



NORCOR CORRECTIONS FACILITIES

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NORCOR Board of Directors Minutes of the Special-Called Board Meeting August 10, 2018

1.0 PRELIMINARY BUSINESS:

Quorum was determined and the Board Meeting was called to order on August 10, 2018 @ 9:05AM 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; Bob Benton- Hood River County Commissioner; Jim Patterson- Hood River Juvenile Department Director (*alternate for Molly Rogers- Wasco County Youth Services Director*); Rod Runyon, Wasco County Commissioner; Lane Magill- Wasco County Sheriff (*alternate for Brad Lohrey- Sherman County Sheriff*)

Guests: Diana McDougle- NORCOR Attorney; Dan Lindhorst- NORCOR Administrative Lieutenant; Teresa Hepker- Wasco County Citizen; Amber Orion- Wasco County Citizen; Neita Cecil- The Dalles Chronicle

Steve Shaffer noted that when he stated that the cost for the warehouse should be discussed at the next scheduled meeting, he meant for it to be at the next regularly scheduled Board Meeting. Bryan Brandenburg noted that his understanding was that the warehouse costs were to be added to the agenda of this Special- Called Board meeting in order to be able to dispense the information to the counties before the next regularly scheduled Board Meeting on August 16, 2018. Steve Shaffer made a motion to approve the minutes from the Special-Called Executive Board Meeting on August 2, 2018. Bob Benton seconded the motion. The motion passed unanimously.

2.0 BUSINESS ITEMS:

- **2.1 Executive Session ORS 192.660 (1)(f), Records Exempt from public disclosure; ORS 192.660 (2)(h) Legal Counsel –**
The Board entered into executive session pursuant to ORS 192.660 (1)(f) and (2)(h) at 9:10AM.
- **2.2 Decisions & Actions resulting from Executive Session –**

The Board returned from Executive Session at 9:18AM and the public was invited back into the meeting. Diana McDougle recommended to the Board that the decisions made after the Board came out of Executive Session at the Special-Called Executive Board Meeting on August 2, 2018 should be rescinded, since it is arguable that the decisions made at the end of the meeting were not properly recognized in the agenda that was noticed to the public for that meeting. Diana further recommended that the Board then take public comment on the subject that gave rise to the decisions at the previous meeting- the hiring process of the new administrator and then vote on those issues again. A member of the public, in attendance, asked for clarification that the public would be able to speak at this meeting. The question was asked about when the meeting, today, was posted. Diana answered that since it is a special meeting the legal requirement is 24 hour notice, but that an attempt is made to get notices out the public much sooner than that. The question was asked about where the notice for this meeting today was posted, besides on the NORCOR website. Diana answered that she would follow up to make sure that the notices were sent, but also noted that once NORCOR sends out the notices to the various reporting agencies, it is up to the publishing agencies to get those notices to the public.

Steve Shaffer made a motion to rescind the motion relating to the Board's moving forward with the three final candidates for administrator and with the discussion to be interviewed on the 16th of August, which was adopted at the meeting on August 2, 2018. Bob Benton seconded the motion. The motion passed unanimously.

Steve Shaffer made a motion to rescind the motion relating to the Board's decision to have the NORCOR Executive Board serve as the interview committee for the new NORCOR administrator, with the addition of Juvenile Director Jim Patterson, which was adopted at the August 2nd meeting. Rod Runyon seconded the motion. The motion passed unanimously.

Diana McDougal clarified that a new policy has been formulated in which she will be working closely with Bryan Brandenburg and the NORCOR staff and that she will be vetting any future notices and agendas before they are published.

- **2.3 Public Comments/Questions –**

Teresa Hepker asked if there would be discussion around these issues at this meeting. Teresa further asked if there would be time for extra comment at the end of this meeting, in case there are questions that arise after the business. Tom McCoy answered that the Board would try to answer as many questions as they could, but that they were working with a bit of a time crunch today. Another member of the public asked if this meeting was a plan to get public input or if this was the only opportunity for public input available. Tom McCoy answered that he did not think that this meeting was to plan to take public input. Steve Shaffer noted that there are two separate issues here, the first being that in the executive session the Board had narrowed down the list of candidates to the three people that they felt were the strongest candidates to interview for the administrator position and the Board wanted to notify the candidates before releasing their names to the public. The second issue is that in the Executive Session, the Board discussed who would be on the interview panel to conduct the interviews for three final candidates. Steve added that this part of the meeting is open to public

comment, if comments are held to beliefs on the interview committee, and that is all that should be discussed today. A member of the public noted her concern that the Board is putting public comment on the agenda, but the public is not being given anything to comment on. She further shared her concern that there have been repeated requests to have public involvement in the entire hiring process that have not been addressed, and in fact the public is not allowed to weigh in with any of the questions that they have. Bryan Brandenburg noted that the public has a chance to weigh in today. The member of the public asked if the Board actually expected to get any public comment that would help them through this process. Tom McCoy answered that there were two motions that were rescinded today and that the public would have opportunity to comment on those. Diana McDougale pointed out that the Board hires the administrator and that Steve properly articulated that today would be the opportunity for public input on the interview committee, but that it is the responsibility of the Board to hire the administrator.

