryan noted that the biggest difference is that the Tacoma facility is a bigger operation. MariRuth Petzing added

that the issue with visitation is not the distance from families, but rather that fact that Tacoma allows in-person family visitation, while NORCOR does not. MariRuth added that this is just one of the differences the Board that the detainees report. John Boonstra noted that the lack of personal visitation with families is huge. John also noted that the Tacoma facility is not nearly as limited with clergy visitation as NORCOR. John added that his understanding of the ICE is that they can only detain people with civil offenses once their criminal offenses have been dealt with properly. John noted his opinion that it is wrong for the ICE detainees at NORCOR to be treated in the same manner as the criminals housed here. Solea Kabakov suggested that the community would get behind replacing the ICE contract with the Permanent Tax Levy.

- **2.2 Session 192.660 (1) (h) – Board adjourned into Executive session @ 11:01 AM** The Board was called back into regular session @ 11:45AM
- **2.3 Next Board Meeting** – The next regular scheduled Board Meeting is scheduled for August 17, 2017 @ 10:00 AM.
- **2.4 Adjournment:** The meeting was adjourned @ 11:49 AM.

Date

Rod Runyon, NORCOR Board Chair

Date
Respectfully submitted,
Beth Anderson, NORCOR

Beth Anderson, NORCOR