Another member of the public noted that this meeting today seems like an attempt to patronize the members of the community, despite the fact that public involvement was requested long before this point in the process.

Amber Orion, a resident of The Dalles, asked for specific answers to the following questions:

- What is the specific reason for rushing the process of hiring a new administrator?
- What is the reason for lowering the requirements of the position, especially considering the importance of this position within the communities that are served and the size of the mess that is left to be addressed by the new administrator?
- Why is Mr. Brandenburg, as the outgoing administrator, in charge of this process rather than the County Officials, on the NORCOR Board who are responsible to the members of the communities that are served by NORCOR, or even a hiring firm like has been done in the past?

Tom McCoy answered that the NORCOR Board did approve the hiring process; it was suggested by Bryan Brandenburg, but it was the Board's decision to approve the current process. Tom further added that he did not feel that the process has been rushed; there has been a deliberate process, in which a large number of applicants responded and those applications were reviewed. Tom added that Bryan is leaving in the fall and the Board would like to have someone in place so that there can be as long an overlap as possible to make sure that what he has learned and all the procedures can be explained to the new person. Lane Magill noted that the process has been even longer than other places have for different kinds of positions and that the timeline has been adequate and efficient for NORCOR. Tom McCoy further answered that the qualifications for the administrator position were changed so that fewer people would be excluded from the process, but that the Board definitely took into consideration, when reviewing the applicants, both the extent of their education and their experience. Bryan Brandenburg added that the qualifications were changed to be able to include those applicants who might actually have more years of experience working in the field and noted that in the applicants who were reviewed, no one had less than a Bachelor's degree.

A member of the public noted that, since this is the time to be able to comment on the interview committee, the public has repeatedly requested that the NORCOR Board include members of the public community, who are not employed by NORCOR or on the Board, to be on the hiring committee or the interview committee. Tom McCoy answered that the Board had discussed the request and had made the decision to not add public members to the committee that reviewed the applications. Amber Orion asked if there was a reason for that. Tom answered that there were well qualified public officials, with experience at NORCOR, who could make those decisions. Amber asked how the public is able to connect with this process, which affects them greatly during a time in which NORCOR has been under a significant amount of scrutiny for a sustained period of time. Bryan Brandenburg answered that all of the people who are deciding who next administrator is, with the exception of Juvenile Director Jim Patterson, are elected officials and if members of the public have an issue with the hiring process they need to take it up with their County Commissioners. Bob Benton noted that it is an unfortunate circumstance that there is legal action at this time which may make it difficult for some of the Commissioners, as members of the Board, to have discussions with the general public, but that does not affect the Commissioners' ability to make decisions on the next administrator of NORCOR.

Another member of the public asked if the process would be similar to the one that the Community College and Hood River County, when hiring the County Administrator, used with an open forum for the public to meet with the candidates for the position and be able to give input on the candidates. Bryan Brandenburg answered that the process described would not be used here in this situation, but that both of the candidates will be at the Board Meeting on August 16, and they will not have been interviewed yet. The candidates are being invited to the Board Meeting so that they can watch a Board Meeting; once the Board has selected a candidate for the next administrator, there will be a community meet and greet. Another member of the public asked why Bryan said both candidates, when originally there had been three, pointing out that this is the kind of thing that makes it difficult to keep up with the process. This public member requested that a member of the public, who is not employed by NORCOR and is not a member of the NORCOR Board, be on the interview committee. The question was asked about what happened to the meet and greet with the candidates that had been mentioned at the Hood River County Board Meeting. Bob Benton answered that at the time it was discussed that a meet and greet with the candidates would have been be part of the process, but the process has changed since then. Amber Orion noted that she had not heard any reasons why the public has not been more involved, but only keeps hearing that people are qualified. Amber further noted her concern that there is no one present at the Board meeting who is speaking out on behalf of the public that the members of the Board are accountable to. Amber continued with her concern that the person in charge of the hiring process has been less than truthful in the past, but that the public continues to be told not to worry about it and she does not accept that. Bryan took offense to being called a liar. Tom McCoy noted that the public has clearly made their point, the Board had heard it and that it was time to move on with the meeting.

- ***2.4 Discussion of Public Involvement in Interview Process –***

Steve Shaffer made the motion to approve moving forward with the three candidates that were selected in Executive Session on August 2, 2018 and will continue with an interview process to happen on August 16, 2018 at 1:00PM. Lane Magill seconded the motion. The motion passed with unanimous approval.

Steve Shaffer made a motion that the interview committee consist of the NORCOR Board, with the inclusion of Jim Patterson as the representative for the Juvenile Directors, for the August 16, 2018 interviews. Bob Benton seconded the motion. Lane Magill asked Jim if he was alright with this motion. Jim confirmed that he was. The motion passed unanimously.

- ***2.5 Review Interview Questions –***

Bryan Brandenburg gave an overview of how the interview questions that are going to be discussed came about. Tom McCoy clarified that they are talking about the set of ten questions that will be asked to each of the candidates during the interviews. A member of the public asked when the interview questions would be released for the public to see. Tom McCoy noted that the interview questions would not be released to the public before the interview in order to avoid any chance that the candidates may see them before the interviews take place. Bryan answered that the public would not have access to the interview questions even after the interviews take place. Bryan explained that it is a part of the interview process and a personnel rule and if the Board decides that they do not like these two candidates and to start the process over again, these questions would be used again. Steve Shaffer noted that the interview questions are part of the executive Board's decision.

- ***2.6 Review Public Notification of Final Candidates –***

Diana McDougle wanted to make sure that the candidates are given notification that their names will be released publicly. Bryan Brandenburg noted that they had not been notified yet. Diana noted that as soon as they are notified, their names will be released. Tom McCoy asked how the public would be notified. Bryan answered that he would release them to Neita Cecil, at the Chronicle. A member of the public noted concern that there have been times when NORCOR has said they have released something to The Dalles Chronicle, but it never got published. Steve Shaffer noted that whatever gets released to the Chronicle will also be posted to the NORCOR website, but it is the choice of the newspaper as to what they wish to publish. The member of the public noted that it would be helpful if the public could receive a notification of when new things are posted to the NORCOR website and where on the website the public can find that information. Tom noted that the names would probably be released within the next few days. Neita confirmed that it was likely that the paper would publish the names of the candidates, once they are released. Bryan noted that if any of the candidates say that they do not want their name to be released then their name will not be released. Diana added that they would need to fall into one of the exception rules to have their name excluded from release.

- ***2.7 Warehouse Costs –***

Bryan Brandenburg disbursed the information containing both the cost of repairing the warehouse and the cost of the legal fees. Bryan explained that the spray insulation in the warehouse needs to be repaired and there have been two bids, so far to complete this repair. Bryan further explained that the

legal costs are exceeding NORCOR's financial capacity. Both of these costs are included in Resolution 18/19-2. Bryan asked the Board to go back to their counties to request increased subsidies to cover these costs. Bryan noted that this information is simply for discussion at this point. Lane Magill asked if this part of the warehouse was being rented out. Bryan confirmed that the part of the warehouse that needs repair is currently being rented out and utilized. Bob Benton asked for clarification of what work exactly needs to be done. Bryan answered that the spray insulation in the ceiling of a section of the 10,000 sq. ft. building needs to be replaced. Bob asked if there needed to be a line item in the Budget to deal with this repair again at some point in the future. Bryan answered that one of the bids includes a solution to fix this issue for good.

- **2.8 Resolution 18/19-2 Resolution to Request an Increase in County Subsidies –**

Bryan Brandenburg noted that this resolution can be tabled until the next Board meeting. Bob Benton commented that he ran it by his Commissioners individually and none of them were supportive at all about Hood River County increasing their subsidy, so he is prepared to act on this Resolution today, if necessary, but if the other Commissioners need time to take it back to their counties it can be tabled. Rod Runyon noted that this is something that should be voted on at a regularly scheduled public Board Meeting, and not during a Special-Called Meeting. Tom McCoy noted that voting on this Resolution would be held off until the regularly scheduled August 16, 2018 Board Meeting.

3.0 REPORTS AND DISCUSSION – ACTION THAT MAY BE REQUIRED:

- **3.1 Executive Session – ORS 192.660 (2)(i) Personnel –**

The Board entered into Executive Session under ORS 192.660 (2)(i) Personnel at 9:57AM.

- **3.2 Decisions & Actions Resulting from Executive Session –**

The Board returned from Executive Session at 10:11AM and the public was invited back into the meeting. Tom McCoy summarized that the Board came to a consensus on the ten questions for the interview committee to ask each candidate.

- **3.3 Adjournment –**

The meeting was adjourned at 10:13AM.

Date

Tom McCoy, NORCOR Board Chair

Date

Beth Anderson, NORCOR

Respectfully submitted,
Beth Anderson, NORCOR